

# REQUIREMENT FOR PROVISION OF PROFESSIONAL SERVICES

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*ENGINEERING SERVICES*

*BRUNEI DARUSSALAM*

**NEGARA BRUNEI DARUSSALAM**

**Requirements for Provision of Professional Services: ENGINEERING SERVICES\***

	DESCRIPTION	REQUIREMENT
<b>I</b>	<b>Regulation and Organisation of this Professional Services</b>	
1	<p>Please describe in general the structure and organisation of this sub-sector and how it is being regulated in your country.</p> <p>The range of the activities regularly practised by the professionals in this sub-sector in your country. Please indicate which of these activities that are NOT regulated in your country, if any.</p> <p>Explanation of whether this sub-sector is regulated by law, self-regulated by a professional body, or a combination of both; whether the regulation is centralised or decentralised; etc.</p>	<p>The Engineering Services is regulated by the Ministry of Development. Currently construction related engineering services is regulated through administrative procedures but legislation to regulate the whole spectrum of this sector is at the advance stage of formulation. THIS WILL AFFECT HOW THIS SECTOR IS REGULATED.</p> <p>The services offered is for Consultancy and Advisory services for the whole spectrum. The main disciplines are:</p> <ul style="list-style-type: none"> <li>• Civil and Structural</li> <li>• Mechanical and Electrical</li> <li>• Chemical and Petroleum</li> </ul> <p>Regulated through administrative procedure by the Ministry of Development for submission for planning permission. Consultants are required to be listed under the Ministry of Development.</p> <p>Pertubuhan Ukur Jurutera &amp; Arkitek (PUJA) of Brunei, an NGO comprising of professionals in engineering, architecture and surveying have professional membership admission regulation and professional code of conduct.</p>
	List of concerned professional bodies and/or ministries/government agencies, the functions of each of them, and how they interact in regulating this sub-sector.	<ul style="list-style-type: none"> <li>• Ministry of Development: listing of Qualified Persons and Consultants</li> <li>• Pertubuhan Ukur Jurutera &amp; Arkitek (PUJA) of Brunei: an NGO comprising of professionals in engineering, architecture and surveying.</li> </ul>
2	Please list down the relevant legislations/rules and regulations regulating this sub-sector in your country.	<ul style="list-style-type: none"> <li>• Ministry of Development Registration of Qualified Person for Planning Approval</li> <li>• Ministry of Development Listing Requirement for Consultants</li> </ul>
<b>II</b>	<b>Qualification Requirements</b>	
	<p>3. What are the qualification requirements for individual practitioners in your country in terms of:</p> <ul style="list-style-type: none"> <li>- professional education (e.g. whether shall be university/higher education degree, post-graduate education etc)</li> <li>- professional examination/assessment</li> <li>- work experience</li> <li>- practice and training</li> </ul>	<ul style="list-style-type: none"> <li>• Accredited Degree (3 – 4 years)</li> <li>• Member of approved professional body. e.g. Member of the Institution of Civil Engineers UK</li> <li>• 5 years of professional practice.</li> <li>• Only RESIDENTS of Brunei Darussalam.</li> </ul> <p>Note: these requirements will change once the legislation is enacted.</p>

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	- language skills	
	4. Please specify the number of years/months required for each of the above, as well as the availability of alternative routes (e.g. degree route and non-degree route) to achieve the qualifications required. If different qualification requirements exist for different activities or types of work, please specify.	Subject to the individual approved professional body.
	5. Are there any other qualification requirements apart from those set out in Q.3 above (e.g. minimum age, registration with a professional body, restriction on the scope of practice, place of origin/citizenship/residency requirements)? Please specify.	Must be RESIDENT of Brunei Darussalam
	6. Who conducts/supervises the professional examination/assessment?	The approved professional bodies.
	7. Are the professional examinations/assessments conducted at regular intervals? Please specify the frequency, fees charged, and differences in practice adopted by individual provinces/states.	Subject to the individual approved professional body.
<b>III.</b>	<b>Qualification Procedures</b>	
	8. What are the procedures involved in order to qualify as a professional in this sub-sector, including the approving authorities involved, their respective requirements, the fees charged and the timelines that need to be observed? How long does it normally take to complete the procedures?	<ul style="list-style-type: none"> <li>• Registration as Qualified Person: B\$200.00 annually</li> <li>• Process will take 3 months subejct to full compliance and complete documentation.</li> </ul>
<b>IV.</b>	<b>Recognition Arrangements</b>	
	9. Are there any existing mechanisms (e.g. automatic recognition or mutual recognition arrangements at government level or between professional bodies) to take account of qualifications, experience, expertise, license etc. acquired or obtained by foreign professionals in another country? Please explain the mechanism and specific requirements.	Apart from the ASEAN MRA on Engineering Services, there is no other recognition arrangement.
	10. Please give a brief explanation of foreign reciprocity	NA

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	<p>provisions/requirements for granting registration to professionals from foreign countries, if any.</p>	
<b>V. Licensing Requirements</b>		
	<p><b>(a) For Individuals</b>            11. Apart from the qualification requirements mentioned above, what are the licensing requirements for individuals in your country, for example:</p> <ul style="list-style-type: none"> <li>- membership in a professional body</li> <li>- registration with the relevant ministry or any other institution</li> <li>- absence of criminal record</li> <li>- taking of an oath</li> <li>- minimum and/or maximum age</li> <li>- subscription to a professional indemnity insurance (including any minimum specification)</li> <li>- place of origin/citizenship/residency requirement</li> <li>- continuing professional development (CPD)</li> <li>- others (please specify)</li> </ul> <p>If different licensing requirements exist for different activities, please specify.</p>	<ul style="list-style-type: none"> <li>• Membership of an approved professional body.</li> <li>• Registration with the Ministry of Development.</li> <li>• Firm registered with the Registrar of Companies and Business Names.</li> <li>• Must be Resident of Brunei Darussalam</li> </ul>
	<p><b>(b) For Firms (Including Regulations Governing Establishment)</b>            12. Are professional firms regulated? If yes, are there any specific licensing requirements, for example: legal form in which one can establish (e.g. partnership, incorporation, other)</p> <ul style="list-style-type: none"> <li>- minimum capital</li> <li>- minimum/maximum number of partners</li> <li>- qualifications of individual partners</li> <li>- membership in a professional body</li> <li>- incorporation or registration with the relevant ministry or any other institution</li> <li>- requirements regarding natural persons carrying out professional services on behalf of the firm, including any restrictions on foreign firms employing local professionals</li> <li>- requirements regarding ownership (voting rights) of the firm, including place of</li> </ul>	<p>Firms must be Registered with:</p> <ul style="list-style-type: none"> <li>• the Ministry of Development.</li> <li>• the Registrar of Companies and Business Names</li> </ul>

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	<p>origin/citizenship/residency requirements of board of directors and restrictions on partnership with local firms.</p> <ul style="list-style-type: none"> <li>- requirements regarding management/administration of the firm, including place of origin/citizenship/residency requirements of board of directors, minimum number/ percentage of local directors, managers etc.</li> <li>- others (please specify)</li> </ul> <p>If different requirements exist for different activities, please specify.</p>	
	13. Is the use of international or foreign firms names restricted? Please specify.	Subject to the normal process of the Registrar of Companies and Business Names
<b>VI.</b>	<b>Licensing Procedures (For Both Individuals and Firms)</b>	
	14. What are the procedures required for application for license and/or renewal of license, including the authorities involved, their respective requirements (including documentation), and fees charged? How long does it normally take to obtain or renew a license? Please specify in case of differences between individuals and firms.	Application to be submitted to Ministry of Development.
<b>VII.</b>	<b>Regulations Governing Entry and Temporary Stay of Natural Persons for the Purpose of Supplying the Professional Services</b>	
	15. Is the entry and stay of professionals subject to labour market tests or any other restrictions? Please specify.	Subject to immigration and labour laws.
<b>VIII.</b>	<b>Professional Ethics</b>	
	16. What activities/disciplines are subject to professional ethical codes? Please specify the main policy objectives of these codes.	All disciplines under the Engineering Services.
	17. Which body or institution develops this code and monitors its implementation? What are the consequences in case of breach of the ethical code by a professional or a firm?	<ul style="list-style-type: none"> <li>• Pertubuhan Ukur Jurutera &amp; Arkitek (Brunei)</li> <li>• Code of Ethics / Conduct of the respective approved professional bodies.</li> </ul>
<b>IX.</b>	<b>Appeal Mechanisms and Dispute Resolution Procedures</b>	

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	<p>18. Do individuals or firms have the right to appeal if their application is rejected or their license withdrawn?</p> <p>19. What body or institution is responsible for the resolution of disputes?</p> <p>20. Please provide a summary of the mechanism/procedures and a list of relevant legislation/regulations.</p>	<p>Appeal can be made to the Minster of Development.</p>
<b>X.</b>	<b>Additional Information</b>	
	<p>21. Is it possible to obtain further or updated information on the regulatory regimes of the professional services concerned through web-sites, journals, or brochures? What sort of information is included? Please give details.</p>	<p>Website: <a href="http://www.mod.gov.bn">www.mod.gov.bn</a></p>
	<p>22. Please provide contact details (name, address, fax, telephone, email address, etc.) of the persons who can provide further information/clarification on this sub-sector in your country.</p>	<p>Construction Planning and Research Unit          Ministry of Development          Jalan Airport Lama, Berakas BB3510          Tel: 2383222          Fax: 2381541</p>

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