

PROFESSIONAL ENGINEERS ACT
(CHAPTER 253, SECTION 36)

PROFESSIONAL ENGINEERS BOARD RULES

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[30th August 1991]

PART I
PRELIMINARY

Citation

1. These Rules may be cited as the Professional Engineers Board Rules.

Definitions

2. In these Rules, unless the context otherwise requires —

“Chairman” means the person presiding at any meeting of the Board;

“elected member”, in relation to the Board, means a member of the Board referred to in section 4(2)(c) of the Act;

[S 633/2005 wef 01/10/2005]

“financial year” means the financial year of the Board which is —

(a) the period starting on 1 January 2021 and ending on 31 March 2022; or

(b) from 1 April 2022, any period of 12 months ending on 31 March in any year;

[S 903/2021 wef 30/11/2021]

“licensed professional engineer” means a registered professional engineer who has in force a valid practising certificate;

[S 633/2005 wef 01/10/2005]

“member” means a member of the Board and includes the President thereof.

PART II

MEETINGS OF BOARD

Meetings

3.—(1) Meetings of the Board may be held at such time and place and as often as may be necessary, except that not less than 10 meetings shall be held in a financial year.

(2) The Registrar shall, whenever requested to do so by the President or by not less than 4 members in writing under their hands, convene a meeting of the Board within 14 days of such request.

Notice of meetings

4.—(1) Not less than 5 days' notice in writing shall be given by the Registrar specifying the place, date and time of a meeting of the Board and the business to be conducted at the meeting.

(2) The accidental omission to give notice of a meeting under this rule to one or more members or failure to receive any such notice by any member shall not affect the validity of or prejudice anything done or agreed to at such meeting.

Minutes

5.—(1) The Registrar shall act as secretary of the Board.

(2) Minutes of every meeting of the Board shall be taken and kept by the Registrar and shall be duly entered in a book provided for the purpose.

(3) A draft of the minutes of a meeting of the Board shall be circulated to the members together with the notice of the meeting at which the draft is to be submitted for confirmation.

(4) Minutes of the proceedings of any meeting, if purporting to be signed by the Chairman of the meeting at which the minutes were confirmed, shall be evidence of the facts stated therein; and the meeting to which any such minutes relate shall, unless the contrary is proved, be deemed to have been regularly convened and constituted.

Order of business

6. Unless the Chairman otherwise directs, the following order of business shall be observed at each meeting of the Board:

- (a) confirmation of minutes of the previous meeting of the Board;
- (b) matters arising;
- (c) statement of accounts;
- (d) applications for registration, practising certificates and licences;
- (e) business of which due notice has been given; and
- (f) such other matters as the Board may think fit to consider.

Voting

7. Every question arising at every meeting of the Board shall be decided by voting on a show of hands by a majority of the members present and voting, except that any member may call for a division, in which case the names of the members for and against and those who abstained from voting shall be recorded in writing in the minutes.

8. [*Deleted by S 633/2005*]

Bank account and cheques, etc.

9.—(1) All payments made by or on behalf of the Board (other than sums not exceeding \$500 or such lesser amounts as the Board may from time to time determine) shall be made by cheque drawn on the bank account of the Board, or by an electronic funds transfer.

[S 187/2021 wef 01/04/2021]

(2) All cheques drawn on the bank account of the Board shall be signed by —

- (a) the President and the Registrar;
- (b) the President and any member of the Board approved through a resolution of the Board for this purpose; or

- (c) the Registrar and any member of the Board approved through a resolution of the Board for this purpose.

[S 766/2005 wef 01/12/2005]

[S 187/2021 wef 01/04/2021]

Presentation of accounts

10. At every meeting of the Board, the Registrar shall present to the Board a statement of accounts showing —

- (a) the receipts and expenditure by the Board for the current financial year as on the day immediately before the meeting; and
- (b) the balance, if any, standing to the credit of the Board.

Expenses of Board

11. There shall be paid to the Registrar and any other officers and employees as the Board may appoint such fees or remuneration as the Board may determine from time to time.

PART III

ELECTION OF BOARD MEMBERS

[S 633/2005 wef 01/10/2005]

Returning officer

12.—(1) The Registrar, or any other person whom the Board may from time to time appoint, shall be the returning officer for the purpose of section 4 (2) (c) (i) of the Act.

(2) The returning officer may appoint assistant returning officers who shall act under the direction of the returning officer.

Notice of nomination

13.—(1) For the purpose of section 4 (2) (c) (i) of the Act, the returning officer shall determine —

- (a) the date, time, place, manner and procedure for submitting nomination papers;

- (b) the date for balloting which shall be not more than 60 days after the close of nominations; and
- (c) the time and place at which, and the manner by which, the ballot is to be conducted.

(2) The returning officer shall cause a notice to be sent to every licensed professional engineer informing him of the matters referred to in paragraph (1), together with a nomination paper which shall be in such form as the Board may determine.

Nominations

14.—(1) Every licensed professional engineer who desires to nominate a candidate for election as a member of the Board shall —

- (a) enter his own name as proposer and sign on the nomination paper referred to in rule 13(2);
- (b) enter on the nomination paper the name of the candidate and have the consent of the candidate endorsed thereon;
- (c) enter on the nomination paper the name of a seconder for the candidate and have the signature of the seconder endorsed thereon; and
- (d) submit the nomination paper in the manner fixed by the returning officer under rule 13(1)(a) together with such information concerning the candidate as the returning officer may require.

(2) No person other than a licensed professional engineer shall propose or second the nomination of any candidate.

(3) A proposer shall not nominate more candidates in any election than the number to be filled in that election.

Vacancies filled by number of nominations

15. Where there is only one valid nomination of a licensed professional engineer in either the branch of civil engineering, electrical engineering or mechanical engineering in any election, the returning officer shall declare the candidate from that branch of engineering nominated to be elected.

Vacancy to be set aside

16. Where there is no valid nomination of a licensed professional engineer in either the branch of civil engineering, electrical engineering or mechanical engineering in any election, the returning officer shall set aside one vacancy for a licensed professional engineer in that branch of engineering to be appointed by the Minister under section 4(4) of the Act.

Remaining vacancies

17. Where, after taking into account the number of candidates declared elected under rule 15 and the number of vacancies to be set aside under rule 16, there are no more valid nominations than the remaining number of vacancies to be filled, the returning officer shall declare the candidates in those nominations to be elected.

Vacancies exceeded by number of nominations

18. Where, after taking into account the number of candidates declared elected under rule 15 and the number of vacancies to be set aside under rule 16, there are more valid nominations than the remaining number of vacancies to be filled, the returning officer shall cause a notice to be sent to every licensed professional engineer containing instructions relating to —

- (a) the date, time and place fixed for balloting;
- (b) the manner and procedure for balloting; and
- (c) the names of the candidates and such other relevant information as the returning officer may determine.

No soliciting or canvassing for votes

19.—(1) No person shall do any of the following except in the manner permitted by the returning officer:

- (a) canvass for votes;
- (b) solicit the vote of any person; or
- (c) cause any other person to do any act referred to in sub-paragraphs (a) and (b).

(2) Any person who contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

Form and manner of voting

20.—(1) Voting shall be by secret ballot.

(2) Balloting shall be conducted in such form and manner, whether manually or by mechanical or electronic means, as the returning officer may determine.

Proof of identity

21. Every licensed professional engineer who votes shall produce such proof of identity as the returning officer may require.

Penalty for failure to vote

22. The penalty under section 4A(2)(b) of the Act for failure to vote is \$300.

Counting of votes

23.—(1) Subject to rules 15 and 16, the returning officer shall —

(a) cause the votes given to each candidate to be counted, whether manually or by mechanical or electronic means; and

(b) declare the following candidates to be elected:

(i) firstly, the 3 candidates from the branches of civil engineering, electrical engineering and mechanical engineering who each has the highest number of votes among the candidates in his respective branch of engineering; and

(ii) thereafter, the remaining candidates with the highest numbers of votes among all the candidates in the election, to fill the remaining vacancies.

(2) If there is an equality of votes, the successful candidate or candidates shall be determined by drawing lots.

(3) The returning officer shall cause a notice to be sent to every registered professional engineer informing him of the results of the election.

Storage of records

24. Subject to any direction that the President may give, the records of the vote shall be retained securely by the Board for 3 months.

Complaints to Board

25.—(1) Subject to paragraph (2), any question arising out of the election as to whether —

- (a) a person is a licensed professional engineer;
- (b) a candidate has been validly nominated; or
- (c) a vote may be counted,

shall be decided by the returning officer.

(2) Any person aggrieved by any act or decision of the returning officer may, not later than 7 days after the results of an election have been declared, complain to the Board, which may investigate the complaint and take such action (including declaring the election void in whole or in part) as the Board may think fit.

(3) Any complaint that a candidate or any person on his behalf has used corrupt methods or undue influence in order to secure the election or rejection of a candidate, or has contravened rule 19(1), shall be made to the Board which may investigate the complaint and take such action (including declaring the election void in whole or in part) as the Board may think fit.

(4) No failure to comply with these Rules shall invalidate an election if it appears that the election was conducted in accordance with the principles laid down in these Rules, and that the failure did not affect the results of the election.

LEGISLATIVE HISTORY
PROFESSIONAL ENGINEERS BOARD RULES
(CHAPTER 253, R 2)

This Legislative History is provided for the convenience of users of the Professional Engineers Board Rules. It is not part of these Rules.

1. G. N. No. S 379/1991 — Professional Engineers Board Rules 1991

Date of commencement : Date not available

2. 1991 Revised Edition — Professional Engineers Board Rules

Date of operation : 25 March 1992

3. G. N. No. S 633/2005 — Professional Engineers Board (Amendment) Rules 2005

Date of commencement : 1 October 2005

4. G. N. No. S 766/2005 — Professional Engineers Board (Amendment No. 2) Rules 2005

Date of commencement : 1 December 2005

5. G.N. No. S 187/2021 — Professional Engineers Board (Amendment) Rules 2021

Date of commencement : 1 April 2021

6. G.N. No. S 903/2021 — Professional Engineers Board (Amendment No. 2) Rules 2021

Date of commencement : 30 November 2021