

The Practice of Engineering Professions Regulating Law

Introduction:

The Practice of Engineering Professions Regulating Law was promulgated by the Royal Decree No. (M / 36) dated 19/04 / 1438H to regulate the Practice of Engineering Professions in the Kingdom of Saudi Arabia, as a sponsor of the engineering profession and engineers and a professional

Royal Decree

No. M/36

Date: 19/4/1438H

With the help of Allah Almighty,

We Salman Ibn Abdulaziz Al Saud, King of the Kingdom of Saudi Arabia,

Pursuant to Article (70) of the Basic Law of Governance, issued under the Royal Decree No. A/90 dated 27/8/1417, m

And pursuant to Article (20) of the Council of Ministers' system promulgated by the Royal Decree No. A/13 dated 3/3/1417,

And pursuant to Article No. (17) and (18) of the Shura Council System promulgated by the Royal Decree No. A/91 dated 24/2/1434H and 13/9 dated 7/4/1436H,

And after having reviewed the Shura Council Resolutions No. 198/79 dated 24/2/1434H and 13/9 dated 7/4/1436H,

And after having reviewed the Council of Ministers' resolution No. 223 dated 18/4/1438H,

And after having reviewed the Royal Decree No. 11332 dated 6/3/1438Hm

Hereby decree the following:

First: approval of the Practice of Engineering Professions Regulating Law in the attached text.

Second: Engineers not professionally registered at the time of these regulations going into effect must rectify their status in accordance with the provisions of these regulations within 6 months from the date of validation. SCE may extend this period.

Third: The Deputy Prime Minister, ministers and heads of concerned departments are required to implement this decree as appropriate.

Salman Ibn Abdulaziz Al Saud

First: The Practice of Engineering Professions Regulating Law

Article 1:

The following words and phrases, wherever mentioned herein, shall have the meanings assigned to them hereunder unless otherwise required by the context:

The Law:	The Law regulating the Practice of Engineering Professions.
The Regulations:	The executive Regulation of this Law.
The Council:	The Saudi Council of Engineers.
The Ministry:	Ministry of Commerce and Investment.
The Minister:	Minister of Commerce and Investment.
The Board:	The Board of Directors of the Council.
The Engineering Work:	Studies, designs, drawings, supervision, implementation, operation and maintenance works in the engineering divisions and branches.
The Committee:	The Professional Accreditation Committee of the Council.
Practice of Engineering Professions:	Any engineering work practiced within the engineering disciplines and branches.
Professional Accreditation:	Registration with the Council and obtaining a professional degree.
Professional degree:	The professional degree an engineer obtained from the Council upon being professionally accredited.
The Engineer's Charter:	a set of rules, governing the ethics and conduct for practicing the engineering professions, approved by the Council.

The License:	The License granted by the Ministry for engineering offices and companies when practicing any of the engineering professions.
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Article 2:

1. No engineering profession may be practiced unless after obtaining the Professional Accreditation from the Council as stated herein and in the Regulation.
2. Working in engineering professions for governmental entities shall be deemed a license to practice the profession in such entities within the limits of the related engineering professions, duties and responsibilities thereof. The competent regulatory authorities may at any time they deem fit oblige engineers in government entities to obtain the Professional Accreditation.

Article 3:

A professionally accredited engineer may not practice any non-accredited engineering specialty and/or professional grade.

Article 4:

Subject to the provisions of Paragraph (2) of Article (2) hereof, it is prohibited to employ engineers who are not professionally accredited.

Article 5:

Unless otherwise stated, no authority may accept any Engineering Work unless executed by professionally accredited engineers.

Article 6:

Obtaining Professional Accreditation shall be subject to the following conditions:

1. Applicant for Professional Accreditation shall have the qualification required for any of the engineering specializations from a Saudi university or equivalent from a recognized university.
2. Applicant shall be of full capacity.
3. Applicant shall undertake to comply with Engineer's Charter.
4. Applicant may not be previously convicted of any crime involving a breach of honor and/or trust, unless the applicant has been pardoned.

5. There shall not be any judgment against the applicant on striking off the applicant's Professional Accreditation, unless three years have passed since the issuance of the judgment.
6. The applicant shall pass the technical aptitude tests in the applicant's field of specialization to obtain professional grades as per the conditions and regulations dictated by a decision of the Board.
7. The applicant shall pay the fees for Professional Accreditation.

Article 7:

Applications for Professional Accreditation shall be submitted to the Committee in accordance with procedures adopted by the Board. Professional Accreditation shall be granted after verifying that the necessary conditions for accreditation are met. The Committee shall decide on the application within thirty days from the date of completion of the required documents.

In all cases, the Committee's decision shall be reasoned; and it may be appealed against the Committee's decision before the competent court.

Article 8:

Any Professionally Accredited engineer shall write down the engineer's name, professional grade and accreditation number on all of the engineer's Engineering Works.

Article 9:

The Board shall specify the professional grades and their requirements, period of Professional Accreditation, renewal procedures and fees. The Board shall review the same every five years, and as set out in the Regulations.

Article 10:

Subject to the relevant Laws and the provisions of Paragraph (1) of Article (2) hereof, engineering offices and companies may not practice any of the engineering professions unless after obtaining the necessary License from the Ministry, as per the criteria for the practice of the profession and the conditions of Licenses set by the Council.

Article 11:

1. Without prejudice to any severer punishment provided for in other laws, any person who commits any of the following breaches, shall be subject to a fine not exceeding (1,000,000) one million Saudi Riyals:
 1. Practicing any of the engineering professions without obtaining Professional Accreditation, during its suspension or after striking off their Accreditation.

2. Practicing any of the engineering professions by engineering offices and companies without obtaining a License or after the same being cancelled.
3. Anyone knowingly employs an engineering practitioner without obtaining Professional Accreditation for the practice of Engineering Works.

2. Without prejudice to any severer punishment provided for in other laws, any person who commits any of the following, shall be punished by imprisonment for a period not exceeding one year and a fine not exceeding (1,000,000) one million Saudi Riyals, or either one of them:

1. Providing false information or using unlawful means that resulted in obtaining a Professional Accreditation or a license, led to the renewal of either or led to obtaining a professional grade.
2. Using any means of advertising, which would lead the public to believe in their eligibility to practice an engineering profession, without obtaining the necessary License or Professional Accreditation.
3. Impersonating a professional grade that is granted to professionally accredited engineers.

3. The Bureau of Investigation and Public Prosecution shall investigate and prosecute for the violations set forth in this Article.

4. The competent court shall hear the violations and apply the penalties provided for in this Article.

Article 12:

1. One committee or more, consisting of at least three members among them a legal consultant, shall be formed by a resolution of the Minister; it shall consider other violations arising from the application of this Law, and apply one or more of the following penalties:

1. Blame
2. Warning.
3. Suspension of Professional Accreditation for a period not exceeding six months.
4. A fine not exceeding (100,000) one hundred thousand Saudi Riyals.
5. Striking off the Professional Accreditation.
6. Cancellation of the License

2. The Committee shall pass its decisions based on the majority vote of its members, and shall be reasoned and approved by a resolution of the Minister. Decisions of this Committee may be appealed against before the Board of Grievances and according to its Law.

3. If the violation, which the Committee is competent to consider in accordance with paragraph (1) of this Article, combines with another one that the court is competent to consider in accordance with Article (11) hereof, the Committee shall refer the violation to the Bureau of Investigation and Public Prosecution to investigate and prosecute for the same. The competent court shall examine such violation and apply the punishments set forth herein.

Article 13:

The penal judgment or decision which became final and imperative may include a provision to publish the same, at the expense of the offender, in three local newspapers, at least one of them shall be published in the offender's residence; but if there shall be no newspaper published therein, it shall be published in the nearest newspaper thereto.

Article 14:

Violations of the provisions and Regulations hereof shall be documented by employees of the Council designated by a decision of the Minister.

Article 15:

Anyone whose Professional Accreditation has been struck off or whose License has been revoked in accordance with the provisions hereof may request to be reaccredited or relicensed by the competent authority after the expiry of three years from the date of the judgment or decision of striking off or cancellation. When applying for reaccreditation or relicensing, the conditions and procedures necessary for Accreditation shall be applied.

Article 16:

The Minister in coordination with the Board shall issue the Executive Regulations hereof within ninety days from the effective date hereof, and it shall be published in the Official Gazette.

Article 17:

This Law shall come into effect after sixty days of its publication in the Official Gazette.

Second: The executive regulations for practicing engineering professions

Article 1:

The following words and phrases shall have the meanings assigned to them unless otherwise required by the context:

The Law:	The Law regulating the Practice of Engineering Professions promulgated by the Royal Decree No. (M / 36) dated 19/04 / 1438H
The Regulations:	The executive Regulation of this Law.
The Council:	The Saudi Council of Engineers.
The Ministry:	Ministry of Commerce and Investment.
The Minister:	Minister of Commerce and Investment.
The Board:	The Board of Directors of the Council.
The Committee:	The Professional Accreditation Committee of the Council.
Examining Committee	One or more committees to examine violations according to the provision of the Article No. (12) of the Law.
Violation control officer	SCE employee named subject to a resolution from the minister to control violations of the executive regulations for practicing engineering professions
The Engineering Work:	Studies, designs, drawings, supervision, implementation, operation and maintenance works in the engineering divisions and branches.
Practice of Engineering Professions:	Any engineering work practiced within the engineering disciplines and branches.

Professional Accreditation:	Registration with the Council and obtaining a professional degree.
Professional degree:	The professional degree an engineer obtained from the Council upon being professionally accredited.
The Engineer's Charter:	a set of rules, governing the ethics and conduct for practicing the engineering professions, approved by the Council.
The License:	The License granted by the Ministry for engineering offices and companies when practicing any of the engineering professions in accordance with the standards for practicing the profession and licensing conditions set by the Council

Article 2:

The Board in coordination with the Ministry shall form a Professional Accreditation Committee from no less than 10 members whose Professional degree is not less than professional engineer to achieve suitability in respirating different engineers' categories. The decisions shall be issued by majority of votes and the committee shall prepare prosecutes which shall be approved by the minister.

Article 3:

The Professional Accreditation categories consist of:

- 1-The engineer: holder of bachelor degree in engineering discipline from a Saudi university or an equivalent recognized university.
- 2-Specialist: holder of bachelor degree in supporting engineering disciplines from a Saudi university or an equivalent recognized university.
- 3- Technician: holder of diploma degree in supporting engineering disciplines from a Saudi university or an equivalent recognized university
- 2- The Board shall specify the supporting engineering disciplines after agreement with the Ministry.

Article 4:

1 - Engineer Professional degrees consist of the following:

- 1- Engineer
- 2- Participating engineer
- 3- Professional engineer
- 4- Consultant engineer

2 – Based on the committee’s recommendation the Board shall determine the engineer professional degrees requirements listed in para (1) of this Article and the period of Professional Accreditation, renewal procedure, payment, provided that this will be reviewed every 5 years.

Article 5:

The committee shall prepare the engineering disciplines category, conditions and controls for passing technical capabilities necessary for each degree and shall be approved by the Board.

Article 6:

Anyone accredited to practice the engineering work in the Kingdom may work in the following fields:

1 – **Studies, designs and drawings:** engineering studies and researches, planning design, engineering drawings and drawings, reports, specifications, bills of quantities, study, analysis and evaluation of projects technical proposals.

2 – **Supervision:** follow up and technical supervision of works implementation and engineering projects, works acceptance, development, auditing and counting as-built executed quantities of works, review and auditing executive plans, approval of samples and materials, review of specifications, carry out inspection and technical tests, inspection and control, verification of vocational safety standards, development of technical reports as necessary.

3 – **Implementation:** implementation of engineering projects designs according to the conditions and specifications, drawings, BoQs, approved time schedules, technical bases and vocational safety controls.

4 – **Operation:** Management and operation of engineering facilities and projects, equipment, tools and provisioning of engineering staff.

5 – **Maintenance:** Constantly maintain the safety and cleanness of the engineering projects and facilities, repair faults and damages to the facilities, which may decrease quality and life span, carry out necessary technical tests and inspections.

Article 7:

SCE shall issue the Engineer’s Charter, which clarifies the rules regulating the ethics of practicing engineering professions and behaviors, which accredited engineer must comply with.

Article 8:

The Professional Accreditation shall be null and void in any of the following cases:

1 – If the applicant requests cancellation.

2 – if the owner of the Professional Accreditation violates any of the Professional Accreditation conditions.

3 – if a reasoned resolution is issued by the examining committee to strike off the Professional Accreditation

Article 9:

SCE shall issue the profession practicing standards along with the engineering offices and companies licensing conditions.

Article 10:

Engineering office or company's license shall be cancelled in any of the following cases:

- 1 – If the owner of license requests cancellation.
- 2 – If the owner of license violates any of the of profession practicing standards and licensing conditions.
- 3 - If a reasoned resolution is issued by the examining committee to cancel the license.

Article 11:

The examining committee shall develop its work regulations and procedures and shall be approved by the Minister.

Article 12:

The Examining committee shall impose penalties according to the provisions of Article 12 of the Law in line with the size, severance and degree of violation. The committee shall develop the classification of violations.

Article 13:

The Violation control officer shall monitor the application of the rules and executive regulations and shall control the violations and may conduct inspection and control tours and may review necessary documents.

Article 14:

These executive regulations shall take effect as of the date of publishing in the official Gazette.

Professional Accreditation Categories:

Engineer
Specialist
Technician

Engineer Professional degrees

Engineer Degree
Participating engineer
Professional engineer
Consultant engineer

Areas of practicing engineering work

Studies, designs and drawings
Technical supervision on works implementation and engineering projects
Implementation of engineering projects designs
Operation and management of engineering facilities and project

Maintenance of equipment and repair of facility faults

When shall engineering offices license be cancelled?

If a reasoned resolution is issued by the examining committee to cancel the license.

If the owner of license requests cancellation.

If the owner of license violates any of the of profession practicing standards and licensing conditions.

The Practice of Engineering Professions Regulating Law and Executive Regulations