



LAWS OF MALAYSIA

Act A1480

ARCHITECTS (AMENDMENT) ACT 2015

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Act A1480

ARCHITECTS (AMENDMENT) ACT 2015

An Act to amend the Architects Act 1967.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Architects (Amendment) Act 2015.

(2) Except for paragraphs 3(*d*) and (*p*) and section 23, this Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette* and the Minister may appoint different dates for the coming into operation of different provisions of this Act.

(3) Paragraphs 3(*d*) and (*p*) and section 23 come into operation on 1 June 2015.

General amendment

2. The Architects Act 1967 [*Act 117*], which is referred to as the “principal Act” in this Act, is amended by substituting for the words “Professional Architects”, “Professional Architect” and “a Professional Architect” wherever appearing, except in the definition of “Professional Architect” in section 3, the words “Architects”, “Architect” and “an Architect” respectively.

Amendment of section 2

3. Section 2 of the principal Act is amended—

- (a) by renumbering the existing section as subsection (1);
- (b) by inserting after the definition of “appointed date” the following definition:

‘ “Architect” means a person registered under subsection 10(2);’;

- (c) by inserting after the definition of “architectural consultancy services” the following definition:

‘ “Architectural Technologist” means a person registered under section 27w;’;

- (d) by substituting for the definition of “Building Draughtsman” the following definition:

‘ “Building Draughtsman” means—

- (a) a Building Draughtsman who, on or before 1 June 2015, is registered with the Board, or has been issued with a valid certificate of registration as provided in section 22 which has been deleted in subsection 23(1) of the Architects (Amendment) Act 2015 [*Act A1480*]; or
- (b) a Building Draughtsman who, on or before 31 December 2015, is registered or deemed to be registered with the Board, or has been issued with a valid certificate of registration as provided in subsections 23(3) and (4) of the Architects (Amendment) Act 2015;’;

(e) by deleting the definition of “firm or body corporate practising as consulting Quantity Surveyors”;

(f) by inserting after the definition of “Building Draughtsman” the following definition:

‘ “foreign architect” means an architect who is not a citizen or permanent resident of Malaysia registered under section 10A;’;

(g) by inserting after the definition of “Graduate Architect” the following definitions:

‘ “Graduate Interior Designer” means a person registered under subsection 27D(1);

“Inspector of Works” means a person registered under section 27M;’;

(h) by deleting the definition of “Institut Pereka Bentuk Dalaman Malaysia”;

(i) by inserting after the definition of “Interior Designer” the following definitions:

‘ “interior design consultancy practice” means a sole proprietorship, partnership or body corporate incorporated under the Companies Act 1965 [*Act 125*], providing interior design consultancy services and is registered by the Board under section 27E;

“interior design consultancy services” in relation to interior design works means those services provided in paragraph 27E(1)(b);’;

(j) by inserting after the definition of “interior design consultancy services” the following definition:

‘ “Malaysian Institute of Interior Designers” includes any institute, body or society succeeding it and approved by the Minister;’;

(k) by deleting the definition of “Malaysian Society of Interior Designers”;

- (*l*) by deleting the definition of “Professional Architect”;
- (*m*) by deleting the definition of “Professional Engineer”;
- (*n*) by deleting the definition of “Register”;
- (*o*) by deleting the definition of “registered Quantity Surveyor”; and
- (*p*) by inserting after subsection (1) as renumbered the following subsection:

“(2) For the avoidance of doubt, the definition of “Building Draughtsman” shall be read together with section 23 of the Architects (Amendment) Act 2015.”.

Amendment of section 3

4. Subsection 3(2) of the principal Act is amended—

- (*a*) in paragraph (*d*), by substituting for the word “eight” the word “ten”;
- (*b*) by deleting the word “and” at the end of paragraph (*g*);
- (*c*) by substituting for the full stop at the end of paragraph (*h*) a semicolon; and
- (*d*) by inserting after paragraph (*h*) the following paragraphs:
 - “(i) one member appointed from among Inspectors of Works with at least five years of relevant working experience; and
 - (j) one member appointed from among Architectural Technologists with at least five years of relevant working experience.”.

Amendment of section 4

5. Section 4 of the principal Act is amended in subsection (1)—

(a) by substituting for paragraph (a) the following paragraph:

“(a) to keep and maintain a Register of Architects, Graduate Architects, foreign architects and architectural consultancy practices, a Register of Building Draughtsmen, a Register of Interior Designers containing particulars of Interior Designers, Graduate Interior Designers and interior design consultancy practices, a Register of Inspectors of Works and a Register of Architectural Technologists;”;

(b) by deleting paragraph (aa);

(c) in paragraph (c), by inserting after the word “Registers” the words “specified in paragraph (a)”;

(d) in paragraph (d), by substituting for the words “and Building Draughtsmen for architectural consultancy services rendered” the words “, Interior Designers, interior design consultancy practices and Building Draughtsmen”;

(e) by deleting paragraph (dd);

(f) in paragraph (e), by substituting for the words “and Building Draughtsmen” the words “, Building Draughtsmen, foreign architects, Graduate Interior Designers, Inspectors of Works and Architectural Technologists”;

(g) in paragraph (f), by substituting for the words “and Building Draughtsmen” the words “, Building Draughtsmen, foreign architects, Graduate Interior Designers, Inspectors of Works, Architectural Technologists, architectural consultancy practices and interior design consultancy practices”;

(h) in paragraph (j)—

(i) by substituting for the words “and Building Draughtsmen” the words “, Building Draughtsmen, foreign architects, Graduate Interior Designers, Inspectors of Works and Architectural Technologists”; and

(ii) by deleting the word “and” at the end of that paragraph; and

(i) by inserting after paragraph (j) the following paragraph:

“(ja) to conduct activities for the promotion of the profession of Architects, Graduate Architects, Building Draughtsmen, Interior Designers, Graduate Interior Designers, Inspectors of Works and Architectural Technologists; and”.

Amendment of section 5

6. Section 5 of the principal Act is amended—

(a) in the shoulder note, by inserting after the word “**Register**” the words “**of Architects, etc.**”;

(b) by inserting after the words “Graduate Architects” the words “, foreign architects”;

(c) by substituting for the word “three” the word “four”;

(d) by deleting the word “and” at the end of paragraph (b);

(e) by substituting for the full stop at the end of paragraph (c) the words “; and”; and

(f) by inserting after paragraph (c) the following paragraph:

“(d) Section D—which shall contain the names, addresses and other particulars of foreign architects.”.

Amendment of section 6

7. Section 6 of the principal Act is amended—

(a) in subsection (1), by substituting for the word “Register” the words “Registers specified in paragraph 4(1)(a)”;

(b) in subsection (2)—

(i) by deleting the words “at least one”;

(ii) by deleting the word “or” at the end of subparagraph (b)(ii);

(iii) by deleting the word “or” at the end of subparagraph (c)(ii); and

(iv) by inserting after paragraph (d) the following paragraphs:

“(e) an interior design consultancy practice whose registration has been—

(i) by an order of the Disciplinary Committee cancelled under section 34A or paragraph 27E(5)(dd);
or

(ii) reinstated under section 27I or subsection 27E(8);

(f) an Inspector of Works whose registration has been—

(i) by an order of the Disciplinary Committee cancelled under section 34A or paragraph 27P(2)(d);
or

(ii) reinstated under section 27R; and

(g) an Architectural Technologist whose registration has been—

(i) by an order of the Disciplinary Committee cancelled under section 34A or paragraph 27Y(2)(d); or

(ii) reinstated under section 27ZA.”;

(c) by substituting for subsection (3) the following subsection:

“(3) In any proceedings, a certificate of registration issued by the Board shall be conclusive proof that the person, sole proprietorship, partnership or body corporate named in the certificate of registration—

(a) in the case of the person, the person is an Architect, a Graduate Architect, a foreign architect, a Building Draughtsman, an Inspector of Works, an Architectural Technologist, an Interior Designer, or a Graduate Interior Designer;

(b) in the case of the sole proprietorship, the sole proprietor is an Architect, an Interior Designer, an architectural consultancy practice rendering architectural consultancy services, or an interior design consultancy practice rendering interior design consultancy services;

(c) in the case of the partnership—

(i) the partners are Architects or Interior Designers; or

(ii) it is an architectural consultancy practice rendering architectural consultancy services, or an interior design consultancy practice rendering interior design consultancy services; and

(d) in the case of the body corporate, it—

- (i) has a board of directors comprising persons who are Architects or Interior Designers;
- (ii) is an architectural consultancy practice rendering architectural consultancy services, or an interior design consultancy practice rendering interior design consultancy services; or
- (iii) has shares held by members of the board of directors mentioned in subparagraph (i) solely or with—
 - (A) any other persons who are Architects or Interior Designers; or
 - (B) an architectural consultancy practice rendering architectural consultancy services, or an interior design consultancy practice rendering interior design consultancy services.”; and

(d) in subsection (4), by substituting for the word “Register” the words “Registers specified in paragraph 4(1)(a)”.

Amendment of section 7

8. Section 7 of the principal Act is amended—

- (a) in the shoulder note, by deleting the words “**and Graduate Architects**”;
- (b) by renumbering subsection (1) as section 7;

(c) by substituting for paragraph (a) the following paragraph:

“(a) be entitled to set up an architectural consultancy practice to render architectural consultancy services subject to section 7A;”;

(d) in paragraph (ba), by deleting the words “and/or the abbreviation “P.Arch.” after his name or in association with his name”; and

(e) by deleting subsection (2).

Amendment of section 7A

9. Section 7A of the principal Act is amended—

(a) by substituting for subsection (1) the following subsection:

“(1) An Architect shall not, unless registered as a sole proprietorship, a partnership or a body corporate and has been issued with a certificate of registration—

(a) be entitled to set up an architectural consultancy practice to render architectural consultancy services; and

(b) recover in any court any fee, charge, remuneration or other form of consideration for architectural consultancy services rendered as an architectural consultancy practice.”;

(b) in subsection (3)—

(i) by substituting for paragraph (c) the following paragraph:

“(c) in the case of the body corporate—

(i) it has a board of directors as may be prescribed by the Board;

- (ii) it has shareholdings as may be prescribed by the Board;
 - (iii) it has a minimum paid-up capital which shall be an amount as may be prescribed by the Board; and
 - (iv) the day-to-day affairs of the body corporate shall be under the control and management of a person who—
 - (A) is an Architect; and
 - (B) is authorized under a resolution of the board of directors of the body corporate to make all final architectural decisions on behalf of the body corporate in respect of the requirements under this Act or any other law relating to the supply of architectural consultancy services by the body corporate.”;
- (c) in subsection (4), by inserting after the words “the change” the words “and obtain the Board’s approval on the latest composition or type of architectural consultancy practice”;
- (d) in subsection (5)—
- (i) by inserting the word “or” at the end of paragraph (a);
 - (ii) by deleting paragraphs (b) and (c);

(iii) in paragraph (d)—

(A) in subparagraph (i), by substituting for the words “15A(2)(l)” the words “15A(2)(a) to (l) or (o) to (p)”;

(B) in subparagraph (ii), by deleting the words “or paragraphs 15A(2)(a) to (k) or (o) to (p),”; and

(iv) in paragraph (bb), by substituting for the word “fifty” the words “one hundred”;

(e) in subsection (6)—

(i) in paragraph (a), by deleting the words “, (b) or (c),”; and

(ii) in paragraph (aa), by substituting for the words “(5)(aa) to (ee)” the words “(5)(cc) or (dd), as the case may be”; and

(f) by inserting after subsection (9) the following subsection:

“(10) This section shall not apply to an Architect who submits a plan for a building wholly owned by the Architect.”.

Amendment of section 7B

10. Section 7B of the principal Act is amended—

(a) in the shoulder note—

(i) by inserting after the word “**providing**” the words “**a combination of services comprising**”; and

(ii) by deleting the words “**and**/”;

(b) in subsection (1)—

(i) by inserting after the words “a practice of providing” the words “a combination of services comprising”; and

(ii) by deleting the words “and/”;

(c) in subsection (2)—

(i) in paragraph (a), by substituting for the words “and/or registered” the words “with Practising Certificates or Consultant”;

(ii) in paragraph (b)—

(A) by deleting the words “and/”;

(B) in subparagraph (i)—

(aa) by substituting for the words
“, registered” the words
“with Practising Certificates,
Consultant”;

(ab) by deleting the words “and/”
wherever appearing; and

(ac) by substituting for the words
“consulting Quantity Surveyors”
the words “Consulting Quantity
Surveying Practice”;

(d) in subsection (3)—

(a) in paragraph (a), by deleting the words “and/”;
and

(b) in paragraph (b)—

(i) by substituting for the words “, registered”
the words “with Practising Certificate,
Consultant”; and

(ii) by substituting for the words “consulting
Quantity Surveyors” the words “Consulting
Quantity Surveying Practice”;

(e) by deleting subsection (4); and

(f) by inserting after subsection (4) the following subsection:

“(5) In this section—

(a) “Consultant Quantity Surveyor” and “Consulting Quantity Surveying Practice” have the same meaning assigned to it in the Quantity Surveyors Act 1967 [*Act 487*]; and

(b) “Professional Engineer with Practising Certificate” has the same meaning assigned to it in the Registration of Engineers Act 1967 [*Act 138*].”.

Amendment of section 8

11. Section 8 of the principal Act is amended—

(a) by substituting for subsection (1) the following subsection:

“(1) Subject to sections 7A and 7B, only an Architect or a foreign architect who is residing in Malaysia for not less than one hundred and eighty days in any one calendar year shall be entitled to submit plans or drawings to any person or authority in Malaysia.”; and

(b) in subsection (2), by inserting after the word “Architect” the words “, foreign architect”.

Deletion of section 9

12. The principal Act is amended by deleting section 9.

Amendment of section 10

13. Section 10 of the principal Act is amended—

(a) in the shoulder note, by inserting after the word “**registration**” the words “**of Architects, etc.**”;

- (b) in paragraph (1)(b), by deleting the words “as may be prescribed by the Board”;
- (c) in paragraph (2)(a), by substituting for subparagraphs (i), (ii) and (iii) the following subparagraphs:
 - “(i) is a Graduate Architect who has obtained the practical experience and passed the examinations as may be determined by the Board under paragraph (1)(b); or
 - (ii) is a Corporate Member of the Pertubuhan Arkitek Malaysia.”;
- (d) in subsection (2A), by inserting after the words “paragraph (2)(a)” the words “and any other requirements as may be determined by the Board”; and
- (e) in subsection (3), by substituting for the words “only a citizen or a permanent resident of Malaysia” the words “any person”.

Amendment of section 10A

14. Section 10A of the principal Act is amended—

- (a) by substituting for the shoulder note the following shoulder note:

“Registration of foreign architects”;

- (b) by substituting for subsection (1) the following subsection:

“(1) Subject to this section and such conditions as the Board may think fit to impose, the Board may, upon payment of the prescribed fee, approve the registration as an Architect of any foreign architect who is a consultant to a project, wholly financed by a foreign government or implemented under any form of arrangement with the Government of Malaysia.”;

(c) in subsection (2)—

(i) by deleting the word “temporary”; and

(ii) in paragraph (a), by substituting for the words “the country where he normally practises” the words “his country of origin”;

(d) by substituting for subsection (3) the following subsection:

“(3) The Board may approve the registration of a foreign architect for a period not exceeding one calendar year and may renew such registration as it deems fit.”;

(e) in subsection (4), by deleting the word “temporary”;

(f) in subsection (6), by deleting the word “temporary”; and

(g) by deleting subsection (7).

Amendment of section 12

15. Section 12 of the principal Act is amended—

(a) in the shoulder note, by inserting after the word “**registration**” the words “**of Architects, etc.**”; and

(b) by inserting after the word “registration” the words “of Architects, Graduate Architects, foreign architects and architectural consultancy practice”.

Amendment of section 13

16. Section 13 of the principal Act is amended—

(a) in the shoulder note, by inserting after the word “**registration**” the words “**of Architects, etc.**”; and

(b) in subsection (1), by inserting after the words “application for registration” the words “under section 12”.

Amendment of section 14

17. Section 14 of the principal Act is amended—

- (a) in the shoulder note, by inserting after the word “**address**” the words “**of Architects, etc.**”; and
- (b) by inserting after the words “Graduate Architect” the words “, foreign architect”.

Amendment of section 15A

18. Section 15A of the principal Act is amended—

- (a) by substituting for subsection (1) the following subsection:

“(1) The Board shall appoint—

- (a) not more than three members of the Board to investigate any misconduct or complaint made against any Architect, Graduate Architect, foreign architect or architectural consultancy practice; and
- (b) a Disciplinary Committee comprising not more than five members of the Board, not being the members of the Board appointed under paragraph (a), to conduct a hearing of any misconduct or complaint referred to the Disciplinary Committee by the members of the Board appointed under paragraph (a).”;

- (b) in subsection (2)—

- (i) by substituting for the word “fifty” the words “one hundred”;
- (ii) by substituting for the words “two years” the words “three years”; and
- (iii) by substituting for the words “or Graduate Architect,” the words “, Graduate Architect or foreign architect”;

(c) in subsection (3)—

- (i) by substituting for the words “, or (n) to (p)” the words “or paragraph (2)(p)”; and
- (ii) by substituting for the words “or Graduate Architect” the words “, Graduate Architect or foreign architect”;

(d) in subsection (4)—

- (i) by substituting for the word “member” the word “members”; and
- (ii) in paragraph (a), by substituting for the words “that member” the words “those members of the Board”; and

(e) in subsections (5) and (6), by substituting for the word “member” the word “members”.

Amendment of section 16

19. Section 16 of the principal Act is amended—

- (a) in the shoulder note, by inserting after the word “**Register**” the words “**of Architects, etc.**”;
- (b) in paragraph (a), by substituting for the words “or Graduate Architect” the words “, Graduate Architect or foreign architect”;
- (c) in paragraph (b), by inserting after the words “Graduate Architect” the words “, foreign architect”;
- (d) in paragraph (c), by substituting for the words “or Graduate Architect” the words “, Graduate Architect or foreign architect”; and
- (e) in paragraph (d), by inserting after the words “Graduate Architect” the words “, foreign architect”.

Amendment of section 17

20. Section 17 of the principal Act is amended—

- (a) in the shoulder note, by inserting after the word **“Reinstatement”** the words **“into Register of Architects, etc.”**;
- (b) by inserting after the words “Graduate Architect” wherever appearing the words “, foreign architect”; and
- (c) by inserting after the word “Register” wherever appearing the words “of Architects, Graduate Architects, foreign architects and architectural consultancy practices”.

Amendment of section 18

21. Section 18 of the principal Act is amended—

- (a) in the shoulder note, by inserting after the word **“Certificates”** the words **“of registration of Architects, etc.”**;
- (b) by inserting after the words “Graduate Architect” the words “, foreign architect”; and
- (c) by inserting after the word “Register” the words “of Architects, Graduate Architects, foreign Architects and architectural consultancy practices”.

Amendment of section 21

22. Section 21 of the principal Act is amended by inserting after the word “Register” the words “of Building Draughtsmen”.

Deletion of section 22

23. (1) The principal Act is amended by deleting section 22.

(2) Subject to subsection (4), where on 1 June 2015—

- (a) a Building Draughtsman is registered under the principal Act but has yet to be issued with a certificate of registration, subsection 22(3) of the principal Act shall apply to him;
- (b) a Building Draughtsman is registered and has been issued with a certificate of registration under the principal Act, he shall continue to practise until the expiry of his certificate of registration which on application may be renewed annually for a period of one year upon payment of the prescribed fee and upon satisfying such conditions as may be determined by the Board; and
- (c) there is any pending application for registration of a Building Draughtsman, such application shall be treated under section 22 of the principal Act.

(3) Where there is no decision on an application by any person for registration of a Building Draughtsman under paragraph (2)(c) on or before 31 December 2015, such person shall be deemed to have been registered as a Building Draughtsman.

(4) For the purposes of subsections (2) and (3), it shall be treated as if section 22 of the principal Act is not deleted.

(5) The provisions of the principal Act applicable to a Building Draughtsman shall apply to a Building Draughtsman mentioned in paragraphs (2)(a) and (b) and subsection (3).

Amendment of section 23

24. Section 23 of the principal Act is amended in the shoulder note by inserting after the word “**address**” the words “**of Building Draughtsmen**”.

Amendment of section 24

25. Section 24 of the principal Act is amended—

- (a) in subsection (1), by substituting for the words “Upon the registration of a Building Draughtsman the following restrictions shall apply—” the words “A Building Draughtsman shall be subject to the following restrictions:”; and
- (b) by substituting for subsection (5) the following subsection:

“(5) Subject to paragraph (1)(b), the Building Draughtsman shall be entitled to submit to the Building Authority for approval of any plans of buildings not exceeding two-storeys in height providing that the total built-up floor area does not exceed three hundred square metres in any one or series of project in the same development by the same client.”.

Amendment of section 25

26. Section 25 of the principal Act is amended—

- (a) in subsection (2)—
 - (i) in paragraph (b), by substituting for the words “twenty-five” the words “one hundred”;
 - (ii) in paragraph (c), by substituting for the words “two years” the words “three years”; and
 - (iii) by substituting for paragraph (bb) the following paragraph:

“(bb) if in his capacity as a Building Draughtsman, he fails to disclose in writing to his client that—

 - (i) he is a sole proprietor of, partner in, director of, member of, substantial shareholder in or agent

for, any contracting company,
manufacturing company, firm
or business; or

- (ii) he has any financial interest in
that contracting, manufacturing
company, firm or business,

with which he deals on behalf of his
client;”; and

- (b) in subsection (3), by substituting for the words “to (jj),”
the words “to (ee), paragraph (gg), (ii) or (jj),”.

Amendment of section 26

27. Section 26 of the principal Act is amended—

- (a) in the shoulder note, by inserting after the word “**Register**”
the words “**of Building Draughtsmen**”; and
- (b) by inserting after the word “Register” the words
“of Building Draughtsmen”.

Amendment of section 26A

28. Section 26A of the principal Act is amended—

- (a) in the shoulder note, by inserting after the word
“**Reinstatement**” the words “**into Register of Building
Draughtsmen**”; and
- (b) by inserting after the word “Register” wherever appearing
the words “of Building Draughtsmen”.

Amendment of section 27

29. Section 27 of the principal Act is amended—

- (a) in the shoulder note, by inserting after the word “**Certificates**”
the words “**of Building Draughtsmen**”; and
- (b) by inserting after the word “Register” the words
“of Building Draughtsmen”.

Amendment of section 27A

30. Section 27A of the principal Act is amended by substituting for paragraph (a) the following paragraph:

“(a) be entitled to set up an interior design consultancy practice to render interior design consultancy services;”.

Amendment of section 27B

31. Section 27B of the principal Act is amended—

(a) by inserting after the word “Register” the words “of Interior Designers”; and

(b) by inserting after the words “particulars of Interior Designers” the words “, Graduate Interior Designers and interior design consultancy practices”.

Amendment of section 27C

32. Section 27C of the principal Act is amended—

(a) in the shoulder note, by inserting after the word “**Registration**” the words “**of Interior Designers, etc.**”; and

(b) in subsection (1), by substituting for the words “interior designer” the words “Interior Designer, Graduate Interior Designer and interior design consultancy practice”.

Amendment of section 27D

33. The principal Act is amended by substituting for section 27D the following section:

“Qualifications for registration of Interior Designers, etc.

27D. (1) A person who holds the qualification recognized by the Board shall be entitled on application to be registered as a Graduate Interior Designer.

(2) A person who is registered as a Graduate Interior Designer under subsection (1) shall be required to obtain such practical experience and to pass the examinations as may be determined by the Board in order to be entitled to apply for registration as an Interior Designer under subsection (3).

(3) A person who—

- (a) is a Graduate Interior Designer and has obtained the practical experience and passed the examinations as may be determined by the Board under subsection (2); or
- (b) is a Corporate Member of the Malaysian Institute of Interior Designers or has obtained membership of a professional institute or body which the Board considers to be equivalent to the Malaysian Institute of Interior Designers,

shall be entitled on application to be registered as an Interior Designer.

(4) A person who is registered under subsection 10(2) as an Architect and under section 7A as an architectural consultancy practice shall be entitled to be registered as an interior design consultancy practice.”.

Amendment of section 27E

34. Section 27E of the principal Act is amended—

(a) by substituting for subsection (1) the following subsection:

“(1) An Interior Designer shall not, unless registered with the Board as a sole proprietorship, a partnership or a body corporate and has been issued a certificate of registration—

- (a) recover in any court any fee, charge, remuneration or other form of consideration for interior design consultancy services rendered as an interior design consultancy practice; and

(b) provide interior design consultancy services for interior works involving any but without prejudice to the generality of the following:

- (i) consultation, advice, direction, evaluation, budgetary estimate and appraisal;
- (ii) schematic interior design plans, design development and project programming;
- (iii) preparation of contract documents including working drawings, construction details and technical specifications;
- (iv) contract administration, supervision and certification of payment and progress of works; and
- (v) any other activities relating to the creation, preservation and enhancement of the interior environment including the following:
 - (A) any changes on the building structure;
 - (B) any changes to an existing building layout;
 - (C) building or statutory codes; and
 - (D) health and safety issues.”;

(b) in subparagraph (3)(c)(i), by deleting the words “and/”;
and

(c) in subsection (5)—

- (i) in paragraph (bb), by substituting for the words “twenty-five” the word “fifty”; and
- (ii) in paragraph (cc), by substituting for the words “two years” the words “three years”.

Amendment of section 27F

35. Section 27F of the principal Act is amended—

- (a) in the shoulder note, by inserting after the word “**address**” the words “**of Interior Designers, etc.**”;
- (b) by inserting after the words “Interior Designer” the words “, Graduate Interior Designer and interior design consultancy practice”; and
- (c) by inserting after the word “his” the words “or its”.

Amendment of section 27G

36. Section 27G of the principal Act is amended—

- (a) in paragraph (1)(a), by inserting after the words “Interior Designer” the words “, Graduate Interior Designer”; and
- (b) in subsection (2)—
 - (i) in paragraph (b), by substituting for the words “twenty-five” the word “fifty”;
 - (ii) in paragraph (c), by substituting for the words “two years” the words “three years”; and
 - (iii) by inserting after the words “Interior Designer” the words “or Graduate Interior Designer”.

Amendment of section 27H

37. Section 27H of the principal Act is amended—

- (a) in the shoulder note, by inserting after the word “**Register**” the words “**of Interior Designers**”;
- (b) by inserting after the word “Register” the words “of Interior Designers”;
- (c) in paragraph (a), by inserting after the words “Interior Designer” the words “or Graduate Interior Designer”;
- (d) in paragraph (b), by inserting after the words “Interior Designer” the words “, Graduate Interior Designer”;
- (e) in paragraph (c), by inserting after the words “Interior Designer” the words “or Graduate Interior Designer”;
and
- (f) in paragraph (d), by inserting after the words “Interior Designer” the words “, Graduate Interior Designer”.

Amendment of section 27I

38. Section 27I of the principal Act is amended—

- (a) in the shoulder note, by inserting after the word “**Reinstatement**” the words “**into Register of Interior Designers**”;
- (b) by inserting after the words “Interior Designer” wherever appearing the words “, Graduate Interior Designer or interior design consultancy practice”;
- (c) by inserting after the words “his” and “him” wherever appearing the words “or its” and “or it” respectively;
- (d) by inserting after the word “Register” wherever appearing the words “of Interior Designers”; and
- (e) in subsection (2), by inserting after the word “he” the words “or it”.

Amendment of section 27J

39. Section 27J of the principal Act is amended—

- (a) in the shoulder note, by inserting after the word “**Certificates**” the words “**of registration of Interior Designers, etc.**”;
- (b) by inserting after the words “Interior Designer” the words “, Graduate Interior Designer or interior design consultancy practice”;
- (c) by inserting after the word “Register” the words “of Interior Designers”; and
- (d) by inserting after the word “him” wherever appearing the words “or it”.

New Parts VB and VC

40. The principal Act is amended by inserting after section 27J the following Parts:

“PART VB

SPECIAL PROVISIONS RELATING TO INSPECTORS OF WORKS

Restrictions on unregistered Inspectors of Works

27K. No person shall, unless he is an Inspector of Works—

- (a) be employed as an Inspector of Works; or
- (b) be entitled to describe himself or hold himself out under any name, style or title—
 - (i) bearing the words “Inspector of Works” or equivalent in any other language; or
 - (ii) bearing any other word in any language which may reasonably be construed to imply that he is an Inspector of Works.

Register of Inspectors of Works

27L. For the purpose of this Part, there shall be a Register of Inspectors of Works which shall contain the names, addresses and other particulars of Inspectors of Works.

Registration of Inspectors of Works

27M. (1) Any Inspector of Works may apply for registration under this Part.

(2) An application for registration shall be made to the Board in such manner as may be determined by the Board and accompanied by the prescribed fee.

(3) The Registrar shall, upon receipt of the prescribed fee, issue to any person whose application has been approved by the Board a certificate of registration in the prescribed form expiring on the 31 December of the year in which it is issued.

(4) The registration may, subject to this Act, be renewed annually upon payment of the prescribed fee and upon satisfying such conditions as may be determined by the Board.

Qualifications for registration of Inspectors of Works

27N. (1) A person who holds the qualification recognized by the Board shall be entitled on application to be registered as an Inspector of Works.

(2) A person who is registered under subsection 10(2) as an Architect shall be entitled to practise or carry on business as an Inspector of Works.

Notification of change of address of Inspectors of Works

27O. An Inspector of Works shall notify the Registrar of any change in his correspondence address.

Cancellation of registration, etc., of Inspector of Works

27P. (1) The Board shall appoint—

- (a) not more than three members of the Board to investigate into any misconduct or complaint made against any Inspector of Works; and
- (b) a Disciplinary Committee comprising not more than five members of the Board, including a member of the Board who is an Inspector of Works, not being a person appointed under paragraph (a), to conduct a hearing of any misconduct or complaint referred to it by the member of the Board appointed under paragraph (a).

(2) The Disciplinary Committee may order—

- (a) the issuance of a written reprimand to;
- (b) the imposition of a fine not exceeding twenty-five thousand ringgit on;
- (c) the suspension of the registration for a period not exceeding two years of; or
- (d) the cancellation of the registration of,

the Inspector of Works.

(3) The Disciplinary Committee may make an order under subsection (2) if the Inspector of Works—

- (a) is convicted of any offence involving fraud or dishonesty or moral turpitude;
- (b) acts as a contractor or trades in building materials directly connected with his employment;
- (c) is registered under this Act by fraud or misrepresentation;
- (d) offers or accepts any commission which in the opinion of the Disciplinary Committee is an illicit commission;

- (e) fails to observe any conditions or restrictions of his registration;
- (f) is found to be of unsound mind;
- (g) is found to be incapable of performing his professional duties effectively;
- (h) becomes a bankrupt;
- (i) is found guilty by the Disciplinary Committee of any act or conduct which in the opinion of the Disciplinary Committee is infamous or disgraceful; or
- (j) is found by the Disciplinary Committee to have contravened or failed to comply with any of the provisions of this Act or of any rules made thereunder.

(4) The Disciplinary Committee shall not make any order under subsection (2), based upon any of the circumstances set out in paragraphs (3)(b) to (e), paragraph (g), paragraphs (i) and (j), unless an opportunity of being heard either personally or by counsel has been given to the Inspector of Works against whom the Disciplinary Committee intends to make the order.

(5) The member of the Board appointed under paragraph (1)(a) may, for the purpose of an investigation of an Inspector of Works—

- (a) require any person, including a sole proprietor, partner, director, manager, secretary or employee, in connection with his employment, to attend before the member of the Board and give evidence on oath or affirmation, and that member of the Board may administer the oath; and
- (b) require such person to produce any book, document or paper relating to the subject matter of the investigation which is in the custody of that person or under his control.

(6) Upon completion of his investigation, the member of the Board appointed under paragraph (1)(a) shall submit a report together with his recommendations, if any, to the Disciplinary Committee for its consideration.

(7) Any Inspector of Works dissatisfied with an order of the Disciplinary Committee under this section may, within twenty-one days of being notified of such order, appeal to the Minister whose decision shall be final.

Removal from Register of Inspectors of Works

27Q. There shall be removed from the Register of Inspectors of Works the name and other particulars of any Inspector of Works—

- (a) who has died;
- (b) who has failed to renew his registration within one month of the expiry of the registration;
- (c) whose registration has been cancelled under section 34A or paragraph 27P(2)(d); or
- (d) who has been registered by reason of any mistake or error made by the Board in considering his application for registration.

Reinstatement into Register of Inspectors of Works

27R. (1) An Inspector of Works whose name has been removed from the Register of Inspectors of Works pursuant to an order of the Disciplinary Committee under subsection 27P(2) shall be reinstated if the appeal by the Inspector of Works is allowed by the Minister under subsection 27P(7) and the Registrar shall issue a certificate of registration to the Inspector of Works.

(2) An Inspector of Works whose name has been removed from the Register of Inspectors of Works for failure to renew his registration shall be reinstated as soon as may be after the Inspector of Works has notified the Registrar, within five years of such removal, and upon—

- (a) payment of such fees as may be prescribed by the Board; and
- (b) satisfying such conditions as may be imposed by the Board,

the Registrar shall issue a certificate of registration to the Inspector of Works.

(3) An Inspector of Works whose name has been removed from the Register of Inspectors of Works pursuant to an order of the Disciplinary Committee under subsection 27P(2) and who has not appealed against that order or whose appeal has been dismissed may, after the expiration of not less than two years from the date of the order or from the date of the decision of the appeal, apply for reinstatement.

(4) The Board upon—

- (a) receipt of satisfactory evidence of proper reasons for the reinstatement of the Inspector of Works;
- (b) receipt of reimbursement of all expenditure incurred arising out of the proceedings leading to the cancellation of the registration of the Inspector of Works; and
- (c) payment of the prescribed fee,

shall order the Registrar to issue a certificate of registration to the Inspector of Works.

Certificates of registration of Inspectors of Works to be returned

27s. An Inspector of Works whose name has been removed from the Register of Inspectors of Works shall, within fourteen days after notification of the removal to the Inspector of Works by registered post, return to the Board the certificate of registration issued to him.

PART VC**SPECIAL PROVISIONS RELATING TO ARCHITECTURAL TECHNOLOGISTS****Restrictions on unregistered Architectural Technologists**

27t. No person shall, unless he is an Architectural Technologist—

- (a) be employed as an Architectural Technologist; or
- (b) be entitled to describe himself or hold himself out under any name, style or title—
 - (i) bearing the words “Architectural Technologist” or equivalent in any other language; or
 - (ii) bearing any other word in any language which may reasonably be construed to imply that he is an Architectural Technologist.

Register of Architectural Technologists

27u. For the purpose of this Part, there shall be a Register of Architectural Technologists which shall contain the names, addresses and other particulars of Architectural Technologists.

Registration of Architectural Technologists

27v. (1) An Architectural Technologist may apply for registration under this Part.

(2) An application for registration shall be made to the Board in such manner as may be determined by the Board and accompanied by the prescribed fee.

(3) The Registrar shall, upon receipt of the prescribed fee, issue to any person whose application has been approved by the Board a certificate of registration in the prescribed form expiring on the 31 December of the year in which it is issued.

(4) The registration may, subject to this Act, be renewed annually upon payment of the prescribed fee and upon satisfying such conditions as may be determined by the Board.

Qualifications for registration of Architectural Technologists

27w. A person who holds the qualification recognized by the Board shall be entitled on application to be registered as an Architectural Technologist.

Notification of change of address of Architectural Technologists

27x. An Architectural Technologist shall notify the Registrar of any change in his correspondence address.

Cancellation of registration, *etc.*, of Architectural Technologist

27y. (1) The Board shall appoint—

- (a) not more than three members of the Board to investigate into any misconduct or complaint made against any Architectural Technologist; and
- (b) a Disciplinary Committee comprising not more than five members of the Board, including a member of the Board who is an Architectural Technologist, not being a person appointed under paragraph (a), to conduct a hearing of any misconduct or complaint referred to it by the member of the Board appointed under paragraph (a).

(2) The Disciplinary Committee may order—

- (a) the issuance of a written reprimand to;
- (b) the imposition of a fine not exceeding twenty-five thousand ringgit on;
- (c) the suspension of the registration for a period not exceeding two years of; or
- (d) the cancellation of the registration of,

the Architectural Technologist.

(3) The Disciplinary Committee may make an order under subsection (2) if the Architectural Technologist—

- (a) is convicted of any offence involving fraud or dishonesty or moral turpitude;
- (b) acts as a contractor or trades in building materials directly connected with his employment;
- (c) is registered under this Act by fraud or misrepresentation;
- (d) offers or accepts any commission which in the opinion of the Disciplinary Committee is an illicit commission;
- (e) fails to observe any conditions or restrictions of his registration;
- (f) is found to be of unsound mind;
- (g) is found to be incapable of performing his professional duties effectively;
- (h) becomes a bankrupt;
- (i) is found guilty by the Disciplinary Committee of any act or conduct which in the opinion of the Disciplinary Committee is infamous or disgraceful;
or

- (j) is found by the Disciplinary Committee to have contravened or failed to comply with any of the provisions of this Act or of any rules made thereunder.

(4) The Disciplinary Committee shall not make any order under subsection (2), based upon any of the circumstances set out in paragraphs (3)(b) to (e), paragraph (g), paragraphs (i) and (j), unless an opportunity of being heard either personally or by counsel has been given to the Architectural Technologist against whom the Disciplinary Committee intends to make the order.

(5) The member of the Board appointed under paragraph (1)(a) may, for the purpose of an investigation of an Architectural Technologist—

- (a) require any person, including a sole proprietor, partner, director, manager, secretary or employee, in connection with his employment, to attend before the member of the Board and give evidence on oath or affirmation, and that member of the Board may administer the oath; and
- (b) require such person to produce any book, document or paper relating to the subject matter of the investigation which is in the custody of that person or under his control.

(6) Upon completion of his investigation, the member of the Board appointed under paragraph (1)(a) shall submit a report together with his recommendations, if any, to the Disciplinary Committee for its consideration.

(7) Any Architectural Technologist dissatisfied with an order of the Disciplinary Committee under this section may, within twenty-one days of being notified of such order, appeal to the Minister whose decision shall be final.

Removal from Register of Architectural Technologists

27z. There shall be removed from the Register of Architectural Technologists the name and other particulars of any Architectural Technologist—

- (a) who has died;
- (b) who has failed to renew his registration within one month of the expiry of the registration;
- (c) whose registration has been cancelled under section 34A or paragraph 27y(2)(d); or
- (d) who has been registered by reason of any mistake or error made by the Board in considering his application for registration.

Reinstatement into Register of Architectural Technologists

27zA. (1) An Architectural Technologist whose name has been removed from the Register of Architectural Technologists pursuant to an order of the Disciplinary Committee under subsection 27y(2) shall be reinstated if the appeal by the Architectural Technologist is allowed by the Minister under subsection 27y(7) and the Registrar shall issue a certificate of registration to the Architectural Technologist.

(2) An Architectural Technologist whose name has been removed from the Register of Architectural Technologists for failure to renew his registration shall be reinstated as soon as may be after the Architectural Technologist has notified the Registrar, within five years of such removal, and upon—

- (a) payment of such fees as may be prescribed by the Board; and
- (b) satisfying such conditions as may be imposed by the Board,

the Registrar shall issue a certificate of registration to the Architectural Technologist.

(3) An Architectural Technologist whose name has been removed from the Register of Architectural Technologists pursuant to an order of the Disciplinary Committee under subsection 27Y(2) and who has not appealed against that order or whose appeal has been dismissed may, after the expiration of not less than two years from the date of the order or from the date of the decision of the appeal, apply for reinstatement.

(4) The Board upon—

(a) receipt of satisfactory evidence of proper reasons for the reinstatement of the Architectural Technologist;

(b) receipt of reimbursement of all expenditure incurred arising out of the proceedings leading to the cancellation of the registration of the Architectural Technologist; and

(c) payment of the prescribed fee,

shall order the Registrar to issue a certificate of registration to the Architectural Technologist.

Certificates of registration of Architectural Technologists to be returned

27ZB. An Architectural Technologist whose name has been removed from the Register of Architectural Technologists shall, within fourteen days after notification of the removal to the Architectural Technologist by registered post, return to the Board the certificate of registration issued to him.”.

Amendment of section 28

41. Paragraph 28(1)(b) of the principal Act is amended by inserting after the word “Register” the words “of Architects, Graduate Architects, foreign architects and architectural consultancy practices or the Register of Interior Designers”.

Amendment of section 33

42. Section 33 of the principal Act is amended—

- (a) by inserting after the word “corporate” the words “, as the case may be,”;
- (b) in paragraph (b), by substituting for the words “any Register kept and maintained under this Act” the words “the Registers specified in paragraph 4(1)(a)”;
- (c) in paragraph (e), by substituting for the words “Building Draughtsman or Interior Designer,” the words “foreign architect, Building Draughtsman, Interior Designer, Graduate Interior Designer, Inspector of Works or Architectural Technologist,”; and
- (d) in paragraph (f), by substituting for the words “Building Draughtsman, Interior Designer,” the words “foreign architect, Building Draughtsman, Interior Designer, Graduate Interior Designer, Inspector of Works, Architectural Technologist,”.

Amendment of section 34A

43. Section 34A of the principal Act is amended—

- (a) by substituting for the words “or 27G(3),” the words “, 27G(3) or 27P(4),”;
- (b) in paragraph (d)—
 - (i) by inserting after the words “Interior Designer” the words “or Graduate Interior Designer”; and
 - (ii) by substituting for the word “paragraph” the word “subsection”;
- (c) by deleting the word “or” at the end of paragraph (d);

(d) in paragraph (e)—

(i) by substituting for the word “paragraph” the word “subsection”; and

(ii) by substituting for the comma appearing after the words “section 28” a semicolon; and

(e) by inserting after paragraph (e) the following paragraphs:

“(f) an Inspector of Works refuses or fails to comply with an order of the Disciplinary Committee made under subsection 27P(2) or decision of the Minister made under subsection 27P(7); or

(g) an Architectural Technologist refuses or fails to comply with an order of the Disciplinary Committee made under subsection 27Y(2) or decision of the Minister made under subsection 27Y(7),”.

Amendment of section 34B

44. Paragraph 34B(3)(c) of the principal Act is amended by substituting for the words “Building Draughtsman, Interior Designer,” the words “foreign architect, Building Draughtsman, Interior Designer, Graduate Interior Designer, Inspector of Works, Architectural Technologist,”.

Amendment of section 35B

45. Section 35B of the principal Act is amended—

(a) in subsection (1)—

(i) by substituting for the words “Register of a Professional Architect, Graduate Architect, Building Draughtsman, Interior Designer, architectural consultancy practice or interior design consultancy practice” the words “Registers specified in paragraph 4(1)(a)”; and

- (ii) by substituting for the words “Building Draughtsman, Interior Designer,” the words “foreign architect, Building Draughtsman, Interior Designer, Graduate Interior Designer, Inspector of Works, Architectural Technologist,”;

(b) in subsection (2)—

- (i) by substituting for the words “Building Draughtsman, Interior Designer,” the words “foreign architect, Building Draughtsman, Interior Designer, Graduate Interior Designer, Inspector of Works, Architectural Technologist,”; and
- (ii) by substituting for the words “Building Draughtsman, Interior Designer,” the words “foreign architect, Building Draughtsman, Interior Designer, Graduate Interior Designer, Inspector of Works, Architectural Technologist,”; and

(c) in subsection (3), by inserting after the words “Interior Designer,” the words “Graduate Interior Designer, Inspector of Works, Architectural Technologist,”.

Saving and transitional

46. (1) All references to a Professional Architect in any written law and any document shall, on the coming into operation of this Act, be construed as references to an Architect as defined in section 2 of the principal Act as amended in this Act.

(2) Any application for registration pending on the date of the coming into operation of this Act shall be dealt with under the principal Act as amended by this Act.

(3) Any decision made by the Disciplinary Committee or Board under the principal Act shall continue to be in force as if the principal Act had not been amended by this Act.

(4) Any investigations, proceedings, including disciplinary proceedings, and matters relating to such investigations and proceedings existing and pending under the principal Act shall continue and be dealt with under the principal Act as if it had not been amended by this Act.

(5) Any investigations, proceedings, including disciplinary proceedings, and matters relating to such investigations and proceedings which could have been commenced or instituted under the principal Act before the coming into operation of this Act shall be commenced, instituted and dealt with under the principal Act as if it had not been amended by this Act.

(6) Any such rights, privileges, obligations, liability, penalty, or punishment acquired, accrued or incurred under the principal Act, may be continued, enforced, imposed and be dealt with, as the case may be, as if the principal Act had not been amended by this Act.

