

No. S 38

**ARCHITECTS, PROFESSIONAL ENGINEERS AND
QUANTITY SURVEYORS ORDER, 2011
(S 33/2011)**

**ARCHITECTS, PROFESSIONAL ENGINEERS AND
QUANTITY SURVEYORS RULES, 2016**

ARRANGEMENT OF RULES

Rule

PART I

PRELIMINARY

1. Citation and commencement
2. Form of registers

PART II

GENERAL PROVISIONS ON REGISTRATION

3. Form of application
4. Qualifications and training
5. Examinations
6. Evidence of practical experience
7. Further evidence and other requirements
8. Fee for registration
9. Decision of Board
10. Form of certificate of registration
11. Removal of name from register

PART III

PRACTICAL EXPERIENCE

12. Practical experience in architectural work
13. Practical experience in professional engineering work
14. Practical experience in quantity surveying work

PART IV

PRACTISING CERTIFICATES AND CONTINUING PROFESSIONAL EDUCATION

15. Interpretation of this Part
16. Application for practising certificate
17. Additional fee for late application
18. Requirements as to continuing professional education for registered architect
19. Requirements as to continuing professional education for registered professional engineer
20. Requirements as to continuing professional education for registered quantity surveyor
21. List of activities etc. with continuing professional education points
22. Issue of guidelines and directives

PART V

REGISTRATION OF SPECIALIST ARCHITECTS, SPECIALIST PROFESSIONAL ENGINEERS AND SPECIALIST QUANTITY SURVEYORS

23. Register of specialist architect, specialist professional engineer and specialist quantity surveyor
24. Application for registration as specialist architect, specialist professional engineer and specialist quantity surveyor
25. Qualifications and training of specialist architect, specialist professional engineer and specialist quantity surveyor

26. Specialist registration examination
27. Application for specialist examination
28. Certificate of specialist registration
29. Practising certificate for specialist architect, specialist professional engineer and specialist quantity surveyor
30. Refusal to register and appeal against refusal to register
31. Removal of name from register

PART VI

LICENCES TO SUPPLY SERVICES AND NAMES OF PRACTICES

32. Application for licence
33. Supporting documents as evidence
34. Practice names
35. Form of licence
36. Validity of licence
37. Appeals

PART VII

DISCIPLINARY PROCEDURE

38. Proceedings of Investigation Committee
39. Service of complaint etc.
40. Confidentiality of information
41. Proceedings of Disciplinary Committee
42. Attendance by registered architect, registered professional engineer or registered quantity surveyor
43. Hearing before Disciplinary Committee
44. Record of proceedings

PART VIII

GENERAL

- 45. Duplicate certificate or licence
- 46. Return of certificates etc.
- 47. Change of particulars

SCHEDULE – FEES

**ARCHITECTS, PROFESSIONAL ENGINEERS AND
QUANTITY SURVEYORS ORDER, 2011
(S 33/2011)**

**ARCHITECTS, PROFESSIONAL ENGINEERS AND
QUANTITY SURVEYORS RULES, 2016**

In exercise of the power conferred by section 55 of the Architects, Professional Engineers and Quantity Surveyors Order, 2011, the Minister of Development, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Rules —

PART I

PRELIMINARY

Citation and commencement

1. These Rules may be cited as the Architects, Professional Engineers and Quantity Surveyors Rules, 2016 and shall commence on the same date as the Architects, Professional Engineers and Quantity Surveyors Order, 2011.

Form of registers

2. (1) The register of architect shall be in such form as the Registrar may determine.

(2) The register of professional engineer shall be in such form as the Registrar may determine.

(3) The register of quantity surveyor shall be in such form as the Registrar may determine.

(4) The register of practitioners shall be in such form as the Registrar may determine.

(5) The register of licensees shall be in such form as the Registrar may determine.

PART II

GENERAL PROVISIONS ON REGISTRATION

Form of application

3. An application to the Board for registration as —

(a) an architect, a professional engineer or a quantity surveyor; or

(b) a specialist architect, specialist professional engineer or specialist quantity surveyor,

under the Order shall be made in such form and manner as the Registrar may determine.

Qualifications and training

4. (1) An application for registration under the Order made by a person who holds a qualification referred to in section 17(1)(b) shall be accompanied by a certified true copy of the qualification which he claims to be entitled to such registration.

(2) An application for registration under the Order made by a person referred to in section 17(1)(c) shall be accompanied by such evidence of training as the Board may require.

Examinations

5. (1) For the purposes of section 17(1)(c), the Board may require the applicant to pass the following examinations —

(a) the Professional Competence Examinations; and

(b) the Oral Interview Examination.

(2) Every application to sit for an examination referred to in subrule (1) shall be —

(a) made in such form and manner as the Board may determine;

(b) submitted not less than 60 days before the date of the examination;

(c) accompanied by a copy of the applicant's Professional Case Study, Practical Experience Record Book and Log Book; and

(d) accompanied by the appropriate fee specified in the Schedule.

(3) Where a person who has applied to sit for any of the examinations referred to in subrule (1) is unable to sit for the examination, the Board may refund any fee or part thereof paid by that person under this rule.

Evidence of practical experience

6. (1) Every person applying for registration under the Order shall submit with his application proof in writing of his practical experience, which shall

include details of the duration and a description of the practical experience in such form as the Board may require.

(2) The Board may, with a view to determining the nature of an applicant's practical experience, conduct an interview with the applicant.

Further evidence and other requirements

7. (1) The Board may require an applicant to furnish such other evidence or particulars as the Board considers necessary to determine whether the applicant is entitled to registration under the Order.

(2) The Board may further require the applicant to submit a project report to demonstrate his experience in the different areas of architectural practice, professional engineering practice or quantity surveying practice.

Fee for registration

8. Every application for registration under the Order shall be accompanied by the appropriate fee specified in the Schedule.

Decision of Board

9. (1) When any person applies for registration under the Order, the Registrar shall as soon as practicable refer the application to the Board.

(2) Notification of every decision of the Board with respect to any application for registration under the Order shall be given to the applicant by letter signed by the Registrar to the address stated by him in the application.

Form of certificate of registration

10. (1) A registered architect, registered professional engineer or registered quantity surveyor shall, on payment of the appropriate fee specified in the Schedule, be issued a certificate of registration duly signed by the Registrar.

(2) The certificate of registration shall be in such form as the Board may determine.

Removal of name from register

11. An application by a registered architect, registered professional engineer or registered quantity surveyor to have his name removed from the register of architect, professional engineer and quantity surveyor shall be in such form as the Registrar may determine.

PART III

PRACTICAL EXPERIENCE

Practical experience in architectural work

12. The practical experience in architectural work that a person is required to have under section 17(2) in order to be entitled to registration under the Order –

(a) shall be such practical experience in architectural work undertaken by an architect engaged in the practice of architecture as may be acceptable to the Board; and

(b) shall include the practical experience obtained in Brunei Darussalam for a continuous period of not less than 12 months under the supervision of a registered architect in the employment of the Government or a registered architect who has in force a practising certificate.

Practical experience in professional engineering work

13. (1) The practical experience in professional engineering work that a person is required to have under section 17(2) in order to be entitled to registration under the Order, shall be such type of practical experience relevant to the branch of engineering that he seeks to be registered in, as may be acceptable to the Board.

(2) The practical experience referred to in subrule (1) shall include the following types of practical experience –

(a) where the person seeks to be registered in the civil engineering branch, the practical experience shall be obtained in Brunei Darussalam –

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

(ii) during a period of not less than 12 months (in aggregate) in supervisory work at a project site or engineering investigation work, whilst under the supervision of any registered professional engineer who has in force a practising certificate;

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

(c) where the person seeking registration in any branch of engineering is engaged in full-time teaching or research work, the practical experience shall be such experience as may be acceptable to the Board obtained during a period of not less than 2 years whilst under the supervision of any registered professional engineer who has in force a practising certificate.

Practical experience in quantity surveying work

14. The practical experience in quantity surveying work that a person is required to have under section 17(2) in order to be entitled to registration under the Order –

(a) shall be such practical experience relevant to the quantity surveying work that he seeks to be registered in, as may be acceptable to the Board; and

(b) shall include the practical experience obtained in Brunei Darussalam for a continuous period of not less than 12 months under the supervision of a registered quantity surveyor in the employment of the Government or a registered registered who has in force a practising certificate.

PART IV

PRACTISING CERTIFICATES AND CONTINUING PROFESSIONAL EDUCATION

Interpretation of this Part

15. (1) In this Part –

“continuing professional education point” means a continuing professional education point which a registered architect, registered professional engineer or registered quantity surveyor obtains by successfully completing any continuing professional education programme;

“continuing professional education programme” means any activity, course or programme in the list of activities, courses or programmes published by the Board under rule 21;

“qualifying period” means the period of 12 months immediately preceding the date on which the practising certificate in respect of which he has made an application is to commence;

“requisite continuing professional education points” means the number of continuing professional education points he is required to obtain under rule 18, 19 or 20, as the case may be;

“structured activity” means any activity, course or programme identified under rule 21(2) as a structured activity;

“unstructured activity” means any activity, course or programme identified under rule 21(2) as an unstructured activity.

(2) In this Part, a registered architect, registered professional engineer or registered quantity surveyor obtains a specified number of continuing professional education points if he successfully completes one or more of the activities, courses or programmes in the list published under rule 21(1), the total number of continuing professional education points of which equals or exceeds that specified number.

Application for practising certificate

16. An application for a practising certificate shall be —

(a) made in such form and manner as the Registrar may determine;
and

(b) accompanied by the appropriate fee specified in the Schedule.

Additional fee for late application

17. (1) Where an application for a practising certificate authorising the holder to engage in architectural practice, professional engineering practice or quantity surveying practice during any year is made after 1st December of the previous year, the appropriate fee specified in the Schedule in addition to the fee payable under rule 16(b) shall accompany and be payable in respect of that application.

(2) Subrule (1) does not apply to any first application for a practising certificate after registration under the Order.

Requirements as to continuing professional education for registered architect

18. (1) For the purposes of section 25(4)(e), the Board may refuse to issue a practising certificate to a registered architect if he fails to satisfy the Board that he has obtained or will obtain the requisite continuing professional education points during the qualifying period.

(2) Where a registered architect is below the age of 60 years on the date on which the practising certificate in respect of which he has made an application is to commence, the requisite continuing professional education points he is required to obtain before a practising certificate may be issued to him is 20 continuing professional education points.

(3) Where a registered architect is of or above the age of 60 years but below the age of 70 years on the date on which the practising certificate in respect of which he has made an application is to commence, the requisite continuing professional education points he is required to obtain before a practising certificate may be issued to him is 15 continuing professional education points.

(4) Where a registered architect is of or above the age of 70 years on the date on which the practising certificate in respect of which he has made an application is to commence, the requisite continuing professional education points he is required to obtain before a practising certificate may be issued to him is 10 continuing professional education points.

(5) Notwithstanding subrules (2), (3) and (4), the Board may, in such special circumstances as it may determine, issue a practising certificate to a registered architect even though he has failed to satisfy the Board that he has obtained the requisite continuing professional education points applicable to him during the qualifying period.

Requirements as to continuing professional education for registered professional engineer

19. (1) For the purposes of section 25(4)(e), the Board may refuse to issue a practising certificate to a registered professional engineer if he fails to satisfy the Board that he has obtained or will obtain the requisite continuing professional education points during the qualifying period.

(2) The requisite continuing professional education points that a registered professional engineer is required to obtain before a practising certificate may be issued to him is 40 continuing professional education points, of which —

(a) at least 15 continuing professional education points shall be obtained from successfully completing one or more continuing professional education programmes; and

(b) the remainder shall be obtained from successfully completing one or more structured activities or unstructured activities, or both.

(3) Where a registered professional engineer has not held a practising certificate for a continuous period of 3 years or more immediately preceding the date of his application for a practising certificate, the requisite continuing professional education points that he is required to obtain before a practising certificate may be issued to him is 80 continuing professional education points, of which —

(a) at least 30 continuing professional education points shall be obtained from successfully completing one or more structured activities; and

(b) the remainder shall be obtained from successfully completing one or more structured activities on unstructured activities, or both.

(4) Notwithstanding subrules (2) and (3), the Board may, in such special circumstances as it may determine, issue a practising certificate to a registered professional engineer even though he has failed to satisfy the Board that he has obtained the requisite continuing professional education points applicable to him during the qualifying period.

Requirements as to continuing professional education for registered quantity surveyor

20. (1) For the purposes of section 25(4)(e), the Board may refuse to issue a practising certificate to a registered quantity surveyor if he fails to satisfy the Board that he has obtained or will obtain the requisite continuing professional education points during the qualifying period.

(2) Where a registered quantity surveyor is below the age of 60 years on the date on which the practising certificate in respect of which he has made an application is to commence, the requisite continuing professional education points he is required to obtain before a practising certificate may be issued to him is 15 continuing professional education points.

(3) Where a registered quantity surveyor is of or above the age of 60 years but below the age of 70 years on the date on which the practising certificate in respect of which he has made an application is to commence, the requisite continuing professional education points he is required to obtain before a practising certificate may be issued to him is 10 continuing professional education points.

(4) Where a registered quantity surveyor is of or above the age of 70 years on the date on which the practising certificate in respect of which he has made an application is to commence, the requisite continuing professional education points he is required to obtain before a practising certificate may be issued to him is 5 continuing professional education points.

(5) Notwithstanding subrules (2), (3) and (4), the Board may, in such special circumstances as it may determine, issue a practising certificate to a registered quantity surveyor even though he has failed to satisfy the Board that he has obtained the requisite continuing professional education points applicable to him during the qualifying period.

List of activities etc. with continuing professional education points

21. (1) The Board shall publish a list of activities, courses and programmes for the purposes of this Part and the number of continuing professional education points which a registered architect, registered professional engineer or registered quantity surveyor obtains by successfully completing each of the activities, courses and programmes.

(2) The Board shall, for each activity, course or programme set out in the list, state whether it is a structured activity or unstructured activity for the purposes of this Part.

Issue of guidelines and directives

22. For the purposes of rules 18, 19, 20 and 21, the Board may issue such guidelines and directives, not inconsistent with the provisions of these Rules, as the Board considers necessary.

PART V

REGISTRATION OF SPECIALIST ARCHITECTS, SPECIALIST PROFESSIONAL ENGINEERS AND SPECIALIST QUANTITY SURVEYORS

Register of specialist architect, specialist professional engineer and specialist quantity surveyor

23. The register of specialist architect, specialist professional engineer and specialist quantity surveyor shall be in such form as the Registrar may determine.

Application for registration as specialist architect, specialist professional engineer and specialist quantity surveyor

24. (1) An application to the Board for registration as a specialist architect, a specialist professional engineer or a specialist quantity surveyor shall be —

- (a) made in such form and manner as the Board may determine; and
- (b) accompanied by the appropriate fee specified in the Schedule.

(2) For the purposes of section 18(1)(c), the further condition shall be that where a person's application for registration as a specialist architect, a specialist professional engineer or a specialist quantity surveyor under the Order has been refused by the Board, that person must not make another application for registration as a specialist architect, a specialist professional engineer or a specialist quantity surveyor unless a period of 12 months has elapsed after the date of the first application.

Qualifications and training of specialist architect, specialist professional engineer and specialist quantity surveyor

25. (1) The Board may register the applicant as a specialist architect, a specialist professional engineer or a specialist quantity surveyor if the Board is satisfied that the applicant —

(a) is a registered architect, a registered professional engineer or a registered quantity surveyor;

(b) has a valid practising certificate; and

(c) has met all the requirements as the Board may determine.

(2) In determining whether the applicant has acquired the requirement referred to in subsection (1)(c), the Board may require the applicant to undergo an interview.

(3) The Board may register the applicant as a specialist architect, a specialist professional engineer or a specialist quantity surveyor subject to such conditions as it thinks fit.

Specialist registration examination

26. (1) For the purposes of section 18(1)(a), the prescribed examination shall be a Specialist Registration Examination which tests the applicant in the specialised subjects relevant to his application for registration as a specialist architect, a specialist professional engineer or a specialist quantity surveyor.

(2) The Board shall determine the date, time and place for the examination to be held.

Application for specialist examination

27. (1) Every application to sit for an examination referred to in rule 26(1) shall be —

(a) made in such form and manner as the Board may determine; and

(b) accompanied by the appropriate fee specified in the Schedule.

(2) Where a person who has applied to sit for an examination referred to in rule 26(1) is unable to sit for the examination, the Board may refund any fee or part thereof paid by that person under this rule.

Certificate of specialist registration

28. (1) A certificate of specialist registration shall be in such form as the Registrar may determine.

(2) A specialist architect, a specialist professional engineer or a specialist quantity surveyor shall, on payment of the appropriate fee specified in the Schedule, be issued a certificate of registration duly signed by the Registrar.

Practising certificate for specialist architect, specialist professional engineer and specialist quantity surveyor

29. Where a registered architect, a registered professional engineer or a registered quantity surveyor registered has been registered under this Part as a specialist architect, a specialist professional engineer or a specialist quantity surveyor, the Board shall, upon payment by him of the appropriate fee specified in the Schedule, issue to him a practising certificate in such form as the Registrar may determine.

Refusal to register and appeal against refusal to register

30. (1) Where the Board refuses to register an applicant as a specialist architect, a specialist professional engineer or a specialist quantity surveyor under this Part, it shall by notice in writing inform the applicant of such refusal.

(2) Any person whose application for registration as a specialist architect, a specialist professional engineer or a specialist quantity surveyor has been refused by the Board may, within 30 days after being notified of such refusal, appeal to the Minister whose decision is final.

Removal of name from register

31. (1) Where the name and particulars of a registered specialist architect, a registered specialist professional engineer or a registered specialist quantity surveyor have been removed from the register of architect, professional engineers and quantity surveyor under section 22(1) or (2) or 47(2)(a), his name and particulars shall also be automatically removed.

(2) A person whose name and particulars have been removed from the register of specialist architect, specialist professional engineer or specialist quantity surveyor shall not be reinstated to that register unless he —

(a) has first been reinstated to the register of architect, professional engineers and quantity surveyor; and

(b) has made an application to be re-registered as a specialist architect, a specialist professional engineer or a specialist quantity surveyor.

PART VI

LICENCES TO SUPPLY SERVICES AND NAMES OF PRACTICES

Application for licence

32. An application for a licence to supply architectural services, professional engineering services or quantity surveying services in Brunei Darussalam shall be —

- (a) made in such form and manner as the Registrar may determine;
- (b) made not less than one month before the expiration of any previous licence issued to the applicant; and
- (c) accompanied by the appropriate fee specified in the Schedule.

Supporting documents as evidence

33. (1) An application by a body corporate for a licence shall be accompanied by —

- (a) a certified true copy of the memorandum and articles of association of the body corporate;
- (b) a list of the members and directors of the body corporate containing particulars as to whether they are registered architects, registered professional engineers or registered quantity surveyors, or their respective allied professionals or otherwise, and such other particulars as the Board may require;
- (c) a certified true copy of any policy insuring the body corporate against professional liability in accordance with the Order and any rules made thereunder for such period as the body corporate is licensed to supply architectural services, professional engineering services or quantity surveying services, as the case may be;
- (d) a certified true copy of the certificate of incorporation issued in respect of the corporation under the Companies Act (Chapter 39);
- (e) a certified true copy of the resolution passed by the board of directors under section 27(1)(d)(ii); and
- (f) a certified true copy of the certificate of registration issued under the Business Names Act (Chapter 92).

{2} An application for a licence by a partnership not comprising wholly registered architects, registered professional engineers or registered quantity surveyors shall be accompanied by –

(a) a copy of the agreement establishing the partnership; and

(b) a list of the partners of the partnership containing particulars as to whether they are registered architects, registered professional engineers or registered quantity surveyors, or their respective allied professionals or otherwise, and such other particulars as the Board may require.

{3} The Board may require an applicant for a licence to furnish a statutory declaration to support any facts or particulars contained in his application or such other evidence or particulars as the Board considers necessary to determine whether to issue a licence.

{4} For the purposes of sections 27(5)(b), (6)(b) and (7)(b), the type of limited liability partnership which may apply for a licence is one where its partners are either –

(a) registered architects, registered professional engineers or registered quantity surveyors, or their respective allied professionals or otherwise, who each has in force a practising certificate;

(b) corporations each of which has a valid licence issued under section 27(1);

(c) limited liability partnerships who each of which has in force a licence issued under section 27(5), (6) or (7).

{5} The Board may require a statutory declaration or such other evidence as the Board may consider necessary to support the facts, circumstances or particulars contained in any application for a practising certificate.

Practice names

34. (1) No registered architect, registered professional engineer or registered quantity surveyor, as the case may be, shall supply any architectural services, professional engineering services or quantity surveying services, respectively, in Brunei Darussalam under any practice name unless that practice name has been approved by the Board.

(2) An application for the Board's approval of a practice name shall be made in such form and manner as the Board may require.

(3) The Board may refuse to approve a practice name if, in its opinion, that practice name is so similar to another existing approved practice name as to be likely to cause confusion to the public.

(4) In this rule, "practice name" means the name of the proprietorship, partnership of wholly registered architect, registered professional engineer or registered quantity surveyor, as the case may be, limited liability partnership or body corporate under which a registered architect, registered professional engineer or registered quantity surveyor, as the case may be, supplies or intends to supply architectural, professional engineering or quantity surveying services in Brunei Darussalam.

Form of licence

35. A licence to supply architectural services, professional engineer services and quantity surveying services, as the case may be, shall be in such form as the Registrar may determine.

Validity of licence

36. Each licence shall be valid for a period of 12 months from the date of its issue.

Appeals

37. (1) An appeal against any decision of the Board to refuse to grant a licence or to impose any condition on a licence under section 28(1) shall —

(a) be made not more than 30 days after the decision of the Board has been notified to the appellant;

(b) be made to the Minister;

(c) set out the grounds of appeal; and

(d) be accompanied by a copy of the following documents —

(i) the decision of the Board and the reasons therefor;

(ii) the application for the licence and all documents accompanying that application; and

(iii) any other correspondence between the Board and the appellant in relation to the refusal to grant the licence or the conditions of the licence.

(2) The decision of the Minister upon any appeal under subrule (1) is final.

PART VII

DISCIPLINARY PROCEDURE

Proceedings of Investigation Committee

38. (1) An Investigation Committee may meet for the purposes of its investigation and adjourn or otherwise regulate the conduct of its investigation as its members may think fit.

(2) The chairman of an Investigation Committee may at any time summon a meeting of the Investigation Committee.

(3) The *quorum* for a meeting of the Investigation Committee shall be constituted by the chairman of the Investigation Committee and all its members.

(4) Any question arising at a meeting of the Investigation Committee shall be determined by a majority of votes and, in the case of an equality of votes, the chairman shall have a casting vote.

Service of complaint etc.

39. Where an Investigation Committee is of the opinion that a registered architect, registered professional engineer or registered quantity surveyor should be called upon to answer any allegation made against him, the Investigation Committee shall serve on him —

(a) copies of any complaint made against him under section 36 and any statutory declaration or affidavit that has been made in support of the complaint; or

(b) any information concerning any improper or dishonourable act of conduct against him and any statutory declaration or any affidavit that has been made in support of the information,

and a notice inviting him, within such period (not being less than 21 days) as may be specified in the notice, to give to the Investigation Committee any written explanation he may wish to offer.

Confidentiality of information

40. All information, including any book, document, paper or other record used by an Investigation Committee in the course of its deliberations shall be confidential and shall not be disclosed to any person unless the Investigation Committee or the Board decides otherwise.

Proceedings of Disciplinary Committee

41. (1) A Disciplinary Committee shall meet at such place as the chairman of the Disciplinary Committee may determine to formally inquire into any matter referred to it by the Board.

(2) The *quorum* for a meeting of the Disciplinary Committee shall be constituted by the chairman of the Disciplinary Committee and all its members.

(3) All members of a Disciplinary Committee present at any meeting thereof shall vote on any question arising at the meeting and such question shall be determined by a majority of votes and, in the case of an equality of votes, the chairman shall have a casting vote.

Attendance by registered architect, registered professional engineer or registered quantity surveyor

41. (1) The registered architect, registered professional engineer or registered quantity surveyor, as the case may be, concerned may appear in person or be represented by counsel at the formal inquiry before the Disciplinary Committee.

(2) Where neither the registered architect, registered professional engineer or registered quantity surveyor, as the case may be, nor his counsel is present, the Disciplinary Committee may proceed with the formal inquiry if the Disciplinary Committee is satisfied that section 44 has been complied with.

Hearing before Disciplinary Committee

43. (1) At any formal inquiry before a Disciplinary Committee, the registered architect, registered professional engineer or registered quantity surveyor under inquiry or his counsel shall be permitted to —

(a) cross-examine any witness testifying against him;

(b) give evidence on his behalf;

(c) call such witnesses as the registered architect, registered professional engineer or registered quantity surveyor under inquiry may wish to testify for him or on his behalf; and

(d) have access to information contained in any document at a reasonable time before such document is tendered in evidence.

(2) If the Disciplinary Committee is satisfied that any person concerned in the proceedings is hampering or attempting to hamper the progress of the formal inquiry —

(a) the Disciplinary Committee shall administer a warning to the person; and

(b) if after such warning the Disciplinary Committee is satisfied that the person is acting in disregard of the warning, the Disciplinary Committee shall make an entry in the record to that effect and shall proceed to complete the formal inquiry in such manner as it thinks fit.

Record of proceedings

44. (1) The chairman of the Disciplinary Committee shall record or cause to be recorded the proceedings of the Disciplinary Committee by such means and in such form as the Disciplinary Committee may decide.

(2) The record of the proceedings of the Disciplinary Committee shall consist of —

(a) the information obtained by the Disciplinary Committee; and

(b) a report made by the Disciplinary Committee.

(3) A record of proceedings shall be signed by the chairman and all members of the Disciplinary Committee.

(4) No person is entitled, as of right, to a copy of the record of proceedings of any Disciplinary Committee.

PART VIII

GENERAL

Duplicate certificate or licence

45. (1) If a certificate of registration, practising certificate or licence has been lost, destroyed or defaced or becomes obliterated so that any particulars in such certificate or licence is illegible, the holder thereof shall forthwith notify the Registrar.

(2) Subject to subrules (3) and (4), the Registrar shall, on payment of the appropriate fee specified in the Schedule and if satisfied that a certificate of registration, practising certificate or licence, as the case may be, has been lost, destroyed or defaced or become obliterated, issue a duplicate of such certificate or licence to the holder of the original thereof, and the duplicate certificate or licence shall have the same effect as the original.

(3) In the case of a certificate of registration, practising certificate or licence that has been defaced or become obliterated, no duplicate of such certificate or licence shall be issued unless the original certificate or licence is returned to the Registrar.

(4) In the case of a certificate of registration, practising certificate or licence that has been lost or destroyed, no duplicate of such certificate or licence shall be issued unless the holder thereof makes a statutory declaration of the loss or destruction and furnishes it to the Registrar.

(5) Where any original certificate of registration, practising certificate or licence is found after any duplicate thereof is issued under this rule, the holder of the certificate or licence shall immediately return the duplicate certificate or licence to the Registrar for cancellation.

Return of certificates etc.

46. Any certificate of registration, practising certificate or licence or any duplicate thereof shall remain the property of the Board and shall be returned to the Board when the holder thereof ceases to be registered or licensed under the Order, as the case may be.

Change of particulars

47. Every registered architect, registered professional engineer or registered quantity surveyor shall, within 30 days of any change in his particulars as is specified in the register of architects, register of professional engineers or register of quantity surveyors, notify the Registrar in writing of such change.

SCHEDULE

(rules 5(2), 8, 10, 16, 17(1), 24(1), 27(11), 28(2), 29, 32 and 45(2))

FEES

Application to sit for examination	\$400
Application to sit for examination for registration	
(a) specialist architect	\$150
(b) specialist professional engineer	\$450
(c) specialist quantity surveyor	\$150
Registration	
(a) registered architect, registered professional engineer or registered quantity surveyor	\$200
(b) specialist architect, specialist professional engineer or specialist quantity surveyor	\$1,050
Renewal for registration	
(a) registered architect, registered professional engineer or registered quantity surveyor	\$150 per year
(b) specialist architect, specialist professional engineer or specialist quantity surveyor	\$1,000 per year
Practising certificate	
(a) registered architect, registered professional engineer or registered quantity surveyor	\$250
(b) specialist architect, specialist professional engineer or specialist quantity surveyor	\$300
Certificate of registration	
(a) registered architect, registered professional engineer or registered quantity surveyor	\$150
(b) specialist architect, specialist professional engineer or specialist quantity surveyor	\$150
Licence to supply services	\$1,000
Late application	\$150
Application for duplicate certificate of registration, practicing certificate or licence to supply services	\$50

Made this 3rd. day of Ramadhan, 1437 Hijriah corresponding to the 9th. day of June, 2016.

DATO PADUKA AWANG HAJI BAHRIN BIN ABDULLAH
Minister of Development,
Brunei Darussalam.