

# REQUIREMENT FOR PROVISION OF PROFESSIONAL SERVICES

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*ENGINEERING SERVICES*

*REPUBLIC OF SINGAPORE*

## Questionnaire on the Requirements for Provision of Professional Services

Services Sub-Sector: Engineering Services (CPC 8672)

Country Name: Singapore

### Notes:

- Where there are different requirements/regulations/procedures for locals and foreigners, please specify in your responses.
- Briefly please define the main terms and acronyms used in your responses to the questionnaire (if applicable).

### I. Regulation and Organisation of this Professional Services

1. Please describe in general the structure and organisation of this sub-sector and how it is being regulated in your country. This could include:

- 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.
- 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.
- 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.

The whole range of activities under the sub sector CPC 8672 engineering services are regularly practised in Singapore. Of these, the practice in the prescribed branches of professional engineering work, namely, civil engineering; electrical engineering; mechanical engineering; as well as geotechnical engineering in Singapore, are regulated.

This sub-sector is regulated by law. The regulation is centralized. Regulation of the prescribed branches of professional engineering work is carried out by the Professional Engineers Board (PEB) which comes under the Ministry of National Development.

The Professional Engineers Board is a statutory body which administers the Professional Engineers Act (PE Act), which is an Act of Parliament that provides for the registration of professional engineers (PEs), regulates the qualifications and conduct of professional engineers and regulates corporations which supply professional engineering services in Singapore. PEB's mission is to safeguard life, property and welfare of the public by setting high standards for registering and regulating PE. Its main objective of the registration of PEs is to ensure that engineering works that involve public safety and interest are carried out by engineers who are competent.

In formulating rules and regulations etc, the Ministry and PEB may consult the Institution of Engineers Singapore (IES), the Association of Consulting Engineers Singapore (ACES) and other stakeholders. The Institution of Engineers Singapore is the national society of engineers for the advancement of engineering in Singapore. The Association of Consulting Engineers Singapore is a non-profit making

association representing the independent consulting engineering profession in Singapore.

2. Please list down the relevant legislations/rules and regulations regulating this sub-sector in your country.

The Professional Engineers Act.

Professional Engineers (Code of Professional Conduct and Ethics) Rules

Professional Engineers Rules

Professional Engineers Board Rules

Professional Engineers (Approved Qualifications) Notification

## II. Qualification Requirements

3. What are the qualification requirements for individual practitioners in your country in terms of:

- professional education (e.g. whether shall be university/higher education degree, post-graduate education etc)
- professional examination/assessment
- work experience
- practice and training
- language skills

### Registration as PE

An engineer who meets the following requirements may apply for registration with the Board in the prescribed branches of engineering, namely civil engineering, mechanical engineering or electrical engineering:

- 1) Educational qualification - anyone who:
  - a) holds any degree, or qualification listed in the Professional Engineers (Approved Qualifications) Notification; or
  - b) satisfies the Board that he is otherwise qualified by having proper and recognised academic qualifications in engineering and who satisfies such conditions prescribed by the Board.
- 2) After obtaining the approved qualifications, acquire not less than 4 years' practical experience in such professional engineering work and at such level of responsibility as to be sufficiently competent for registration as a professional engineer.

The type of relevant practical experience should be as follows:

- a) where the person seeks to be registered in the civil engineering discipline, the practical experience shall be obtained:

i) during a period of not less than 12 months in a design office whilst under the supervision of a registered professional engineer who has in force a practising certificate; and

ii) during a period of at least 12 months in supervisory work at a project site or engineering investigation work whilst under the supervision of a registered professional engineer who has in force a practising certificate.

b) where the person seeks to be registered in the electrical or mechanical engineering discipline, the practical experience shall be practical experience in electrical or mechanical engineering work, as the case may be, obtained during a period of not less than 2 years whilst under the supervision of a registered professional engineer who has in force a practising certificate.

c) where the person is engaged in full-time teaching or research work, such relevant practical experience as may be acceptable to the Board obtained during a period of not less than two years whilst under the supervision of a registered professional engineer who has in force a practising certificate.

3) Sat and passed the following examinations.

a) Fundamentals of Engineering Examination.

b) Practice of Professional Engineering Examination.

Where a person applies for registration within 6 months of 1 Dec 05 and has at least 5 years of practical experience as at 1 Dec 05, he is exempted from the above examinations.

The applicant would also be required to attend an interview conducted by the Board.

#### Registration as Specialist PE

An applicant may apply for registration as a specialist professional engineer in geotechnical engineering if he meets the following requirements:

1) The applicant must be a registered professional engineer in the branch of civil engineering and has in force a valid practicing certificate.

2) The applicant is required to satisfy any of the following sets of conditions:

#### Set A

a) he has at least 7 years of recognised practical experience in engineering after obtaining the qualifications referred to in section 15(1) of the Act;

b) he has at least 4 years of recognised practical experience in geotechnical engineering during the period of his practical experience; and

c) he has a post-graduate engineering degree (such as M.Sc or PhD) majoring in geotechnical engineering from a university set out in the Schedule of the Professional Engineers (Approved Qualifications) Notification 2005; or

#### Set B

- a) he has at least 7 years of recognised practical experience in engineering after obtaining the qualifications referred to in section 15 (1) of the Act;
- b) he has at least 5 years of recognised practical experience in geotechnical engineering during the period of his practical experience; and
- c) he has sat and passed a specialist registration examination on geotechnical engineering conducted by the Board; or

#### Set C

- a) he submits his application within 12 months from 1st December 2005;
- b) he has at least 10 years of recognised practical experience in engineering after obtaining the qualifications referred to in section 15 (1) of the Act; and
- c) he has at least 6 years of recognised practical experience in geotechnical engineering during the period of his practical experience.

3 To determine whether the applicant has acquired the requisite practical experience, the Board may require the applicant to undergo an interview.

4 When registering a professional engineer in the specialized branch of geotechnical engineering, the Board may impose such conditions as it thinks fit. An application for registration shall be accompanied by a fee of \$300, which comprises a non-refundable registration fee of \$150 and \$150 for certificate of registration.

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.

See above.

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.

Nil.

6. Who conducts/supervises the professional examination/assessment?

Professional Engineers Board.

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.

The professional examinations are conducted once a year.

### III. Qualification Procedures

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?

An applicant who meets the requirements mentioned above may submit an application by completing a form (including obtaining the necessary declarations, endorsements by employer or a PE, and certificates of good conduct and character by 2 PEs) and submitting them to the PE Board's Office together with report of work experience and original copy of academic qualifications for verification, and the payment of the fee. An application for registration as a professional engineer shall be made within 5 years of passing the Practice of Professional Engineering Examination. The application for registration as a professional engineer shall be accompanied by a fee of \$300, which comprises a non-refundable registration fee of \$150 and \$150 for certificate of registration. Applicants will be asked to attend a professional interview conducted by the Board. Applicant who can demonstrate that they are competent will be accepted for registration. It takes between 2 and 6 months to complete the procedures.

### IV. Recognition Arrangements

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.

Nil.

10. Please give a brief explanation of foreign reciprocity provisions/requirements for granting registration to professionals from foreign countries, if any.

Nil.

### V. Licensing Requirements

#### (a) *For Individuals*

11. Apart from the qualification requirements mentioned above, what are the licensing requirements for individuals in your country, for example:

- membership in a professional body
- registration with the relevant ministry or any other institution
- absence of criminal record
- taking of an oath
- minimum and/or maximum age
- subscription to a professional indemnity insurance (including any minimum specification)
- place of origin/citizenship/residency requirement
- continuing professional development (CPD)
- others (please specify)

If different licensing requirements exist for different activities, please specify.

An applicant for registration as a professional engineer should possess good conduct and reputation, and for this he is required to submit to the Board certificates of good conduct from 2 referees. There is no restriction based on age, citizenship or residency status, and no requirement on membership of other professional body. Where a registered professional engineer desires to engage in professional engineering work in the prescribed branches of engineering in Singapore, he needs to have a practising certificate authorising him to engage in professional engineering work within the branch of engineering that he is qualified to practise.

**(b) For Firms (Including Regulations Governing Establishment)**

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)
- minimum capital
- minimum/maximum number of partners
- qualifications of individual partners
- membership in a professional body
- incorporation or registration with the relevant ministry or any other institution
- requirements regarding natural persons carrying out professional services on behalf of the firm, including any restrictions on foreign firms employing local professionals
- requirements regarding ownership (voting rights) of the firm, including place of origin/citizenship/residency requirements of board of directors and restrictions on partnership with local firms.
- 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.
- others (please specify)

If different requirements exist for different activities, please specify.

Licence may be granted to 4 forms of organizations supplying professional engineering services in the prescribed branches of engineering, namely, limited corporations, unlimited corporations, licensed partnerships and limited liability partnership. Some of the requirements for the application of the licences are as follows:-

**1) LIMITED CORPORATIONS**

a) the memorandum of association of the corporation provides that a primary object of the corporation is to supply professional engineering services;

b) at least \$500,000 paid up capital;

c) the articles of association of the corporation provide that a majority of the directors of the corporation shall be registered professional engineers or allied professionals.

d) professional engineering work in each discipline of engineering in Singapore will be under the control and management of a director of

the corporation who is a registered professional engineer in the relevant discipline, who has a valid practising certificate; and

e) the corporation is insured against professional liability.

## **2) UNLIMITED CORPORATIONS**

a) the memorandum of association of the corporation provides that a primary object of the corporation is to supply professional engineering services;

b) the articles of association of the corporation provide that:-

(i) a majority of the directors of the corporation shall be registered professional engineers or allied professionals; 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) the professional engineering work in each discipline of engineering will be under the control and management of a director of the corporation who is a registered professional engineer in the relevant discipline, who has a valid practising certificate and who is registered owner of a least one share of the corporation.

## **3) LICENSED PARTNERSHIPS**

a) the partnership consists of only registered professional engineers with valid practising certificates and allied professionals; and

b) professional engineering work in each discipline of engineering in Singapore will be under the control and management of a partner who is a registered professional engineer in the relevant discipline, and who has a valid practising certificate.

## **4) LIMITED LIABILITY PARTNERSHIPS**

a) the statement lodged by the partners of the limited liability partnership with the Registrar of Limited Liability Partnerships under section 15(1) of the Limited Liability Partnerships Act 2005 (Act 5 of 2005) 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) the business of the limited liability partnership will be under the control and management of a partner who is a registered professional engineer who has in force a practising certificate;

d) the limited liability partnership is insured against professional liability

13. Is the use of international or foreign firms names restricted? Please specify.



Nil.

## **VI. Licensing Procedures (For Both Individuals and Firms)**

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.

A registered professional engineer who wish to engage in professional engineering work in Singapore shall apply for a practising certificate authorising him to engage in professional engineering work in which he is qualified to practise. The PE Act requires a registered professional engineer to comply with requirements relating to continuing professional development (CPD) as part of the criteria to renew his practising certificate. The application fee for a practicing certificate is \$150 per year

The licence issued to a licensed corporation, partnership or limited liability partnership will be valid for a period of one calendar year. An application for licence shall be accompanied by a fee of \$300, and certified true copies of Memorandum and Articles of Association, Professional Liability Insurance Policy and Certificate of Incorporation for corporations, or an agreement establishing the partnership for multi-disciplinary partnership or limited liability partnership.

## **VII. Regulations Governing Entry and Temporary Stay of Natural Persons for the Purpose of Supplying the Professional Services**

15. Is the entry and stay of professionals subject to labour market tests or any other restrictions? Please specify.

Entry and stay of persons, including professionals are subject to the requirements of of various other ministries and departments such as Ministry of Manpower, Immigration and Checkpoint Authority, Ministry of Home Affairs etc.

## **VIII. Professional Ethics**

16. What activities/disciplines are subject to professional ethical codes? Please specify the main policy objectives of these codes.

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?

Every registered professional engineer and every licensed corporation, partnership and limited liability partnership shall, when supplying professional engineering services in Singapore, observe and be guided by the Code of Professional Conduct and Ethics .The main objective of this code is to set a high standard of conduct and ethics that meet the expectations of clients and consumers and safeguard life, property, and welfare of the public.

The Professional engineers Board develops and administers the code. A professional or firm could be taken to task for breach of the code.

## **IX. Appeal Mechanisms and Dispute Resolution Procedures**

18. Do individuals or firms have the right to appeal if their application is rejected or their license withdrawn?
19. What body or institution is responsible for the resolution of disputes?
20. Please provide a summary of the mechanism/procedures and a list of relevant legislation/regulations.

Individuals or firms have the right to appeal if their application for registration or license is rejected or license withdrawn.

#### Registration of PE

For an individual, if his application for registration is rejected by PEB, he may appeal to the High Court whose decision shall be final.

The Board may order the name and other particulars of a registered professional engineer to be removed from the register of professional engineers if he has obtained his registration by fraud or misrepresentation; his qualification for registration has been withdrawn or cancelled, he refuses or has failed to comply with any order made by a Disciplinary Committee. In that case, he may appeal to the Minister whose decision shall be final.

#### Practising Certificate

If a PE's application for a practising certificate has been refused by the Board may appeal to the High Court whose decision shall be final. Any person whose practising certificate has been cancelled by the Board may, appeal to the High Court whose decision shall be final.

#### Licence

Any person whose application for a license is rejected may appeal to the Minister whose decision is final. If the Board revoke any licence it has granted to a corporation, partnership or limited liability partnership, the corporation, partnership or limited liability partnership concerned may, appeal to the High Court whose decision shall be final.

#### Complaints

In the event that the Board receives a complaint or certain information, it may convene an investigation committee (IC) to carry out an inquiry or a disciplinary committee (DC) to carry out a formal inquiry as provided for under the Professional Engineers Act. The proceedings for dealing with complaints and information received may be classified into 3 stages as follows:

Upon receipt of a complaint against a registered PE, the Board shall refer the complaint/information to the Registrar for review. After completing the review, the Registrar shall recommend to the Board to dismiss the complaint or information, or to refer the case to a Disciplinary Committee (DC) or an IC.

When the Board appoints an IC to carry out an inquiry, the IC shall complete the inquiry within 3 months unless extension is granted by the Board. On completion of the inquiry the IC may recommend any of the following:

- a) Order complaint or information be dismissed
- b) Order the issuance of letter of advice or letter of warning
- c) Order that a formal inquiry be held by a DC
- d) Such other order as IC deems appropriate

The Board may accept the IC's recommendation, refer the matter back to IC for further investigation or make such other order . A professional engineer or complainant who is aggrieved by the advice/order or decision of the Board may appeal to the Minister whose decision shall be final.

When the Board appoints a DC to carry out a formal inquiry, it shall complete the formal inquiry within 6 months unless extension is granted by the Board. On completion of the formal inquiry it may exercise one or more of these powers:

- a) Removal of name from register
- b) Suspension up to 2 years
- c) Penalty up to \$10,000
- d) Written censure
- e) Such other order as it deems fit
- f) Pay cost and expenses up to \$10,000
- g) Dismiss complaint or information

Any person aggrieved by the DC's decision may appeal to the High Court whose decision shall be final.

#### **X. Additional Information**

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.

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.

[www.peb.gov.sg](http://www.peb.gov.sg) is the web site of the Professional Engineers Board. Information on the Board, the Acts and rules, continuing professional development, application requirements, directory of professional engineers and licensed corporations etc are available from the web site.

Contact person: The Registrar, Professional Engineers Board, 1st Storey, Tower Block, MND Complex, 5 Maxwell Road, Singapore 069110.

