

GUIDELINES FOR REGISTRATION AS AN ENGINEERING CONSULTANCY PRACTICE (BODY CORPORATE)

Every body corporate desirous of practicing as consulting engineers **SHALL REGISTER** with BEM as provided for in Section 7A of the Registration of Engineers Act 1967 (Revised 2015) and Regulations 34A(1) and 34B(1) of the Registration of Engineers Regulations 1990 (Revised 2015).

2. Application shall be made manually by submitting FORM A7 together with payment and documents as follows:

	ITEMS	SUBMISSION REQUIREMENTS
(a)	Form A7 – Application Form	Form A7 have been duly filled and signed <i>Forms for Registration of Engineering Consultancy Practice can be downloaded online from the BEM website</i> www.bem.org.my/v3/downloads.html
(b)	RM50.00 - Processing Fee AND RM1,000.00 - Registration Fee * Half Registration Fee for applications approved between 1 July till 31 December	Processing Fee is not refundable. Payment can be made in the form of money order, postal order, bank draft, cheque or any other form as determined by the Board, made payable to the “Board of Engineers Malaysia”. Applications without any proof of payment will not be processed..
	Option: RM15.00 Costs of sending registration certificate by courier service.	Otherwise, the registration certificate will be sent by regular mail.
(c)	Receipt for Registration	A receipt will be given for the registration. Confirmation of payment is also printed on the registration certificate upon approval of the application.
(d)	Complete and sign FORM D7	To be completed and signed by <u>ALL</u> directors in the Body Corporate <i>Form D7 can be downloaded online from the BEM website.</i>
(e)	Complete and sign FORM E7	To be completed and signed by <u>ALL</u> shareholders in the Body Corporate <i>Form E7 can be downloaded online from the BEM website.</i>
(f)	Complete and sign FORM SD	The Statutory Declaration form to be duly filled and signed by <u>ALL</u> directors and/or shareholders of the Body Corporate <i>Form SD can be downloaded online from the BEM website.</i>
(g)	Complete and sign FORM K (if applicable)	Permission to be involved in a Construction or Manufacturing Company If a director wishes to be involved with a construction or manufacturing company, he/she must apply for permission from BEM using Form K as required under Regulation 32 of the Act.

		<p><i>Restriction on being a director, member or shareholder of contracting and manufacturing company, etc.</i> Regulation 32 of the Act.</p> <p>(1) Except with the prior approval of the Board, a registered Engineer in an Engineering consultancy practice shall not be a director or executive of or substantial shareholder in or agent for any contracting or manufacturing company or firm or business related to building or engineering.</p> <p>(2) If such approval is given, such registered Engineer shall not undertake any contract work wherein he is engaged to provide professional engineering services in such project unless it is in respect of a "design and build" project.</p> <p>Form K can be downloaded online from the BEM website.</p>
(h)	LETTER 1 – Acknowledgement on Professional Engineer with Practising Certificate’s Involvement in Engineering Consultancy Practice (<i>if applicable</i>)	<p>Acknowledgement letter by other ECPs that they are aware that the Professional Engineer with Practising Certificate (PEPC) is a principal/partner/director/shareholder of more than one engineering consultancy practices (ECPs)</p> <p>Sample Letter 1 can be downloaded online from the BEM website.</p>
(i)	LETTER 2 - Declaration Letter on Active Involvement in Engineering Consultancy Practice	<p>The Board has allowed Professional Engineer with Practising Certificate (PEPC) to be a principal/partner/director/shareholder of more than one engineering consultancy practices (ECP). The PEPC <u>shall</u> inform the Board in writing stating clearly the name(s) and registration(s) of the ECP(s) that he/she is involved.</p> <p>This Declaration Letter on Active Involvement shall be submitted by <u>each</u> director using company letterhead in which he/she will be active in.</p> <p>• Definition of Active - “Fully responsible for all actions taken by the Company including signing plan”.</p> <p>Sample Letter 2 can be downloaded online from the BEM website.</p>
(j)	LETTER 3 - Letter of Acknowledgement by company other than Engineering Consultancy Practice (<i>if applicable</i>)	<p>If a director is involved in a company other than engineering consultancy practice such as project management company, development, manpower supply and trading and so on, a letter of acknowledgement shall be obtained from the said company.</p> <p>The company or companies shall declare it/they is/are aware of the director’s involvement in the Body Corporate and have no objection for the director to practise and carry out or perform professional engineering services in the Body Corporate.</p> <p>Sample Letter 3 can be downloaded online from the BEM website</p>

(k)	Board of Directors	A Board of Directors where at least <u>two thirds</u> of its members are Professional Engineers with Practising Certificate in accordance with Regulation 34B(1) of the Act.
(l)	Resolution of the Board of Directors	Provide Resolution of the Board of Directors of the Body Corporate authorising a Professional Engineer with Practising Certificate to be the new Director-in-Charge to make all final engineering decisions in accordance with Section 7A(3)(c)(iv) of the Registration of Engineers Act 1967 (Revised 2015).
(m)	Share Equity	At least 70% of its share equity held by Professional Engineers with Practising Certificate in accordance with Regulation 34A(1) of the Act.
(n)	Form 49	Submit Form 49 Certified by the SSM (Companies Commission of Malaysia) with the original stamp.
(o)	Form 32A and Stamp Certificate	Submit Form 32A and Stamp Certificate - Form of Transfer of Securities certified by Company Secretary with the original stamp.
(p)	Form 24	Submit Form 24 - Return of Allotment of Shares certified by the SSM with the original stamp. <ul style="list-style-type: none"> Minimum Paid up Capital shall be RM50,000.00.
(q)	Memorandum and Articles of Association (M&AA)	(i) M&AA should follow the format set by BEM (ii) M&AA must be similar to that registered in the SSM (iii) M&AA must be certified by SSM (Form 9, page 1 and page 5 only). (iv) M&AA format is downloadable from BEM web site i.e. http://www.bem.org.my/v3/pdf/BCnew03.pdf

For further details or enquiry, please contact:

Board of Engineers Malaysia
 Tingkat 11 Blok F Ibu Pejabat JKR
 Kompleks Kerja Raya Malaysia
 Jalan Sultan Salahuddin
 50580 Kuala Lumpur, MALAYSIA.
 Tel: 603-2610 7095 or 7096 / 03-2691 2090 / 03-2698 2413.
 Fax: 603-2692 5017
 Email: wahidah@bem.org.my or registration@bem.org.my

GUIDELINES FOR NAMING THE ECP

The company name shall not be the same/similar as what has been registered by BEM.

FORM A7

APPLICATION FOR REGISTRATION AS AN ENGINEERING CONSULTANCY PRACTICE (BODY CORPORATE)

Section 7A of the Registration of Engineers Act 1967 (Revised 2015)
Regulation 34A(1) and 34B(1) of the Registration of Engineers Regulations 1990 (Revised 2015)

(To be completed by the Applicant in BLOCK LETTERS)

Name of Body Corporate :

.....

Registered Address :

.....

.....

.....

Tel. No. :

Fax No. :

.....

E-mail Address :

1. DIRECTOR-IN-CHARGE :

Name	Identification Card No./ Passport No.	Profession	PEPC Reg. No.
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2. LIST OF SERVICES PROPOSED TO BE OFFERED BY THE BODY CORPORATE

(Where space provided is insufficient, please attach annexed sheet)

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3. INFORMATION OF EMPLOYEES IN THE BODY CORPORATE

- (i) Number of professionals
employed:

Graduate Engineer :

Engineering Technologist :

Inspector of Works :

Professional Engineer :

Professional Engineer
with Practising Certificate :

Accredited Checker :

- (ii) Number of other staff :
(please specify)

.....

- (iii) Number of employees :

.....

I confirm that I have completed the above and fulfils
BEM requirements.

Signed by the Director-in-Charge

Name:

Registration No. :

Date :

.....
(PEPC Stamp)

PENALTY

Section 24(a) of the Registration of Engineers Act 1967 (Revised 2015) : "Any person, sole proprietorship, partnership or body corporate who procures or attempts to procure registration or a certificate of registration under this Act by knowingly making or producing or causing to be made or produced any false or fraudulent declaration, certificate, application or representation whether in writing or otherwise, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit, or to imprisonment for a term not exceeding three years, or to both."

DOCUMENTS TO BE ATTACHED WITH THIS APPLICATION FORM:

- (i) FORM D7 - Board of Directors in the Body Corporate
- (ii) FORM E7 - Shareholders in the Body Corporate
- (iii) FORM SD - Statutory Declaration of all the Directors in the Body Corporate
- (iv) FORM K - Permission To Be Involved In A Construction Or Manufacturing Company (*if applicable*).
- (v) Copy of Resolution from the Board of Directors authorizing the Professional Engineer with Practising Certificate to make all the final engineering decisions on behalf of the Body Corporate.
- (vi) LETTER 1 - Letter of Acknowledgement by ECPs (Engineering Consultancy Practices) on the Professional Engineer with Practising Certificate's Involvement in their ECPs (*if applicable*).
- (vii) LETTER 2 - Declaration Letter by all the Directors on Active Involvement in Engineering Consultancy Practice.
- (viii) LETTER 3 - Letter of Acknowledgement by company or companies other than ECPs on the all the Directors' Involvement in their company or companies (*if applicable*).
- (ix) FORM 49 certified by SSM (Companies Commission of Malaysia) with the original stamp.
- (x) FORM 32A and Stamp Certificate certified by Company Secretary (*if applicable*).
- (xi) FORM 24 certified by SSM. The stamp must be original.
- (xii) Memorandum and Articles of Association certified by the SSM. (Form 9, pages 1 and 5).
- (xiii) A non-refundable processing fee for the amount of RM50.00 and registration fee for the amount of RM1,000.00 in the form of money order, postal order, bank draft, cheque or any other form as determined by the Board, made payable to the "Board of Engineers Malaysia".

For Office Use Only

Start Date: Application Status:

Application Date: Current Status:

Rejection Date: Circulation Date:

Received Date: Approval Date:

Note Date: List Status:

Suffix:

FORM D7

BOARD OF DIRECTORS FOR YEAR

(This form must be completed by ALL Directors of the Company)

Name of Body Corporate :

Registration No. with the Board of Engineers Malaysia :

(Note: Please leave blank for new applications)

BOARD OF DIRECTORS –

A. PROFESSIONAL ENGINEER WITH PRACTISING CERTIFICATE :

(Where space provided is insufficient, please attach annexed sheet)

* Director	Name	Identification Card No./ Passport No.	Registration No.	Branch of Engineering

* Tick (✓) if the Director is NEW

Note: Composition of Board of Directors shall comply with Section 7A and Regulation 34B(1)(a) of the Act which state that at least two thirds of the Board of Directors are Professional Engineers with Practising Certificate.

B. ANY PERSONS :

(Where space provided is insufficient, please attach annexed sheet)

* Director	Name	Identification Card No./ Passport No.	Profession

* Tick (✓) if the Director is NEW

Note: Composition of Board of Directors shall comply with Section 7A and Regulation 34B (1)(b) of Act which state that the remaining members of the Board of Directors may be any persons.

C. DIRECTOR-IN-CHARGE :

* Director in Charge	Name	Identification Card No./ Passport No.	Profession	PEPC Reg. No.

* Tick (✓) if the Director is NEW

Note: Composition of Board of Directors shall comply with Section 7A and Regulation 34B (1)(c) of the Act which state that one of the Board of Director shall be the person named under Section 7A(3)(iv) of the Act.

D. SIGNATURE OF ALL THE DIRECTORS IN THE BODY CORPORATE

(i)

.....
(Name)

.....
(Stamp & Date)

(iii)

.....
(Name)

.....
(Stamp & Date)

(v)

.....
(Name)

.....
(Stamp & Date)

(vii)

.....
(Name)

.....
(Stamp & Date)

(ii)

.....
(Name)

.....
(Stamp & Date)

(iv)

.....
(Name)

.....
(Stamp & Date)

(vi)

.....
(Name)

.....
(Stamp & Date)

(viii)

.....
(Name)

.....
(Stamp & Date)

PENALTY

Section 24(a) of the Registration of Engineers Act 1967 (Revised 2015) : "Any person, sole proprietorship, partnership or body corporate who procures or attempts to procure registration or a certificate of registration under this Act by knowingly making or producing or causing to be made or produced any false or fraudulent declaration, certificate, application or representation whether in writing or otherwise, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit, or to imprisonment for a term not exceeding three years, or to both."

FORM E7

SHAREHOLDERS FOR YEAR

(This form must be completed by ALL Shareholders of the Company)

Name of Body Corporate :

Registration No. with the Board of Engineers Malaysia :

(Note: Please leave blank for new applications)

A. PROFESSIONAL ENGINEER WITH PRACTISING CERTIFICATE :

(Where space provided is insufficient, please attach annexed sheet)

* Shareholder	Name	Registration No.	Branch	No. of Shares	Shareholdings %

* Tick (✓) if Shareholder is NEW

Total ¹ :

B. ANY PERSON OR ANY BODY CORPORATE OR ANY PERSON AND BODY CORPORATE

(if applicable) :

(Where space provided is insufficient, please attach annexed sheet)

* Shareholder	Name / Body Corporate	Profession / Registration No. ³	No. of Shares	Shareholdings %

* Tick (✓) if Shareholder is NEW

Total ² :

C. TOTAL SHAREHOLDINGS

GRAND TOTAL :
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D. SIGNATURE OF ALL THE SHAREHOLDERS IN THE BODY CORPORATE

(i)

.....
(Name)

(ii)

.....
(Name)

.....
(Stamp & Date)

.....
(Stamp & Date)

(iii)

.....
(Name)

(iv)

.....
(Name)

.....
(Stamp & Date)

.....
(Stamp & Date)

Notes:

1. Share Equity shall comply with Section 7A and Regulation 34A (1)(b) of the Act which state that at least seventy percent if its share equity to be held by Professional Engineers with Practising Certificate.
2. Share Equity shall comply with Section 7A and Regulation 34A(1)(c) of the Act which state that the remaining share equity may be held by any person or any body corporate or any person and body corporate.
3. If a shareholder is a body corporate, please state its registration number, which is the number allocated to it on its incorporation by the Registrar of SSM.
4. In case of transfer/change of shares among shareholders of the body corporate, please submit Form 32A and the Stamp Certificate. Please ensure that Form 32A and Stamp Certificate are certified by the Company Secretary with the original stamp.

PENALTY

Section 24(a) of the Registration of Engineers Act 1967 (Revised 2015) : "Any person, sole proprietorship, partnership or body corporate who procures or attempts to procure registration or a certificate of registration under this Act by knowingly making or producing or causing to be made or produced any false or fraudulent declaration, certificate, application or representation whether in writing or otherwise, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit, or to imprisonment for a term not exceeding three years, or to both."

FORM SD

STATUTORY DECLARATION

I, (Full name)

(Identification Card No./ Passport No.).....

am a * Director and/or Shareholder / Principal / Partner of the Engineering Consultancy Practice

.....

hereby declare that :

☐

I am not a *director, shareholder, principal, partner, employee of any other organization other than the above Engineering Consultancy Practice.

☐

I am *director, shareholder, principal, partner, employee of the following organizations:

* Name of organization	Nature of business	Designation	Shareholding held

I make this solemn declaration conscientiously believing the same to be true by virtue of the provisions of the Statutory Declaration Act 1960.

Subscribed and solemnly
declared by the abovement
this day of)
)
)
) ** (Professional Engineer / Professional Engineers with
Practicing Certificates / Architect /
Professional Quantity Surveyors / Others)

Before me :)
)
)
(Commissioner of Oath)

Note: * State all organizations (including non-engineering companies) in which you are involved.

** Delete where not applicable.

FORM K

To:
REGISTRAR
BOARD OF ENGINEERS MALAYSIA
TINGKAT 11 BLOK F IBU PEJABAT JKR
JALAN SULTAN SALAHUDDIN
50580 KUALA LUMPUR, MALAYSIA

PERMISSION TO BE INVOLVED IN A CONSTRUCTION OR MANUFACTURING COMPANY

I, a Registered Engineer with the Board of Engineers Malaysia hereby apply for permission to be involved in * construction / manufacturing company.

1. Name :
2. Address :
.....
.....
3. BEM Registration No. :
4. Branch of Engineering :
5. (i) Name of Engineering Consultancy Practice :
.....
- (ii) Position :
6. (i) Name of *Construction / Manufacturing company :
.....
- (ii) Nature of business :
- (iii) Position :
- (iv) Shares held (%) :

I, the undersigned, will comply with the Regulations 32 and 33 of the Registration of Engineers Act (Revised 2015).

(Signature)

Name :

Date :
.....

(PE / PEPC stamp)

NOTE: (1) Please attach annexed sheet if applying for more than one company.

(2) * Delete whichever not applicable.

**SAMPLE
LETTER 1**

COMPANY LETTERHEAD
(Engineering Consultancy Practice)

Our Ref: (if applicable).....

Date :

**REGISTRAR
BOARD OF ENGINEERS MALAYSIA
TINGKAT 11 BLOK F IBU PEJABAT JKR
KOMPLEKS KERJA RAYA MALAYSIA
JALAN SULTAN SALAHUDDIN
50580 KUALA LUMPUR, MALAYSIA**

Dear Sir,

**ACKNOWLEDGEMENT ON PROFESSIONAL ENGINEER WITH PRACTISING CERTIFICATE'S
INVOLVEMENT IN ENGINEERING CONSULTANCY PRACTICE**

I wish to declare that our organization/company is aware that Ir. (name)

Identification No: is involved in (name of the engineering
consultancy practice)

Our company/organization have no objection for * him/her to practise and carry out or perform professional
engineering services in the body corporate/partnership/sole proprietorship/multi-disciplinary practice.

Thank you.

Yours faithfully,

Name :
* director / partner

Date :

.....
(PEPC Stamp)

* Delete whichever is NOT applicable

**SAMPLE
LETTER 2**

COMPANY LETTERHEAD

Our Ref: (if applicable)

Date :

**REGISTRAR
BOARD OF ENGINEERS MALAYSIA
TINGKAT 11 BLOK F IBU PEJABAT JKR
KOMPLEKS KERJA RAYA MALAYSIA
JALAN SULTAN SALAHUDDIN
50580 KUALA LUMPUR**

Dear Sir,

**DECLARATION LETTER ON ACTIVE INVOLVEMENT IN ENGINEERING CONSULTANCY
PRACTICE**

I, *Ir* Identification No. hereby confirmed
that I will be active in the following engineering consultancy practice:

	Name of the Engineering Consultancy Practice	BEM Reg. No.	Position
1.			
2.			

It is my responsibility to inform the Board of Engineers Malaysia should I resign or no longer active in any of the company declared above.

Thank you.

Yours faithfully,

Name :
director / partner / principal

Date :

.....
(PEPC Stamp)

**** IMPORTANT NOTICE ****

**Any involvement in an engineering consulting company that is not declared will be considered
INACTIVE.**

**SAMPLE
LETTER 3**

COMPANY LETTERHEAD
(Companies other than Engineering Consultancy Practice)

S

Our Ref: (if applicable).....

Date :

**REGISTRAR
BOARD OF ENGINEERS MALAYSIA
TINGKAT 11 BLOK F IBU PEJABAT JKR
KOMPLEKS KERJA RAYA MALAYSIA
JALAN SULTAN SALAHUDDIN
50580 KUALA LUMPUR**

Dear Sir,

**ACKNOWLEDGEMENT ON PROFESSIONAL ENGINEER WITH PRACTISING
CERTIFICATE'S INVOLVEMENT IN COMPANIES OTHER THAN ENGINEERING
CONSULTANCY PRACTICE**

I wish to declare that our organization/company is aware that Ir. (name)
Identification No: is involved in (name of engineering
consultancy practice)

Our company/organization have no objection for *him/her to practise and carry out or perform
professional engineering services in the body corporate/partnership/sole proprietorship/multi-disciplinary
practice.

Thank you.

Yours faithfully,

Name :
* director / partner / principal

Date :

.....
(Stamp)

* Delete whichever is NOT applicable

**APPLICATION FOR REGISTRATION AS AN ENGINEERING CONSULTANCY PRACTICE
(BODY CORPORATE)
CHECKLIST**

(To be submitted together with Form A7)

	<u>Applicant</u>	<u>For Office Use</u>
1. Form A7 have been duly filled and signed.	<input type="checkbox"/>	<input type="checkbox"/>
2. Processing Fee of RM50.00 AND Registration Fee of RM1,000.00	<input type="checkbox"/>	<input type="checkbox"/>
* Option - Courier service charge of RM 15.00 for delivery of Certificate of Registration	<input type="checkbox"/>	<input type="checkbox"/>
3. Form D7 – List of <u>ALL</u> Directors in the Body Corporate has been duly filled and signed.	<input type="checkbox"/>	<input type="checkbox"/>
4. Form E7 – List of <u>ALL</u> Shareholders equity has been duly filled and signed.	<input type="checkbox"/>	<input type="checkbox"/>
5. Paid up capital – Minimum paid up capital of RM 50,00.00	<input type="checkbox"/>	<input type="checkbox"/>
6. Form SD - Statutory Declaration of <u>ALL</u> directors and shareholders has been duly filled and signed.	<input type="checkbox"/>	<input type="checkbox"/>
7. Form K - Permission to be involved in a Construction or Manufacturing Company <i>(if applicable)</i> .	<input type="checkbox"/>	<input type="checkbox"/>
8. LETTER 1 – Acknowledgement on Professional Engineer with Practising Certificate's Involvement in Engineering Consultancy Practice <i>(if applicable)</i> .	<input type="checkbox"/>	<input type="checkbox"/>
9. LETTER 2 - Declaration Letter on Active Involvement in Engineering Consultancy Practice.	<input type="checkbox"/>	<input type="checkbox"/>
10. LETTER 3 - Letter of Acknowledgement by company other than Engineering Consultancy Practice <i>(if applicable)</i> .	<input type="checkbox"/>	<input type="checkbox"/>
11. Share Equity - At least 70% of its share equity held by Professional Engineers with Practising Certificate	<input type="checkbox"/>	<input type="checkbox"/>
12. Board of Directors - A Board of Directors where at least two thirds of its members are Professional Engineers with Practising Certificate	<input type="checkbox"/>	<input type="checkbox"/>
13. Copy of <u>Resolution from the Board of Directors</u> authorizing the Professional Engineer with Practising Certificate to make all the final engineering decisions on behalf of the Body Corporate.	<input type="checkbox"/>	<input type="checkbox"/>

14. Form 49 and 24 :

(i) Certified by the SSM (Companies Commission of Malaysia).

(ii) Approval Stamp must be Original.

15. Memorandum and Articles of Association (M&AA) for single discipline.

(i) Adhered to BEM standard format

(ii) Form 9 on Page 1 & 5 has been certified by SSM.

Notes / Other Matters :

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I confirm that I have completed the above and fulfil BEM requirements.

Signed by the Director-in-charge

Name:

Registration No. :

Date :

For Office Use Only

Signature of Officer-in-charge Board of Engineers Malaysia

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 Date