

**GUIDELINES ON THE APPLICATION FOR A LICENCE TO SUPPLY PROFESSIONAL ENGINEERING SERVICES**

1. The Professional Engineers Act 1991 provides for professional engineers to team up with allied professionals to form multi-discipline corporations and partnerships to supply professional engineering services in Singapore. The details on multi-discipline and corporate practices are contained in Part 5 of the Professional Engineers Act 1991, and Part 4 of the Professional Engineers Rules 1991. Applicants are advised to refer to the Act and Rules for details.
2. Licence could be granted to four forms of corporations and partnerships, namely, limited corporations, unlimited corporations, licensed partnerships and limited liability partnerships. The requirements for the application of the licences are as listed in the following sections.

**Limited Corporations**

3. A licence may be granted to a limited corporation to supply professional engineering services in Singapore if:
  - a) the Memorandum of Association or Constitution of the corporation provides that a primary object of the corporation is to supply professional engineering services;
  - b) the paid up capital of the corporation is not less than \$500,000;
  - c) the Articles of Association or Constitution of the corporation provide that a majority of the directors of the corporation shall be registered professional engineers or allied professionals who each has in force a practicing certificate;
  - d) professional engineering work in Singapore will be under the control and management of a director of the corporation who is a registered professional engineer and has in force a practising certificate; and
  - e) the corporation is insured against professional liability.
4. An application for a licence shall be accompanied by:
  - a) a certified true copy of the Memorandum and Articles of Association or Constitution of the corporation;
  - b) a list of the members and directors of the corporation containing particulars as to whether they are registered professional engineers, allied professionals or otherwise;
  - c) a certified true copy of Professional Liability Insurance Policy and written confirmation from the insurance company that the policy satisfies Section 34 of the Professional Engineers Act 1991. The written confirmation should be addressed to the insured (applicant) and should bear the policy number;
  - d) a certified true copy of the Certificate of Incorporation of the corporation and any shareholders who are not natural persons;
  - e) a certified true copy of the resolution passed by the board of directors on the appointment of a director responsible for the control and management of professional engineering work;
  - f) documents lodged with Accounting & Corporate Regulatory Authority (ACRA) on the appointment of chairman, board of directors and on shareholdings;

- g) a certified true copy of the latest Annual Return lodged with ACRA;
- 5. Where details on directors and shareholders in the Memorandum and Articles of Association or Constitution differ from that in the application form, a write-up explaining the changes substantiated with certified true copies of documents lodged with ACRA should be submitted.

### **Unlimited Corporations**

- 6. A licence may be granted to an unlimited corporation to supply professional engineering services in Singapore if:
  - a) the Memorandum of Association or Constitution of the corporation provides that a primary object of the corporation is to supply professional engineering services;
  - b) the Articles of Association or Constitution of the corporation provide that:
    - (i) a majority of the directors of the corporation shall be registered professional engineers or allied professionals who each has in force a practicing certificate; and
    - (ii) no person shall be registered as a member of that corporation unless he is a director, a manager or an employee of the corporation;
  - c) professional engineering work provided by the corporation in Singapore will be under the control and management of a director of the corporation who is a registered professional engineer, has in force a practising certificate and who is a registered owner of a least one share of the corporation.
- 7. An application for a licence shall be accompanied by:
  - a) a certified true copy of the Memorandum and Articles of Association or Constitution of the corporation;
  - b) a list of members and directors of the corporation containing particulars as to whether they are registered professional engineers, allied professionals or otherwise;
  - c) a certified true copy of the resolution passed by the board of directors on the appointment of the director responsible for the control and management of professional engineering work;
  - d) a certified true copy of the Certificate of Incorporation of the corporation;
  - e) documents lodged with Accounting & Corporate Regulatory Authority (ACRA) on the appointment of directors;
  - f) a certified true copy of the latest Annual Return lodged with ACRA;
- 8. Where details on directors and shareholders in the Memorandum and Articles of Association or Constitution differ from that in the application form, a write-up explaining the changes substantiated with certified true copies of documents lodged with ACRA should be submitted.

### **Licensed Partnerships**

9. A licence may be granted to a partnership not consisting wholly of registered professional engineers to supply any professional engineering services in Singapore if:
  - a) the partnership consists of only registered professional engineers and allied professionals who each has in force a practicing certificate; and
  - b) professional engineering work in Singapore will be under the control and management of a partner who is a registered professional engineer, and who has in force a practising certificate.
10. An application for a licence by a licensed partnership shall be accompanied by:
  - a) a copy of the agreement establishing the partnership;
  - b) a list of the partners containing particulars as to whether they are registered professional engineers, allied professionals or otherwise;

### **Limited Liability Partnerships**

11. A licence may be granted to a limited liability partnership to supply professional engineering services in Singapore if:
  - a) the statement lodged by the partners of the limited liability partnership with the Registrar of Limited Liability Partnerships provides that a primary nature of the business of the limited liability partnership is to supply professional engineering services;
  - b) at least one of the partners of the limited liability partnership is a registered professional engineer who has in force a practising certificate;
  - c) professional engineering work in Singapore will be under the control and management of a partner who is a registered professional engineer who has in force a practising certificate. He must be authorized under a resolution of the partners to make all final engineering decisions on behalf of the partnership.
  - d) the limited liability partnership is insured against professional liability.
12. The type of limited liability partnership which may apply for a licence is one where its partners are either:
  - a) registered professional engineers or allied professionals who each has in force a practicing certificate;
  - b) limited or unlimited corporations with valid licences issued under the Professional Engineers Act 1991, the Architects Act or the Land Surveyors Act;
  - c) limited liability partnerships with valid licences issued under the Professional Engineers Act 1991 or the Architects Act.
13. For limited liability partnership, an application shall be accompanied by:
  - a) a certified true copy of the statement lodged by the partners of the limited liability partnership with the Registrar of Limited Liability Partnerships;

- b) a certified true copy of the resolution passed by the partners of the limited liability partnership on the appointment of the partner responsible for the control and management of professional engineering work in Singapore;
- c) a list of the partners containing particulars as to whether the partners are registered professional engineers, allied professional, licensed corporations or licensed limited liability partnerships.

#### **License Fee and Other Requirements**

- 14. All applications for licence shall be in the standard form prescribed by the Board. Licence shall be issued for a period of up to 12 months. However, it can only be issued for the validity period of the insurance cover. Application for a fresh licence should be made two months before expiry date of current licence.
- 15. Signatures of the directors or partners in the application form must be dated. Application submitted must be current. Application dated more than two months before the date of submission will not be accepted.
- 16. A licensed corporation shall furnish the Board details of any alteration of its Memorandum or Articles of Association or Constitution and composition of its board of directors, members or shareholders or any revocation of any resolution relating to the licence within 30 days of the occurrence.
- 17. A licensed partnership or limited liability partnership shall inform the Board within 30 days of any change in the composition of its members.
- 18. Sections 162, 163 and 197 of and the Eighth Schedule to the Companies Act shall apply to a licensed corporation which is an exempt private company.
- 19. The Board reserves the right to request an applicant for licence to furnish a Statutory Declaration to support any facts or particulars contained in his application or such other evidence or particulars as the Board considers necessary to determine whether to issue a licence.
- 20. The number of companies that a Supervising Engineer/ Director can supervise is restricted to one.
- 21. Supervising Engineers /Directors can be directors of other companies provided they are shareholders of those companies or those companies are within the same group of companies.
- 22. Supervising Engineer/ Director should not be in a salaried position in any companies.
- 23. Licence fee is S\$500.00 per year.