



لمباك اركيتيك جوروترا فروفيسيونل دان جورواوكور باهن نڠارا بروني دارالسلام

*Brunei Darussalam Board of Architects Professional Engineers and Quantity Surveyors*

---

**APEQS ORDER 2011**  
**“THE ORDER and THE RULES :**  
**A MUST KNOW FOR ALL CONCERN”**

**Presented To:**  
**Qualified Persons**

**Presenter:**  
**Suriani Ibrahim**  
**Head Secretariat of BAPEQS**  
**Brunei Darussalam**

---



لمباڠ ارکيټيک جوروترا فروفيسیونل دان جورواوکور باهن نڠارا بروني دارالسلام  
*Brunei Darussalam Board of Architects Professional Engineers and Quantity Surveyors*

---

## **Chapter 266**

### **APEQS Act**



- ⊗ **The Architects, Professional Engineers and Quantity Surveyors Act (Chapter 266, 2023)**
  - **The Order and its Objectives**
  - **The Board and its Functions**
  - **BAPEQS Organisation Structure**
  - **Registered Professionals with BAPEQS**
  - **Exception of the Order**
  - **Definition to “Building”**
  - **Definition to Professional Engineering Services and Work**
  - **Illegal Practice**
  - **Remuneration and Employment of Services**
  - **Disciplines/Professions Covered under the APEQS Order**
  - **Qualifications and Registration**
  - **Multi-Discipline, Corporate Body and Partnership Registration**
  - **Regulating the Practices and Disciplinary Proceedings**

The APEQS Board regulates the following disciplines/professions:

- **Architectural Practices**
- **Quantity Surveying Practices**
- **Engineering Practices (2<sup>nd</sup> May 2011 and 2<sup>nd</sup> June 2017)**
  - **Civil Engineering**
  - **Electrical Engineering**
  - **Mechanical Engineering**
  - **Building Services Engineering**
  - **Chemical Engineering**
  - **Environmental Engineering**
  - **Structural Engineering**
  - **Such other branches of engineering as may be prescribed**

p.385 –

**“professional engineering services”**

- Means consultancy or advisory services that require a person to engage in professional engineering work.

**“professional engineering work”**

- Includes any service, consultation, investigation, evaluation, planning, design or responsible supervision of construction or operation in connection with any public or privately owned public utilities, 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, and that requires the application of professional engineering principles and data.

## PART III-p.391 to 397 –

### Illegal architectural/professional engineering/quantity surveying practice

- ( 1 ) Subject to the provisions of this Order, **no person shall engage** in any of the prescribed branches of **architectural, professional engineering and quantity surveying** work in Brunei Darussalam unless he/she is;
- (a) **a registered architect/professional engineer/quantity surveyor** who has in force a practicing certificate authorising him/her to engage in that branch of architectural/professional engineering/quantity surveying work;
  - (b) **under the direction or supervision of a registered architect/professional engineer/quantity surveyor** who has in force a practicing certificate authorising the registered professional to engage in that branch of architectural/professional engineering/quantity surveying work; or
  - (c) **authorised by the Board to work in collaboration** (but without a right to any independent practice) with a registered architect/professional engineer/quantity surveyor who has in force a practicing certificate authorising the registered architect/professional engineer/quantity surveyor to engage in that branch of architectural/professional engineering/quantity surveying work.

[cont'd] PART III-p.391 to 397 –

Illegal architectural/professional engineering/quantity surveying practice

### Architectural Practice

10.(3)

Subject to the provisions of this Order, no person shall **sign and submit** to a building authority or to a public authority -

- (a) any plan, drawing, tracing, design, specification or other document intended to govern the construction, enlargement or alteration of any building or part thereof in Brunei Darussalam; or
- (b) any report on or a certificate or other document relating to the construction, enlargement or alteration of any building or part thereof which is required by any written law to be signed by an architect.

unless he/she is **a registered architect** who has in force **a practicing certificate**.

[cont'd] PART III-p.391 to 397 –

Illegal architectural/professional engineering/quantity surveying practice

### Professional Engineering Practice

11.(3)

Subject to the provisions of this Order, no person shall **sign and submit** to a building authority or to a public authority -

(a) any plan, sketch, drawing, design, specification or other document relating to any professional engineering work in Brunei Darussalam; or

(b) any report on or a certificate or other document relating to any professional engineering work in Brunei Darussalam which is required by any written law to be signed by a professional engineer,

unless he/she is a **registered professional engineer** who has in force a **practicing certificate** authorising him to engage in such branch of professional engineering work.



[cont'd] PART III-p.391 to 397 –

Illegal architectural/professional engineering/quantity surveying practice

### Quantity Surveying Practice

12.(3)

Subject to the provisions of this Order, no person shall **sign and submit** to a building authority or to a public authority -

- (a) any estimate, cost plan, bills of quantities or other document relating to any quantity surveying work in Brunei Darussalam; or
- (b) any report, valuation of work, certificate or other document relating to any quantity surveying work in Brunei Darussalam which is required by any written law to be signed by the a quantity surveyor.

unless he/she is **a registered quantity surveyor** who has in force **a practicing certificate.**

## PART III-p.397 & 398

- **No person shall be entitled to recover** in any court and charge, fee or remuneration for any architectural, professional engineering or quantity surveying services rendered in Brunei Darussalam unless he is authorised by this order to supply any of those services.
- **No person shall employ** as an architect/professional engineer/quantity surveyor who is neither a registered architect/professional engineer/quantity surveyor nor has in force a practicing certificate.

## PART III-p.391 to 397

Subject to provisions of this Order, **no person** shall use **verbally** or **otherwise** ;

- (a) the words **“architect”/“professional engineer” or “engineer” /“quantity Surveyor” or “building economist” or “building cost consultant”** or any additions to or derivative of those words in connection with his designation;
- (b) the abbreviation **“Ar.” or “Arch”/“Ir.” or “Er.”/“QS” or “Sr.”** as a title before his/her name; or
- (c) **any word, name or designation** that might lead to the belief that he/she is a **registered architect/professional engineer/quantity surveyor**, unless he/she is a registered architect/professional engineer/quantity surveyor.

## PART III-p.391 to 397

10/11/12.(6)

Subject to the provisions of this Order, no person shall **advertise or hold him/herself out or conduct him/herself** in any way or by any means as a person who is **authorised to supply architectural/professional engineering/quantity surveying services** in Brunei Darussalam, unless he/she is ;

- (a) a **registered architect/professional engineer/quantity surveyor** who has in force a practicing certificate;
- (b) a **licensed** body corporate;
- (c) a **licensed** partnership;
- (d) a **licensed** limited liability partnership; or
- (e) a partnership consisting wholly of **registered architects/professional engineers/quantity surveyors**.

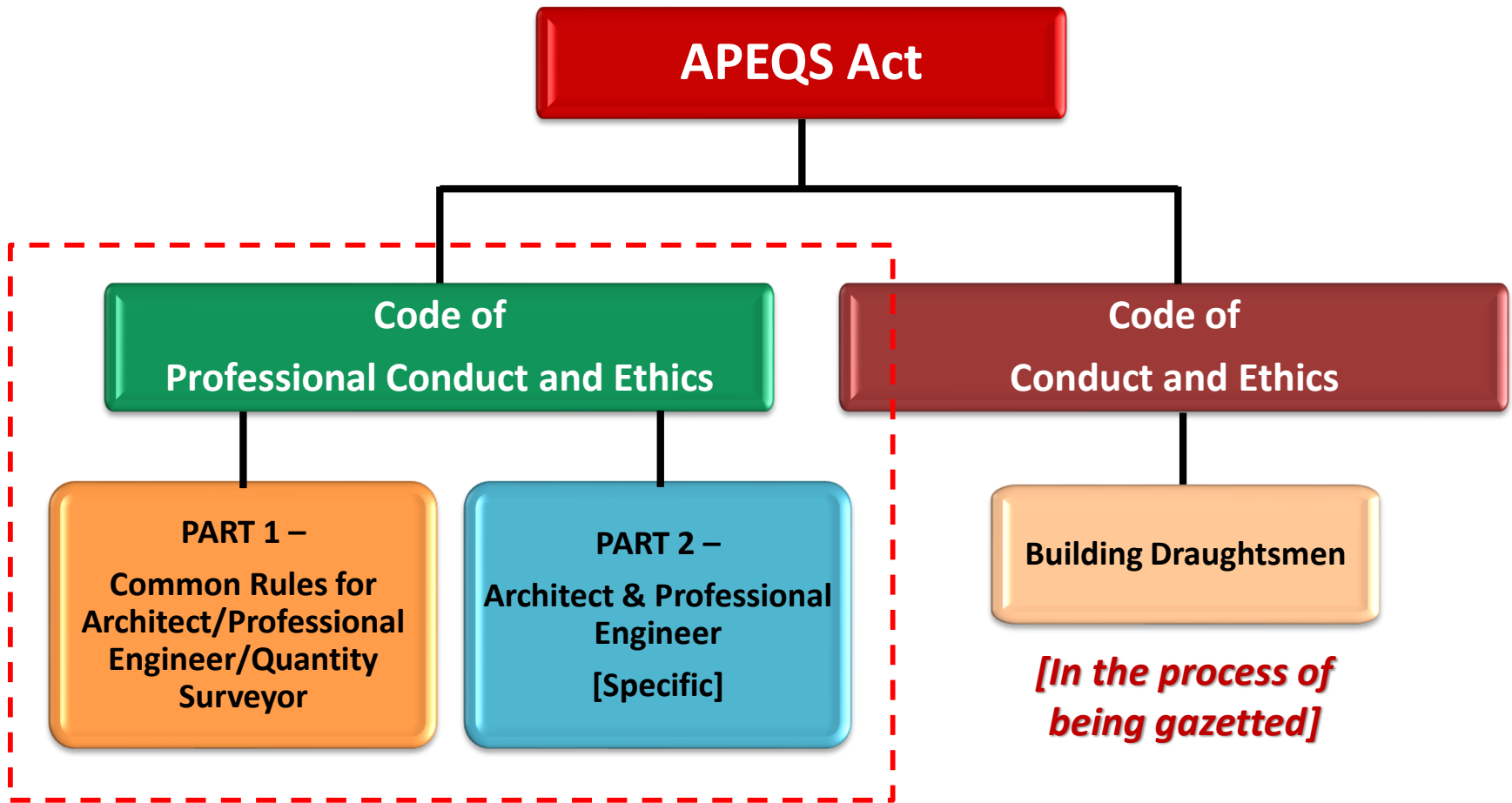
## PART III-p.391 to 397

10(8)/11(8)/12(8)

Subject to the provisions of this Order, no person shall **supply or offer to supply architectural/professional engineering/quantity surveying services** in Brunei Darussalam unless he/she is ;

- (a) a **registered architect/professional engineer/quantity surveyor** who has in force a **practicing certificate** authorising him/her to engage in architectural/professional engineering/quantity surveying work to which those services relate, and is doing so on his/her own account or as a partner in a licensed partnership or a partnership consisting wholly of registered architects/professional engineers/quantity surveyors who each has in force a practicing certificate;
- (b) an **allied professional** and is doing so only by reason of being a partner in a **licensed partnership**; or
- (c) a **licensed body corporate or limited liability partnership**.

Refer to PART VI p.406 to 411 for details of (a), (b) and (c) above.



## SUBJECT COVERAGE

---

- Duties and Responsibilities to Client and Employer
- Remuneration of Services
- Publications of Practice
- Soliciting and Supplanting of Employment
- Conduct Towards Other Professions
- Professional Integrities or Obligations
- Conflict of Interest
- Contravention of Other Written Law
- Limitation of Payment or Contract, etc.
- **Acting as Housing Developer (in process to be Gazette to read as “Developer”)**

### \*\*ARCHITECTS

Tenders, Information and Drawings

Publication of Illustrations or Descriptions of work

Exhibition and Display of Name

### \*\* PROFESSIONAL ENGINEERS

Design and Construction of Engineering Work

**PART 2 – Architects and Professional Engineers**

## Rule 2. p.34

Clause 2, 3, 4 and 5.

### **An Architect, a Professional Engineer or a Quantity Surveyor;**

- **Shall discharge faithfully his duties and responsibilities to his client or employer;**
- **Do not give advice which does not fully reflect his best professional judgement;**
- **Engage or advise engage experts and specialist in interest of his/her client or employer;**
- **Act with prime regard to the public interest;**
- **Shall not disclose confidential information concerning business affairs or technical processes of his/her client/employer;**
- **Shall not use information obtained confidentially in the course of his/her assignment;**
- **Shall not divulge any confidential findings or studies or actions of a board of which he is a member without the consent of the Board;**
- **Apply conditions of contract with entire fairness between his client and the other party to the contract; Act in an impartial manner; and**
- **Be a Director of or have a substantial financial interest in or be an agent for, any company, firm or person carrying on any business which is or may be involved in the work to which his/her employment relates.**



## Rule 2. p.34

### Clause 6.

#### **An Architect, a Professional Engineer or a Quantity Surveyor;**

- **Shall be remunerated solely by fees in respect of services he renders, or by a salary payable by his/her employer and shall be debarred from any other source of remuneration in connection with such services rendered;**
- **Shall not accept any discount, gift, commission or other payment or consideration, in respect of the services he/she renders, from any source other than his Client; Or insert or permit the insertion of any clause in any tender, bill of quantities or other document which provides payment to him/her by a contractor in respect of the services except with the full knowledge and approval of his/her client; and**
- **Is allowed to receive remuneration/dividend for his service as a director/shareholder from licensed corporation;**

## Rule 2. p.36

### Clause 7.

#### **An Architect, a Professional Engineer or a Quantity Surveyor;**

- **Not allowed to publicise his/her practice in a manner which is likely to diminish public confidence in the Profession or bring the Profession into disrepute (e.g. resulting in criticism in relation to the fees charged, or the quality of the services, as the case may be rendered by other professionals);  
and**
- **Not allowed to publicise his/her practice in a manner that may reasonably be regarded as misleading, deceptive, inaccurate, false or in any way unbecoming the dignity of the Profession.**

## Rule 2. p.38

### Clause 8 and 9.

#### **An Architect, a Professional Engineer or a Quantity Surveyor;**

- **Shall not canvass or solicit professional employment or offer to make payment for the introduction of such employment;**
- **Shall not accept work which involves the giving or receiving of discounts or commissions in consideration for, or as an inducement to, the introduction of clients;**
- **Shall not supplant (replace) or attempt to supplant another architect, professional engineer or quantity surveyor; and**
- **Shall not intervene or attempt to intervene in or in connection with the Work of any kind which to his/her knowledge has already been entrusted to another architect, professional engineer or quantity surveyor.**

# CONDUCT TOWARDS OTHER PROFESSIONS

---



## Rule 2. p.38

Clause 10, 11 and 12.

### **An Architect, a Professional Engineer or a Quantity Surveyor;**

- **Shall at all times, with due regard to the interest of his/her client, act honorably towards other architects, professional engineers and quantity surveyors;**
- **Unless approved by the Board, shall not compete with another architect, professional engineer or quantity surveyor by means of a reduction of fees (not without justification) or by any inducement to any person;**
- **Shall not undertake work where knowingly and without reasonable grounds, accept or continue with an engagement to provide professional services to the Client where knowingly there is a claim and not satisfied made by other architect, professional engineer or quantity surveyor against the Client;**
- **Shall notify (if known or ascertain by a reasonable inquiry to know) the other engaged architect, professional engineer or quantity surveyor or the Board of APEQS if he/she is approached by the Client for an engagement.**

## Rule 2. p.39

### Clause 13.

#### **An Architect, a Professional Engineer or a Quantity Surveyor;**

- Shall not act in a manner which is inconsistent or out of keeping with the fitting and proper discharge of his professional duties, raise doubts as to his/her professional integrity, or would raise doubts as to whether he/she will render his/her service in accordance with any written law and with honesty and integrity;
- Shall exercise due restraint in criticising the work of others;
- Shall not maliciously or recklessly injure or attempt to injure, directly or indirectly, of the professional reputation, prospects or business of another architect, professional engineer or quantity surveyor;
- Shall refrain from expressing publicly an opinion on an architectural, engineering or quantity surveying project unless the architect, professional engineer or quantity surveyor is informed of the facts relating thereto; and

**\*\* The architect, professional engineer and quantity surveyor has a moral obligation to expose unethical conduct before the proper authorities.**

## Rule 2. p.40 and 41.

### Clause 15.

#### **An Architect, a Professional Engineer or a Quantity Surveyor;**

- Shall not hold, assume or consciously accept a position in which his/her interest is in conflict with his professional duty to his client without previously informing his/her client of such conflict.

### Clause 16.

#### **An Architect, a Professional Engineer or a Quantity Surveyor;**

- Shall exercise diligence to ensure that there is no contravention of or failure to comply with any written law; and
- Upon knowledge, shall immediately report to the relevant competent authorities of any contravention of or failure to comply with any written law by any person in carrying out any building project or works in relation to which he/she is rendering a service.

# LIMITATION OF PAYMENT OR CONTACT, ETC & ACTING AS HOUSING DEVELOPER



## Rule 2. p.41

### Clause 17.

#### **An Architect, a Professional Engineer or a Quantity Surveyor;**

- Shall not be the medium of any payment made on behalf of his employer unless requested by his/her employer and he/she, in connection with any work in which he/she is employed, shall not place any contract or order except with the authority of or on behalf of his employer.

### Clause 18.

#### **An Architect, a Professional Engineer or a Quantity Surveyor;**

- Shall not act as an Architect, a Professional Engineer or a Quantity Surveyor in respect of any project in which he/she is acting as a housing developer.

**\*\* Clause 19, 20, 21, 22, 23 and Part 2 – 1, 2 and 3 are Code of Ethics specific to Architect and Professional Engineer.**

#### **\*\*ARCHITECTS**

Tenders, Information and Drawings

Publication of Illustrations or Descriptions of work

Exhibition and Display of Name

#### **\*\* PROFESSIONAL ENGINEERS**

Design and Construction of Engineering Work

PART 2 – Architects and Professional Engineer



لمبائك اركيتيك جوروترا قروفيسيونل دان جورواوكور باهن نخارا بروني دارالسلام

*Brunei Darussalam Board of Architects Professional Engineers and Quantity Surveyors*

---

**A copy of the Professional Conducts and Ethics  
(The Rules)  
can be downloaded from:**

**[www.bapeqs.gov.bn](http://www.bapeqs.gov.bn)**





لمبائك اركيٲيك جوروترا قروفيسيونل دان جورواوكور باهن نكارا بروني دارالسلام

*Brunei Darussalam Board of Architects Professional Engineers and Quantity Surveyors*

---

**THANK YOU**