

Regulation of the Council of Engineers

on Registration of Foreign Professional Engineers
pursuant to the ASEAN Mutual Recognition Arrangement on Engineering Services
B.E. 2561 (2018)

Whereas it is expedient to prescribe rules on the registration of Foreign Professional Engineers pursuant to the ASEAN Mutual Recognition Arrangement on Engineering Services (ASEAN MRA on Engineering Services);

By virtue of Sections 8(6)(a), 8(7) and 7(8) of the Engineers Act, B.E. 2542 (1999) and the Ministerial Regulation Prescribing Other Operations in Accordance with the Objectives of the Council of Engineers, B.E. 2560 (2000), and in accordance with the resolution of the General Meeting of the Council of Engineers No. 1/2560 dated 6 July 2018, and with the approval of the Board of the Council of Engineers, the following Regulations are issued:

Clause 1 These Regulations shall be called “Regulations of the Council of Engineers on Registration of Foreign Professional Engineers pursuant to the ASEAN Mutual Recognition Arrangement on Engineering Services, B.E. 2561 (2017).”

Clause 2 These Regulations shall come into force on the day following their publication in the Royal Thai Government Gazette.

Clause 3 In these Regulations:

“ASEAN Chartered Professional Engineer (ACPE)” means a person registered as an ASEAN Chartered Professional Engineer under the ASEAN MRA on Engineering Services.

“Foreign Professional Engineer” means an ACPE who intends to practice professional engineering or Regulated Engineering in Thailand and is registered with the Council of Engineers as a Registered Foreign Professional Engineer (RFPE) under the ASEAN MRA on Engineering Services.

Chapter 1

Qualifications and Disqualifications of Foreign Professional Engineers

Clause 4 An applicant for registration as a Foreign Professional Engineer shall possess the following qualifications and have none of the disqualifications:

- (1) Be a national of an ASEAN Member State.
 - (2) Be registered as an ASEAN Chartered Professional Engineer (ACPE);
 - (3) Be a Member of the Council of Engineers in the category prescribed by the Council;
- and
- (4) Have not previously been deregistered as a Foreign Professional Engineer by the Council of Engineers.

Chapter 2

Criteria, Procedures and Conditions for Registration

Clause 5 A person who wishes to register as a Foreign Professional Engineer shall submit an application together with the prescribed fee to the Office of the Council of Engineers, in the form specified by the Board, together with evidence and supporting documents as prescribed by the Board.

The supporting documents shall include at least:

- (a) Evidence of educational qualification.
- (b) Certification of professional practice in the applicant's home country (or country of current practice) issued by the competent authority or organization, stating the applicant's particulars, position, duties and periods of practice.
- (c) Copy of passport; and
- (d) Copy of the ACPE registration certificate/card or equivalent evidence.

Clause 6 The Council of Engineers Committee shall proceed with the registration of a Foreign Professional Engineer on behalf of the Council of Engineers when the applicant meets the qualifications and has no qualifications as prescribed in these Regulations.

Clause 7 When the Council of Engineers Committee deems it appropriate to approve or reject the registration of a Foreign Professional Engineer, the Office of the Council of Engineers shall notify the applicant in writing within sixty (60) days of the date of the Committee's resolution.

Such notification under the preceding paragraph may be made in electronic form.

The applicant shall pay the registration certificate fee for the Foreign Professional Engineer within sixty (60) days from the date of receiving the notification from the Council of Engineers.

If the applicant fails to make payment within the specified period, it shall be deemed that the applicant no longer wishes to proceed with the registration of the Foreign Professional Engineer.

Upon payment of the registration certificate fee, the Office of the Council of Engineers shall issue the Certificate of Registration to the applicant.

The Certificate of Registration for a Foreign Professional Engineer shall be in the form prescribed by the Council of Engineers Committee and shall be valid for one (1) year from the date of issuance by the Council of Engineers.

Clause 8 A Foreign Professional Engineer who wishes to renew his or her registration shall submit an application for renewal together with the renewal fee to the Office of the Council of Engineers, using the application form and supporting documents as prescribed by the Council of Engineers Committee.

The renewal application shall be submitted within ninety (90) days prior to the expiry date of the Certificate of Registration for Foreign Professional Engineer.

Chapter 3

Criteria and Conditions for Professional Practice or for Practice in the Regulated Engineering Profession by Foreign Professional Engineers

Clause 9 A Foreign Professional Engineer shall practice in accordance with Thai law and the rules prescribed by the Council of Engineers. The Foreign Professional Engineer shall practice in collaboration with a person holding a license to practice the Regulated Engineering Profession in Thailand, as specified by the Council of Engineers.

Clause 10 If there is a change in the registrant's employment, role, or other particulars that affect the scope or conditions of practice, the registrant shall notify the Office of the Council of Engineers and, where required, apply for amendment within the period prescribed by the Board.

Clause 11 Where the registrant changes the sponsoring organization or place of employment, the registrant shall apply for amendment of the registration within the period prescribed by the Board.

If a renewal application has already been filed and approved, the Office shall issue a Certificate of Renewal in the prescribed form.

Chapter 4

Termination and Revocation of Registration

Clause 12 Registration as a Foreign Professional Engineer shall terminate upon the occurrence of any of the following events:

- (1) Death
- (2) Failure to renew within the time limit prescribed herein
- (3) Expiry of the term of registration

- (4) the Council of Engineers Committee resolves to revoke the registration;
- (5) failure to notify a change in practicing in association with another licensee of the controlled engineering profession (juristic person) within the time limit prescribed in Article 11 of these Regulations.

Clause 13 The Board of the Council of Engineers may revoke the registration where any of the following occurs:

(1) The registrant lacks a required qualification or possesses a disqualifying characteristic under these Regulations.

(2) The registrant submits false statements or conceals material facts in applying for registration or renewal.

(3) The registrant violates or fails to comply with conditions of practice prescribed under these Regulations or other relevant rules of the Council; or

(4) The registrant commits an act or display conduct that seriously damages or brings disrepute to the profession.

In such case, the Council shall notify the registrant in writing of the grounds for revocation, and the matter shall be proceeded with in accordance with the procedures of the Council of Engineers.

Promulgated on 19 December B.E. 2561 (2018)

(Signature)

Kamon Takkabutr

President, Council of Engineers, Thailand

(Unofficial Translation)

Page 56

Volume 136, Special Section 31 Ngor — Royal Thai Government Gazette — 4 February B.E. 2562 (2019)
