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**Legislative Decree No. (18) of 2021**

**With respect to amending some provisions of Law No. (51) of 2014 with respect to Regulating the Practice of the Engineering Professions**

We Hamad Bin Isa Al Khalifa King of the Kingdom of Bahrain

Having reviewed the Constitution, and in particular Article (38) thereof,

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

And upon the submission of the Prime Minister,

And after the approval of the Council of Ministers,

We hereby decree the following:

**Article One**

The provisions of Articles (7) Clause (7), and (10), (17), (26), and (27) the second paragraph, and (37), and (40) of Law No. (51) of 2014 regarding regulating the practice of the engineering professions, the following texts:

**Article (7) Paragraph (7):**

7- He shall practice the engineering profession full- time.

Nevertheless, the Council may allow him to practice commercial work in accordance with the terms, conditions and circumstances specified in the Executive Regulations.

**Article (10):**

To obtain a license, as a sole proprietorship engineering office, the following conditions shall be met:

1. Fulfill all conditions mentioned in Article (7) hereto.
2. Have had actual practice in an engineering profession for a consecutive or nonconsecutive period immediately after obtaining the engineering qualification as prescribed by the Executive Regulations.
3. Satisfy the conditions with respect to the field, branch and category required for licensing.
4. Any other conditions specified by the executive regulations.

An insurance policy shall be issued to meet the legally established responsibilities of the office regarding profession errors, in accordance with the conditions and controls specified by the executive regulations.

The council may authorize the licensee to establish an engineering office in the form of a sole proprietorship engineering office - upon his request - in delegating one of the licensed engineers to partially or completely manage his office for a temporary period specified by the executive regulations, provided that the owner of the office bears the responsibility arising from the work delegated to the licensed engineer.

**Article (17):**

1. The engineer’s license shall be terminated in any of the following cases:
2. Death.
3. Loss of any of the license conditions referred to in Article (7) or (9) hereto, as the case may be.
4. Termination of the working relationship between the engineer and the entity that obtained the engineer's license for his work.
5. Expiry of the engineering office’s license, in accordance with paragraph (b) of this article, for which the engineer’s license was obtained in order to work at it.
6. The discontinuance of the practice of the profession.
7. Failure to renew the license in accordance with Article (15) hereto.
8. Cancellation of the license and permanent ban from practicing the profession in accordance with Clause (6) of Paragraph (A) of Article (26) hereto.
9. The license of the engineering office shall be terminated in any of the following cases:
10. The death of the owner of the office if the office is licensed as a sole proprietorship, unless the heirs request to continue operating the office of their bequeathed, provided that one of the heirs meets the conditions stipulated in Article (10) of this law is and is identified to continue operating the office, or the appointment of a responsible manager in accordance with Clause (1) of Article (10) bis of this law and the adoption of one form of the forms of commercial companies, all within the periods specified by the executive regulations.
11. Termination of the company in accordance with the Commercial Companies Law, in cases where the office takes the form of a commercial company.
12. Loss of any of the engineering office licensing conditions referred to in Articles (10), (10) bis and (11) hereto.
13. Cancellation of the engineering office license in accordance with Article (15) hereto.
14. Cancellation of the license and permanent ban from practicing the profession in accordance with Clause (6) of Paragraph (A) of Article (26) hereto.
15. The conviction of the licensee with a felony punishment prejudicial to honor and trustworthiness.

**Article 26:**

1. Without prejudice to criminal or civil liability, every licensee who violates the provisions of this Law and the decisions issued for its implementation shall be punished with one of the following disciplinary penalties:
2. Written warning.
3. Imposing an administrative fine no less than two thousand dinars and not more than twenty thousand dinars.
4. Suspension, partially or completely, from practicing the profession for a period not exceeding three years.
5. Relegating the category for a period not exceeding three years.
6. Prohibition of undertaking new engineering works for a period not exceeding three years.
7. Revocation of the license and the permanent ban from practicing the profession.
8. In the case stipulated in Sub-paragraph (2) of Paragraph (A) of this Article, when assessing the fine, consideration shall be given to the gravity of the violation, the intransigence that appeared on the part of the violator, the benefits he reaped, and the harm caused to others as a result.

**Article (27) second paragraph:**

In the violations that are punishable by written warning, the investigation may be conducted orally, provided that its content is established in the decision issued for imposing the penalty.

**Article (37):**

1. The Council is responsible for monitoring and inspecting the licensees to verify the implementation of the provisions of this Law and the decisions issued for its implementation. The inspectors who are delegated by a decision from the Council may include the Council’s employees or others to carry out the inspection work, shall have the following powers:
2. Entering engineering offices and places of projects and engineering works and any work related thereto, inspecting the devices and equipment of these offices and places, reviewing their files, records, books, documents, and papers, and obtaining copies of them.
3. Hearing the statements of all those who are suspected of being related to the subject of the inspection from the employees in the engineering offices and the places referred to in Sub-paragraph (1) of this Paragraph.
4. Council employees who are authorized by the minister concerned with justice affairs, in agreement with the minister, shall have the capacity of judicial control officers with respect to the crimes stipulated in this law and fall within their jurisdiction and are related to the work of their jobs. The records written for these crimes shall be referred to the Public Prosecution by a decision from the Council.

**Article (40):**

1. The Council, after coordination with the Minister, issues the necessary decisions to develop and advance the engineering professions and raise the level of technical competence of engineers, the profession’s code of ethics, the directives that engineers shall observe when practicing engineering professions, the principles of integrity, honesty, and decency in dealing with clients, and the duties of professional independence and preservation of the dignity of the profession. The council may also, after coordination with the minister, issue instructions and guidelines regarding the application of the provisions of this law and its executive regulations and the decisions issued for its implementation, in a manner that does not conflict with their provisions.
2. The decisions, instructions, guidelines and directives stipulated in Paragraph (A) of this Article shall be published on the Council’s website or by any other appropriate means to achieve notification, to be determined by a decision of the Minister.

**Article Two:**

A new Article No. (10) bis is added to Law No. (51) of 2014 with respect to Regulating the Practice of the Engineering Professions, and a new paragraph is added to Article (35) of the same law, with the following texts:

**Article (10) bis:**

(For a license to establish an engineering office in the form of a commercial company, the following shall be required:

1. The office shall appoint a responsible manager approved by the Council, who shall be responsible for all technical and administrative works in the office, provided that he is a full-time employee and holds a license to practice one of the engineering professions. The executive regulations indicate the conditions, qualifications and experiences that shall be met by the responsible manager, the procedures to be taken into account in his appointment and the appointment of a replacement in the event of his absence or inability to carry out his duties or loss of any of the conditions that shall be met by him, and the circumstances, conditions and controls in which it is permissible to delegate someone else to carry out some of his tasks and competencies.

The owner of the office or one of the partners in it may be the responsible manager if he fulfills the necessary conditions, qualifications, and experience.

1. Issuing an insurance policy to meet the legally established responsibilities of the office regarding profession errors, in accordance with the conditions and controls specified by the executive regulations.
2. Any other conditions specified by the executive regulations, and these conditions may include the rules and controls of the divisions, branches and categories that may be licensed to the office, the minimum capital, the nature of the business that it may carry out, and the guarantees that the office or its partners shall provide.)

**Article (35) third paragraph:**

The decision issued for the fine shall have the force of the executive document by the lapse of the grievance deadline without grievance, or by the expiry of the period referred to in the previous paragraph, unless the court orders a stay of its implementation.

**Article Three**

The Prime Minister and Ministers, each in his respective capacity, shall implement this law, which shall come into effect on the day following the date of its publication in the Official Gazette.

**King of the Kingdom of Bahrain**

**Hamad Bin Isa Al Khalifa**

**The Prime Minister**

**Salman Bin Hamad Al Khalifa**

**Promulgated in Riffa Palace**

**On 23 Dhu Al-Hijja 1442 H**

**Corresponding to: 2 August 2021**