



لمبائك اركيٲيك جوروترا فرؤفيسيونل دان جورواوكور باهن نغارا بروني دارالسلام
Brunei Darussalam Board of Architects Professional Engineers and Quantity Surveyors

GUIDELINE NO. 14

**ARCHITECTS, PROFESSIONAL ENGINEERS AND QUANTITY SURVEYORS, ORDER 2011
AND
ARCHITECTS, PROFESSIONAL ENGINEERS AND QUANTITY SURVEYORS, RULES 2016**

PART VI – SECTION 27-28

BUSINESS ENTITY/ BAPEQS REQUIREMENTS MATRIX

**ACT AND REGULATION COMMITTEE
19th April 2017**

BUSINESS ENTITY / BAPEQS REQUIREMENTS MATRIX

		BUSINESS ENTITY			
		BUSINESS NAME ACT		LIMITED LIABILITY PARTNERSHIP (LLP) UNDER LIMITED LIABILITY PARTNERSHIP ORDER, 2010 (Including Allied Professional Partnership)	BODY CORPORATE i.e. SDN BHD UNDER COMPANIES ACT 1957 (Including Allied Professional As Directors or Shareholders)
BAPEQS REQUIREMENTS		INDIVIDUAL (SOLE PROPRIETOR)	FIRMS (PARTNERSHIP- More than 1 Person)		
		SUPPLY OF SERVICES	SINGLE DISCIPLINE ONLY- PRACTICE CERTIFICATE	SINGLE DISCIPLINE ONLY - PRACTICE CERTIFICATES	SINGLE DISCIPLINE ONLY – REQUIRES LICENSE
OWNERS / PARTNERS / SHAREHOLDERS		PRACTICE CERTIFICATE HOLDER ONLY (Named in Certificate of Registration – Section 17)	PRACTICE CERTIFICATE HOLDERS ONLY (Named in Certificate of Registration – Section 17)	At least ONE OF THE PARTNERS is a registered architect / professional engineers / registered quantity surveyors * each of whom have in force a practicing certificate	NOT SPECIFICALLY MENTIONED IN ORDER (Subject to Conditions by BAPEQS Below)
DESCRIPTION OF BUSINESS		AS CERTIFIED IN CERTIFICATE OF REGISTRATION – Section 17	AS CERTIFIED IN CERTIFICATE OF REGISTRATION – Section 17	Statement of primary object is to supply architectural / professional engineering / quantity surveying services*	Memorandum of Association primary object is to supply architectural, professional engineering or quantity surveying services. Order – Section 27 (1) (a)

	SOLE PROPRIETOR	PARTNERSHIP	LLP	BODY CORPORATE
PROPRIETOR / PARTNERS / DIRECTOR	PRACTICE CERTIFICATE HOLDER	PRACTICE CERTIFICATE HOLDERS	At least ONE OF THE PARTNERS is a registered architect / professional engineers / registered quantity surveyors * each of whom have in force a practicing certificate	<i>Prescribed Numbers (By MOD) or Proportion of Directors (MAJORITY BY NUMBER) who are registered architect, professional engineers or registered quantity surveyors each of whom have in force a practicing certificate</i> 27 (1) (c) and 27 (10)
CONTROL AND MANAGEMENT	BY PRACTICE CERTIFICATE HOLDER WHO IS ALSO CERTIFIED NAME IN THE CERTIFICATE OF REGISTRATION – Business Name Act Section 17	BY PRACTICE CERTIFICATE HOLDERS WHO ARE ALSO CERTIFIED NAME IN THE CERTIFICATE OF REGISTRATION – Business Name Act Section 17	The resolution providing registered architect, professional engineers or registered quantity surveyors each of whom have in force a practicing certificate to make all final architectural, professional engineering or quantity surveying decisions with respect to the order, regulations or other laws relating to supply of professional services	The resolution providing registered architect, professional engineers or registered quantity surveyors each of whom have in force a practicing certificate to make all final architectural, professional engineering or quantity surveying decisions with respect to the order, regulations or other laws relating to supply of professional services Order - 27 (1) (d) (i) and 27 (1) (d) (ii)
PAID UP CAPITAL	NOT SPECIFIED	NOT SPECIFIED	NOT SPECIFIED	The paid up capital is not less than amount prescribed by MoD as in <i>Gazette</i> . <i>ARC Recommended at \$100,000.00 – 6 MONTH operation</i> Order - 27 (1) (b)

	SOLE PROPRIETOR	PARTNERSHIP	LLP	BODY CORPORATE
CONDITION TO PRACTICE	PRACTICE CERTIFICATE HOLDER	PRACTICE CERTIFICATE HOLDERS	Partner(s) who is(are) registered architect / professional engineers / registered quantity surveyors each of whom have in force a practicing certificate	Director(s) or employee who is(are) registered architect, professional engineers or registered quantity surveyors each of whom have in force a practicing certificate Order - 28 (1) (a) and (b)
PROFESSIONAL LIABILITY INSURANCE	Insurance to be provided at the prescribed amount. (Currently \$1.0M per professional)	Insurance to be provided at the prescribed amount. (Currently \$1.0M per professional)	Insurance to be provided at the prescribed amount Order - 28 (2), 30 and 55 (1) (e) and (f) (Currently \$1.0M per professional)	Insurance to be provided at the prescribed amount Order - 28 (2), 30 and 55 (1) (e) and (f) (Currently \$1.0M per professional)
ADDITIONAL CONDITIONS	NOT SPECIFIED – Other than those required for Registration and Practicing Certificate	NOT SPECIFIED - Other than those required for Registration and Practicing Certificate	<ol style="list-style-type: none"> 1. Board right of refusal to grant license if noncompliance with law and honesty and integrity 2. Board may require a statutory declaration to support facts, circumstances or particulars - Rules 33 (5) 3. Anyone with business interest in contractors or supplier in construction industry are not allowed to become partners – To avoid conflict of interest 	<ol style="list-style-type: none"> 1. Board right of refusal to grant license if noncompliance with law and honesty and integrity 2. Board may require a statutory declaration to support facts, circumstances or particulars - Rules 33 (5) 3. Anyone with business interest in contractors or supplier in construction industry are not allowed to become directors or shareholder – To avoid conflict of interest