

LEMBAGA ARKITEK MALAYSIA

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GENERAL CIRCULAR NO. 2/2004

GUIDELINES ON ARCHITECTURAL CONSULTANCY PRACTICES

1. An Act to amend the Architects Act 1967 cited as the Architects (Amendment) Act 2002 introduced, among others, a new section 7B pertaining to the registration of a body corporate providing architectural consultancy services, professional engineering services and/or quantity surveying services (hereinafter referred to as 'multi-disciplinary practices' or 'MDP').
2. Section 7A of the Act was also amended to empower the Board to register architectural consultancy practices subject to such conditions and restrictions as it may deem fit to impose.
3. Consequential to these amendments, this General Circular is issued to revise the guidelines pertaining to the number and types of practices a Professional Architect is allowed to operate at any one time.
4. All Professional Architects are hereby reminded on the requirements of Code 1(5) of the Code of Professional Conduct under the Second Schedule of the Architects Rules 1996 which stipulates the following :

"An Architect commencing his professional practice as a firm or a company shall submit to the Board the proposed name of the firm or company in order to obtain the approval of the Board".

5. The Board has decided that at any one time, a Professional Architect is allowed to set up architectural consultancy practices as follows :
 - 5.1 any **two** different types of practices of different composition but shall **not include a multi-disciplinary practice (MDP)**;
 - 5.2 any **three** different types of practices of different composition **including one multi-disciplinary practice (MDP)**.
6. In forming and naming their practices, Professional Architects are required to abide by the following guidelines :

6.1 **Sole Proprietorship**
(Section 7A of the Act)

- 6.1.1 Being the sole principal of the firm, Professional Architects shall preferably use their individual names in full;

e.g. Arkitek Ahmad Bakar
Lim Ah Kow Architect

6.1.2 Professional Architects may also be allowed to use part of their names :

e.g. Arkitek A. Bakar
AK Lim Architect

6.2 **Partnership**
(Section 7A of the Act)

6.2.1 All the partners shall be Professional Architects;

6.2.2 Names of firms shall refrain from being pretentious or ostentatious or of such nature that may negatively affect the dignity of the profession or place it in a position of possible ridicule :

e.g. Global Environmental Planners and Architects
Arkitek Supreme;

6.2.3 Preferably the names of firms shall comprise the actual names of the partners or the acronyms of their initials.

6.3 **Architectural Body Corporate**
(Section 7A of the Act)

6.3.1 The board of directors shall be Professional Architects;

6.3.2 The body corporate shall have a minimum paid-up capital of RM 50,000;

6.3.3 The shares shall be held by members of the board of directors solely or with any other persons who are Professional Architects;

6.3.4 Names of firms shall refrain from being pretentious or ostentatious or of such nature that may negatively affect the dignity of the profession or place it in a position of possible ridicule.

6.3.5 Preferably the names of firms shall comprise the actual names of the directors or the acronyms of their initials.

6.4 **Multi-disciplinary Body Corporate [MDP]**
(Section 7B of the Act)

6.4.1 The board of directors shall comprise Professional Architects, Professional Engineers and/or registered Quantity Surveyors;

6.4.2 The shares shall be held by persons mentioned in paragraph 6.4.1 and any of the following persons and/or bodies corporate where –

- (i) the Professional Architects, Professional Engineers, registered Quantity Surveyors, bodies corporate providing architectural consultancy services, bodies corporate providing professional engineering services and/or bodies corporate practising as consulting Quantity Surveyors hold a minimum combined share of 70% of the overall equity of that body corporate, of which the Professional Architects and/or bodies corporate providing architectural consultancy services hold a minimum share of 10%; and
- (ii) any other persons, including persons belonging to a profession allied to architecture, engineering or quantity surveying, being a profession approved in writing by the board regulating the profession of architecture, engineering or quantity surveying, respectively, hold a maximum share of 30%

of the overall equity of the body corporate.

6.4.3 The multi-disciplinary body corporate has a minimum paid-up capital of RM 150,000.

7. Change in Composition of Practice

- 7.1 An architectural consultancy practice shall, within thirty days of the occurrence of any change of its sole proprietorship, or the composition of its partners, board of directors or shareholders, furnish to the Board a true report in writing giving full particulars of the change.
- 7.2 Notwithstanding the above, where in a multi-disciplinary practice –
 - (a) the minimum shareholdings of a Professional Architect and/or body corporate providing architectural consultancy services is less than the percentage stipulated in paragraph 6.4.2(i); or
 - (b) the minimum combined shareholdings of a Professional Architect, Professional Engineer, registered Quantity Surveyor, body corporate providing architectural consultancy services, body corporate providing professional engineering services and/or body corporate practising as consulting Quantity Surveyors is less than the percentage stipulated in paragraph 6.4.2(i),

that body corporate shall, as soon as possible but not later than three months after such change in shareholdings or within any extended period of time as may be approved by the Board, increase the respective shareholdings so as to comply with the percentage as stipulated in paragraph 6.4.2(i), and if that body corporate fails to do so within the stipulated time, the Board shall cancel its registration under this Act.

8. **Description of Practice**

All descriptions of practice shall accurately convey the composition and expertise of the firms or bodies corporate.

8.1 If the principals are all Professional Architects, the practice shall be described as "Architects" and shall not be described as "Architects, Engineers and Surveyors";

8.2 If the practice also has directors from other disciplines, it shall be so described, e.g. AES - Architects, Engineers and Surveyors;

8.3 Similarity to existing names of practices should be avoided.

9. **Letterheads**

All letterheads must list the name of the principal, names of partners and names of the directors together with their professional qualifications and status.

10. **General Circular No. 2/1996 is hereby repealed.**

By order of the Board of Architects Malaysia,



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(Ar. ZURAINA LEILY AWALLUDIN)
Registrar

1 September 2004.