

TEMPORARY ENGINEER

A. Registration of Temporary Engineer

Section 10A of the Registration of Engineers Act 1967 (Revised 2007) on the registration of Temporary Engineers is extracted below:

- 10A. (1) *Subject to this section and such conditions or restrictions as the Board may think fit to impose, the Board may upon payment of the prescribed fee, approve the registration of a foreign engineer as a Temporary Engineer.*
- (2) *A foreign engineer may be considered for registration as a Temporary Engineer if he satisfies the Board that-*
- (a) *he possesses the necessary qualification which is recognized for the practice of engineering as a professional engineer in the country where he normally practices; and*
- (b) *he possesses the necessary expertise and his physical presence is required in Malaysia for not less than one hundred and eighty days in one calendar year or he is a resident representative of the foreign component of a joint-venture.*
- (3) *The Board may approve the registration of a Temporary Engineer for such period not exceeding one calendar year and may renew the registration as it deems fit.*
- (4) *The foreign engineer who is not satisfied with the decision of the Board in rejecting his application for registration as a Temporary Engineer or the renewal thereof under this section may within twenty one days of being notified of the rejection, appeal to the Minister whose decision thereon shall be final and shall not be subject to appeal.*
- (5) *Deleted*
- (6) *A foreign engineer whose registration has expired may apply for registration as a Temporary Engineer subject to the provision of this section.*
- (7) *For the purpose of this section "foreign engineer" means an engineer who is not a citizen or a permanent resident of Malaysia.*

B. Requirement for Registration as Temporary Engineer

1. *Any foreign citizen who takes up employment as an engineer in Malaysia shall be registered as a Temporary Engineer provided under Section 10A of the *Registration of Engineers Act 1967 (Revised 2007)*.*
2. *An application to be a Temporary Engineer will be considered if the foreign engineer fulfils the following conditions:*
- (a) *He holds the necessary qualifications which are recognized for practice of engineering as a Professional Engineer in the country where he normally practices.*
- (b) *He possesses the necessary expertise and has a minimum of 10 years experience in the field he intends to practice.*

- (c) His physical presence is required in Malaysia for not less than 180 days in one calendar year.
- (d) He is employed as an engineer and has been assigned to specific project by a particular company.
- (e) He is sponsored by a local Professional Engineer in the company which offers him the assignment.
- (f) He is to train the assigned local Graduate/Professional Engineers to understudy him in his area of expertise.

C. Restriction Imposed

1. A Temporary Engineer can only submit plans and drawings for the project he is assigned to.
2. A Temporary engineer is not permitted to take up practice as a director or shareholder of a local company/firm practicing as consulting engineers in Malaysia and is not allowed to set up his own consultancy practice in Malaysia.
3. A Temporary Engineer cannot change job. If he does, he must reapply under the new company.

D. Registration as a Temporary Engineer

D1 Registration

1. The application for registration as Temporary Engineer shall be made on **FORM B2** and submitted together with the following documents:
 - (a) Copy of the basic engineering degree certificate
 - (b) Copy of the certificate of membership of professional bodies
 - (c) Certificate of professional registration from the country where he normally practices
 - (d) Brief curriculum vitae(CV)
 - (e) Processing fee of RM50.00 which is not refundable and registration fee of RM500.00
2. The applicant must be sponsored by the local Professional Engineer who offers the appointment.
3. All copies of certificates referred to in para 1 above shall be certified as true copy by a local Professional Engineer.
4. Every completed application for registration will be decided upon by BEM within four months from the date of receipt of such application.
5. The fee for Temporary Engineer registration is RM500.00 per annum.
6. No subsequent application shall be considered before the expiry of one year from the date on which a previous application has been approved.

7. A certificate of registration (**Form D2**) as in **Appendix I** will be issued to the applicant upon approval of the application.
8. The certificate will specify the conditions of the Temporary Engineer registration, including the branch of engineering he is registered and the project he is assigned to.

D2 Completion of Assignment

1. The Temporary Engineer registration will lapse upon the completion of the project in which the foreign engineer is assigned to.
2. If the sponsor desires to reassign the foreign engineer, the sponsor must seek prior approval from the Board to permit the foreign engineer to be reassigned to a new project. There is no fee charged for seeking of this nature.
3. In the case where upon completion of a project, a new sponsor desires to employ the foreign engineer for another project, the new sponsor must submit a fresh application to the Board in the usual manner.

D3 Renewal of Certificate

1. The certificate expires on 31st December of each year regardless of whether the project is completed or otherwise.
2. Application for renewal of registration as Temporary Engineer can be made in **Form H (Appendix II)**.
3. A new certificate will only be issued upon a proof that the foreign engineer had stayed in Malaysia for a period of not less than 180 days during the year.
4. A statutory declaration to the above effect shall be made by the sponsor and the foreign engineer in a prescribed form (**Appendix III**).
5. A foreign engineer who needs to renew his registration is required to pay a renewal fees of RM500.00 per annum. This renewal fee must be paid on or before 31st January of the year following the year of expiration of the registration.

D4 Notification of Change of Address

Every registered engineer including Temporary Engineer shall notify the Registrar of any change in his business address.

D5 Appeal of Registration

1. Any foreign engineer who is not satisfied with the decision of the Board in rejecting his application for registration as a Temporary Engineer or the renewal of such registration may appeal to the Minister of Works through the Registrar's office.
2. All such appeals must be made within 21 days of being notified of the rejection.

D6 Cancellation of Registration

1. The Board may order the cancellation of the registration of a Temporary engineer under any of the following circumstances:
 - (a) If he is convicted of any offence involving fraud or dishonesty or moral turpitude in Malaysia or elsewhere.
 - (b) If he offers or accepts any commission which in the opinion of the Board is an illicit commission.
 - (c) If whilst acting in his professional capacity, he at the same time without disclosing the fact in writing to his client, is a director or member of a 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.
 - (d) If his registration made under this Act has been obtained by fraudulent means or Misrepresentation or by reason of any mistake or error made by the Board in considering the application for registration.
 - (e) If he is found to be unsound mind or otherwise incapable of performing his professional duties or becomes a bankrupt.
 - (f) If he is found by the Board to have contravened, or failed to comply with the Act or any regulations made there under.
 - (g) If he fails to observe any restriction subject to which he is registered.
 - (h) If he is found guilty by the Board of any act or conduct which in the opinion of the Board is infamous or disgraceful.

FORM D2
REGISTRATION OF ENGINEERS ACT 1967
REGISTRATION OF ENGINEERS REGLATIONS 1990
(Regulation 19)

Certificate No.

BOARD OF ENGINEERS
MALAYSIA

CERTIFICATE OF REGISTRATION AS TEMPORARY ENGINEER

THIS IS TO CERTIFY THAT

Name :
Passport No.:
Address:

Branch of Engineering
having complied with the requirements of the Registration of engineers Act 1967 and having paid the registration fee is registered as a TEMPORARY ENGINEER in the branch of engineering specified above subject to the conditions stipulated below.

Conditions :
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.....
.....

This certificate of registration shall expire on

.....
(President)

.....
(Registrar)

Common Seal :

Date issued:

FORM H

REGISTRATION OF ENGINEERS ACT 1967

REGISTRATION OF ENGINEERS REGULATIONS 1990
(Regulation 20)

APPLICATION FOR RENEWAL OF REGISTRATION AS A
REGISTERED ENGINEER

1. Application or renewal of registration for the year.....of:

* Professional Engineer

* Temporary Engineer

* Accredited Checker

2. Name :

3. Identity Card/Passport No.:

4. Registration No.:

5. Address (if there is any change):

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.....
.....

5. Tel. No.: 6. Fax No.:

7. E-mail:

8. Details of payment enclosed:

** Money order/Bank Draft/Cheque No. For the amount of RM

.....
(Signature)

.....
Date

* Please [] whichever is applicable
** Delete whichever is not applicable

FORM OF DECLARATION BY APPLICANT TO BECOME TEMPORARY ENGINEER

I Registration No

Passport No/Country : Professional Status :

Position held :

Company Name :

Address :

.....

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Tel. No. : Fax No. :

Period of stay in 200_ from to

Project/projects assigned in (Role in project) : (Please state clearly the name of the project/projects) :

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I make this solemn declaration conscientiously believing the same to be true and by the virtue of the provision of the Statutory Declaration Act, 1960.

Subscribed and solemnly)
Signature of Application to Become
(Temporary Engineer)

Declared by the above named)

Declared by the above named)

This day of)

Before me :
(Commissioner of Oath)

FORM OF DECLARATION BY SPONSOR

IPEng No.:
I/C No.: being the sponsor of
TE No.:hereby certify the details given by the applicant for
Temporary Engineer are true. Ref: (.....) dated (.....) I make this solemn declaration
conscientiously believing the same to be true and by virtue of the Statutory Declaration Act, 1960.

Subscribed and solemnly)
Sponsor

Declared by the above named)

Declared by the above named)

This day of)

Before me :
(Commissioner of Oath)