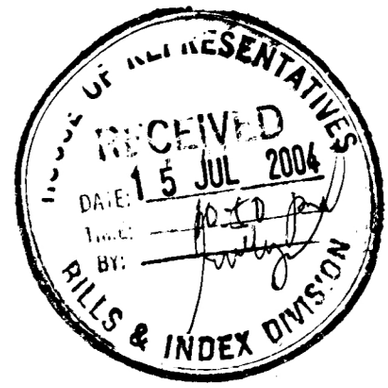
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Diliman, Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 1153



Introduced by
HON. MAURICIO G. DOMOGAN

EXPLANATORY NOTE

The scope and complexities of environmental pollution have increased and the need for environmental surveillance and protection in the field of Sanitary Engineering has broadened. The existing Sanitary Engineering law that aims to protect public health and the environment has become outdated. Hence, there is an urgent need for a new law to enable the professionals to be more effective in dealing with today's environmental and public health problems.

In the early years of the Sanitary Engineering profession, the practice had been fundamentally in sanitation, water supply, sanitary and sewerage, and general environmental protection. In recent years, however, the professional responsibilities had greatly increased. Today, Sanitary Engineering includes: (1) domestic and industrial waste water treatment; (2) stream sanitation and water pollution control; (3) atmospheric pollution control, both indoor and outdoor, and (4) radioactive and hazardous material waste disposal.

The rapid deterioration of the environment, as a result of unplanned and often restrained solid and liquid waste disposal, has affected public safety and health. This has prompted the sanitary engineers to re-assess the existing sanitary and environmental engineering laws, and to recommend and adopt measures necessary to carry out more efficient pollution abatement techniques to preserve the environment and to update engineering methods in order to protect public health and environment.

The Commission on Higher Education realizes the need to update the Environmental and Sanitary Engineering Law RA 1364 in order to prepare the practitioner to a globally competitive situation. It is likewise noteworthy to mention that schools or universities offering Sanitary Engineering have changed their curriculum title to Environmental and Sanitary Engineering, consistent with the objective of the Commission on Higher Education.

In view of these developments, it is respectfully requested that Congress enact the new Sanitary Engineering Law to come up with a more definitive and responsive environmental and public health engineering law that will be globally acceptable.

Approval of this measure is earnestly requested.

MAURICIO G. DOMOGAN

Republic of the Philippines
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HOUSE BILL No. 1153

Introduced by
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AN ACT PROVIDING FOR A MORE RESPONSIVE AND COMPREHENSIVE REGULATION FOR THE PRACTICE, LICENSING, AND REGISTRATION OF ENVIRONMENTAL AND SANITARY ENGINEERS IN THE PHILIPPINES, AMENDING FOR THE PURPOSE OF REPUBLIC ACT NO. 1364, AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress Assembled:

ARTICLE I

Title and Definition of Terms

SECTION 1. *Title.* - this Act shall be known as the "New Environmental and Sanitary Engineering Act of 2004"

SECTION 2. *Definition of Terms.* - The practice of Environmental and Sanitary Engineering within the meaning of this Act shall embrace but shall not be limited to the following:

1. Sanitary and/or environmental survey, reports, design, direction, management, teaching, consultation, and investigation of:
   a) Water collection systems, water reservoirs, water distribution systems, water purification plants, water usage, protection and conservation of water, water recycling and re-use.
   b) Sanitary drainage and sewer systems, sewage treatment plant, industrial wastewater treatment plants, sewage disposal tanks, bio-solids treatment and disposal.
   c) Storm drainage systems, their structures and appurtenances.
   d) Projects relating to insect and vermin control and/or eradication structures for the control of infectious diseases and other structures for public health and welfare, rural and camp sanitation, milk and food sanitation
   e) Solid waste refuse management, its structures and appurtenances.
   f) Toxic and hazardous wastes, treatment, disposal, structures and appurtenances

g) Air, water, land and noise pollution, prevention and control, including control of indoor air, especially the air of working spaces in industrial establishments (industrial hygiene engineering)

h) Environmental Engineering, Life and Safety

2. Professional research and laboratory work supporting the activities listed in subsection one (1).

3. The Sanitary and Environmental Engineer as used in this Act shall mean a person duly registered with the Board of Examiners of the Sanitary and Environmental Engineering in the manner hereinafter provided.

4. Sanitarian – a person who inspects and examines business establishments in compliance with the Sanitation Code and its implementing rules and regulations.

ARTICLE II

Board of Examiners for Sanitary and Environmental Engineers

SECTION 3. *Composition of the Board.* – Within thirty (30) days from the effectivity of this act, there shall be created a Board of Examiners for Environmental and Sanitary Engineers, hereinafter referred to as the "Board." It shall be composed of a chairman and two (2) members who shall be appointed by the President of the Philippines upon the recommendation of the Commissioner on Civil Service from among such persons of recognized standing in their profession as may be certified as having practiced at least five years, and academically and morally fully qualified by their bonafide sanitary engineering associations. The members of the Board shall hold office fro a term of three years after appointment or until their successor shall have qualified. The first members of the Board appointed under this Act shall hold office for the following terms: one member for one year; one member for two years; and one member for three years. Each member of the Board shall qualify by taking the proper oath of office before entering upon the performance of his duties. Any member of the Board may be removed by the President for neglect of duty, incompetence, malpractice, unprofessional, unethical, immoral or dishonorable conduct, after having been given opportunity to defend himself in a proper administrative investigation: Provided, That during the process of investigation, the President shall have power to suspend such member under investigation and shall appoint a temporary member in his place. Vacancies in the Board shall be filled for the unexpired with the following designations:

b) Two (2) Environmental and Sanitary Engineer members; one (1) of which shall be the same time a Sanitarian

The two (2) members shall work under the direct supervision and responsibility of the chairman of the board.

SECTION 4. *Powers and Duties of the Board.* - The Board of Examiners for Environmental and Sanitary Engineers is vested with the authority conformable with the provisions of this Act, to administer oaths, issue, suspend and revoke certificates of registration for the practice of Environmental and Sanitary Engineering, issue certificates of recognition to Sanitary Engineers already practicing prior to the effectivity of this Act for advanced studies, research and/or highly specialized training in any branch of Environmental and Sanitary Engineering, subject to the approval of the President, to investigate such violations of this Act and the regulations thereunder as may come to the knowledge of the Board and for this purpose, issue *subpoena dues tecum* to secure appearance of witnesses in connection with the charges presented to the Board, to inspect, at least once a year, educational institutions offering courses in Environmental and Sanitary Engineering, to discharge such other powers and duties as may affect ethical and technological standards of the Sanitary Engineering profession in the Philippines. For the purpose of this Act, the Secretary of Health, and/or his duly authorized representatives in the provinces and chartered cities shall be *ex-officio* agents of the Board, and as such it shall be their duty to help in the enforcement of the provision of this Act.

If any person refuses to obey any *subpoena* so issued or shall refuse to testify or produce any book, document, etc., the Board may present its petition to the appropriate courts of jurisdiction, setting forth the facts and thereupon such court shall, in a proper case, issue its *subpoena* to such person, inquiring his appearance before such court, and there to testify or produce such books, person papers, documents, etc., as may be deemed necessary and pertinent by the Board. Any person failing or refusing to obey the *subpoena* or order of the said court may be proceeded against in the same manner as for refusal to obey any other *subpoena* or order the court.

The board shall exercise executive/administrative, quasi-legislative and quasi-judicial powers in carrying out the specific powers, functions, duties and responsibilities:

1) Supervise and regulate the practice of environmental and sanitary engineers and sanitarians in the country
2) Determine and evaluate the qualifications of the applicants for registration for special permits;

3) Prepare the examination questions in accordance with the pertinent section of this Act; prescribe the syllabi of the subjects and their relative weights for the licensure examinations; formulate or adopt test questions and deposit them in a test question bank; draw the test questions at random through process of computerization; and submit the examination results to the Professional Regulation Commission (PRC) within the period provided for by the rules of the Commission;

4) Prescribe, amend or revise the requirements for Environmental and Sanitary Engineers subjects in the licensure examination for Professional Environmental and Sanitary Engineers, registered Sanitarians and their relative weight, subject to the approval of the Commission;

5) Register successful applicants who have passed the licensure examinations for Environmental and Sanitary Engineers and Sanitarians and issue corresponding certificates of registration and professional licensure;

6) Issue special permits to individual foreign Sanitary Engineers, Environmental Engineers and Sanitarians for specific projects and for specific duration of time;

7) Look into the conditions affecting the practice of the Environmental and sanitary Engineering and Sanitarian profession and adopt measures for the enhancement of the professions and maintenance of high professional technical and ethical standards and conduct ocular inspections of the places where registrants practice their profession to determine and enforce compliance with this Act. The Board shall authorize the duly integrated and accredited Environmental and Sanitary Engineering, integrated sanitarian associations to render assistance in the function;

8) Promulgate rules and regulations including a code of ethics, administrative policies, orders and issuance to carryout the provisions of this Act;

9) Investigate violations of the act and the rules and regulations, code of ethics, administrative policies, orders and issuance promulgated by the board. the rules on administrative investigation promulgated by the Commission shall govern such investigation;

10) Issue subpoena or subpoena duces tecum to secure the attendance of respondents or witnesses or the production of documents at and relative to the investigation conducted by the Board;

11) Delegate the investigation of the case to the chairman, a Member of the Board of Professional Regulations Commission Legal Division. If the case concerns strictly the practice of the profession, the investigation shall be presided by the Chairman or Member of the Board with the assistance of a PRC attorney;

12) Render decision, order or resolution on preliminary investigation or inquiry, on undocketed cases and on docketed administrative cases against examinees or registrants which shall become final and executory unless appealed with the commission within fifteen (15) days from receipt of the copy thereof. The decision of the commission may be appealed to the court of justice in accordance with the procedure provided in the rules of court;

13) After due notice and hearing, cancel examination papers and/or bar any examinee from future examination; refuse or defer his registration; reprimand the registrant with stern warning; suspend him from the practice of his profession; revoke his Certificate of Registration; delist his name from the roll of professional Environmental and Sanitary Engineers, registered Sanitarians for continuous non-payment of annual registration. Delisting from the roll by the Board as provided herein, may be appealed initially to the commission within fifteen (15) days from receipt thereof. The decision of the commission may be appealed to the court in accordance with the procedure provided in the rules of court

14) Administer oaths in connection with administrations, implementations or reinforcement of this Act;

15) Submit an annual report on the proceeding and accomplishments during the year, and on recommendations of the Board of the Commission after the close of each fiscal year;

16) Prosecute or institute criminal action against any violator of the act and/or the rules and regulations of the Board;

17) Adopt an official seal;

18) Coordinate with the Commission on Higher Education in prescribing, amending, and/or revising the courses and,

19) Perform such other functions and duties as may be necessary to implement effectively this Act. The policies, resolutions, rules and regulations, orders or decisions issued or promulgated by the Board shall be subject to the review and approval by the Commission; provided that however, the board's decisions, resolutions or orders which are not interlocutory, rendered in an administrative case, shall be subject for review only if on appeal.

SECTION 5. *Qualifications of Board Members.* - Each member of the Board shall, at the time of this appointment:

a) Be a natural-born Filipino citizen and resident of the Philippines for at least five (5) consecutive years;

b) Be at least thirty-five (35) years of age and of good moral character, of proven integrity with moral values in his personal as his professional conduct;

c) Be a holder of the Degree of Bachelor of Science in Sanitary Engineering (BSSE) or Bachelor of Science in Environmental and Sanitary Engineering (BSENSE), for the members of the Board of Environmental and Sanitary Engineering and Chairman of specialty boards, from a university, school college, academy or institute duly constituted, recognized and accredited by the Philippine government;

d) Be registered Professional Environmental and Sanitary Engineer, or Sanitarian with a valid certificate of registration in their respective field of practice, and a valid license duly qualified to practice Environmental and Sanitary Engineering or as Sanitarian in the Philippines;

e) Must not be an official nor a member of the faculty of, nor have pecuniary interest in, any university, college, school or institution offering bachelor's degree in Environmental and Sanitary Engineering for at least three (3) years prior to this appointment, and is not connected with a review center or with any group or association where review classes or lectures in preparation for the licensure examinations are offered or conducted at the same time of his appointment;

f) Have practiced Environmental and Sanitary Engineering or as a Sanitarian for a period of not less than ten (10) years prior to his appointment, with a sworn statement as such; and finally,

g) A person with no final conviction by the court of an offense involving moral turpitude,

SECTION 6. *Compensation of Board of Members.* - The members of the Board shall receive a monthly compensation of not less than fifteen thousand (P 15,000.00) or in accordance with the salaries and wages stipulated under PRC Law: provided, that the Chairman shall receive a monthly compensation of ten percent (10%) more provided, further, that such compensation shall be increased or modified pursuant to the General Appropriations Act of the year, provided, furthermore that they shall receive other benefits that may be provided for by law.

SECTION 7. *Executive Officer of the Board.* - The Commissioner shall be executive officer of the Board and shall conduct the examination given by the Board and shall designate any subordinate and subordinate officer of the commission to act as secretary and a custodian of all records and minute of the Board, including all examinations papers, and minutes of the deliberations of the Board.

SECTION 8. *Term of Office.* - The members of the Board shall hold office for a term of three (3) years from the date of appointment or until their successor shall have been appointed or qualified. They may, however be re-appointed for the second term as recommended by their respective accredited professional regulation organizations. Each member shall qualify by taking oath of office before entering upon the performances of his duties.

Vacancies in the board shall be filled by the President from the list of candidates selected by the Commissioner who were chosen from the list of nominees submitted by the integrated and accredited association for the unexpired term only.

SECTION 9. *Removal of Board Members.* - Any member of the Board may be removed by the President of the Philippines, upon the recommendation of the Commissioner for neglect of duty, incompetence, malpractice, commission or tolerance of irregularities in the examinations, or for unprofessional, unethical, or dishonorable conduct, after having been given the opportunity to defend himself in administrative investigation.

SECTION 10. *Terms of Office of the Board Members.* - Upon approval of this Act, the incumbent chairman and two (2) members of the board shall continue to serve until their terms of office expire, or until their replacements have been appointed by the President, and shall have been duly qualified.

ARTICLE III

Examination and Registration

SECTION 11. *Registration and License Required.* – A valid certificate of registration and a valid professional license from the commission are required before any person is allowed to practice Environmental and Sanitary Engineering and as a Sanitarian in the Philippines, except, as otherwise allowed under this Act.

SECTION 12. *Examination Requirement.* – All applicants for registration for the practice of Environmental and Sanitary Engineering, registered Sanitarian in the Philippines shall be required to pass to pass their respective technical examinations as hereinafter provide, except as otherwise specifically allowed under this Act.

SECTION 13. *Holding of Examination.* – Examinations of candidates desiring to practice Environmental and Sanitary Engineering and Sanitarian in the Philippines shall be given in the City of Manila, or any other regional centers that may be designated y the Board, beginning the last Monday of February and August of each year, provided that such days do not fall on official holidays, otherwise the examination shall be held on the days next following.

SECTION 14. *Examination Fees.* – All applicants for written examinations for the professional Environmental and Sanitary Engineers, Registered Sanitarian shall be subject to payment of fees prescribed by the commission; provided, that ninety percent (90%) of the fees is to be treated as a special fund for the programs, projects and activities of the Commission and the remaining ten percent (10%) shall be set aside as a trust fund for the establishment and maintenance of the center for continuing education and research.

SECTION 15. *Registration fees, License fees, and Fines.* – All applicants for registration and license to practices shall be subject to payment of registration fees, license fees, and fines, in case of violation of the pertinent rules and regulations for the amounts prescribed by the Board and approved by the Commission; provided, that fifty percent (50%) from these collections shall be set up in a separate special fund for the supervisory and regulatory functions of the Board.

SECTION 16. *Scope of Examination.* – Applicants for certificates of registration as Environmental and Sanitary Engineer, and as Sanitarian shall be examined in the following subjects:

1) Professional Environmental and Sanitary Engineer Mathematics, including algebra, plane and spherical trigonometry, analytic, descriptive and solid geometry, differential and integral calculus, rational and applied mechanics;

masonry, reinforced concrete, and steel structures as flumes, water towers and drainage canals; hydrology, ecology, public health engineering, environmental impact assessment, pollution prevention and control, design and construction of sewers, storm drains, water purification plants, treatment plants and planning engineering: *Provided, however:* That duly registered Civil Engineers shall be exempted from taking examinations in the following subjects: 1) Mathematics, including algebra, plane and spherical trigonometry, differential and integral calculus, rational and applied mechanics; 2) hydraulics 3) topographic and hydrographic surveying, and 4) design and construction of wooden, masonry, reinforced concrete and steel structures, flumes, water towers and drainage canals;

2) Registered Sanitarian – arithmetic; code on sanitation and its implementing rules and regulations, microbiology and parasitology and practical problems;

SECTION 17. *Report of Ratings.* – The Board of Examiners for Environmental and Sanitary Engineering shall, within one hundred twenty days (120) after the date of completion of the examination, report the ratings obtained by each candidate to the Civil Service Commissioner, who shall submit such ratings to the President.

SECTION 18. *Examination.* – An applicant who for the third time fails to pass the examination for the same grade shall not be allowed to take another until at least one year has elapsed after his last examination.

SECTION 19. *Issuance of Certificates of Registration and Professional License.* – The President shall upon the recommendation of the Board, issue a certificate of registration upon payment of the registration fee as provided in this Act to any applicant, who, in the opinion of the Board and after approval by the President, has satisfactory met all the requirements specified in this Act.

The registration for Environmental and Sanitary Engineer or registered Sanitarian shall commence from the date his name is entered in the roll of registrants or licensees, for his profession, or trade. Every registrant who has satisfactorily met all the requirements specified in this Act, upon payment of the registration fee, shall be issued a certificate of Environmental and Sanitary Engineer or registered Sanitarian that shows the full name of the registrant, and with a serial number, signed by the Commissioner and by the Chairman and all the members of the Board, stamped with the official seal.

To practice the profession and/or trade with all the rights and privileges appurtenant thereto. The certificate shall remain in full force and effect until withdrawn, suspended, or revoked in accordance with the law.

A professional license signed by the Commission and bearing the registration number and date of issuance thereof, and the month of expiry or renewability shall likewise be issued to every registrant who has paid the annual registration fees for three (3) consecutive years. This license will serve as evidence that license can lawfully practice his profession until the expiration of its validity.

SECTION 20. *Qualifications of Applicants for Environmental and Sanitary Engineering Examinations.* - Any person applying of admission the Environmental and Sanitary Engineering, as herein provided, shall establish to the satisfaction of the board that, on or before the date of the examination, he possesses the following qualifications:

a) He/she is a citizen of the Philippines;

b) He/she is at least twenty-one (21) years of age;

c) He/she is of good reputation with good moral values

d) He/she has not been finally convicted by the court of an offense involving moral turpitude;

e) He/she is a holder of the degree of Bachelor of Science in Sanitary Engineering (BSSE) or Bachelor of Science in Environmental and Sanitary Engineering (BSENSE) from a university, college, academy or institute duly constituted, recognized and accredited by the Philippine government.

f) Engineers who have taken their Masteral units in Environmental and/or Public Health Engineering with supplemental units which the Board may require.

SECTION 21. *Qualification of Applicants for Registered Sanitarian.* - Any person applying for admission to the Sanitarian examinations, as herein provided, shall establish to the satisfaction of the Board that, on or before the date of the examination, he possesses the following qualifications:

a) He/she is a citizen of the Philippines;

b) He/she is at least twenty-one (21) years of age;

c) He/she has good reputation with high moral values;

d) He/she has not been finally convicted by the court of an offense involving moral turpitude;

e) He/she is second year Bachelor of Science in Environmental and Sanitary, Civil, Mechanical, Chemical or Electrical Engineering or second year Bachelor of Science in the field of natural sciences;

f) He/she has at least two (2) units in basic microbiology, parasitology and environmental sanitation laws; and,

g) He has at least six (6) weeks experience as apprentice sanitarian under the supervision of registered Environmental and Sanitary Engineer.

SECTION 22. *Oath.* - All successful candidates in the examination shall be required to take a professional oath before the Board authorized to administer oaths, prior to entering upon the practice of Environmental and Sanitary Engineering and Sanitarian profession.

SECTION 23. *Seal and Use of Seal.* - All registered Environmental and Sanitary Engineering, shall obtain their respective seal, of such design, as the certificate issued by the Board shall authorize and direct: *Provided, however,* That the serial number of the seal. Plans and Specifications prepared by, or under the direct supervision of a registered Environmental and Sanitary Engineers, shall be stamped with the seal during the life of the registrant' certificate. And it shall be unlawful for anybody to stamp or seal any document with said seal after the certificate the registrant named therein has expired or has been revoked, unless said certificate have been renewed or reissued.

SECTION 24. *Exemption from Examination and Registration.* - Registration shall not be required of foreign Environmental and Sanitary Engineers or experts called in by the Philippine Government for consultation for specific Sanitary and/or Environmental Engineering services as defined under this Act: *Provided,* That this practice shall be limited to such work: *And provided, further;* that they do not engage in private practice at their own account as Environmental and Sanitary Engineers.

SECTION 25. *Refusal to Issue Certificates.* - The Board of Environmental and Sanitary Engineers shall not issue a certificate of registration to any person convicted of any criminal offense involving moral turpitude, or to any person guilty of immoral or dishonorable conduct, or to any person of unsound mind. In the event of a refusal to issue a certificate to any person, the Board shall give to the applicant a written statement setting forth the reasons for such action, which statement shall be incorporated in the records of the Board.

SECTION 26. *Revocation of Certificates of Registration and Suspension from the Practice of Profession.* - The Board shall have the power after due notice and hearing, to suspend or revoke the certificate of registration of any registrant to suspend him, for any cause mentioned in the preceding section, or due

to incompetence or for unprofessional or dishonorable conduct, for violation of this Act, the rules and other policies of the Board and the Code of Professional Ethics.

It shall be sufficient ground for the revocation of a certification issued to a person under this act, and his suspension from the practice of his profession for unprofessional or dishonorable conduct, if:

1) Being a professional Environmental and Sanitary Engineer, he has signed and affixed his seal on any plan, design, technical reports, valuation, estimate, specification, or other similar document or work not prepared by him or not executed under his immediate supervision;

2) To be in charge of the construction, erection, installation or alteration, or of the performance of Environmental and Sanitary Engineering service in connection with the manufacture, sale supply or distribution of any Environmental and Sanitary Engineering works, projects or plant (as cited in article one, section two of this act), either for himself or for others, unless he holds a valid certificate of registration as Environmental and Sanitary Engineer.

This decision of the Board shall be final and executory unless it is appealed by the respondent to the Commission within fifteen (15) days from the receipt of such decision. The Board's or Commission's decision is appealable by the respondent to the court of justice in accordance with the procedure under the rules of court.

Any person, firm, associations or corporation may file charges in accordance with the provisions of this section against any license, or Board may, on its own initiative (motuproprio) investigate and/or take cognizance of acts and practices constituting cause for suspension or revocation of the certificate of registration.

The rules and regulations of the Commission on administrative investigation shall govern the procedure and conduct of administrative investigation before the board.

The respondent shall have the right to a speedy and public hearing and to confront and cross-examine witnesses against him.

SECTION 27. *Re-issuance of Revoked Certificates and Replacement of Lost Certificates.* - Subject to the approval of the Commission, the Board may, after the expiration of one (1) year from the date a Certificate of Registration is revoked, and for reasons may deem sufficient, entertain an application for a new certificate of registration from the registrant concerned. Such application shall be accomplished

in the same from prescribed for examination, but the Board may, in its discretion, exempt the applicant from taking the requisite examination.

A new Certificate of Registration to replace any certificate that has been lost, destroyed or mutilated be issued, subject to the rules of the Board.

SECTION 28. *Integration of the Professional Organizations.* - The Environmental and Sanitary Engineering Professional shall be integrated into one National Organization which shall be recognized by the Board as the one Integrated and Accredited Association. Every Environmental and sanitary Engineer and Registered Sanitarian upon registration with the Board as such, shall ipso facto. Become a member of their respected integrated national organization. Those who have been registered with the Board but are not members of the said organization at the time of the effectivity of this Act, shall be allowed to register as members of the said integrated organizations within three (3) years after the effectivity of this Act. Membership in the integrated organization shall not be a bar to membership in other associations.

The Environmental and Sanitary Engineer and Registered Sanitarian shall receive the benefits and privileges appurtenant to this listed membership only upon payment of the required membership fees and dues.

SECTION 29. *Continuing Professional Education and Development Committee.* - The accredited professional organizations shall have a continuing professional development committee which shall be appointed by the board of directors of the PSSE, by means of resolution, whose members shall be represented one (1) member for the PTC, one (1) member of the Academe, one (1) member from the practitioners and one (1) member of the PRC Board of ENSE and Sanitarian, to evaluate the programs, providers, and certificates of the continuing professional program.

ARTICLE IV

Sundry Provisions Relative to the Practice of Environmental and Sanitary Engineering

SECTION 30. *Foreign Reciprocity.* - No Foreign Engineer shall be admitted to take a Board Examination, be given a Certificate of Registration, or be entitled to any of the rights and privileges under this Act unless the country of which he is a subject or citizen specifically permits Filipino Engineers to practice within its territorial limits on the same basis as the subjects or citizens of such country.

SECTION 31. *Enforcement of the Act by Officers of the Law.* - It shall the duty of all constituted

any political subdivision, to enforce the provisions of this Act and to prosecute any person violating the same. The Secretary of Justice or his assistant shall act as legal advisers of the board and render such legal assistance as may be necessary in carrying out the provisions of this Act.

SECTION 32. *Field of Practice.* - The field of practice for Environmental and Sanitary Engineers and Registered Sanitarian shall be as follows:

1) An Environmental and Sanitary Engineer's field of practice includes the sole authority to sign and scale sanitary plans, etc., and to practice Environmental and Sanitary Engineering in its full scope as defined in article of this Act.
2) A registered Sanitarian's field of practice includes inspection of facilities for the purpose of sanitation, and fields of work provided by the Department of Health.

SECTION 33. *Prohibition in the Practice of Environmental and Sanitary Engineering.* - No person shall:

1) Practice or offer to practice Environmental and sanitary Engineering in the Philippines without having previously obtained a Certificate of Registration and a Professional License from the Board of Environmental and Sanitary Engineering except was provided for in Section 15 hereof;
2) Use, or attempt to use as his/her own Certificate of Registration, Professional License or the scale of another;
3) Give false or forged evidence of any kind to the board or to any member thereof in obtaining a Certificate of Registration or Professional License;
4) Falsely impersonate any registrant of like or different name;
5) Attempt to use a revoked or suspended Certificate of Registration or Professional License;
6) Use, in connection with his/her name or otherwise assume, use or advertise any title or description tending to convey the impression that he/she is a registered Environmental and Sanitary Engineer or Sanitarian without holding a valid certificate or valid license; and
7) Sign documents involving sanitary design, plan, technical specifications, valuation and the like on behalf of a Registered Engineer.

SECTION 34. *Personnel Required.* - Except as otherwise provided this Act, every industrial plant

and properties require the services or an Environmental and Sanitary Engineer, a duly Registered Environmental and Sanitary Engineer shall be employed for the purpose to ensure sake operation and safeguard public welfare.

SECTION 35. *Certificate of Specialty.* - Certificates of Specialty shall be issued by the Board, subject to the approval of the Commission, to any Environmental and Sanitary Engineers who have been screened and recommended by the Integrated and Accredited Environmental and Sanitary Engineering and Sanitarian Association, these are for specific fields in which the applicants have specialized knowledge, training and experience and have demonstrated their competence and expertise, the board shall, subject to the approval of the Commission, and after consultation with the said association prescribed and issue the necessary guidelines for the for the issuance of these certificates.

SECTION 36. *Practice for Firms and Corporations.* - The practice of Environmental and Sanitary Engineering is a professional service admission to which based on individual and personal qualifications. Practice in a corporation may be allowed but individual members shall be limited to restrictions of corporate practice.

Persons properly qualified and licensed Environmental and Sanitary Engineer may, among themselves, from a partnership or association and collectively render Environmental and Sanitary Engineering service.

SECTION 37. *Penalty Clause.* – Any person who shall violate any provision of this Act shall be guilty of misdemeanor and shall, upon conviction, by sentenced to a fine of not less than fifty thousand pesos (P 50,000.00) or imprisonment for a period of not less than six (6) months nor more than five (5) years or both.

ARTICLE V

Transitory Provisions

SECTION 38. *New Certificates or Registration and Professional License.* – Sanitary Engineers, Environmental and Sanitary Engineers and Engineers accredited by the Board with valid certificates of Registration under Republic Act No. 1364, shall register within two (2) years from the effectivity of this Act and be issued new Certificates of Registration and new license as Registered Environmental and Sanitary Engineers with the same serial numbers as their old ones to replace their old original certificates and licenses.

SECTION 39. *Environmental and Sanitary Engineering Code of the Philippines.* – Sixty (60) days after the effectivity of this Act, the President of the Philippines shall organize a committee to prepare the Environmental and Sanitary Engineering Code of the Philippines, its implementing rules and regulations, to effect and carry out the objectives of this Act, upon the recommendation of the Board of Examiners of the Environmental and Sanitary Engineers, and in consultation with the Philippine Society of Sanitary Engineers, Inc.

ARTICLE VI

Final Provisions

SECTION 40. *Repealing Clause.* – All laws, provisions of charters, executive orders, rules and regulations or parts thereof contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 41. *Separability Clause.* – If any part of this Act or application thereof is declared unconstitutional or invalid for any reason, the same shall not affect the validity of the other provisions.

SECTION 42. *Effectivity Clause.* – This Act shall take effect thirty (30) days following its full publication in the Official Gazette or newspaper of general circulation.

Approved.