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PART II

**Statutory Notifications (S.R.O.)**

GOVERNMENT OF PAKISTAN

**MINITARY OF SCIENCE AND TECHNOLOGY**
**(scientific and technological research division)**

NOTIFICATION

*Islamabad, the 15th February, 2024*

**S. R. O. 400(I)/2024.—** In exercise of the powers conferred by section 25 of the Pakistan Engineering Council Act, 1975 (V of 1976), the Governing Body with the previous sanction of the Federal Government is pleased to direct that in the Pakistan Engineering Council (Conduct and Practice of Consulting Engineers) Bye-laws,1986, the following further amendments shall be made namely: —



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In the aforesaid Bye-laws,—

(1) in bye-law 2, —

(a) clause (a) shall be omitted;

(b) after clause (ba), the following new clause shall be inserted, namely:— "(baa) "legal entity" means partnership, corporate body, financial institution or any other legal body which independently provides professional services;"; and

(c) after clause (c), the following new clause shall be inserted, namely:—

"(ca) "qualified person" means any individual who holds at least a bachelor degree from a university recognized by the Higher Education Commission (HEC) of Pakistan and possesses minimum five years of experience or any legal entity;";

(2) for bye-law 3, the following shall be substituted, namely:—

**"3. Ownership.—** A minimum of fifty-one percent of the shares or interest of a consulting engineer in a partnership firm or a private limited company and fulfilling the minimum requirements provided in bye-law 3A shall be owned by professional engineers and the remaining forty-nine percent of the shares may be owned by a qualified person, however, it shall not be allowed to perform activities reserved for a consulting engineer:

Provided that these conditions shall not apply to companies or partnerships in which the Government has any shares or interest, to the extent of such shares or interest.

**3A. Registration.—** (1) No person shall practice as a consulting engineer, nor be the sole proprietor of a firm of consulting engineers unless he is a professional engineer and —

(a) holds at least an accredited bachelor of engineering qualification with a minimum of ten years of professional experience and is registered as such by the Council; or

(b) holds at least an accredited bachelor of engineering qualification with a professional master degree or higher qualification with a minimum of five years of professional experience and is registered as such by the Council.

**3B. Transfer of ownership.—** (1) In case of death of an individual or sole proprietor of a consulting engineering firm, the following procedure shall be observed, namely: —

(a) if his successor possesses the qualifications laid down in bye-law 3A, the ownership of the firm shall be transferred in the name of the said successor;

(b) if his successor is a qualified person, the successor shall, within a period of six months from such death, get the Council's licence of the deceased transferred in the name of a partnership or private company with the same or similar name and may retain shares in accordance with restrictions laid down in bye-law 3; or

(c) in case his successor is unable to fulfill the aforesaid requirements, the successor shall, within a period of six months, get transferred the shares to an engineer fulfilling the conditions laid down in bye-law 3.

(2) In case of death of a professional engineer who was partner in a partnership firm, the shares of the deceased shall be transferred to his successors who may retain the shares if they fulfill the requirements prescribed in bye-law 3A or is a qualified person, provided that such firm shall within a period of six months comply with the restrictions on ownership laid down in bye-law 3.

(3) In case of death of a professional engineer in a company, the shares of the deceased shall be transferred to his successors who may retain the shares if they so desire and fulfill the requirements under bye-law 3A or is a qualified person, however, such company shall comply with the restrictions on ownership laid down in bye-law 3. In case the successors are unable to meet the aforesaid requirements, they shall, within a period of six months, transfer their shares to professional engineers fulfilling the conditions as laid down in bye-law 3A.

(4) No person shall be a sole proprietor or a managing partner of a partnership firm of consulting engineers or the chief executive of a consulting engineering company unless he meets the qualifications as laid down in bye-law 3."; and

(3) in bye-law 4, after sub-bye-law (19), the following new sub-bye-laws shall be added, namely:—

"(20) The individual consulting engineer, the sole proprietor of a firm of consulting engineers and at least seventy-five percent of all partners of a partnership firm of consulting engineers, and of all directors, including the chief executive officer (CEO) of a consulting engineers company, shall work predominantly for the consulting engineering profession.

(21) The professional engineers engaged in Government services or public sector organizations may undertake private practice only in their capacity as an individual consulting engineer, subject to permission of their respective departments, however, they shall not be allowed to provide consultancy services to their own organizations or departments.

(22) The individual consulting engineer, the sole proprietor of a firm of consulting engineers, the managing partners of a partnership firm and the CEO of a company registered as consulting engineering company, shall give an annual undertaking to the Council that he is an independent consulting engineer and has no interest in construction and conflicting commercial, industrial and business activities which are likely to influence his professional independence and neutrality.

[ No. PEC/ Legal/SRO/Consult/20.]

ENGR. MUHAMMAD NAJEED HAROON),
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