



REPUBLIC OF SINGAPORE
GOVERNMENT GAZETTE
ACTS SUPPLEMENT

NO. 42]

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No. A 42-The following Act passed by Parliament on 26th June, 1970 and assented to by the President on 24th July, 1970 is hereby published for general information: -

THE PROFESSIONAL ENGINEERS ACT, 1970.

No. 29 of 1970

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REPUBLIC OF SINGAPORE

No. 29 of 1970.

I assent.



YUSOF BIN ISHAK,
President.
 24th July, 1970.

An Act to establish a Professional Engineers Board, make provision for the registration of professional engineers and for purposes connected therewith.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

PART 1.

PRELIMINARY.

1.-(1) This Act may be cited as the Professional Engineers Act, 1970, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint. Short title and commencement

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

2. In this Act, unless the context otherwise requires -

Interpretation.

"Board" means the Professional Engineers Board established under section 3 of this Act;

"member" means a member of the Board and includes the President of the Board;

"professional engineer" means a person who is engaged in professional engineering work;

"professional engineering work" includes any professional service, such as consultation, investigation, evaluation, planning, design, or responsible supervision of construction or operation in connection with any public or privately owned public utilities, structures, buildings, machines, equipment, processes, works or projects wherein the public interest and welfare, or the safeguarding of life, public health or property is concerned or involved, when such professional service requires the application of engineering principles and data;

"registered" means registered under this Act, and cognate expressions shall be construed accordingly;

"Registrar" means the Registrar of the Board.

PART II.

PROFESSIONAL ENGINEERS BOARD.

Establishment of Professional Engineers Board.

3--(1) There shall be a board to be called "the Professional Engineers Board" which shall be a body corporate with perpetual succession and a common seal and which may sue and be sued.

(2) The Board shall consist of -

- (a) a President appointed by the Minister;
- (b) eight members appointed by the Minister, of whom three shall be appointed on the nomination of the Council of the Institution of Engineers, Singapore; and
- (c) a member appointed by the Minister on the nomination of the Board of Architects, Singapore.

(3) Not less than three members appointed under paragraph (b) of subsection (2) of this section shall be in private practice, and not more than three shall be representative of any particular branch of engineering.

(4) A member of the Board, including the President of the Board, shall be appointed for a term not exceeding three years but may from time to time be re-appointed, or may be at any time removed from office by the Minister.

(5) If any member of the Board dies, resigns, or is removed from office, the vacancy so created shall, as soon as practicable, be filled in the manner in which the appointment to

the vacant office was made; and every person so appointed shall hold office for the residue of the term for which his predecessor was appointed.

(6) The powers of the Board shall not be affected by any vacancy in the membership thereof.

(7) At any meeting of the Board six members thereof shall form a quorum and no business shall be transacted at any meeting unless a quorum is present.

(8) At any meeting of the Board the President of the Board shall preside and in his absence the members present shall elect one of their number to preside over the meeting.

(9) If on any question to be determined by the Board there is an equality of votes, the President of the Board or the member presiding over that meeting shall have a casting vote.

(10) Subject to the provisions of this Act, the Board may determine its own procedure.

(11) The Board shall cause proper records of its proceedings to be kept.

4.-(1) The common seal of the Board shall bear such device as the Board may approve and such seal may from time to time be broken, changed, altered or made anew by the Board as it may think fit.

common
seal of the
Board.

(2) The common seal shall be kept in the custody of the President of the Board and shall be authenticated by the President of the Board or other member acting in the absence; of the President of the Board and any document purporting to be sealed by the said seal and authenticated as aforesaid shall, until the contrary is proved, be deemed to be validly executed.

5. The functions of the Board shall be -

- (a) to keep and maintain a register of professional engineers;
- (b) to approve or reject applications for registration under this Act or to approve any such applications subject to such restrictions as it may deem fit to impose;
- (c) to determine and regulate the professional conduct or ethics of the engineering profession;
- (d) to hear and determine disputes relating to professional conduct or ethics of professional engineers or to appoint a committee or arbitrator to hear and determine such disputes; and

Function
s of the
Board.

- (e) generally to do all such acts, matters and things as are necessary to be carried out under the provisions of this Act.

PART III.
REGISTRATION OF PROFESSIONAL
ENGINEERS.

Register. **6.**-(1) The Board shall keep and maintain a register of professional engineers in which shall be entered the names of all persons registered under this Act, the qualifications by virtue of which they are so registered and such other particulars in relation thereto as may from time to time be determined by the Board.

(2) There shall be indicated against each person's name in the register the branch or branches of engineering in which that person is in the opinion of the Board qualified to practise.

Appoint-
ment and
duties of
Registrar.

7.-(1) The Minister may appoint a Registrar of the Board.

(2) The Registrar shall be under the general direction of the Board and shall sign all certificates of registration and record all entries of registration, cancellations and reinstatements in the register.

(3) The Registrar shall attend all meetings of the Board and record the proceedings thereof, and shall conduct the correspondence and deal with such matters as may be assigned to him by the President of the Board or by the Board.

(4) The Registrar shall -

- (a) as soon as may be convenient after the 1st day of January each year, prepare and publish in the *Gazette* a list containing the names, qualifications (including the branch or branches of engineering to which the qualifications relate) and addresses of all professional engineers; and
- (b) from time to time publish in the *Gazette* the names, qualifications and addresses of professional engineers added to or removed from the register.

(5) In any proceedings a list published under subsection (4) of this section shall be *prima facie* evidence that the persons whose names appear therein are registered professional engineers.

8.-(1) Subject to subsection (2) of this section, the following persons shall, on payment of the prescribed fee, be entitled to be registered under this Act as professional engineers:

Qualifications for registration as professional engineers.

- (a) any person who holds the corporate membership of the Institution of Engineers, Singapore, or the corporate membership of such professional bodies as may be approved by the Board;
- (b) any other person who, immediately before the date of the coming into operation of this Act, is engaged in the practice of engineering in Singapore in a manner satisfactory to the Board, and is registered under subsection (2) of section 6 of the Architects Ordinance and who makes application for registration within twelve months after such date; or
- (c) any person who passes or has passed -
 - (i) the final examination for the degree of Bachelor of Engineering in the University of Singapore; or
 - (ii) an examination or examinations approved by the Board, and has had not less than two years of practical experience in engineering in a manner satisfactory to the Board.

Cap. 189.

(2) The Board may refuse to register any applicant who is in the opinion of the Board -

- (a) not of good character and reputation; or
- (b) unable to carry out the duties of a professional engineer effectively in Singapore.

(3) Any person whose application for registration has been refused by the Board may appeal to the High Court whose decision thereon shall be final.

(4) The Board may register any Government professional engineer entitled to registration under this section without payment of the prescribed fee.

9. Every application for registration under this Act shall be made to the Board in such form or manner as may be prescribed.

Application for registration.

10.-(1) Every person registered as a professional engineer under this Act shall, on payment of the prescribed fee, be entitled to receive a certificate of registration under the hand of the Registrar.

Certificates of registration.

(2) Every such certificate of registration shall, subject to the provisions of this Act, expire on the 31st day of December of the year in which it is issued and shall thereafter be renewable annually upon payment of the prescribed fee.

(3) This section shall not apply to a Government professional engineer registered under this Act.

Notification
of change of
address.

11. Every registered professional engineer shall notify the Registrar of any change in his business address.

PART IV.

CANCELLATION, SUSPENSION, REMOVAL AND REINSTATEMENT.

Cancellation of
registration or
suspension
from
practice.

12.-(1) Subject to the provisions of this section, the Board may by order cancel the registration of any professional engineer or suspend him from practice for a period not exceeding one year under any of the following circumstances :-

- (a) if he is convicted of any offence involving fraud or dishonesty or moral turpitude;
- (b) if he offers or accepts any commission which in the opinion of the Board is an illicit commission;
- (c) if his registration under this Act has been obtained by fraud or misrepresentation;
- (d) if his qualification for registration under section 8 of this Act has been withdrawn or cancelled by the authority through which it was acquired or by which it was awarded;
- (e) if he has been guilty of such improper act or conduct as renders him, in the opinion of the Board, unfit to be a registered professional engineer: or
- (f) if it appears to the Board that he is no longer in a position to carry out the duties of a professional engineer effectively in Singapore.

(2) The Board shall not make any order under subsection (1) of this section unless -

- (a) there has been a hearing at which at least two-thirds of the total number of the members of the Board are present; and
- (b) an opportunity of being heard either personally or by counsel has been given to the professional engineer against whom the Board intends to make the order.

13. Any person who is dissatisfied with any order of cancellation or suspension made by the Board under section 12 of this Act may, within thirty days after such order has been communicated to him, appeal to the High Court whose decision thereon shall be final.

Appeal
against
cancellation
of
registration
or
suspension.

14.-(1) If at any time a complaint is made to the Board by any person as to any defect or fault in the work of a registered professional engineer, the Board may appoint a competent person to inquire and make an inspection report to the Board on the matter of the complaint.

Suspension
of pro-
fessional
engineer
after
inspection
report of
defective
work.

(2) If as a result of such inquiry and report the Board is of the opinion that there is a *prima facie* case for the cancellation of registration of the professional engineer, the Board may forthwith suspend the registration of the professional engineer for a period not exceeding six months pending the decision of the Board.

15. There shall be removed from the register the name and other particulars of any registered professional from engineer -

Removal
from
register.

- (a) who has died;
- (b) who has failed to renew his certificate of registration within one month of the date of the expiry thereof; or
- (c) whose registration has been cancelled under section 12 of this Act.

16.-(1) Any person whose name has been removed from the register under paragraph (b) of section 15 of this Act shall be reinstated as soon as may be after he has notified the Registrar of his desire to be reinstated and upon payment of the prescribed fee.

Reinstatement.

(2) Any person whose name has been removed from the register under paragraph (c) of section 15 of this Act shall, if his appeal to the High Court is allowed, be forthwith reinstated without payment of any fee.

(3) The Board may in its discretion, after the expiration of not less than one year from the cancellation of registration of any person, consider any application for registration by such person in accordance with the provisions of Part III of this Act.

PART V.

OFFENCES AND PENALTIES.

Penalty for wilful falsification of register and for wrongfully procuring registration.

17. Any person who wilfully makes or causes to be made any false entry in or falsification of the register, or wilfully procures or attempts to procure for himself or any other person to be registered as a professional engineer under this Act by making or producing or causing to be made or produced any false or fraudulent representation or declaration, either verbally or in writing, and any person who knowingly aids or assists therein shall be guilty of an offence under this Act and shall be liable on conviction to a fine not exceeding two thousand dollars.

Penalty when unregistered person practises as professional engineer.

18. Any person who not being registered as a professional engineer under this Act -

- (a) uses verbally or otherwise the title of professional engineer, or makes use of any addition to or abbreviation of such title, or of any words, name or designation that will lead to the belief that he is a registered professional engineer, or is entitled to practise as such;
- (b) advertises or holds himself out or conducts himself in any way or by any means as a registered professional engineer; or
- (c) engages in professional engineering work except under the direction or supervision of a registered professional engineer,

shall be guilty of an offence under this Act and shall be liable on conviction to a fine not exceeding five thousand dollars and for a second or subsequent offence to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Employment of professional engineer on professional engineering work.

19.-(1) No person shall employ as a professional engineer any person who has not been registered under this Act.

(2) Any person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence under this Act and shall be liable on conviction to a fine not exceeding two thousand dollars and for a second or subsequent offence to a fine not exceeding five thousand dollars.

PART VI.

GENERAL.

20. Every registered professional engineer shall be entitled to submit plans or drawings to any person or authority in Singapore according to his qualifications, subject to such restrictions as may be imposed by any rules made under this Act.

Privileges and restrictions of professional engineers.

21.-(1) All moneys arising from fees payable under this Act shall be paid to the Board to be applied in the first place to defraying expenses of registration and other expenses of the administration of this Act, including any expenses of the Board that may be allowed under any rules made under this Act and thereafter to providing :scholarships and the promotion of learning and education in connection with engineering.

Application of fees, etc., received by the Board.

(2) The Registrar shall take and receive all moneys payable to the Board under this Act.

(3) All fees and other moneys payable to the Board under this Act shall be paid forthwith into a bank account approved by the Minister.

(4) The Board may from time to time invest any moneys not immediately required by the Board in such trustees' securities as the Board may determine.

(5) The Board shall keep full and proper accounts of all moneys received and expended by it and the accounts shall be audited by an auditor approved by the Minister.

22. The Board may, with the approval of the Minister, Rules. make rules -

- (a) prescribing forms of application and certificates of registration under this Act;
- (b) prescribing the fees payable under this Act;
- (c) prescribing the subject matter of examinations to be conducted by or under the direction of the Board in the case of applicants or class of applicants for registration;
- (d) prescribing the form of the register to be kept and the particulars to be entered therein;

- (e) prescribing a code of professional conduct and ethics;
and
- (f) generally providing for such other matters as may be necessary or expedient for carrying out the provisions of this Act.

Exemption
and saving
as to right
of Govern-
ment.

23.-(1) The Minister may exempt subject to such conditions as he thinks fit any person or class of persons from the provisions of sections 18 and 19 of this Act and from the provisions of any rules made thereunder.

(2) Nothing in this Act shall apply to anything done or omitted to be done by or under the authority of the Government.

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