



LEMBAGA ARKITEK MALAYSIA

Tingkat 17, Ibu Pejabat JKR, Jalan Sultan Salahuddin
50582 Kuala Lumpur

Peti Surat 12695, 50786 Kuala Lumpur
Tel : 03-26982878/26107087 Faks : 03-26936881
E-mel : info@lam.gov.my Web : www.lam.gov.my

GENERAL CIRCULAR NO. 2/2023

GUIDELINES ON ARCHITECTURAL CONSULTANCY PRACTICE

1. This General Circular is issued to inform all registered Architects with the Board of Architects Malaysia (the Board) that Rule 30A(3) has been incorporated under the amendment of Architects Rules 1996 which was gazetted and enforced on 1 October 2022.

“(3) In the case of a body corporate registered as an architectural consultancy practice having a single director, the director shall be an Architect.”

2. Rule 30A(3) is introduced to allow body corporate practice with single director. **An Architect is allowed to run both types of practice at a time.**

3. **TYPES OF PRACTICES ALLOWED**

With the amendment, in brief the following are the types of practices allowed for an Architect :

- 3.1 Sole Proprietorship
- 3.2 Partnership
- 3.3 Body Corporate
(Single Director or Multiple Directors)
- 3.4 Body Corporate Multi-Disciplinary

4. **NUMBER OF PRACTICES**

4.1 Section 7A of the Act empowered the Board to register architectural consultancy practices subject to such conditions and restrictions as it may deem fit to impose by the Board.

4.2 The Board has decided that at any one time, an Architect is allowed to set up architectural consultancy practices as follows :

4.2.1 any two (2) different types of practices of different composition but shall not include a multi-disciplinary practice (MDP);

4.2.2 any three (3) different types of practices of different composition including one multi-disciplinary practice (MDP);

5. All Architects are hereby reminded on the requirements of Clause 1(5) of the Code of 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."

6. **NAME OF PRACTICE**

In forming and naming their practices, Architects are required to abide by the following guidelines :

6.1 **Sole Proprietorship Practice** **[Section 7A, Act 117]**

6.1.1 Being the sole principal of the firm, the Architects is required to use their individual names in full :

Example :

*Arkitek Ahmad Bakar
Lim Ah Kow Architect*

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

Example :

*Arkitek A.Bakar
AK Lim Architect*

6.2. Partnership Practice
[Section 7A, Act 117]

- 6.2.1 All the partners shall be 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 :

Example :

Global Environmental Planners and Architects
Arkitek Supreme

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

6.3 Body Corporate Practice
(Single Director or Multiple Director)
[Section 7A, Act 117]

- 6.3.1 For Body Corporate with multiple directors, the board of directors may comprise of all Architects or combination a of 2/3 Architects and 1/3 by any person;
- 6.3.2 For Body Corporate with single director, the director of the practice shall comprise of only an Architect;
- 6.3.3 The shares may be held a minimum of 70% by Architect or Architects and the maximum of 30% shares may be by any person;
- 6.3.4 The practice must be registered with the Companies Commission of Malaysia (SSM);
- 6.3.5 The body corporate practice shall have a minimum paid-up capital of RM 50,000;
- 6.3.6 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;
- 6.3.7 Preferably the names of firms shall comprise the actual name or names of the director or directors or the acronyms of the initials.

6.4 Body Corporate Multi-Disciplinary Practice
[Section 7B, Act 117]

6.4.1 The board of directors shall comprise of 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 Architects, Professional Engineers, with Practising Certificate, Consultant 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 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

The Board must be informed if there's any change in the composition of the practice :

7.1 An architectural consultancy practice shall, within thirty (30) 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 any body corporate and a multi-disciplinary practice –

7.2.1 the minimum shareholdings of an Architect and/or body corporate providing architectural consultancy services is less than the percentage stipulated in paragraph 6.3.3; or

7.2.2 the minimum combined shareholdings of an 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 based on this guideline :

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

8.2 If the practice also has directors from other disciplines, it shall be so described,

Example :

AES – Professional Architects, Engineers and Surveyors

8.3 Similarity to existing names of practices should be avoided.

9. LETTERHEAD PRACTICE

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. This General Circular is issued as reference on the formation of architectural consultancy practice. Therefore, the General Circular No.2/2004 is hereby repealed.

By order of the Board of Architects Malaysia,



(Ar. ABD. SHUKOR BIN ISMAIL)
Registrar

2 February 2023

Circulation :
All registered members