

# Decision No. (27) of 2023 Promulgation of the Implementing Regulations of Law No. (51) of 2014 with respect to Regulating the Practice of Engineering Professions<sup>1</sup>

#### The Minister of Works:

Having reviewed Law No. (51) of 2014 with respect to Regulating the Practice of Engineering Professions, as amended by Legislative Decree No. (18) of 2021,

And Decision No (27) of 2016 with respect to Issuance of the Executive Regulation of Law No. (51) of 2014 with respect to Regulating the Practice of Engineering Professions.

And upon the submission of the Chairman of the Council for Regulating the Practice of the Engineering Professions

### **Hereby Decides:**

#### Article 1

The provisions of the Executive Regulations of Law No. (51) of 2014 with respect to regulating the practice of engineering professions, which are accompanied by this Decision shall be enforced.

#### Article 2

The Implementing Regulations of Law No. (51) of 2014 with respect to the practice of engineering professions issued by Decision No. (27) of 2016 shall be repealed.

#### Article 3

This Decision and its Implementing Regulation shall be published in the Official Gazette and shall come into force from the day following the date of its publication.

Minister of Works Eng. Ibrahim bin Hassan Al Hawaj

> Issued on 13<sup>th</sup> Safar, 1445 Hijra, Corresponding to: 29<sup>th</sup> August 2023

<sup>&</sup>lt;sup>1</sup> This is an unofficial translation and in the event of any conflict or discrepancy between the English text and the Arabic text, the Arabic text shall prevail.



### Implementing Regulations of Law No. (51) of 2014 with respect to Regulating the Practice of Engineering Professions<sup>2</sup>

### Chapter I Definitions and General Provisions

### **Article (1) Definitions**

In applying the provisions of this Decision, the following words and expressions shall have the meanings assigned to them below, unless the context requires otherwise:

"Law": Law No. (51) of 2014 with respect to Regulating the Practice of Engineering Professions.

- "Kingdom": The Kingdom of Bahrain.
- "Ministry": The ministry concerned with works.
- "Minister": The minister concerned with works.
- "Council": The Council for Regulating the Practice of Engineering Professions (CRPEP) established in accordance with Article No (5) therein.
- "Chairman": The Chairman of the Council for Regulating the Practice of Engineering Professions.
- "Board": The Council's Board of Directors.
- "Engineering Professions": Any engineering activity practiced in any related field or branch.
- "Engineering Practice": practicing any engineering profession, including the preparation of architectural plans and drawings and preliminary and final designs; counselling, conducting studies, research, inspections, testing; setting specifications; supervision of execution, maintenance, and operation; estimating costs, computing quantities; and implementing and managing engineering projects.
- "Field": Any field of engineering such as civil, architectural, electrical, mechanical, geological, and chemical engineering; mines, mining and petroleum or various other fields of engineering, as specified in this Implementing Regulations.
- "Branch": A branch of engineering specialization branching out from the field as specified in this Implementing Regulations.
- "Category": Any category of licenses specified in this Implementing Regulations.
- "License": The license issued by the Council for Regulating the Practice of Engineering Professions, or for engineering offices to practice one or more engineering professions.
- "Engineer": Any natural person holding a license issued in accordance with the provisions of this Law.
- **"Engineering Office"**: Any establishment in the form of a commercial company or sole proprietorship and holds a license issued in accordance with the provisions of this Law to practice one or more of the engineering professions.
- "Licensee": A licensed engineer or an engineering office.

<sup>&</sup>lt;sup>2</sup> This is an unofficial translation and in the event of any conflict or discrepancy between the English text and the Arabic text, the Arabic text shall prevail.

- "Register": A register with the Council for recording necessary licenses and licensees' data throughout the license period.
- "Public Sector": Ministries, authorities, public organizations, municipalities, and any other government agencies.
- "Investigation Committee": The investigation committee formed in accordance with the provisions of Article (27) of the Law.

### Article (2) Terms of Reference

The Council shall have the competence to exercise all the powers assigned to it under the Law; in particular, it shall be:

- 1. Deciding on licensing applications, issuing and renewing licenses required to practice engineering professions in accordance with the provisions of the Law, and these regulations and any decision issued pursuant to the Law.
- 2. Ensuring that all engineers and engineering offices practicing engineering professions in the Kingdom have obtained their permits from the Council to practice any field or branch of an engineering profession as categorized in Annex (No. 4) therein.
- 3. Ensuring that any licensee is dedicated to practicing the engineering profession and not to perform any other business along with the licensed engineering profession except in accordance with the terms and conditions contained thereof.
- 4. Ensuring that all licensees maintain the honor, dignity, principles, traditions and customs of the profession, and do not involve in conflict of interests or obtain work in violation of the Law and Regulations.
- 5. Approval of authorities responsible for conducting tests and interviews necessary to pass the professional and technical evaluation of a license applicant whenever necessary.
- 6. Collecting fees according to the Law.
- 7. Taking legal action against those who proved to have violated the law and the provisions of these Regulations.
- 8. Upgrading licensees to the higher category upon their request and verifying their compliance with the provisions of the law, and the requirements and procedures for promotion set forth in these Regulations.
- 9. Taking necessary action upon license expiration.
- 10. Monitoring and inspecting licensees to ensure their compliance with the provisions of the law, these Regulations, and decisions issued in pursuant to the Law.
- 11. Issuing the necessary decisions in coordination with the Minister to develop and advance the engineering professions and improve the technical competency of engineers, the principles of professional ethics and directives to be observed by all engineers while practicing the engineering professions, and the principles of integrity, honesty and decency in dealing with clients, and duties of professional independency and preserving professional dignity. Issuing guidelines and instructions to ensure the implementation of this Law, its regulations, and the decisions issued in implementation thereof, in a manner that does not contradict with the provisions stipulated therein.



**12.** Issuing the necessary decisions - in coordination with the Minister - to encourage engineering offices to employ Bahraini engineers, by granting benefits to upgrade the engineering Office's category and other benefits.

### Chapter II Licensing Procedures to Practice Engineering Professions

#### Article (3)

#### A License shall be obtained to Practice an Engineering Profession

It is prohibited for any person - natural or legal - to practice any engineering profession in person or in association with or through others except after obtaining a license from the Council in accordance with the provisions of this Chapter.

A licensed engineer may not practice any engineering profession except for the benefit of the entity which he works for, and should adhere to the field, branch, and category in which he is licensed to practice.

#### Article (4)

#### **Conditions and Procedures for Licensing Bahraini Engineers**

A Bahraini engineer shall be licensed to practice an engineering profession in the Kingdom of Bahrain according to the following conditions and procedures:

- 1. If the license applicant meets the conditions stipulated in Article (7) of the Law.
- 2. Shall submit a request to the Council in the application form set out for this purpose as published on the Council's website, including all documents mentioned in the form, and shall be responsible for the accuracy of data and information provided.
- 3. The Council shall verify that all data provided is correct and ensures that the academic and scientific qualifications are true and accredited. The Council may entrust the process of verifying the authenticity of the academic certificates and documents submitted by the license applicant to specialized institutions from inside or outside the Kingdom, provided that the applicant bears the costs of such verification.
- 4. The Council may require that the license applicant pass the professional and technical evaluation through aptitude tests and personal interviews, whenever it is deemed necessary.
- 5. The license applicant shall be classified according to Annex (1) thereof.
- 6. The Council shall collect the prescribed licensing fees from the license applicant or his employer and accordingly issue the license certificate to practice the engineering profession in the required field, branch, and category, and the license's number and its start and end dates.

### Article (5)

#### Conditions and Procedures for Licensing non-Bahraini Engineers

- a. Non-Bahraini engineer may be licensed to practice an engineering profession in the Kingdom of Bahrain in accordance with the following conditions and procedures:
  - 1. If the license applicant meets the conditions stipulated in Article (8) of the Law.
  - 2. The applicant shall submit a request to the Council using the application form set out for this purpose and published on the Council's website, attaching the documents mentioned in the form. Applicant shall be responsible for the accuracy of the data and information provided.
  - 3. The Council shall verify that all data provided is correct and ensures that the academic and scientific qualifications are true and accredited. The Council may entrust the process of verifying the authenticity of the academic certificates and documents submitted by the license applicant to specialized institutions from inside or outside the Kingdom, provided that the applicant bears the costs of such verification.
  - 4. The Council may require that the license applicant pass the professional and technical evaluation through aptitude tests and personal interviews, whenever it is deemed necessary.
  - 5. The license applicant shall be classified according to Annex (1) thereof.
  - 6. The Council shall collect the prescribed licensing fees from the license applicant or his employer, and accordingly issue the license certificate to practice the engineering profession in the required field, branch, and category, and the license's number and its start and end dates.
- b. An exemption from the condition of holding an engineer license shall be granted to the person who is working with a foreign engineering firm practicing outside of the Kingdom and coming to the Kingdom for a temporary period not exceeding 6 months to execute engineering works relating to the implementation of limited governmental or industrial projects in the Kingdom and under the full responsibility of the expert, in accordance with Annex (5) of these Regulations.

#### Article (6)

### Conditions and Procedures for Licensing Engineers Working in the Public Sector

Engineers working in public sector may be licensed to practice an engineering profession in the Kingdom of Bahrain in accordance with the following conditions and procedures:

- 1. If the license applicant meets the conditions stipulated in Article (7-3) of the Law.
- 2. The applicant shall submit a request to the Council using the application form set out for this purpose and published on the Council's website. All academic certificates attested by the relevant authorities, professional qualifications, and experience certificates must be attached to the application form, along with the other required documents mentioned in the form.

- 3. The Council shall check and verify that all data provided is correct.
- 4. The Council may require that the license applicant pass the professional and technical evaluation through an aptitude test and personal interviews, whenever it is deemed necessary.
- 5. The license applicant shall be classified according to Annex (1) of this Implementing Regulation.
- 6. License applications shall be exempt from fees.
- 7. The Council shall issue the licensee a certificate, including the field, branch, category, and license number, and that the licensed engineer shall commit to practicing the engineering profession for his employer. The employer must notify the Council when the licensed engineer is seconded or delegated to work for another entity or when another entity seeks his services.
- 8. The license granted to the engineer is valid for the duration of his work and without the need for renewal. The employer of the engineer must notify the Council of the end of the engineer's employment upon end of service or retirement within thirty days from the date of termination of employment.
- 9. A licensed engineer has the right to submit a request for an upgrade to a higher category through the employing entity as stipulated in the Law and the requirements and procedures for the upgrade set forth in the Implementing Regulation.

#### Article (7)

### Conditions and Procedures for Licensing Engineers Working in the Private Sector

Engineers working for private companies and institutions, whatever their activities, shall be licensed if they have departments practicing engineering professions in accordance with the following conditions and procedures:

- 1. If the license applicant meets the conditions stipulated in Article (8) of the Law.
- 2. The applicant shall submit a request to the Council using the application form set for this purpose and published on the Council's website. The license applicant must attach to the application form all academic certificates attested by the relevant authorities, along with professional qualifications and work experience certificates, and all other required documents mentioned in the form. The applicant shall be liable for the accuracy of data and information provided.
- 3. The Council shall verify that all data provided is correct and ensures that the academic and scientific qualifications are true and accredited.
- 4. The Council may require that the license applicant pass the professional and technical evaluation through an aptitude test and personal interviews and others, whenever it is deemed necessary.
- 5. The license applicant shall be classified according to Annex (1) of these regulations.
- 6. The Council shall issue the licensee certificate, including the field, branch, category, the license number, issue date and expiry date of the license.

#### Article (8)

### Conditions and Procedures for Licensing Engineering Offices In the Form of Sole Proprietorship

- a. Engineering offices in the form of Sole Proprietorship shall be licensed in accordance with the following conditions and procedures:
  - 1. If the company meets the conditions stipulated in Article (10) of the Law and Annex (2-1) of these Regulations.
  - 2. Application for licensing an engineering office shall be submitted to the Council on the form prepared for this purpose and published on the Council's website.
  - 3. The license applicant must attach to the application form all academic certificates attested by the relevant authorities, along with professional qualifications and work experience certificates, and all other required documents mentioned in the form, or alternatively, the applicant has already obtained an active license to practice the engineering profession from the Council according to the conditions stated in Article (7) of the Law and Article (4) of these Regulations.
  - 4. The applicant has already exercised the engineering profession since obtaining the license for at least five continuous or seven non-continuous years following his or her attainment of the engineering qualification. The regular annual leave is not an interruption of work.
  - 5. The Council shall verify that all data provided is correct and ensures that the academic and scientific qualifications are true and accredited.
  - 6. The engineering office shall be classified according to Annex (2) of these regulations.
- b. The Council may authorize the licensee to establish an engineering office upon request to delegate a licensed engineer of the same field, branch and category of the office, or higher, as an office manager on a part-time or full-time basis temporarily for a limited period not exceeding one year, extendable; provided that the owner of the office shall bear the responsibility arising from the work delegated to the licensed engineer. Such authorization shall not be valid unless approved by the Council. The Council may also approve a request to extend such a period if it is deemed urgently necessary upon licensee's request supported by convincing reasons.

### Article (9)

### Conditions and Procedures for Licensing Licensed Engineers to Establish Engineering Offices in the Form of Commercial Companies

- a. A licensed engineer shall be licensed to establish an engineering office in the form of a commercial company in any of the engineering branches in accordance with the following conditions and procedures:
  - 1. If the licensed engineer meets the conditions stipulated in Articles (10) and (10 bis) of the Law and Annex (2-1) of these Regulation.
  - 2. Application for relicensing a licensed engineering office shall be submitted to the Council by the license applicant on the form prepared for this purpose and published on the

- Council's website. The license applicant shall attach to the application all other required documents as mentioned in the form.
- 3. The Council shall verify that all data provided is correct and ensures that the academic and scientific qualifications are true and accredited.
- 4. The engineering office shall be classified according to Annex (2-1) of these Regulations.
- b. An engineer who is licensed to establish an engineering office shall run and operate the office. He may appoint a manager, provided that such manager must be in the same field, branch, and category of the office or higher to substitute him as office manager on a part-time or full-time basis, provided that the owner of the office shall bear the responsibility arising from the work of the manager. Such an appointment shall not be valid unless approved by the Council.
- c. The office may take one of the following forms:
  - 1. A Limited Liability Company.
  - 2. A Limited Partnership Company.
  - 3. A Joint Liability Partnership.
  - 4. A Closed Joint-Stock Company.

#### Article (10)

### **Conditions and Procedures for Licensing non-Licensed Engineers** to Establish Engineering Offices in the Form of Commercial Companies

- a. A non-licensed engineers shall be licensed to establish an engineering office in the form of a commercial company in accordance with the following conditions and procedures:
  - 1. If the license applicant meets the conditions stipulated in Article (10) bis of the Law.
  - 2. Application for licensing the engineering office shall be submitted to the Council by the license applicant on the form prepared for this purpose and published on the Council's website.
  - 3. All founders or partners of the company must be Bahraini citizens, except for the silent partner in a Limited Partnership Company.
  - 4. If the license applicant is a company, it must be a Bahraini company and the percentage of Bahraini partners' shares in capital must not be less than (51%).
  - 5. The Council shall check and verify that all data provided is correct.
  - 6. The engineering office shall be classified according to Annex (2-2) of these Regulation.
- b. The office manager who is responsible for the operational and administrative works; must be a licensed Bahraini engineer and must have experience and qualifications relevant to the category of the office. The Council may waive the Bahrainization requirement in cases where the required experience is not available. The manager may delegate his authority in accordance with Annex (2-2) of these Regulations.
- c. Prior approval of the Council must be obtained before appointing the manager for the engineering office who shall be responsible for operational and administrative works.
- d. The company may take one of the following forms:

- 1. A Limited Liability Company, provided that the managers of the company meet the conditions stipulated in paragraph (b) of this article.
- 2. A Limited Partnership Company, provided that the joint partners meet the conditions stipulated in paragraph (b) of this Article.
- 3. A Closed Joint-Stock Company, provided that the manager of the engineering department of the company meets the conditions stipulated in paragraph (b) of this Article.
- e. The license for the engineering office that takes the form of a commercial company is for the practice of any of the engineering branches specified in article (1) of Annex (2-2) of these Regulation. The Annex specifies the category of the engineering office according to the branches of engineering and the minimum capital.
- f. The provisions of this Article shall apply to license applicants from non-licensed engineers who do not meet the conditions for obtaining a license to practice the engineering profession, in one of the engineering branches specified in Article (1) of Annex (2-2) of these Regulations, and the required classification to obtain the license.

### Article (11)

### Conditions and Procedures for Licensing Existing Engineering Offices in the Form of Commercial Companies

- a. Existing engineering offices established in the form of Sole Proprietorship may apply to the Council for conversion to a business form. The application shall be submitted via the form prepared for this purpose and published on the Council's website.
- b. The office may take one of the following business forms:
  - 1. A Limited Liability Company.
  - 2. A Limited Partnership Company.
  - 3. A Joint Liability Partnership.
  - 4. A Closed Joint-Stock Company.
- c. Non-licensed persons may not be partners in engineering offices in the form of a commercial company, except for offices classified within the fields and branches specified in Annex (2-2) of these Regulation, and in accordance with the conditions stipulated in Article (10) of these Regulations.



#### Article (12)

### Conditions and Procedures for Licensing the Establishment of an Office of a Foreign Entity

#### to Practice Engineering Work in the Kingdom

Subject to the provisions of the Commercial Companies Law, it is permissible, by exception, to license a foreign entity to establish an office to practice one of the engineering professions in the Kingdom in accordance with the following conditions and procedures:

- 1. If the foreign entity meets the conditions stipulated in Article (11) of the Law.
- 2. The application to open the engineering office to obtain a license to practice one of the engineering professions shall be submitted to the Council on the form prepared for this purpose and published on the Council's website. The license applicant shall attach to the application all the requirements mentioned on the form.
- 3. The Council shall verify that all the data provided is correct and in accordance with the standards set for engineering offices specified in Annex (2-3) of this Regulation.
- 4. The Council shall verify that the foreign entity is in the form of a commercial company by presenting the necessary supporting documents. It is also necessary to verify that the foreign entity has high technical expertise, capabilities, and competencies that are not available in the Kingdom, enough to meet local needs. The Council may conduct studies on the local needs for engineering services, and whether they are covered locally, and it is left to the Council to assess whether there is a need for the services of the foreign entity in the Kingdom.
- 5. The engineering office shall be classified in categories (A), (D), (E), and (F) only according to Annex (2-3) of these Regulations.
- 6. The foreign entity shall issue an insurance policy that covers the requirements specified in Annex (3) of these Regulations.
- 7. The Council shall collect the prescribed licensing fees and issue a license certificate to practice the engineering profession in the Field and branch, as appropriate.



### Chapter III Procedures for Determining and Renewing Licenses

### Article (13) Determination of Licenses Applications

The Council shall decide on licensing applications within a period not exceeding sixty days (60) from the date of complete submission, in fulfilment of the required requirements.

The elapse of this specified period without response shall be deemed to be an implicit refusal-of the application. If the Council expressly refuses the application, the Council shall inform the applicant of its decision to justify the denial of the license applicant by registered letter at its registered address on its application or by e-mail of the applicant registered with the Council.

Applicants disqualified for a license shall not be entitled to re-apply unless they eliminate the reasons for refusal.

Disqualified applicants may appeal in writing to the Minister or the Council in accordance with the provisions of Article (35) of the Law.

### Article (14) Renewal of Licenses

With the exception of licenses issued in accordance with the provisions of Article (6) of these Regulations, a license period shall be one year and renewed upon a request submitted to the Council on the form prepared for that purpose and published on the Council's website within a period not exceeding thirty days from the date of its expiry and that is after the Council reviews the application and ensures that it meets all conditions before deciding on the renewal.

### Article (15) Delay in License Renewal Application Submission

In case of a delay in renewal submission within the period referred to in Article (14) of these Regulations without an acceptable excuse, an extra fee of BD10 is charged for each day of delay from the date of expiation of the license; with a maximum period of thirty days. However, in the event of delay in submitting the renewal application with an acceptable excuse to the Council, the Council will consider the renewal as if the application had been submitted within the permitted period.

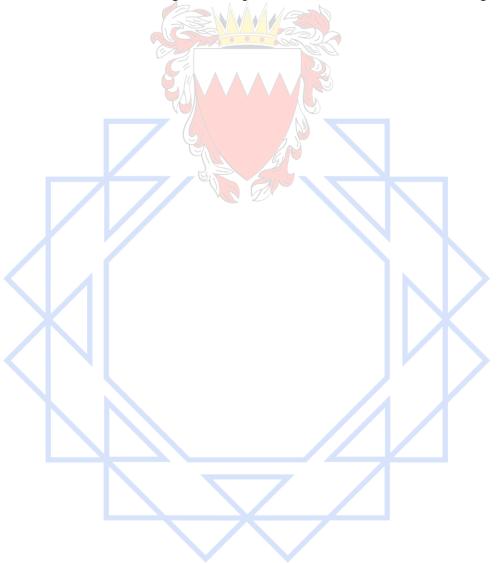
The Council must, before the expiration of the aforementioned period, send a notification to the licensee via the registered e-mail stating that the licensee has not submitted a renewal application within the aforementioned period, and that his practice of the profession after the expiration of this period is considered a clear violation of the law. If the licensee does not respond to this notification, the Council will cancel the license after the expiration of the period referred to.



### Article (16) Issuing a New License for those with Canceled or Expired Licenses

The licensee whose license has expired or cancelled shall be prohibited from practicing the engineering profession unless they submit a new application to the Council.

This does not preclude the liability provisions enforcement in the event that it is proven that the engineering profession was practiced during the license cancellation or expiration without a renewal or due to a breach of the obligations stipulated in Article (26) of these Regulations.



### Chapter IV License Expiration

### Article (17) Engineer License Expiration

The validity of an engineer's license shall be terminated in any of the following cases:

- 1. Death
- 2. Loss of any of the licensing conditions stipulated in these Regulations and Articles (7), (8) and (9) of the Law, as the case may be.
- 3. Termination of contractual relations between the engineer and his employer who licensed him for the purpose of employment. The employer shall notify the Council accordingly.
- 4. Cancellation or erasure of the commercial registration of the employer that obtained the engineer's license for the purpose of employment, or cancellation of its license. This employer must notify the Council of the cancellation or erasure of the commercial register.
- 5. Cessation of practicing the engineering profession.
- 6. Cancellation of the license in accordance with the provisions of Article (15) or Clause (6) of Paragraph (A) of Article (26) of the Law, as the case may be.
- 7. If a licensee is sentenced to a criminal offence against honor and trustworthiness (honesty).

### Article (18) Engineering office license expiration

- a. The licensing of the Engineering Office shall be terminated in any of the following cases:
- 1. The death of the owner of the engineering office, in case of a sole proprietorship's license, or the death of the sole joint partner in a limited partnership or the individual partner in a limited liability company, unless the heirs request to continue operating the office of their decedent, considering Clause (1) of Paragraph (B) of Article (17) of the Law.
- 2. Expiration of the Company in accordance with the provision of the Commercial Companies Law, in cases where the office takes the form of a commercial company.
- 3. Cancellation of the commercial register of the engineering office.
- 4. Cessation of practicing the engineering profession.
- 5. Loss of any of the licensing conditions stipulated in these regulations and Articles (10), (10) bis and (11) of the Law.
- 6. Cancellation of the license in accordance with the provisions of Article (15) or Clause (6) of Paragraph (A) of Article (26) of the Law.
- 7. If a licensee is sentenced to a criminal offence against honor and trustworthiness (honesty).
  - b. In the event of the engineering office license expiry, the Council shall publish this in the Official Gazette, if the cancellation of the license was in accordance with the provisions of Clause (6) of paragraph (A) of Article (26) of the Law, and it may be published on the Council's website or by any other means the Council deems appropriate in other cases of license has been terminated.

### Article (19)

### Procedures to Considered When the Engineering Office License Expires.

The following procedures must be considered when the engineering office license expires:

- 1. The engineering office shall notify the Council by registered letter about its intention to voluntarily cease practicing the engineering profession or breaking its partnership in the case of a company.
- 2. The engineering office shall provide a list of all of its ongoing projects and the percentage of completion of each project, along with all documentation that proves that the ongoing projects have been returned to their clients and the existing contracts have been terminated, without prejudice to the rights of the contracting parties.
- 3. The Council shall notify the relevant authorities in the event that the engineering office license expires.

### Article (20) Death of the Owner of the Engineering office

- a. In the event of the death of the owner of an engineering office that is a Sole Proprietorship, or in the event of the death of the sole copartner in a partnership or the sole partner in a limited liability company, the heirs, or other partners, as appropriate, must notify the Council in writing of this within two weeks of the date of death.
- b. The heirs may agree with one of the licensed engineering offices to complete the procedures for transferring the projects previously contracted by their deceased, provided that this alternative engineering office is of the same category as the engineering office of their deceased. In all cases, the heirs may not contract in the name of their deceased office for any new projects.

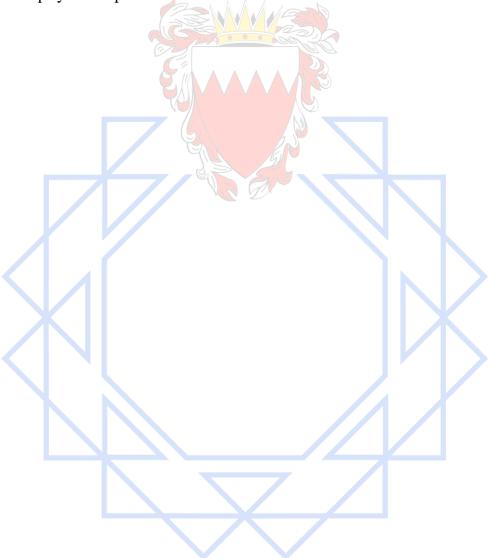
The heirs and the alternative engineering office must notify the Council in writing immediately upon completion of transferring the projects that their deceased contracted for, so that the Council may issue its order to revoke the engineering office license.

### Article (21) Continued Operation of the Engineering Office by the Heirs

- a. The heirs may continue to operate the engineering office of their deceased upon a request submitted to the Council for its approval, provided that a Bahraini engineer with the necessary experience corresponding to the category of the deceased office or a Bahraini engineering office licensed in the same category or a higher category is appointed to whom full responsibility for technical and administrative matters is entrusted, and the heirs have no right to interfere in them. The Council shall decide on the request within a period of thirty days after the satisfaction of all the required conditions.
- b. The heirs may continue to operate the engineering office of their deceased as a sole proprietorship, provided that one of the heirs is identified as a licensed engineer who meets



- the conditions of the same field and category of the engineering office or higher, and with the submission of an official power of attorney proving the consent of the heirs.
- c. The heirs may continue to operate the engineering office after the death of their deceased by establishing an engineering office that takes any form of commercial companies stipulated in this Regulation.
- d. The Council may grant the heirs a period of six months, renewable for a similar period from the date of death of their deceased, to rectify the engineering office status, and its license will expire upon expiry of the period without rectification.



# Chapter V Obligations of the Licensee Article (22) Change in the Legal Form of the Engineering Office

The approval of the Council must be obtained before changing the legal form of the engineering office, and before making any change in the ownership of the office or its partners.

### Article (23) Full-time Engineering Profession

- a. The licensee must be a full-time engineering profession, and the licensee is prohibited from engaging in any acts that conflict with the full-time employment, including operating, managing, or representing any company or commercial activities or businesses owned by the licensee or by others if they conflict with the practice of the engineering profession.
- b. The licensee may, after obtaining a written permission from the Council, engage in a commercial work, provided that it does not conflict with the nature of the engineering work and without prejudice to the full-time provision of paragraph (a) of this Article.
- c. The licensee is prohibited from being the owner, partner, or shareholder in the following activities:
  - 1. Contracting, maintenance, operation of facilities and equipment, and manufacturing of materials and equipment related to engineering work.
  - 2. Trading in construction materials, fittings, and devices related to various types of engineering works.
  - 3. Licensed real estate development activities.
  - 4. Any other activities to be determined by a Minister decision based on a proposal from the Council.
- d. The Council, after coordination with the Minister, may issue instructions and guidelines on full-time engagement in the engineering profession.

### Article (24) Disclosure of Conflict of Interest

- a. A person applying for a license to practice any of the engineering professions must disclose to the Council, in accordance with the form referred to in paragraph (b) of this Article, all activities or commercial businesses or companies that the license applicant owns, contributes to, or has a shares in its capital, or about all circumstances that may lead to raising doubts about the license applicant full-time engagement in the engineering profession or that conflict with the requirements of the license applicant's duty.
- b. The Council shall issue a form that includes a questionnaire to verify the full-time engagement to the practice of the engineering profession and the absence of conflict of interest, and the applicant for the license must answer the questionnaire and submit it to the Council. It is also necessary to immediately inform the Council of any change that occurs in the information contained in the answer to the questionnaire.



c. The provisions of this Article shall apply to the licensee when renewing the license.

### Article (25) Licensees Working in Private Companies and Firms.

A licensed engineer working for a company or firm in the private sector, including contracting companies, is prohibited from providing any engineering services to projects other than those affiliated with its employer.

### Article (26) Obligation to Notify the Council of Ceasing or Change of License Data.

The licensee is obligated to notify the Council by registered letter that it has ceased to practice the engineering profession, and of any change that occurs in any of the license data within thirty days of the date of the cease to work or change.

### Article (27)

### Entering into a Contract Between the Engineering Office and the Clients

The engineering office is obligated to provide a contract to regulate the relationship with the clients that specifies the mutual rights, obligations and the liability arising in the event of a breach of any of their obligations, provided that only the authorized parties can sign this contract, and at least the following should be included: Specify the date of the contract, the start date and completion date of the work, the type of contract, the place of implementation, and a list of subengineering offices, if any.

- 1. Clearly specify the contract documents (contract, quotation, technical specifications, bill of quantities, engineering drawings, etc.), the engineering services to be implemented, the scope of work and services outside the scope of the contract.
- 2. Determine the value of the contract, fees, payment schedule, and method for the additional work and calculation of its cost.
- 3. Specify the duties and responsibilities of the parties at each stage of the project.
- 4. State all guarantees (performance bond, advance payment guarantee, etc.) and the insurance policy required for the project.
- 5. Define the liability arising from any party's breach of its contractual obligations, such as delays, technical errors, etc. The contract also specifies the financial penalties and sanctions that will be imposed in such cases.
- 6. Define the means of requesting an extension of the contract period and the contractual obligations based on this request.
- 7. Specify the procedure for resolving disputes or conflicts between the parties.
- 8. Define the duties and responsibilities of the parties if the client wishes to implement the project until the handover stage.
- 9. Define the duties and responsibilities of the parties after the project handover stage.
- 10. Specify procedure for terminating the contract and the duties and responsibilities of the parties if one of the parties wishes to cease or moratorium the work, and methods for evaluating the work completed and the disciplinary and legal conditions that define the responsibilities between the contracting parties.



### Article (28) Providing Professional Indemnity Insurance Policy

Engineering offices must, before obtaining the final approval of the license or at license renewal, obtain a professional indemnity insurance policy with the insurance coverage ceiling not less than the amount specified in Annex (3) of these Regulations.

#### Article (29)

#### Compliance with the Duties, Traditions, and Customs of the Engineering Profession

The licensee must comply with the ethics, morals, and customs of practicing the engineering profession in accordance with the licensing requirements granted by the Council, and the licensee must establish relations with the clients and colleagues on the basis of trust, cooperation, and the recognized rules and customs.

The Council, in coordination with the Minister, shall issue an order that regulates the rules, ethics, and morals of the profession, the principles of integrity, honesty, and decency in dealing with clients, the duties of professional independence, and the preservation of the dignity of the profession. The order shall be published on the Council's website or by any other appropriate means that acquires knowledge, which shall be determined by an order of the Minister.

### Article (30) Consortium Between Engineering Offices

Engineering offices must comply with the rules set forth in Annex (2-5) of these Regulations when establishing a consortium with other engineering offices, including foreign engineering offices or their branches in the Kingdom.

If those consortia result from a change in the legal form of the engineering office or its ownership, the approval of the Council shall be obtained in accordance with the provisions of Article (22) of these Regulations.

### Chapter VI Inspection, Judicial Enforcement, Investigation, and Accountability

### Article (31) Supervision and inspection

- a. The Council is responsible for supervising and inspecting licensed engineers and engineering offices to ensure that they comply with the provisions of the Law and the ministerial Decisions issued for its implementation.
- b. The inspectors who are assigned by the Council from among its employees or others to carry out the aforementioned inspection work shall have the following powers:
  - 1. To enter engineering offices, project sites, engineering works, and any other works related to them for inspection.
  - 2. To inspect the devices, equipment, files, records, books, documents, and papers in these places and to obtain copies of them.
  - 3. To hear the statements of anyone who is suspected of being related to the subject of the inspection from the employees and those present in the engineering offices and the places mentioned in Clause (1) of paragraph (b) of this Article.

### Article (32) Judicial Enforcement

- a. Employees of the Council who are authorized by an order from the Minister in charge of Justice affairs in coordination with the Minister shall have the capacity of judicial investigation officers, with respect to the crimes stipulated in the Law that falls within their function departments and are related to their work duties.
- b. The records written for these crimes shall be referred to the Public Prosecution based on a decision by the Council.
- c. All concerned parties shall enable judicial investigation officers to carry out their duties and respond to them in relation to the exercise of their powers. Judicial investigation officers may not enter places designated for housing without obtaining permission from the Public Prosecution.

### Article (33) Investigation of Violations

a. The Council shall form a committee from among its employees called the "Investigation Committee" which shall be chaired by one of the Council members, and the rest of its members from among the Board of Directors or other experts and specialists. The committee shall hold its meetings at the Council's headquarters, or any other place specified by the chairman, and the committee meetings shall be closed.

- b. A licensee who is alleged to have committed any of the violations stipulated in the Law, these Regulations, and the decisions orders issued in implementation of its provisions, shall be referred to the Investigation Committee by a decision of the Council, and shall be notified thereof at least fifteen days before the scheduled date by registered letter mail with acknowledgement of receipt at his registered address with the Council, provided that the mail letter shall specify the date and place of the investigation sessions, the , and the violations attributed to the licensee him, and the documents supporting the violations attributed to him shall be attached to the notification according to the Council's discretion assessment.
- c. The licensee referred to the investigation shall attend the investigation sessions in person and may be assisted by a licensed engineer or a licensed lawyer, and this shall not substitute for his personal attendance. The Investigation Committee may hear witnesses without taking an oath.
- d. The investigation must be in writing with the hearing of the statements of the licensee referred to the investigation and the investigation of his defense. In the case of violations that are punishable by a written warning, the investigation may be verbal, provided that its content is recorded in the decision issued to impose the penalty.
- e. If the licensee referred to the investigation fails to attend on the scheduled date, the Investigation Committee may submit its report on the case to the Council after reviewing the investigation file and hearing the statements of those it deems necessary to hear their statements. The Investigation Committee may, in the cases it deems appropriate, postpone the investigation session to a later hearing and request the re-notification of the licensee referred to the investigation, with the warning that in the event of his absence for the second time, the violation attributed to him will be decided in his absence after reviewing the investigation file and hearing the statements of those it deems necessary to hear their statement.
- f. When the Investigation Committee has completed the investigation, it shall submit a report of its opinion and recommendation to the Council, supported by the reasons on which it was based, attaching the investigation file. The Council may return the investigation file to rectify any deficiencies that are evident in the prepared report.
- g. The Council shall meet in the presence of its chairman or vice-chairman in the absence of the chairman and shall issue a decision regarding the findings of the Investigation Committee in its report. The members of the Investigation Committee who are members of the Council may not participate in the voting on the decision regarding the disciplinary penalty.
- h. A decision to revoke the license or to permanently prohibit the practice of the engineering profession may only be issued by a majority of two-thirds of the Council members.
- i. The Council shall declare its decision regarding the findings of the investigation to the licensee referred to the investigation, within ten days of the date of issuance of the decision, by registered letter to his registered address with the Council, the delivery of the decision to the licensee referred to the investigation shall be deemed to be a written notification with receipt.
- j. The violated licensee may appeal in writing to the Minister or the Council against the disciplinary decisions in accordance with the provisions of Article (35) of the Law.

k. The decision to impose the disciplinary penalty issued against the licensee referred to the investigation shall be saved in his personal file with the Council, after the aforementioned decision becomes final, and the summary decision issued in the event of the cancellation of the license to practice the profession shall be published in the Official Gazette.

### Article (34) Disciplinary Sanctions

- a. Without prejudice to the criminal or civil liability, and in accordance with the provisions of Article (33) of these Regulations, any licensee who violates the provisions of the Law, these Regulations, and the decisions issued in its implementation shall be punished with one of the following disciplinary penalties:
  - 1. Written warning.
  - 2. Imposition of an administrative fine of not less than two thousand dinars and not more than twenty thousand dinars.
  - 3. Suspension, partially or totally, from practicing the engineering profession for a period not exceeding three years.
  - 4. Downgrading of the category for a period not exceeding three years.
  - 5. Prohibition from carrying out new engineering work for a period not exceeding three years.
  - 6. Revocation of the license and permanent prohibition from practicing the engineering profession.
- b. In the case provided for in Clause (2) of paragraph (a) of this Article, the fine shall be determined considering the severity of the violation, the intentionality of the violator, the benefits he has reaped, and the damage caused to others as a result. The fine shall be collected in the manner prescribed for collecting amounts due to the State.
- c. If the decision is to downgrade the licensee for a period not exceeding three years from practicing the engineering profession, the licensee shall be granted a period of time not less than four months to settle his affairs. The engineering office must coordinate with his clients to either transfer the projects to other engineering offices in the appropriate category by agreement with the clients or give the client the right to transfer his project to another office of his choice. However, if the licensee is an engineer, he must adhere to the projects specified for his new category.
- d. If the decision is to suspend the licensee from practicing the engineering profession or to revoke the license and permanently prohibit him from practicing the engineering profession, the Summary Decision, without the reasons supporting it, shall be published in the Official Gazette after the expiry of the period for appeal or rejection of the appeal.

### Article (35)

### Disciplinary Against Licensed Engineers Working in Public Sector

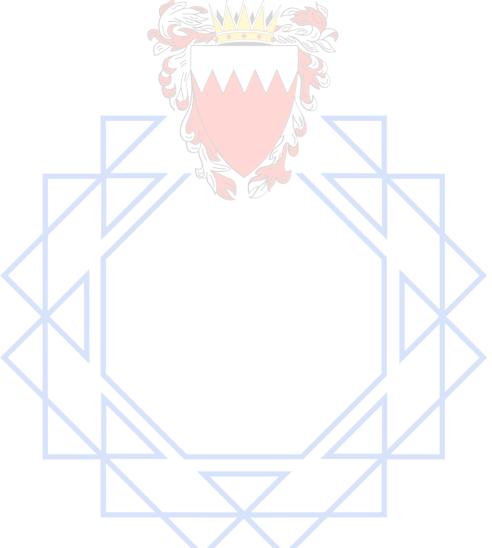
As an exception to the provisions stipulated in this Chapter, the discipline and investigation process with a licensed engineers working in public sector shall be in accordance with the Laws and Regulations of their employer, provided that the Council shall be notified of the disciplinary procedures taken within ten days of their adoption.



#### Article (36)

### Notifying the Licensee to Rectify its Situation When the Violation is Proven.

The Council may notify the licensee to stop continuing to violate the provisions of the Law, these Regulations, and the orders issued in implementation of its provisions, and to rectify its situation within a reasonable specified period of time. If this period expires without stopping the continuation of the violation or to reconcile the situation, the Council may take the necessary actions against the licensee.





#### Chapter VII Final Provisions

### Article (37) License Register

The Council shall establish a special register to record all licenses issued to licensees and related licensing data, as well as updating all data whenever new updates are required.

Any concerned parties may review the aforementioned register and obtain an official copy of extracts of their records after paying the prescribed fees.

The Council grants the licensee a license certificate which includes the licensee's name, nationality, division, and branch - if any - and category, license number, start date and end date of the license.

The Council also prepares another register to record rejected applications and applications that have not completed final licensing procedures are recorded.

### Article (38) Appeal Against the Council's Decisions

Any concerned party may appeal to the Minister or the Council in writing against any decision passed by the Council within sixty days from the date of receiving the Notice of Decision; the decision shall be issued within sixty days from the date of appeal submission. If the appeal is explicitly rejected, it must be reasoned. The lapse of sixty days from the date of appeal submission without a response shall be considered implicit rejection of the appeal.

The appellant may appeal for annulment to the Supreme Court within sixty days from the date on which he was notified of the explicit rejection or the elapse of sixty days without a response. The case will only be accepted after appealing against the decision.

#### Annexes

#### Annex (1)

#### Requirements for Classification of Engineers and their Categories

- 1. Bahraini engineers are classified after meeting the requirements stipulated in Articles (4), (6) and (7) of these Regulations as follows:
  - a. Category "A": this category includes those who hold bachelor's degree in engineering or equivalent from an accredited university and has practiced the engineering profession for a period of not less than twelve years after graduation during which they obtained experience appropriate for this category each within his discipline.
  - b. Category "B": This category includes those who hold bachelor's degree in engineering or equivalent from an accredited university and has practiced the engineering profession for a period of not less than seven years after graduation during which they obtained experience appropriate for this category, each within his discipline.
  - c. Category "C": This category includes those who hold bachelor's degree in engineering or its equivalent from an accredited university and has practiced the engineering profession for a period not less than three years after graduation during which they obtained experience appropriate for this category, each within his discipline.
  - d. Category "D": This category includes those who hold bachelor's degrees in engineering or equivalent from an accredited university and has practiced the engineering profession for a period of not less than three years or did not practice the profession at all. They work under the direct supervision of a qualified engineer whose classification is <u>no less than Category "C"</u>. Such engineers may not sign any documents related to engineering projects.
  - e. Category "K": Every person licensed by the Council in Category "A" and has practiced the engineering profession for a period of not less than twenty years, during which he/she obtained appropriate experience for this category, each within his discipline.
- 2. Non-Bahraini engineers are classified after meeting the requirements stipulated in Articles (5), (6) and (7) of these Regulations as follows:
  - a. Category "A": this category includes those who hold bachelor's degree in engineering or equivalent from an accredited university and has practiced the engineering profession for a period of not less than twelve years after graduation during which they obtained experience appropriate for this category each within his discipline.
  - b. Category "B": This category includes those who hold bachelor's degree in engineering or equivalent from an accredited university and has practiced the engineering profession for a period of not less than seven years after graduation during which they obtained experience appropriate for this category each within his discipline.

- c. Category "C": This category includes those who hold bachelor's degree in engineering or equivalent from an accredited university and has practiced the engineering profession for a period of not less than five years after graduation during which they obtained experience appropriate for this category each within his discipline.
- 3. Experience gained during the practice of a profession without a license in the Kingdom, or in violation of the provisions of the Law, will not be counted.
- 4. The engineer is upgraded from one category to the higher category, considering the progression of upgrading and the years of experience required for each category, subject to submission of a written request by him or his employer after filling out the form published on the website and after fulfilling the required requirements. The Council may also, at its own discretion, while determining the categories, exempt some cases after passing professional interviews and written examinations if necessary.
- 5. The specialized engineering study after obtaining a bachelor's degree in engineering or equivalent from an accredited university shall be equal to a one-year experience in the case of a master's degree and a two-year experience in the case of a doctoral degree. The Council for Regulating the Practice of Engineering Professions shall determine the period of experience that is equivalent to other specialized studies.
- 6. Licensed engineers shall not use the title "Consultant" or its synonyms unless they are classified in category "A" or "K".

#### Annex (2)

#### Requirements for Classification of Engineering Offices and their Categories

#### 1. **Definitions**:

- a. **Engineering Offices Category "A":** This category includes offices that are entitled to undertake the preparation of studies, designs, quantity surveying, management and supervision of engineering projects implementation, regardless of the costs of these projects, in the same engineering field they are licensed in.
- b. **Engineering Offices Category "B":** It includes offices that are entitled to undertake the preparation of studies, designs, quantity surveying, management and supervision of engineering projects implementation, the overall costs of each of which do not exceed five million dinars, in the same engineering field they are licensed in.
- c. **Engineering Offices Category "C":** This category includes offices that are entitled to undertake the preparation of studies, designs, quantity surveying, management and supervision of engineering projects implementation, the total cost of each project do not exceed 1.5 million Bahraini Dinars, in the same the engineering field they are licensed.
- d. **Engineering Offices Category "D":** This category includes the entities, institutions and companies that have their own engineering equipment for carrying out the preparation of studies, designs, quantity surveying and management and supervision of the implementation of their own engineering projects, regardless of their costs.

- e. **Engineering Offices Category "E":** The entities, institutions and companies that have their own engineering equipment to prepare designs, quantity surveying, project management on behalf of others, all within their engineering field which shall be approved by the Council on case by case basis.
- f. **Engineering Offices Category "F":** This category includes the engineering laboratories that have their own engineering equipment unit for the preparation of various technical studies, perform material testing and the preparation of associated reports.
- g. **Engineering Offices Category "K":** This category includes the offices that are entitled to carry out the preparation of studies and provide consultation in engineering issues in the field they are licensed for by the Council. Such offices are called opinion offices, and only Bahraini engineers with experience in engineering work shall be licensed.
- h. **Core Division:** The Division (specialization) of the licensing applicant or the office manager, as the case may be.
- 2. To grant a civil engineering license, one of the office's licensed engineers must be experienced in the field of preparing structural designs, provided that his category is not less than that of the engineering office.
- 3. The engineering office shall not engage in the work of building design and supervision of their implementation exceeding the following:
  - a. The number of designs undertaken by any engineer licensed to work for this office in all specializations shall not exceed twelve projects during any six consecutive months.
  - b. The total number of projects supervised by any engineer licensed to work at this office shall not exceed six projects at any one time.
- 4. The classification of the Bahraini engineering office that is licensed for the first time is limited to Categories "B", "C", or "K" regardless of the experience of the license applicant. The Council may license an **Engineering Offices** Category "A" for the first time if the office owner has previously been licensed to establish a **Engineering Offices** Category "A", or for one of the owner's heirs to reopen the office of their legatee who was licensed to establish a **Engineering Offices** Category "A".
- 5. Licensed engineering offices may submit a request to add new division in the same category in which the engineering office is classified, all as determined by the Council in this regard, subject to the following:
  - a. It is not permissible to expand to the Civil Engineering or Architecture division unless the owner or founder of the engineering office is licensed in civil or architectural engineering and has adequate experience.
  - b. Engineering offices licensed for civil engineering and architecture may add a division for electrical and mechanical engineering depending on the nature of the projects. They may also assign these works in the design and supervision stage to offices licensed and specialized in these two divisions. It is permissible for an engineering office licensed in building services of any category may have one engineer in the Mechanical Engineering Division and another in the Electrical Engineering Division, both of them of a category not lower than that of the office, provided that in this case the engineering office is not

permitted to undertake engineering work in that field for the benefit of other engineering offices.

- 6. All engineers working in the engineering office must be:
  - a. Permanent resident in the Kingdom of Bahrain.
  - b. Full-time workers, according to Article (23) of these Regulations, except for scientific activity or part-time teaching.
  - c. Licensed by the Council to practice the engineering profession.
  - d. They may not work in more than one entity.
- 7. Licensed engineers shall not use the title "*Consultant*" or its synonyms in the office name unless the office is classified as Category "A" or "K".
- 8. The Council may upgrade the engineering office category upon request if it fulfills the following:
  - a. All the requirements of the required category.
  - b. No disciplinary penalty was issued against the engineering office during the past two years.
  - c. Financial audit report for the past three years.
  - d. Provide a list of completed projects during the past three years.
  - e. The engineering office must have completed five years in Category "B", to be upgraded to Category "A".
  - f. The engineering office must have completed five years in Category "C" to be upgraded to Category "B".



### Annex (2-1)

### Requirements for Bahraini Engineering Office that Take the Form of a Sole Proprietorship or Commercial Company for Licensees.

Bahraini engineering offices that take the form of sole proprietorship are classified after they have fulfilled the following requirements, and those stipulated in Article (10) of the Law:

Office Category	Applicant (Initial Approval Requirements)	Minimum number of engineers (Initial approval requirement)	Minimum office space (sqm) (final approval Requirements)	Minimum professional insurance policy (Final Approval Requirement)
"A"	A Bahraini national engineer with not less than 12 years of engineering experience in the field of specialization.	First option: Minimum of two engineers for the main engineering division, one of a Category "A" and the other must be a Bahraini national engineer, and two engineers for each additional division, one of a Category "A" and the other must be a Bahraini national engineer.  second option: Minimum of two engineers for the Core engineering division, provided that both engineers are of Category "A", and a minimum of two engineers for the other engineering divisions, provided that one of the engineers is in Category "A" and the other engineer shall not be less than category "B".	150	1 million Bahraini Dinars
"B"	A Bahraini national with not less than 7 years of engineering experience in the field of specialization.	First option: Minimum of two engineers for the Core engineering division, one of not less than Category "B" and the other engineer is a Bahraini national, and Minimum of two engineers for each additional division,	100	750 thousand Bahraini Dinars

Page 28 of 55

Office Category	Applicant (Initial Approval Requirements)	Minimum number of engineers (Initial approval requirement)	Minimum office space (sqm) (final approval Requirements)	Minimum professional insurance policy (Final Approval Requirement)
"C"	A Bahraini national engineer with not less than 5 years of engineering experience in the field of specialization.	provided that one of not less than Category "B", and one a Bahraini national engineer.  Second option: Minimum of two engineers for each engineering division, provided that one shall not be less than Category "B" and the other is not less than Category "C".  First option: Minimum of two engineers for the Core engineering division, provided that one engineer shall not be less than Category "C" and the other engineer shall be a Bahraini national, and two engineers for each additional division, provided that one of them shall be Category "C" engineer and the other should be a Bahraini national engineer.  Second option: Minimum of two engineers for each engineering division, provided that their Category is not less than "C".	50	500 thousand Bahraini Dinars

Office Category	Applicant (Initial Approval Requirements)	Minimum number of engineers (Initial approval requirement)	Minimum office space (sqm) (final approval Requirements)	Minimum professional insurance policy (Final Approval Requirement)
"D"	A Bahraini national engineer with not less than 12 years of engineering experience in the field of specialization.	First option: Minimum of three engineers for each engineering division, provided that of one of the engineers is not less than Category "A" and the two other engineers should be Bahraini nationals.	Not Applicable	Not Applicable
		Second option: Minimum of three engineers for each engineering division, provided that one of the engineers is in Category "A" and the other two engineers shall not be less than Category "B".		
"E"	A Bahraini national engineer with not less than 12 years of engineering experience in the field of specialization.	First option: Minimum of two engineers for each engineering division, provided that the one of the engineers is not less than category "A" and the other engineer should be a Bahraini national.  Second option: Minimum of two engineers for each engineering division, provided that one engineer is not less than Category "A" and the other engineer is not less than Category "B".	Not Applicable	2 million Bahraini Dinars

Office Category	Applicant (Initial Approval Requirements)	Minimum number of engineers (Initial approval requirement)	Minimum office space (sqm) (final approval Requirements)	Minimum professional insurance policy (Final Approval Requirement)
"F"	An engineer with not less than 7 years of engineering experience in the field of specialization.	First option: Minimum of two engineers for each engineering division, provided that one engineer is not less than Category "A" and the other engineer should be a Bahraini national.  Second option: Minimum of two engineers for each engineering division, provided that one engineer is not less than Category "A" and the other is not less than Category "B".	Not Applicable	1 million Bahraini Dinars
"K"	A Bahraini national engineer with at least 20 years of engineering experience in the field of specialization.	One Bahraini national engineer of Category "K"	50 square meters for administrative offices, and the area of the laboratory, equipment, arrangements, and any requirements and other matters shall be arranged in a way that achieves the purposes of its establishment and in accordance with the approved international standards and specifications determined by a decision of the Council.	400 thousand Bahraini Dinars



# Annex (2-2) Requirements for Non-Licensed Engineering Offices in the Form of a Commercial Company

1. It is permissible to license the establishment of engineering offices in the form of a commercial company for non-licensees after fulfilling the following requirements and the requirements stipulated in Article (10) bis of the Law and Article (10) of these Regulations if the purpose of their establishment is to practice highly specialized engineering works in accordance with the requirements mentioned below. In this context, and without prejudice to the Council's jurisdiction to add other highly engineering specializations in the future:

Category	Field	Field Branches	
			Capital
		Specialized engineering studies	
	Architecture and	a. Specialized engineering studies.	
	civil engineering	b. Unique hotels (five stars and above)	
		specialized commercial centers, tower	
		centers, educational, cultural, social and	
"A"		sports facilities, hospitals, and	
_		specialized clinics.	
Or		c. Modern technology projects.	
((D))		d. Bridges, airports, ports, tunnels, and	
"D"		smart parking lots.	500 thousand
	$\mathbf{x}$	e. Sewerage networks and sewage	Bahraini Dinars
Or		treatment plants, irrigations systems,	
"E"		water distribution systems, main water	
E	76 1 1	collection tanks and dams.	
	Mechanical,	a. Energy production, transmission, and	
	electrical, and	distribution systems of public networks.	
	electronic	b. Communication tower systems and electrical lines.	
	engineering	c. Mechanical and electromechanical	
		systems for specialized projects.	
	Mining	a. Oil and gas production, transmission,	
	engineering,	and distribution systems projects.	
	geology, chemical	b. Petrochemical facilities and factories.	
	engineering, and	o. Tonochomical facilities and factories.	
	petroleum		
	engineering		
"F"	Engineering		
	laboratories		



### 2. Requirements for the Responsible Manager and Directors

- a. The Council should approve the appointment of the manager, and his deputy to replace him during his absence or if he is unable to carry out his duties or loss of any of the requirements that should be met by him, and during the circumstances, conditions, and controls where it is permissible to delegate someone else to carry out some of his tasks and responsibilities.
- b. He must be a Bahraini national, full-time, and licensed by the Council in the same division and branch. The category of the license must be Category "A".
- c. The owner of the office or one of the partners may act as the Responsible Manager if he/she fulfills the necessary requirements, qualifications, and experience.
- d. Considering Annex (5) of these Regulations, the director may not participate, contribute, or manage in another engineering office.

### 3. Requirements for delegation to manage the office in the event of the absence of the Responsible manager/managers and the inability to carry out office duties:

- a. Some of the authorities of the Responsible Manager may be delegated to another licensed engineer who must fulfill all the requirements of a Responsible Manager, provided that the Responsible Manager must bear the obligations undertaken by the delegated engineer.
- b. The engineering office must obtain prior approval from the Council to authorize a manager or another licensed engineer to manage the office. The authorization request must be submitted by the Responsible Manager.
- c. The authorization period shall be six months. The Council may also approve a request to extend this period if it deems it urgently necessary based on a request from the licensee accompanied by valid reasons.

### 4. Unlicensed Engineering Offices in the Form of a Commercial Company Classified as Follows:

Office category	Applicant (Initial approval requirements)	Minimum number of engineers (Initial approval requirements)	Minimum office space (sqm) (Final approval Requirements)	Minimum Professional Indemnity Insurance Policy (Final approval Requirements)
"A" (Bahraini)	Individuals or companies in accordance with the requirements contained in this Annex.	First option: Minimum of two engineers for the Core engineering division, one of whom must be a Category "A" engineer and the other engineer must be a Bahraini national, and		

Office category	Applicant (Initial approval requirements)	Minimum number of engineers (Initial approval requirements)	Minimum office space (sqm) (Final approval Requirements)	Minimum Professional Indemnity Insurance Policy (Final approval Requirements)
		two other engineers for each additional division, one of Category "A" engineer and the other must be a Bahraini national engineer.  Second option:  Minimum of two engineers for	150	1 million Bahraini Dinars
		Minimum of two engineers for the Core engineering division, provided that both engineers are Category "A", and Minimum of two engineers for the other engineering division, with one of category "A" and the other not less than category "B".		
"D"	Individuals that are not engineers nor companies in accordance with the requirements contained in this Annex.	First option: Minimum of three engineers for each engineering division, provided that one engineer of Category "A" and the other two engineers must be Bahraini nationals.  Second option:	Not Applicable	Not Applicable
	uns Annex.	Minimum of three engineers for each engineering division, provided that one engineer of Category "A" and the category of the other two engineers is not less than "B".		
"E"	Individuals or companies in accordance with the requirements contained in this Annex.	First option: Minimum of two engineers for each engineering division, provided that one of engineer's category is not less than Category "A" and the other	Not Applicable	2 million Bahraini Dinars

Office category	Applicant (Initial approval requirements)	Minimum number of engineers (Initial approval requirements)	Minimum office space (sqm) (Final approval Requirements)	Minimum Professional Indemnity Insurance Policy (Final approval Requirements)
		engineer must be a Bahraini national.  Second option: Minimum of two engineers for each engineering division, provided that one engineer's category is not less than Category "A" and the other engineer is not less than		
"F"	Individuals or companies in accordance with the requirements contained in this Annex.	Category "B".  First option: Minimum of two engineers for each engineering division, provided that one of category not less than Category "A" and the other engineer must be a Bahraini national.  Second option: Minimum of two engineers for each engineering division, provided that one of category not less than Category "A" and the other engineer must not be lower than Category "B".	50 square meters for administrative offices. The area of the laboratory, equipment, arrangements, and any requirements and other matters shall be arranged in a way that achieves the purposes of its establishment and in accordance with the approved international standards and specifications determined by a decision of the Council.	1 million Bahraini Dinars



### Annex (2-3) Requirement for Foreign Engineering Offices

Foreign engineering offices shall be classified after they have fulfilled the following requirements, and the conditions stipulated in Article (11) of the Law:

- 1. Without prejudice to bilateral and international agreements and treaties in force in the Kingdom, it is permissible to exempt the license of foreign engineering offices of Category "A", "D", "E", and "F" to practice the engineering profession in the Kingdom in the following cases:
  - a. The foreign engineering office must be subject to the Laws in force in the Kingdom.
  - b. The foreign engineering office must be active and licensed for a period not less than fifteen years practicing engineering profession outside the Kingdom in the division or branch if any in which the office is required to be licensed in.
  - c. The foreign engineering office must have completed specialized and distinguished projects in the main headquarters or in other countries.
  - d. The office must submit a certified letter from the headquarters of the foreign engineering office stating that it bears responsibility for the consulting services and engineering work performed by the office's branch in the Kingdom.
  - e. The foreign engineering office must appoint a full-time responsible manager who is a permanent resident in the Kingdom and who holds an engineer license, Category "A" to practice the engineering profession in the same office's engineering specialization, and he must be authorized to manage the office by an official power of attorney issued by the competent authority for the foreign engineering office in the headquarters. The appointment of the said manager is subject to written approval by the Council.
  - f. The foreign engineering office or one of its branches must have expertise, capabilities, and high technical competencies not available in the Kingdom that are sufficient to meet local needs, according to the Council assessment in this regard.
  - g. The foreign office must have carried out major projects in the field of its specialization, and it should be no less than twenty projects in its main office and ten projects in the office's branches abroad. These projects must be of a high level of technical competence and diversified in the field of specialization.
  - h. The foreign engineering office must adhere to the requirements of the professional indemnity insurance policy controls for engineering offices category "A" according to Annex (3) of these Regulations.
  - i. Submitting certified financial audited reports for the past three years, as well as financial reports that show the company's financial status.
- 2. Upon the Council discretion, the license granted to a foreign engineering office in some cases may be limited to providing engineering services for specific projects only, provided that the office informs the Council of the duration of project implementation, the maintenance period, and the technical and construction guarantee obligations for the projects.
- 3. Foreign engineering offices are not allowed to work on projects worth less than ten million Bahraini dinars, with the exception of projects of a highly specialized nature.



- 4. The foreign engineering office shall employ and train Bahraini engineers, if possible.
- 5. The foreign engineering office shall inform the Council of its projects in the Kingdom periodically every six months and ensure the availability of an adequate number of licensed engineers residing in the Kingdom who provide design and project supervision services.
- 6. Upon the fulfilment of the following requirements, and the conditions stipulated in Article (11) of the Law and the requirements mentioned above, the foreign engineering offices shall be classified as follows:

Office category	Applicant (Initial approval required)	Minimum number of engineers (Initial approval required)  Minimum office space (sqm) (Requires final approval)		Minimum professional insurance policy (Requires final approval)
"A" (Foreign)	Requirements of Article (11) of the Law and Clause (1) of this Annex.	First option: Minimum of three engineers for each engineering division, provided that one of the engineer's categories shall not be less than category (A) and the other two engineers shall be Bahraini nationals.  Second option: Minimum of three engineers for each engineering division, provided that two engineer's categories are not less than category "A" and the category of the third engineer is not less than category "B".	150	2 million Bahrain Dinars
"D"	Requirements of Article (11) of the Law and Clause (1) of this Annex.	First option: Minimum of three engineers for each engineering division, provided that the category of one of the engineers is not less than Category "A" and the other two engineers shall be Bahraini nationals.  Second option:	Not Applicable	Not Applicable
		Minimum of three engineers for each engineering division, provided that one of the engineers is of Category		

Office category	Applicant (Initial approval required)	Minimum number of engineers (Initial approval required)	Minimum office space (sqm) (Requires final approval)	Minimum professional insurance policy (Requires final approval)
		"A" and the other two engineers shall not be less than Category "B".		
"E"	Requirements of Article (11) of the Law and Clause (1) of this Annex.	First option: Minimum of two engineers for each engineering division, provided that the category of one of the engineers is not less than Category "A" and that the other engineer is of Bahraini nationality.	Not Applicable	2 million Bahraini
	uns Annex.	Second option: Minimum of two engineers for each engineering division, provided that one of the engineers is not less than Category "A" and the other engineer is not less than category "B".	Not Applicable	Dinars
"F"	Requirements of Article (11) of the Law and Clause (1) of this Annex.	First option: Minimum of two engineers for each engineering division, provided that the category of one of the engineers is not less than Category "A" and the other engineer shall be a Bahraini national.  Second option:	50 square meters for administrative offices, and the area of the laboratory, equipment, arrangements, and any requirements and other matters	1 million Bahraini Dinars
		Minimum of two engineers for each engineering division, provided that one of the engineers is not less than Category "A" and the other engineer is not less than Category "B".	shall be arranged in a way that achieves the purposes of its establishment and in accordance with the approved international standards and specifications determined by a	

Office category	Applicant (Initial approval required)	Minimum number of engineers (Initial approval required)	Minimum office space (sqm) (Requires final approval)	Minimum professional insurance policy (Requires final approval)
			decision of the Council.	

# Annex (2-4)

# Requirements for Engineers Working in the Opinion Office, Category "K"

- 1- The owner of the opinion office and the engineers working in it shall all be Bahrainis and licensed by the Council in Category "K".
- 2- All engineers must practice the engineering profession only in the division and branch that has been licensed for by the Council.
- 3- Engineers shall not design, implement, or manage any project.
- 4- Engineers are not considered among the number required to open any engineering division or branch in any engineering office other than opinion offices.
- 5- The opinion office owner is obligated to sign a contract between him and the person requesting technical advice in which the scope of the work, the obligations of each party, the fees, and the time period to complete the work are clarified. He can also use the services of other licensed engineering offices as needed.

# Annex (2-5) Establishing Affiliation Between Engineering Offices

#### 1. Affiliation between Bahraini engineering offices.

Bahraini engineering offices of all classified categories licensed by the Council may temporarily enter into an affiliation among themselves to implement a specific project, provided that:

- a. The classification of the combined offices should allow for the design of the project and supervision of its implementation according to the category and specialization of each office and within the permitted limits.
- b. The affiliation agreement shall be signed with a statement of the services that each party will provide and the responsibilities and duties of each party.
- c. The commissioner for administrative and financial matters shall be specified in the affiliation agreement.
- d. Both parties shall commit to professionalism while participating in a tender for any project, such that neither office participates alone in the same tender.
- e. The affiliation will be temporary until the end of contractual and legal obligations, while maintaining the entity and independence of each office, provided that the coalition carries out its engineering activities in designing and supervising the implementation of a specific project.

# 2. The Affiliation between Bahraini Engineering Offices and Foreign Engineering Offices Based in the Kingdom.

Bahraini engineering offices of Category "A", which have been licensed for a period of not less than ten years, may form an affiliation with foreign engineering offices based in the Kingdom and licensed by the Council, to work on any joint project to provide specialized and precise engineering services, provided that:

- a. The signed affiliation agreement shall contain the services that each party will provide and each party's responsibilities and duties.
- b. The person responsible for administrative and financial matters shall be stated in the affiliation agreement.
- c. Both parties shall commit to professionalism while participating in a tender for any project, such that neither the Bahraini nor the foreign office participates in the same tender separately.
- d. The director and the engineering staff of the foreign office shall commit to be permanently reside in the Kingdom while working on designs or technical supervision of projects implementation.
- e. The affiliation will be temporary until the end of the legal contractual obligations, while maintaining the entity and independence of each office, provided that the affiliation carries out its engineering activities in design and supervision of the implementation of a specific project.

# 3. Affiliation between Bahraini Engineering Offices and Foreign Engineering Offices Based Outside the Kingdom.

Bahraini engineering offices of category "A" that have been licensed for a period of not less than ten years may form affiliation with foreign offices based outside the Kingdom to provide specialized and precise engineering services, provided that:

- a. The affiliation must be subject to the laws in force in the Kingdom of Bahrain.
- b. The foreign engineering office must be subject to Council licensing under the same conditions required of foreign engineering offices in accordance with Article (11) of the Law and Annex (2) of these regulations. The headquarters of the Bahraini engineering office may be the main headquarters of the affiliation or use a separate headquarters under the same conditions.
- c. Submitting a certified letter from the head office of the foreign engineering office stating that it undertakes full responsibility of the work contracted with the Bahraini engineering office.
- d. The affiliation agreement shall be signed with a statement of the services that each party will provide and its responsibilities and duties.
- e. The Bahraini Engineering Office shall be the authorized office for financial and administrative matters.
- f. Commitment by the foreign engineering office to the full presence of the director and the adequate engineering staff to complete the required projects in the Kingdom during the design or supervision of the implementation of projects.
- g. Commitment to professionalism while participating in a tender for any project, such that neither the Bahraini nor foreign office participates alone in the same tender.

#### **General conditions for Affiliations:**

- Affiliations take the form of (Joint Venture), (Association), or (Consortium) as desired by the parties, according to the following:
- (**Joint Venture**): A new stand-alone engineering office is formed, separate from the combined engineering offices, and this office will bear all liabilities.
- (Association): requires two or more engineering offices to commit to contributing to the completion of an engineering project or work by establishing a partnership or association that bears all the consequences resulting from it. However, the founders are responsible for the obligations of the partnership or association in the event that it fails to perform them.
- (Consortium): Each engineering office maintains its legal status and is independent in its regular work outside this formation. On the other hand, each engineering office is responsible for the obligations specified in the agreement between both offices.
- In all cases, the combined engineering offices shall issue an insurance policy for professional compensation according to Annex (3) of these regulations.
- The foreign office located outside the Kingdom and affiliated with the Bahraini office is not entitled to practice any engineering work outside the affiliation.

#### Annex (3)

# Insurance Policy Controls to Cover Engineering Office Liabilities Prescribed by Law Professional Indemnity Insurance (PII)

Subject to the provisions of Articles (10), (10) bis, and (11) of the Law regarding the issuance of insurance policy to cover licensed engineering offices' liability, as legally prescribed under Professional Indemnity Insurance (PII), to address the professional liability for breaching professional duties caused by negligence, fault or omission committed by the insured or any of his engineers while performing their professional duties in any project. All engineering offices shall obtain the aforementioned policy in accordance with the following conditions and controls:

# Professional Indemnity Insurance Policy Framework Guidelines to Engineering Offices

Pursuant to the provisions of Law No. (51) of 2014 with respect to Regulating the Practice of the Engineering Professions, particularly Articles (10) and (11) thereof, regarding engineering offices obtaining Insurance Policies to cover their liability prescribed by Law with respect to the professional risks and identify liabilities arising from breach of professional duties due to any fault, negligence, or omission caused by the insured or any of his engineers while performing their duties in any project. All engineering offices shall obtain and maintain appropriate insurance policies in accordance with the following terms and conditions:

#### **Professional Indemnity Liability Insurance Policy:**

Table for Detailed Indemnity Insurance Coverage by Engineering Division

Office Category	Civil and Structural Engineeri ng Field (BD)	Architectur e field (BD)	Electrical or Mechanical Engineerin g Field (BD)	Building Services Field	Other Fields	Maximu m coverage limit (BD) (any one event)
"A" Bahraini	500,000	300,000	500,000	300,000	100,000	1 Million
"B"	350,000	200,000	350,000	200,000	100,000	750,000
"C"	200,000	150,000	200,000	150,000	100,000	500,000
"A" or "E" Non- Bahraini	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	2 Million
"F"	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	1 Million
"K"	150,000	150,000	150,000	Not Applicable	150,000	400,000

# 1. Maximum Insurance Policy Coverage for Professional Liability

- a. Category "A" of engineering offices shall maintain a professional liability insurance policy for an amount not less than 1,000,000 Bahraini Dinars.
- b. Category "B" engineering offices shall maintain a professional liability insurance policy for an amount not less than 750,000 Bahraini Dinars.
- c. Category "C" engineering offices shall maintain a professional liability insurance policy for an amount not less than 500,000 Bahraini Dinars.
- d. Category "A" foreign engineering offices and Category "E" companies that have their own in-house engineering units shall maintain a professional liability insurance policy for an amount not less than 2 million Bahraini Dinars. Also, foreign engineering offices should maintain separate professional liability insurance policies for each individual project.
- e. Category "F" Companies practicing geotechnical engineering services or any other investigative work that affects the subsequent engineering design, must maintain a professional liability insurance policy for an amount of not less than 1,000,000 (one million) Bahraini Dinars.
- f. For Category "K" offices which provide opinion and advice must maintain a professional liability insurance policy for an amount not less than 400,000 Bahraini Dinars. This requirement is not applicable to engineers who provide opinion and advice but work for active licensed engineering offices under a signed work contract, which is valid for a period of not less than one year.

# 2. Guidelines for Professional Indemnity Insurance Policy:

# a. Basic Requirements:

The professional liability insurance Policy (PII) to be procured by the engineering offices shall be based on the standard PII policy wordings from "Hanover", "Argo" or similar international insurance policies subject to the other requirements of these guidelines.

# b. Legal Liability:

- 1) The PII Policy shall retroactively cover the past professional activities of the Engineering Office and shall not be restricted to the Policy Period alone. The retroactive date shall be in accordance with the guidelines in Clause (2-l) of this Annex.
- 2) The primary Insured (Engineering Office) shall submit an undertaking to CRPEP that they shall ensure the required PII policy is in place for all sub-consultants engaged by them. However, this shall not relieve the Insured from fulfilling their obligations with their clients under its contractual engagement and according to the terms of their own PII policy.

# c. Professional Negligence Cover:

The PII policy must include compensation against professional negligence according to the terms of the guidelines proposed in Annex (3-1) thereof.

# d. Compliance with the Civil Law:

The engineering office shall adequately insure itself against liability arising out of compulsory compliance in accordance with Articles (615) to (620) of the Bahrain Civil Law.

#### e. Dishonesty Exclusion Clause:

The PII Policy shall include cover against any claim in respect of any loss or damage brought about or contributed by any dishonesty, fraudulent, criminal, or malicious act or omission of any of the engineering office's past or present owner, employee, or shareholder or contractor in the conduct of the engineering office's business as per the guideline wording suggested in Annex (3-1) of these Regulations.

A reasonable limit on Indemnity and Excess shall be agreed with the Insurance Company for the purpose of the above extension.

#### f. Subrogation:

The PII Policy shall include a "Waiver of Subrogation Clause" provision as per the guideline wording suggested in Annex 3.1 of these Regulations.

#### g. Cost Inclusive Cover:

The PII policy shall include this provision as per the guideline wording suggested in Annex 3.1. of these Regulations.

#### h. Limit of Liability per Event & Aggregate:

PII Policies shall adhere to the below guideline while declaring the amount Insured in the schedule attached to the PII Policy: "

# Liability Limit per Event/Occurrence and Aggregate Limit of Liability

The minimum level of liability for each event/occurrence for each category of engineering offices shall be according to the amounts specified in Clause (1) of this Annex. However, the number of events/ occurrences will be unlimited subject to the annual aggregate limit of indemnity, which is equal to twice the specified amounts in Clause (1) of this Annex for all categories of offices except for Category "K" offices, as follows:

Office ca	ntegory	Aggregate		
"A"	A	2 million Bahraini Dinars		
"B"	В	1.5 million Bahraini Dinars		
"C"	C	1 million Bahraini Dinars		
"foreign entity" & "E"	FB & E	4 million Bahraini Dinars		
"F"	F	2 million Bahraini Dinars		
"K" K		0.5 million Bahraini Dinars		

The above aggregate limits do not apply to Quantity Surveying Offices and Land Surveying Offices, they must obtain their own insurance policies according to the coverage amounts set out in Clause (1) of this Annex (as per their categories) for any one event or any aggregate unlimited number of events.

# i. Enhanced Level of Indemnity:

Engineering offices shall present their standing PII policy to their clients and abide by the clients' requirements with respect to providing an enhanced level of Indemnity and/or inclusion of any specific requirements. Such enhancements/inclusions can be provided either as endorsement to the standing policy or as a separate tailor-made policy.

#### j. Uninsured Excess:

For any Categories of Offices, the uninsured excess in any PII policy shall not be greater than 1% of the level of Indemnity mentioned in Clause (1) of this Annex.

#### k. Requirement Non-disclosure Clause:

This PII Policy shall include provisions of the proposed guideline in Annex 3.1 of these Regulations.

#### l. Retroactive Date:

The PII Policy shall retroactively cover the activities of the Engineering Office as per the following criteria:

"The retroactive date of the policy shall be five years, OR the date of Inception of the Engineering Office, OR from the date issuing the first policy, OR from the date of renewal of the current Policy whichever is the later provided that:

- There are no known cases of any impending losses or claims at the time of securing the new policy.
- The engineering office maintains a continuous and uninterrupted insurance policy against professional liability as of the retroactive date indicated in the policy.

# m. Transfer to another Insurance Company:

When transferring the policy to the new Insurance Company, the Retroactive Date shall be maintained the same as the old policy provided that there are no known cases of any impending losses or claims at the time of securing the new policy.

# n. Primary Insurance Clause:

The PII Policy shall include the required provisions as per the guideline wording suggested in Annex (3-1) of these Regulations.

#### **Annex (3-1)**

# Professional Indemnity Insurance Policy Framework For Some Clauses of Clause (2) of Annex (3) of the Regulations (Proposed Guidelines)

#### 1. Indemnification Clause with respect to Professional Negligence:

The Insurance Company shall indemnify the Insured against any claims made for bodily injury, illness, ailments, death, damage to property, financial losses, and/or consequential losses arising from professional negligence, including faulty or inadequate design, supervision, or advice provided by the Insured in carrying out its professional duties/responsibilities as specified in the schedule attached to PII policy.

#### 2. Dishonesty Exclusion Clause:

"It is hereby agreed that the Insurance Company will indemnify the Insured in respect to claims brought against the Insured and notified to the Insurance Company during the Policy Period which are incurred during the conduct of the Insured's professional practice, which gives rise to legal liability as a result of any dishonesty or fraudulent act by any employee, subject to the following:

- a. No employee committing or condoning such dishonesty or fraudulent conduct or negligence shall be entitled to any indemnity.
- b. No indemnity shall be paid for dishonest, or fraud acts by any employee after they have been discovered by the Insured or there is a reasonable cause to suspect dishonesty or fraud committed by the employee.
- c. No indemnity shall be paid for any dishonesty or fraudulent acts committed by any partner or director of the Insured.
- d. Any amount payable under this extension shall be subject to the agreed indemnity limit and the agreed excess amount between the insurance company and the Insured.
- e. The Insured shall take all reasonable steps to recover losses from any employee committing or condoning any dishonesty or fraudulent acts or omission from estate and/or from legal representatives of such person.
- f. Any amounts that would be due from the Insured to his employees committing or condoning such acts, or omission shall be deducted from any amount payable by the Insurance Company to the Insured.
- g. Any amounts recovered by the insured following actions described in (e) above of the acts described in Clause (2-c) of this Annex shall be deducted from any amount payable by the Insurance Company to the Insurer".

# 3. Waiver of subrogation right:

It is understood and agreed that, otherwise subject to the terms, exclusions, provisions and conditions contained in the Policy or endorsed therein, the Insurance Company agrees to waive all rights of subrogation arising out of losses or damages indemnifiable under the Policy which the Insurance Company may have against the Principal or his Employees or his Clients.

#### 4. Cost inclusive cover:

"This policy shall provide cover for all costs and expenses of defense as follows:

- a. Defense, investigation and settlement of any claim covered by this policy.
- b. Investigation and settlement of any circumstance which will be covered by this policy up to the limit agreed by the Company in the schedule and provided an additional insurance premium is charge".

#### 5. Innocent Non-disclosure Clause:

"The Insurance Company shall not be entitled to exercise its right to avoid this policy where it has been, or it is alleged that there has been non-disclosure or misrepresentation in the proposal form (and/or other information shown to the Insurance Company). Provided always that the Insured is able to demonstrate to the Insurance Company's reasonable satisfaction that such alleged non-disclosure was innocent and free from any reckless or fraudulent conduct or intention to deceive. The premium and terms shall be adjusted at the discretion of the Insurance Company to those which would have applied had the circumstances or information been disclosed correctly".

Otherwise, it shall be subject to the terms, exclusions conditions, and endorsements of the Policy.

## 6. Primary Insurance Clause:

"For any claims relating to this agreement, the insurance cover of the insured person shall be primary insurance irrespective of any additional insurance or self-insurance maintained by the Insured person or the Additionally Insured Parties".



# **Annex 4 Engineering Disciplines and Branches**

Without prejudice to the Council's jurisdiction to approve new engineering disciplines or branches as defined by a ministerial decision, this Annex specifies the most important engineering disciplines and branches:

## **Aerospace Engineering:**

- Aerodynamics Engineering
- Aeronautical Engineering
- Aircraft Engineering
- Aircraft Maintenance Engineering
- Astronautical Engineering
- Avionics Engineering
- Aviation Engineering
- Aviation Telecommunications Engineering

## **Agricultural Engineering:**

- Biological Engineering
- Biological system Engineering
- Biosystems Engineering
- Irrigation Engineering

#### Architecture:

- Architectural Engineering
- Architecture Design
- Interior Design
- Interior Architecture
- Landscape Engineering
- Naval Architecture & Marine Engineering
- Urban Organizational Engineering
- Urban Design
- Urban Planning

# **Artificial Intelligence Engineering.**

**Automotive Engineering.** 

# **Bioengineering/Biomedical Engineering:**

- Biomechanics engineering
- Biomechatronic Engineering
- Biomedical Engineering

Biological Engineering. Biomolecular Engineering. Chemical Engineering:

Air Pollution Control

- Biotechnology Engineering
- Environmental Engineering
- Fuel Engineering
- Hazard Waste Treatment and Disposal
- Manufacturing Engineering
- Metals Engineering
- Petrochemical Engineering
- Polymers Engineering
- Process Control Systems Engineering
- Recycling and Solid Waste Disposal
- Refining Engineering
- Renewable Energy Engineering
- Sanitary Engineering
- Textile Engineering
- Water Resources

# **Civil Engineering:**

- Airport Engineering
- Bridge Engineering
- Building Engineering
- Building Construction Engineering
- Construction Management/Engineering
- Cost Engineering
- Costal Engineering
- Earthquake Engineering
- Engineering Marine Surveying
- Engineering Project Management
- Environmental Engineering
- Foundation Engineering
- Geotechnical Engineering
- Geology Engineering
- Highway Engineering
- Hydrological Engineering
- Irrigation Engineering
- Land Survey
- Marine Engineering
- Materials Engineering
- Meteorological Engineering
- Municipal Engineering
- Ocean Engineering
- Planning Engineering
- Ports Engineering
- Public Health Engineering
- Public Works Engineering

- Railway Engineering
- Sanitary Engineering
- Soil Mechanics Engineering
- Structural Engineering
- Traffic Engineering
- Transport Economics Engineering
- Transportation Engineering
- Water Resources

## **Computer Engineering:**

- Artificial Intelligence Engineering
- Computer Architecture
- Computer Design and Engineering
- Cybersecurity Engineering
- Data Engineering
- Information Technology Engineering
- Operating Systems and Networks
- Robotics Engineering
- Software Engineering
- Telecommunications Engineering

# **Electrical Engineering:**

- Building Services Engineering
- Building Management System/Building Automation System
- Communications Engineering
- Computer Engineering
- Control System Engineering
- Digital System
- Electric Systems and Grid Engineering
- Electronics Engineering
- Fire and Safety Engineering
- Informatics Engineering
- Instrumentations Engineering
- Instrumentations and Control Engineering
- Mechatronics Engineering
- Power Engineering
- Power Electronics Engineering
- Remote Sensing Engineering
- Renewable Energy Engineering
- Robotics and Control SystemsTelecommunications Engineering

# Electromechanical Engineering. Electronics & Communications Engineering:

- Aviation Electronic Engineering
- Aviation Telecommunications Engineering
- Control Engineering
- Instrumentation Engineering
- Telecommunications Engineering

# **Energy Engineering:**

Renewable Energy Engineering

# **Engineering Planning.**

# **Engineering Technology Disciplines:**

- Chemical Engineering Technology
- Civil and Construction Engineering Technology
- Electrical and Electronic Engineering Technology
- Manufacturing Engineering Technology
- Mechanical Engineering Technology

# Engineering Project Management.

# **Engineering Mechanics:**

- Mechanics of Solids
- Mechanics of Fluids
- Rehabilitation Engineering

# **Engineering Surveying.**

# **Environmental Engineering:**

- Natural Resources Engineering
- Renewable Energy Engineering

# Fire Protection Engineering:

Fire & Safety Engineering

# **Geological Engineering:**

- Forest Engineering
- Geo-environmental & Hydrogeological Engineering
- Geotechnical & Rock Engineering
- Geophysical Engineering
- Soil Mechanics Engineering

# **Industrial Engineering:**

- Energy Engineering
- Healthcare Engineering Technology
- Manufacturing Engineering
- Methods Engineering

- Production Engineering
- Quality & Reliability Engineering
- System Engineering & Analysis

# Information Engineering Information System Engineering

#### **Materials Engineering:**

- Ceramic Engineering
- Material Science and Engineering
- Metallurgical Engineering
- Nanotechnology Engineering
- Textile Engineering

## **Mechanical Engineering:**

Aeronautical Engineering

- Automobile Engineering
- Aviation Engineering
- Biomechatronic Engineering
- Building Services Engineering
- Building Management System/Building Automation System
- Environmental Engineering
- Ergonomics/Human Factors Engineering
- Fluid Mechanics Engineering
- Heating, Ventilation and Air Conditioning Systems Engineering
- Heavy Machinery Mechanics
- Industrial Engineering
- Industrial Production Engineering
- Instrumentations Engineering
- Manufacturing Engineering
- Maintenance and Operation Engineering
- Mechanical Design
- Mechatronics Engineering
- Mining Machinery Mechanics Engineering
- Mines Machinery and Maintenance Engineering
- Naval Engineering
- Oil and Gas Tanks Pipelines Engineering
- Oil Exploration Machinery Mechanics Engineering
- Solid Mechanics Engineering
- Textile Engineering

# **Mechatronics Engineering:**

- Automotive Engineering
- Avionics Engineering



System Engineering

#### **Metallurgical Engineering:**

**Mining Engineering:** 

**Nuclear Engineering:** 

Nuclear and Radiological Engineering

# **Ocean Engineering:**

- Naval Architecture & Marine Engineering
- Coastal Engineering

## **Optical Engineering:**

## **Process Instrumentations & Control Engineering:**

- Industrial Instrumentation.
- System Dynamics
- Process Control
- Control System Engineering

## Petroleum, Mineral and Natural Gas Engineering:

- Drilling Engineering
- Exploration Engineering
- Metallurgy Engineering
- Mining Engineering
- Mines Machinery and Maintenance Engineering
- Petroleum Engineering
- Petroleum Geological Engineering
- Production Engineering
- Reservoir Engineering

# Planning Engineering.

Quantity Surveying.

# **Renewable Energy Engineering:**

# **Solar Energy Engineering:**

Solar & Wind Energy Engineering

# **Systems Engineering:**

- Cognitive Systems Engineering
- Software Engineering

# **Surveying & Geomatics Engineering:**

# **Telecommunications Engineering:**

- Broadcast Engineering
- Network Engineering

- Optical Engineering
- Satellite Communications

#### **Other Engineering Disciplines & Branches:**

#### Annex (5)

# **Exemption Conditions for Non-Bahraini Engineers Working in a Foreign Consulting Firm**

An exemption from the requirement to obtain a license is granted to an engineer working in any of the foreign consulting firms that have their headquarters outside the Kingdom and to which the engineer was delegated temporarily for a period not exceeding six months to implement engineering works related to specific government, industrial, or commercial projects and under the full responsibility of the consulting firm, in accordance with the following conditions:

- 1. The delegated non-Bahraini engineer must be licensed to practice the engineering profession in the same specialization and branch (if any) in the country of the headquarters of the foreign consulting firm.
- 2. The delegated non-Bahraini engineer must have a bachelor's degree, or its equivalent, from one of the universities or institutes approved by the Council in the specialization and branch (if any) of the exemption request subject.
- 3. The delegated non-Bahraini engineer must have a minimum of twelve years of experience after graduation.
- 4. The exemption shall be for a period not exceeding six consecutive or non-consecutive months within any twelve consecutive months. The expected start and end dates of the delegated engineer practice to the Kingdom as well as the reason for the request for exemption shall be specified in the request for exemption.
- 5. The governmental, industrial, or commercial authorities that requested the delegated engineer shall notify the Council of the actual start and end dates of his practice.
- 6. The foreign consulting firm shall be responsible for the engineering work performed by the delegated non-Bahraini engineer.

# Annex (6) Practice of Project Management Activity

- 1. The practice of project management activity is limited to engineers and engineering offices of Category "A" and Category "B", after obtaining a license from the Council to practice this activity.
- 2. To obtain a license for practicing project management activity, an engineer must have a bachelor's degree in engineering or its equivalent, and a Certificate in Project Management not less than Project Management Professional from Project Management Institute (PMI), or its equivalent.
- 3. To license engineering offices to practice project management activity only, the office manager must be a licensed engineer to practice project management activity in accordance with Clause (2) of this Annex.
- 4. Engineers and engineering offices licensed to practice the activity of "project management" may perform the following works:
  - a. Review the project cost and conduct related value engineering.
  - b. Launch and manage competitions for preparing engineering project designs and launch tenders to invite engineering offices to carry out design works in the various specializations required for the project, in addition to inviting contractors to submit their bids and evaluate them.
  - c. Review the engineering designs to ensure that they meet the requirements and needs of the client.
  - d. Review the project designs which were prepared by another engineering office to ensure compliance with the technical and engineering aspects, provided that the reviewing engineering office has licensed engineers in the same specialization and branch of engineers of these designs prepared by the other engineering office and of the same category or higher.
  - e. Represent the client in his communications and dealings with the contractor and consultant of the project.
  - f. Manage and evaluate claims related to the project.
  - g. Dealing with the administrative matters of the project.
- 5. Engineers and engineering offices licensed to practice project management activity may practice project management of the same project that they designed or supervised its implementation after obtaining the client's approval.
- 6. Engineers and engineering offices may undertake quantity surveying and project management activities of the same project after obtaining the client's approval.