

FREQUENTLY ASKED QUESTION

ENGINEERING CONSULTANCY PRACTICE

Q-1: Can I carry out engineering consultancy practice without registering with BEM?
Bolehkah saya menjalankan amalan kejuruteraan perunding tanpa berdaftar dengan LJM?

A : If you have done it, you have violated Section 7A(1) of the Registration of Engineers Act 1967:
Jika tuan/puan berbuat demikian bererti tuan/puan telah melanggar Seksyen 7A(1), Akta Pendaftaran Jurutera 1967:

“Notwithstanding subsections 7(1) and (1A), a sole proprietorship, partnership or body corporate may practise as an Engineering consultancy practice and recover in any court any fee, charge, remuneration or other form of consideration for any professional engineering services rendered by it pursuant to its practise as an Engineering consultancy practice carried on by virtue of this section if it is registered with the Board as an Engineering consultancy practice and has been issued with a certificate of registration”.

* Notes:

“Engineering consultancy practice” means a sole proprietorship, partnership or body corporate, providing professional engineering services, registered under section 7A or 7B.

“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.

Q-2: Should sole proprietorship/partnership register with Companies Commission of Malaysia (SSM) before registering with BEM?
Perluakah syarikat pemilik tunggal/perkongsian berdaftar dengan Suruhanjaya Syarikat Malaysia (SSM) sebelum berdaftar dengan LJM?

A : Currently, LJM does not require a sole proprietorship or partnership to register with SSM before registering with LJM.
Buat masa ini LJM tidak memerlukan syarikat pemilik tunggal atau perkongsian untuk berdaftar dengan SSM sebelum berdaftar dengan LJM.

However, it is up to the principal or partner of the company if they wish to register their companies with SSM after registering with LJM.

Walau bagaimanapun, terpulang kepada prinsipal atau rakan kongsi syarikat berkenaan jika mereka mahu mendaftarkan syarikat mereka dengan SSM selepas berdaftar dengan LJM.

Q-3: If a sole proprietorship / partnership does not need to be registered with SSM, how can a principal or partner review the name of engineering consultancy practice?

Jika syarikat pemilik tunggal/perkongsian tidak perlu berdaftar dengan SSM, bagaimanakah caranya untuk prinsipal atau rakan kongsi syarikat membuat semakan nama?

A : It is proposed for you to:

Dicadangkan tuan/puan:

- (1) List down the proposed name of engineering consultancy practice.
Menyenaraikan cadangan nama syarikat tersebut.
- (2) Verify the name of engineering consultancy practice with SSM.
Membuat semakan nama tersebut dengan SSM.
- (3) Verify the name of engineering consultancy practice with BEM.
Membuat semakan nama tersebut dengan LJM.

If the proposed name is not on the SSM or BEM list, you can continue to register your company with BEM using that name.

Jika nama yang dicadangkan tiada dalam senarai SSM atau LJM, tuan/puan bolehlah meneruskan pendaftaran syarikat tuan/puan dengan LJM menggunakan nama tersebut.

Q-4: Why should a private limited company need to register with SSM before registering with BEM when a sole proprietorship / partnership is not required?

Mengapakah syarikat Sdn Bhd perlu berdaftar dengan SSM dahulu sebelum berdaftar dengan LJM sedangkan syarikat pemilik tunggal/perkongsian tidak perlu?

A: This is because the company registration document must be submitted to BEM with SSM digital confirmation stamp.

Ini kerana dokumen pendaftaran syarikat Sdn Bhd yang perlu dikemukakan kepada LJM perlu mempunyai cop pengesahan digital SSM.

Q-5: Why can't a private limited company registration document like Section 14 & Certificate of Incorporation be certified by the Company Secretary?

Mengapa dokumen pendaftaran syarikat Sdn Bhd seperti Section 14 & Certificate of Incorporation tidak boleh disahkan oleh Setiausaha Syarikat?

A: LJM only accepts documents issued by CCM as the original document of the company for verification purposes **except** Section 105 & Stamp Certificate which can be certified by Company Secretary.

*LJM hanya menerima dokumen yang dikeluarkan oleh SSM sahaja sebagai dokumen asal syarikat bagi tujuan pengesahan **kecuali** dokumen Section 105 & Stamp Certificate yang boleh disahkan oleh Setiausaha Syarikat.*

Q-6: In the event of a change in company's shareholder or directors after my company registration has been approved by LJM, should all relevant documents be obtained by SSM digital confirmation stamp?

Sekiranya berlaku perubahan di kalangan pengarah syarikat/pemegang saham selepas pendaftaran syarikat saya diluluskan oleh LJM, perlukah semua dokumen yang berkaitan mendapat cop pengesahan digital SSM?

A: No need. The documents can be verified by the Company Secretary.

Tidak perlu, dokumen tersebut boleh disahkan oleh Setiausaha Syarikat sahaja.

Q-7: How long does it take for BEM to process the application?

Berapakah tempoh masa untuk LJM memproses permohonan?

A: Application processing time is less than 3 months. For information, only complete application will be submitted to the Application Committee Meeting for approval consideration.

Tempoh memproses permohonan tidak melebihi 3 bulan. Untuk makluman, hanya permohonan yang lengkap sahaja akan dikemukakan kepada Mesyuarat Jawatankuasa Permohonan untuk pertimbangan kelulusan.

Q-8: If the documents for registration have been completed, can BEM issue the certificate of registration?

Sekiranya dokumen pendaftaran syarikat saya sudah lengkap, bolehkah LJM keluarkan terus sijil pendaftaran tersebut?

A: Cannot. All application shall be presented at the Application Committee Meeting for consideration. The results of the application can only be known after the minute of the meeting is confirmed.

Tidak boleh. Semua permohonan perlu dikemukakan ke Mesyuarat Jawatankuasa Permohonan untuk pertimbangan. Keputusan permohonan hanya boleh diketahui selepas minit mesyuarat disahkan.

Q-9: Will the Application Committee meeting be held every month?

Adakah Mesyuarat Jawatankuasa Permohonan diadakan pada setiap bulan?

A: Yes, unless if there is any unavoidable issue, which the application will be brought to the meeting next month.

Ya. Melainkan jika ada perkara yang tidak dapat dielakkan, maka permohonan tersebut akan dibawa ke mesyuarat pada bulan berikutnya.

Q-10: How long does it take for me to get a letter of approval and a company registration certificate after the meeting is over?

Berapa lama tempoh masa untuk saya mendapatkan surat kelulusan dan sijil pendaftaran syarikat selepas mesyuarat selesai?

A: The letter of approval can be obtained within 1 month from the date of the meeting since it must be signed by the Registrar of BEM.

While the company registration certificate can be printed directly from the portal (www.engineer.org.my) once the information on the system has been updated by BEM.

Surat kelulusan boleh diperolehi dalam tempoh 1 bulan daripada tarikh mesyuarat berkenaan kerana surat tersebut perlu ditandatangani oleh Pendaftar LJM.

Manakala sijil pendaftaran syarikat boleh dicetak terus daripada portal (www.engineer.org.my) setelah maklumat pada sistem dikemaskinikan oleh LJM.

Q-11: My company has been in business for a long time but not in engineering. Can I use the same company to register with BEM as a consulting engineering company?

Syarikat saya sudah lama menjalankan perniagaan tetapi bukan dalam bidang kejuruteraan. Bolehkah saya menggunakan syarikat yang sama untuk berdaftar dengan LJM sebagai syarikat kejuruteraan perunding?

A: It is possible, however, you need to update your business information in SSM first.
Boleh tetapi tuan/puan perlu mengemaskinikan terlebih dahulu maklumat jenis perniagaan di SSM.

Q-12: Can my company do 2 businesses namely engineering consultancy practice (ECP) and contractor?

Bolehkah syarikat saya menjalankan 2 perniagaan iaitu amalan kejuruteraan perunding (ECP) dan kontraktor?

A: No, an engineering consultancy practice registered with BEM cannot carry out other business not related to engineering services at the same time. This is because the registration of a consulting firm with LJM is subject to existing law & regulations.
Tidak boleh, syarikat jurutera perunding yang berdaftar dengan LJM tidak boleh menjalankan perniagaan lain yang tidak berkaitan dengan engineering services pada masa yang sama. Ini kerana pendaftaran syarikat perunding dengan LJM tertakluk kepada akta & peraturan yang sedia ada.

Q-13: What is the difference between a traditional partnership and a Limited Liability Partnership (PLT)?

Does LJM register a PLT partnership?

*Apakah perbezaan di antara syarikat perkongsian biasa & syarikat perkongsian PLT?
Adakah LJM mendaftarkan syarikat perkongsian PLT?*

A: There are 2 types of partnership in SSM:
(i) Ordinary partnership, and
(ii) Private Limited partnership (PLT).

If your company is an ordinary partnership company, it is up to you whether you want to register your company with CCM or not.

However, if you choose a PLT partnership, then the company will need to be registered with CCM.

Whereas with BEM, there is only one category, which is partnership.

Accordingly, if your company is a PLT partnership, the category for the registration of your company with BEM is still partnership.

Terdapat 2 jenis syarikat perkongsian di SSM iaitu:

- (i) Syarikat perkongsian biasa, dan
- (ii) Syarikat perkongsian PLT.

Sekiranya syarikat tuan/puan adalah syarikat perkongsian biasa, maka terpulang kepada tuan/puan sama ada mahu mendaftarkan syarikat tuan/puan dengan SSM atau tidak.

Tetapi, jika tuan/puan memilih syarikat perkongsian PLT, maka syarikat tersebut perlu didaftarkan dengan SSM.

Manakala dengan LJM, hanya ada 1 kategori sahaja iaitu perkongsian.

Sehubungan dengan itu, jika syarikat tuan/puan adalah syarikat perkongsian PLT sekalipun, kategori untuk pendaftaran syarikat tuan/puan dengan LJM adalah perkongsian.

Q-14: Can a sole proprietorship company practise 2 areas of engineering e.g. Mechanical & Electrical?

Bolehkah syarikat pemilik tunggal praktis untuk 2 bidang kejuruteraan e.g Mechanical & Electrical?

A: Cannot. Sole proprietorship of ECP is subject to its principal registration discipline.

If the principal registration discipline is Mechanical, then the ECP can only practice under Mechanical engineering.

If you wish to practice as an M&E consultant, you are advised to register your company as a partnership.

Tidak boleh. Amalan kejuruteraan perunding syarikat pemilik tunggal adalah bergantung kepada disiplin pendaftaran prinsipalnya.

Jika bidang pendaftaran prinsipal adalah Mekanikal, maka syarikat tuan/puan hanya boleh menjalankan amalan di bawah bidang kejuruteraan Mekanikal sahaja.

Sekiranya tuan/puan mahu praktis sebagai perunding M&E, tuan/puan adalah dinasihatkan untuk mendaftarkan syarikat tuan/puan sebagai syarikat perkongsian.

“Section 7A(4A) *An Engineering consultancy may only provide professional engineering services in the branch or branches of engineering in which the sole proprietor, partner or a member of the board of directors of that practise is qualified to practise and as is shown in the Register under subsection 5(2)*”

Q-15: Can my partner in the partnership be appointed from a PE / ordinary person only?

Bolehkah rakan kongsi syarikat perkongsian saya dilantik di kalangan PE/orang biasa sahaja?

A: No, the condition for registering a partnership company is that all of its partners must be PEPC. *Tidak boleh. Syarat untuk pendaftaran syarikat perkongsian adalah semua rakan kongsinya mestilah PEPC.*

“Section 7A(3)(b) *in the case of the partnership, all the partners are Professional Engineers with Practising Certificates*”

Q-16: My company does not have Section 14 because the company was registered in the 1990s. How do I get the document so my company can be registered with BEM?

Syarikat saya tidak mempunyai Section 14 sebab syarikat ini didaftarkan pada tahun 1990-an. Bagaimana saya boleh mendapatkan dokumen tersebut supaya syarikat saya boleh didaftarkan dengan LJM?

A: You only need to submit Form 49 & Form 24 with SSM digital confirmation stamp. In the event of a change in the company's shareholder or director, the following document must be submitted:

- (i) Section 58 (*Notification of change in the Register of Directors, Managers and Secretaries*).
- (ii) Section 105 (*Instrument of Transfer of Shares*) & Stamp Certificate (*issued by LHDN*).
- (iii) Section 78 (*Return for allotment of Shares*).
- (iv) Section 51 (*Notification of change in the Register of Members*).

***** Note:**

- 1. Documents must show changes from start to finish / latest.
- 2. Document must have SSM digital authentication stamp.

Tuan/puan cuma perlu mengemukakan Form 49 & Form 24 dengan cop pengesahan digital SSM.

Sekiranya berlaku perubahan di kalangan pengarah syarikat/pemegang saham, dokumen berikut hendaklah dikemukakan:

- (i) *Section 58 (Notification of change in the Register of Directors, Managers and Secretaries).*
- (ii) *Section 105 (Instrument of Transfer of Shares) & Stamp Certificate (yang dikeluarkan oleh LHDN).*
- (iii) *Section 78 (Return for allotment of Shares).*
- (iv) *Section 51 (Notification of change in the Register of Members).*

***** Note:**

- 1. *Dokumen mesti menunjukkan perubahan dari awal sehingga yang terkini.*
- 2. *Dokumen perlu mempunyai cop pengesahan digital SSM.*

Q-17: To apply for a body corporate for engineering consultancy practice, is it compulsory to follow 100% the M&AA format, which downloaded from BEM's website or Constitution of SSM?

Untuk memohon mendaftar pertubuhan perbadanan bagi amalan perunding kejuruteraan, adakah wajib mengikut format M&AA yang di muat turun dari laman web LJM secara 100% atau constitution daripada SSM?

A: BEM has removed the M&AA or Constitution as one of the documents to be submitted for registration of a body corporate. As such, M&AA or the Constitution is no longer needed.

LJM telah mengecualikan M&AA atau Constitution sebagai salah satu dokumen yang perlu dikemukakan untuk pendaftaran syarikat body corporate. Sehubungan dengan itu, M&AA atau Constitution sudah tidak diperlukan lagi.

Q-18: Is my company categorized as multi-disciplinary if its discipline of works are Civil, Mechanical & Electrical?

Adakah syarikat saya dikategorikan sebagai multi disiplin jika bidang yang akan dijalankan adalah Civil, Mechanical & Electrical?

A: No. Tidak.

Q-19: What does multi-disciplinary registration mean?

Apakah maksud pendaftaran multi disiplin?

A: Registration of multi-disciplinary companies is subject to Section 7B of the Registration of Engineers Act 1967 (Revised 2015).

Company directors must consist of a combination of PEPC and / or Architects and / or Consultant Quantity Surveyors.

The combination can be all professions or it can be 2 professions only.

Pendaftaran syarikat multi disiplin adalah tertakluk di bawah Seksyen 7B, Akta Pendaftaran Jurutera 1967 (Pindaan 2015).

Pengarah syarikat mestilah terdiri daripada kombinasi PEPC dan/atau Arkitek dan/atau Juruukur Bahan. Kombinasi boleh terdiri semua profesion atau 2 profesion sahaja.

Q-20: For multi-disciplinary company registration, should the company be registered with all relevant bodies or is it sufficient to register with BEM only?

Untuk pendaftaran syarikat multi disiplin, perlukah syarikat tersebut berdaftar dengan semua badan profession berkenaan atau memadai dengan mendaftarkan syarikat dengan LJM sahaja?

A: It must be registered with all relevant professional bodies.

Example: ABC Multipex Sdn Bhd Company is a combination of PEPC & Architects. ABC Multipex Sdn Bhd needs to register with BEM for approval to carry out engineering work & with Board of Architects Malaysia for approval for architectural work.

Certificates of registration will be issued by their respective professional bodies if the registration is approved.

Syarikat multi-disiplin tersebut perlu berdaftar dengan semua badan profession yang terlibat.

Contoh: Syarikat ABC Multipex Sdn Bhd adalah kombinasi antara PEPC & Arkitek. ABC Multipex Sdn Bhd perlu berdaftar dengan LJM untuk mendapatkan kelulusan bagi menjalankan kerja-kerja engineering dan dengan Lembaga Arkitek Malaysia untuk mendapatkan kelulusan bagi kerja-kerja seni bina.

Sijil pendaftaran akan dikeluarkan oleh badan profession masing-masing sekiranya pendaftaran syarikat tersebut mendapat kelulusan.

**Q-21: Can 'Director-In-Charge' be appointed among 'Others' directors?
*Bolehkah 'Director-In-Charge' dilantik di kalangan pengarah 'Others'?***

A: Cannot. Only director from PEPC can be appointed as 'Director-In-Charge'.
Tidak boleh. Hanya pengarah syarikat PEPC sahaja yang boleh dilantik sebagai 'Director-In-Charge'.

"Section 7A(3)(c)(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 Practising Certificate; and

(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"

**Q-22: Can an overseas company be registered as an ECP in our country?
*Bolehkah syarikat luar negara berdaftar sebagai ECP dalam negara kita?***

A: Can, provided that the company complies with the terms & conditions as stipulated in the existing Act & Regulations.
Boleh dengan syarat syarikat tersebut mematuhi syarat & peraturan sebagaimana yang telah ditetapkan dalam Akta & Peraturan yang sedia ada.

**Q-23: Can the 'mother company' be the director of an ECP company registered locally?
*Bolehkah 'mother company' menjadi pengarah dalam syarikat ECP yang didaftarkan dalam negara?***

A: Director must be a person and not organization. 'Mother Company' can be represented by a person or more as long as it falls under Regulation 34B(1)(b).
Pengarah mestilah terdiri daripada individu dan bukannya organisasi. "Mother Company" boleh mewakili seorang atau lebih merujuk kepada Peraturan 34B(1)(b).

"Regulation 34B(1)(a) & (b), Registration of Engineers Regulation 1990 (Revised 2015):

(a) a Board of Directors where at least two third of its members are Professional Engineers with Practicing Certificate;

(b) the remaining members of the Board of Directors may be any person"

Based on the above condition, mother company can place its director under 'remaining members of any person'.

Berdasarkan kepada syarat di atas, 'mother company' boleh meletakkan pengarahnya di bawah kategori 'remaining members of any person' sahaja.

Q-24: Can mother company hold 100% share of ECP?

Bolehkah 'mother company' menjadi 100% pemegang saham syarikat ECP?

A: Cannot as described in Regulation 34A(1)(b) & (c) of Registration of Engineers Regulation 1990 (Revised 2015).

Tidak boleh seperti termaktub dalam Peraturan 34A(1)(b) & (c).

“Regulation 34A(1)(b) & (c) of Registration of Engineers Regulation 1990 (Revised 2015):

(b) at least seventy percent of its share equity held by Professional Engineers with Practicing Certificate; and

(c) the remaining share equity may be held by -

(i) any person; or

(ii) any body corporate; or

(iii) any person and body corporate”

Based on the above, mother company can hold up to 30% from paid up capital only.

Berdasarkan kepada syarat di atas, 'mother company' boleh memegang saham sebanyak 30% daripada jumlah modal berbayar syarikat (paid capital) sahaja.

Q-25: Should Joint Venture (JV) company register with BEM?

Perluakah syarikat Joint Venture (JV) berdaftar dengan LJM?

A: No need, but the Engineering Consultancy Practice (ECP) which joining the other company to establish a JV company shall be:

Tidak perlu tetapi syarikat jurutera perunding yang bekerjasama menubuhkan syarikat JV tersebut mestilah:

(i) ECP which registered with BEM.

Syarikat ECP yang berdaftar dengan LJM.

(ii) Will lead in performing professional engineering services and submission to authority for the specific project.

Akan mengetuai dalam menjalankan perkhidmatan profesional kejuruteraan dan penyerahan kepada pihak berkuasa untuk projek tertentu.

Q-26: I was informed that the Constitution as described in Companies Act 2016 mentioned a company can have single director.

But, if the new setup company has “object clause” engineering and its director is a registered engineer, which section/clause of Registration of Engineers Act 1967 mentioned about a company can have a single director?

Saya maklum tentang Constitution mengikut Akta Syarikat 2016 mengenai sebuah syarikat boleh mempunyai seorang pengarah.

Tetapi jikalau syarikat baru itu mempunyai "object clause" Kejuruteraan dan pengarahnya ialah seorang "Registered Engineer", di perenggan manakah dalam Akta Pendaftaran Jurutera 1967 yang menyatakan yang syarikat itu boleh ada seorang pengarah syarikat sahaja.

- A:
1. Body corporate with single director registration with BEM is inlined with Companies Act 2016 established by CCM.
Pendaftaran syarikat "body corporate with single director" dengan LJM adalah selari dengan Akta Syarikat 2016 yang dibuat oleh Suruhanjaya Syarikat Malaysia (SSM).
 2. Regulation 34B(1)(a) of Registration of Engineers Regulation 1990 (Revised 2015) mentioned that 'a Board of Directors where **at least two third** of its members are Professional Engineers with Practicing Certificate;', read as though 2/3 or 66.7% of its director is Professional Engineer with Practicing Certificate.

On that note, if the company is represented by 1 director (100%) of Professional Engineer with Practicing Certificate, it has complied with Regulation 34B(1)(a) of Registration of Engineers Regulation 1990 (Revised 2015).

*Peraturan 34B(1)(a) di dalam Peraturan Pendaftaran Jurutera 1990 (Pindaan 2015) menyatakan 'a Board of Directors where **at least two third** of its members are Professional Engineers with Practicing Certificate;' dibaca sebagai sekurang-kurangnya 2/3 atau 66.7% pengarah syarikat adalah Jurutera Profesional dengan Perakuan Amalan.*

Ini bererti, jika syarikat terdiri daripada seorang pengarah Jurutera Profesional dengan Perakuan Amalan (100%), ianya masih menepati Peraturan 34B(1)(a) Peraturan Pendaftaran Jurutera 1990 (Pindaan 2015).

- Q-27: (i) Can a PEPC active in more than 1 engineering consultancy practice (ECP) at the same time?**
Bolehkah seorang PEPC aktif lebih daripada 1 syarikat konsultan pada masa yang sama?
- (ii) Does BEM limit the number of ECP for PEPC to be active?**
Adakah LJM menghadkan jumlah konsultant untuk seorang PEPC aktif?

- A:
- (i) Can. *Boleh.*
 - (ii) No. *Tidak ada.*

- Q-28: If a PEPC is under employment with a company, can the PEPC register his own ECP with BEM?**
Jika seorang PEPC tersebut sedang bekerja di bawah satu syarikat, bolehkah PEPC tersebut mendaftarkan syarikat ECPnya dengan LJM?

- A:
- Yes, provided that the PEPC has obtained a consent from his/her employer. If not, LJM will not register his/her ECP. The application will be considered as incomplete until a consent letter from his/her employer is obtained.
- Boleh dengan syarat PEPC tersebut mendapat kebenaran daripada majikannya. Jika tidak, LJM tidak akan mendaftarkan syarikatnya. Permohonan akan dikira sebagai tidak lengkap sehinggalah surat kebenaran majikan tersebut diperolehi.*

Q-29: Can a PEPC become a director who active in ECP and contractor company at the same time?

Bolehkah seorang PEPC menjadi pengarah syarikat dan aktif dalam syarikat ECP dan kontraktor pada masa yang sama?

A: Can with condition that his involvement as director in the contractor company has been approved by BEM. Regulation 32 & 33 of Registration of Engineers Regulation 1990 (Revised 2015) described as below.

Boleh dengan syarat untuk penglibatannya dalam syarikat kontraktot tersebut mendapat kebenaran daripada LJM.

Peraturan 32 & 33, Peraturan Pendaftaran Jurutera 1990 (Pindaan 2015) menyebut:

“32. (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.

(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.

33. Every registered Engineer while acting in his professional capacity shall disclose in writing to his client of the fact if he is a director or member of or substantial shareholder in or agent for any contracting or manufacturing company or firm or business or has any financial interest in any such company or firm or business, with which he deals on behalf of his client”.

* Notes: “registered Engineer” means a Graduate Engineer, Professional Engineer, Professional Engineer with Practising Certificate or Accredited Checker.

Q-30: How can I apply for such approval?

Bagaimanakah saya ingin memohon kebenaran tersebut?

A: Please complete Form K which is downloadable in BEM website and submit to BEM for further action.

Sila lengkapkan Form K yang boleh di muatturun daripada laman web LJM dan kemukakannya kepada LJM untuk tindakan lanjut.

Q-31: Will BEM issue the consent letter to me directly?

Adakah LJM akan mengemukakan surat kebenaran tersebut terus kepada saya?

A: Consent letter will be issued after such application has been tabled at the Application Committee meeting for consideration. After the application has been approved, a consent letter will be issued to you.

Surat kelulusan akan dikeluarkan selepas permohonan kebenaran tersebut telah dibentangkan dalam mesyuarat Jawatankuasa Permohonan untuk pertimbangan. Setelah permohonan tersebut diluluskan, barulah surat kelulusan tersebut dikemukakan kepada tuan/puan.

- Q-32:** (i) **Can PEPC stay and work in Singapore and establish an ECP in Malaysia?**
Bolehkah seorang PEPC yang menetap dan bekerja di Singapura membuka syarikat ECP dalam negara?
- (ii) **Should he/she register the ECP with BEM?**
Perluakah beliau mendaftarkan syarikat ECP tersebut dengan LJM?
- (iii) **Can a PEPC active in the said ECP?**
Bolehkah PEPC tersebut aktif di syarikat ECP tersebut?

- A: (i) Can, as long as the establishment of ECP is accordance with current terms and conditions for setting up the ECP
Boleh dengan syarat penubuhan syarikat ECP tersebut mematuhi peraturan yang sedia ada.
- (ii) Yes in accordance to Section 7A(1) of Registration of Engineers Act 1967 (Revised 2015)

*** please refer to earlier Q&A related to above Section of the Act.*

Ya sebagaimana yang diperuntukkan di bawah Sesyen 7A (1), Akta Pendaftaran Jurutera 1967 (pindaan 2015).

*** sila rujuk Q&A sebelum ini untuk petikan akta yang dimaksudkan.*
- (iii) He/she can active in ECP provided he/she resides more than 6 months in Malaysia prior application and renewal as PEPC. Otherwise, he/she cannot renew his/her PEPC registration and as the director of the ECP.
Beliau boleh aktif dalam syarikat ECP sekiranya beliau menetap di Malaysia melebihi 6 bulan sebelum permohonan dan pembaharuan pendaftaran sebagai PEPC. Jika tidak, beliau tidak boleh memperbaharui pendaftaran sebagai PEPC dan pengarah syarikat ECP tersebut.

Q-33: How can I inform BEM on change of company address/phone number/fax/email?
Bagaimana cara saya hendak maklumkan perubahan alamat syarikat/ no. telefon/ fax/ emel syarikat?

- A : You can inform the changes to BEM via online portal.
Tuan/Puan boleh membuat perubahan tersebut (Update Contact) secara atas talian.
- “Section 14 Every registered Person and Engineering consultancy practice shall notify the Registrar of any change in his or its business address within three months of the change”**

Q-34: Can I print the certificate with new address?
Bolehkah saya cetak semula sijil dengan alamat yang baru?

- A : Yes, you can.
Ya, boleh.

- Q-35:** (i) **Will BEM register other branch of ECP?**
Adakah LJM mendaftarkan pejabat cawangan ECP?
- (ii) **Will BEM issue the registration certificate for the above branch of ECP?**
I need to submit the certificate to Ministry of Finance.
Adakah LJM akan mengemukakan sijil untuk pejabat cawangan ECP tersebut?
Ini kerana saya perlu mengemukakan sijil tersebut kepada pihak Kementerian Kewangan Malaysia (MOF).

A: (i) BEM will not register the other branch of ECP, which using the same registration. Nevertheless, registration of new ECP for new branch is allowed under registration of different ECP name.

LJM tidak mendaftar pejabat cawangan ECP lain yang menggunakan pendaftaran yang sama. Walaubagaimanapun, pendaftaran ECP baru untuk pejabat cawangan baru adalah dibenarkan dibawah pendaftaran nama ECP yang lain.

(ii) BEM does not issue any certificate for the other branch of ECP under the same registration. If required by MOF, please write to BEM and inform the setup of the branch & related documents are to be mentioned in the said letter:

- (i) Full address of the branch.
- (ii) Phone/Fax No. & email address of the branch.
- (iii) Name of person in charge at the branch

Tidak. Jika diperlukan untuk tujuan pendaftaran dengan pihak MOF, tuan/puan bolehlah mengemukakan surat kepada LJM yang memaklumkan tentang penubuhan cawangan tersebut & semua maklumat berikut hendaklah dinyatakan pada surat tersebut:

- (i) *Alamat lengkap pejabat cawangan.*
- (ii) *No. telefon/fax & emel pejabat cawangan tersebut.*
- (iii) *Nama pegawai yang ditugaskan di pejabat cawangan tersebut.*

Q-36: I would like to register as Qualified Person (QP) under company name ABC Engineering Consultancy & Multi EFG Consultancy Sdn Bhd with National Water Services Commission (SPAN). SPAN required a letter from BEM for that purpose.

How do I get the approval letter as required by SPAN?

Saya mahu mendaftar sebagai Qualified Person (QP) di bawah nama syarikat ABC Jurutera Perunding & Multi EFG Consultancy Sdn Bhd dengan pihak Suruhanjaya Perkhidmatan Air Negara (SPAN). Pihak SPAN memerlukan surat daripada LJM bagi tujuan tersebut.

Bagaimanakah caranya untuk saya mendapatkan surat kelulusan seperti yang dikehendaki oleh pihak SPAN?

A: Please write a letter to BEM and inform that you wish to register as QP at respective companies with SPAN. Please specify clearly the company name, position & company registration number for BEM's record.

Sila kemukakan surat kepada LJM yang memaklumkan tuan/puan akan mendaftarkan nama sebagai QP di syarikat-syarikat yang dimaksudkan. Sila nyatakan dengan jelas nama syarikat, jawatan & no. pendaftaran syarikat tersebut dengan LJM untuk tujuan rekod.

Q-37: When shall I need to inform BEM regarding changes of partnership?

Bilakah patut saya maklumkan LJM berhubung perubahan dalam rakan kongsi syarikat?

A: Within 30 days from the date of changes.

Dalam tempoh 30 hari dari tarikh perubahan tersebut.

“Section 7A(4) *An Engineering consultancy practice shall, within thirty days of the occurrence of any change of its sole proprietorship, or the composition of its partners, board of directors or its shareholders, furnish to the Board a true report in writing giving full particulars of the change”*

Q-38: How do I inform BEM on the death of partnership/director/shareholder of ECP?

Bagaimanakah caranya untuk saya maklumkan kepada LJM jika berlaku kematian di kalangan rakan kongsi syarikat/ pengarah syarikat/ pemegang saham syarikat ECP?

A: Please take the following steps:

Sila ambil tindakan seperti berikut:

- (i) Write a letter to BEM and inform about the death.
The letter shall use the company letterhead and signed by the company’s director.
Kemukakan surat kepada LJM yang memaklumkan berita kematian tersebut. Surat mestilah menggunakan kepala surat syarikat & ditandatangani oleh pengarah syarikat.
- (ii) Submit a copy of death certificate of the member to BEM.
Kemukakan salinan surat kematian rakan kongsi syarikat/ pengarah syarikat/ pemegang saham syarikat yang dimaksudkan.

The notification and changes can be made via online and upload the related documents.

Pemakluman dan perubahan tersebut boleh dibuat secara atas talian dan muat naik dokumen yang berkenaan.

Q-39: (i) When can the ECP registration certificate be renewed?

Bilakah sijil pendaftaran syarikat boleh diperbaharui?

(ii) When is the last date of renewal?

Bilakah tarikh akhir untuk saya berbuat demikian?

A: You can renew the ECP registration from October (date may change subject to BEM announcement) until 31st January of the following year.

Tuan/Puan bolehlah membaharui sijil pendaftaran syarikat bermula dari bulan Oktober (tarikh boleh berubah tertakluk kepada pengumuman LJM) sehingga 31hb Januari tahun berikutnya.

Q-40: How much is the reinstatement fee if the ECP failed to renew its registration?

Berapakah jumlah fi pemasukan semula yang akan dikenakan sekiranya syarikat jurutera perunding lewat membaharui sijil pendaftarannya?

A: Total fee is as follow:

Jumlah fi adalah seperti berikut:

Category <i>Kategori</i>	Total Reinstatement Fee (RM) <i>Jumlah Fi Pemasukan Semula (RM)</i>
Body Corporate <i>Pertubuhan Perbadanan</i>	RM6,050.00
Partnership <i>Perkongsian</i>	RM5,550.00
Sole Proprietorship <i>Pemilik Tunggal</i>	RM5,300.00

** Schedule II of Registration of Engineers Act 1967 is referred.

Jadual II pada Akta Pendaftaran Jurutera 1967 (pindaan 2015) adalah dirujuk.

Q-41: Category of “Multi disciplinary practice” (MDP) is not in the schedule of reinstatement fee.

Does it mean that there is no reinstatement fee for body corporate MDP for failing to renew its registration with BEM?

Kategori ‘Multidisciplinary practice’ (MDP) tiada dalam jadual kategori fi pemasukan semula.

Adakah ini bermaksud syarikat MDP tiada fi pemasukan semula sekiranya lewat membaharui sijil pendaftarannya dengan LJM?

A: ECP is described in Part 1 of Registration of Engineers Act 1967 (Revised 2015) as follow:

ECP seperti pada Part I, Akta Pendaftaran Jurutera 1967 (pindaan 2015) adalah seperti berikut:

“Engineering consultancy practice” means a sole proprietorship, partnership or body corporate, providing professional engineering services, registered under section 7A or 7B.

As such, the reinstatement fee for body corporate MDP is RM6,050.00.

Sehubungan dengan itu, fi pemasukan semula untuk syarikat MDP adalah sebanyak RM6,050.00.

Q-42: What is the action taken for ECP which failed to renew its registration with BEM?

Apakah tindakan yang akan diambil ke atas syarikat ECP yang gagal membaharui sijil pendaftarannya dengan LJM?

A: Registration of the ECP will be removed from the Register.

Pendaftaran syarikat ECP tersebut akan dikeluarkan daripada Daftar LJM.

“Section 16 *There shall be removed from the Register the name and other particulars of -*

(b) any registered Person, other than a Graduate Engineer, Engineering Technologist, or Engineering consultancy practice who has failed to renew his or its registration within one month of the expiry of the registration”

Q-43: How do I cancel the registration of ECP with BEM?

Bagaimanakah caranya untuk saya membatalkan pendaftaran syarikat dengan LJM?

A: If you do not wish to continue the ECP registration with BEM, kindly apply for voluntary de-registration with BEM.

Your application will be tabled at the Application Committee meeting for consideration.

Sekiranya tuan/puan tidak mahu meneruskan pendaftaran dengan LJM, sila kemukakan permohonan ‘Voluntary De-register’.

Permohonan tuan/puan akan dikemukakan ke Mesyuarat Jawatankuasa Permohonan untuk pertimbangan.