

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

Second Regular Session  
THIRTEENTH CONGRESS

House Bill No. 5410



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Introduced by Rep. FRANCIS "BLUEBOY" L. NEPOMUCENO

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**EXPLANATORY NOTE**

Since the issuance of P. D. No. 1570 otherwise known as the "Philippine Aeronautical Engineering Decree" in June 11, 1978, the field of aeronautical science and civil aviation have grown tremendously that the said Presidential Decree is no longer adequate to meet the challenges of a globalized economy. There is therefore a need to repeal P. D. No. 1570 to make it more effective and responsive.

The bill proposes the following: the professional services offered by Aeronautical Engineers shall be grouped into five (5) major activity areas; the Professional Board of Aeronautical Engineering shall be strengthened; a Professional Identification Cards shall be issued to an examinee who passed the licensure exam; the Aeronautical Engineering profession shall be integrated into one (1) national organization which shall be accredited by the Board; and there shall be a continuing professional education for practicing Aeronautical Engineers.

By adopting the proposed amendments in this measure, it is hoped that the quality of our aeronautical engineers and our civil aviation industry would be at par with international standards.

It is in this light that the immediate passage of this bill is earnestly sought.

  
REP. FRANCIS "BLUEBOY" L. NEPOMUCENO

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"AN ACT  
PROVIDING FOR THE REGULATION OF THE REGISTRATION, LICENSING, AND  
PRACTICE OF AERONAUTICAL ENGINEERING, REPEALING FOR THE PURPOSE  
PRESIDENTIAL DECREE NO. 1570, KNOWN AS THE "PHILIPPINE AERONAUTICAL  
ENGINEERING DECREE"

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

ARTICLE I  
GENERAL PROVISIONS

SECTION 1. **Short Title.** – This Act shall be known as "Aeronautical Engineering  
Act of 2006".

SEC. 2. **Statement of Policy.** – The State recognizes the important role of  
Aeronautical Engineers in nation building and development. Hence, it shall develop and  
nurture competent, virtuous, productive and well-rounded aeronautical engineers whose  
standards of practice and service shall be excellent, qualitative, world-class and globally  
competitive through inviolable, honest, effective and credible licensure examinations and  
through regulatory measures, programs and activities that foster their professional growth  
and development.

SEC. 3. **Objectives.** – This Act shall govern:

- (a) The examination, registration, and licensure;
- (b) The supervision, control, and regulation of the practice of aeronautical  
engineering;
- (c) The development and upgrading of the curriculum of the aeronautical  
engineering profession;
- (d) The development of the professional competence of aeronautical engineers  
through continuing professional education; and
- (e) The integration of the aeronautical engineering profession

SEC. 4. **Definition of Terms.** – As used in this Act, the following terms shall be  
defined as follows:

1 (1) Aeronautical Engineer- means a person registered and licensed under this Act  
2 with a Certificate of Registration and Professional Identification Card issued by the  
3 Professional Regulatory Board of Aeronautical Engineering and the Professional Regulation  
4 Commission.

5 (2) Aeronautical Engineering- the science that deals with the principles of flight and  
6 related engineering principles and their applications to research and development, planning,  
7 design, manufacture, operation, maintenance, repair, modification and inspection of aircraft,  
8 spacecraft and their system and components.

9 (3) Board- refers to the Professional Regulatory Board of Aeronautical Engineering  
10 created by this Act.

11 (4) Commission- refers to the Professional Regulation Commission created by R.A.  
12 No. 8981.

13 (5) Aircraft- Any contrivance now known or hereafter to be used, invented or  
14 designed for navigation or flight in the air.

15 (6) CHED- refers to Commission on Higher Education.

16 (7) Accredited Professional Organization (APO) - means the integrated national  
17 organization of all Aeronautical Engineers accredited by the Board and the Commission  
18 pursuant to this Act.

19 (8) Continuing Professional Education (CPE) - refers to inculcation, assimilation and  
20 acquisition of knowledge, skills proficiency and ethical and moral values that raise and  
21 enhance the Aeronautical Engineers' technical skills and competence.

22  
23 **SEC. 5. Scope of Practice** – Practice of Aeronautical Engineering. The act of  
24 rendering or offering to render professional services as an aeronautical engineer on a fee  
25 basis, or otherwise, services in the form of direct work participation, consultancy,  
26 supervision, or management, such as planning, designing, analyzing, constructing,  
27 assembling, installing, altering, maintaining or operating of aircraft, its structures, powerplant  
28 or accessories through scientific or accepted engineering practice, or the teaching of the  
29 same in any university, college, institute, or school of learning duly recognized by  
30 Government of the Philippines.

31  
32  
33 The professional services offered by an aeronautical engineer could be grouped into,  
34 but not limited to, the following five (5) major activity areas, namely:

35  
36 (1) Research and Development

37 (2) Manufacture of Aircraft

38 (3) Aircraft Operation

39 (4) Aircraft Maintenance

40 (5) Education and Training

41  
42 **ARTICLE II**  
43 **PROFESSIONAL BOARD OF AERONAUTICAL ENGINEERING**  
44

45 **SEC. 6. Creation and Composition of the Professional Board of Aeronautical**  
46 **Engineering.** - There is hereby created the Professional Regulatory Board of Aeronautical

1 Engineering, hereinafter referred to as the Board, a collegial body under the supervision and  
2 administrative control of the Professional Regulation Commission (PRC), hereinafter referred  
3 to as the Commission, to be composed of a chairman and two (2) members appointed by the  
4 President of the Philippines from a list of three (3) recommendees for each position  
5 submitted by the Commission from the list of five (5) nominees for each position forwarded  
6 thereto by the accredited professional organization (APO) for aeronautical engineers.

7  
8 **SEC. 7. *Qualifications of Members of the Board.*** – Each member shall, at the  
9 time of his/her appointment, possess the following qualifications:

- 10  
11 (a) be a citizen and a resident of the Philippines;  
12 (b) be a holder of a degree of Bachelor of Science in Aeronautical Engineering  
13 conferred by a school, college or university in the Philippines or abroad that is recognized  
14 and/or accredited by the Commission on Higher Education (CHED);  
15  
16 (c) be an aeronautical engineer with a valid Certificate of Registration and  
17 Professional Identification Card and active practitioner of aeronautical engineering for at  
18 least ten (10) years on the date of his/her appointment;  
19  
20 (d) not an elective officer of the accredited professional organization for aeronautical  
21 engineers during the time of nomination;  
22  
23 (e) not a member of the faculty of any school, college, university or review institution  
24 where a regular course or review course in aeronautical engineering is taught, nor have  
25 pecuniary interest in such institution; and  
26  
27 (f) has never been convicted of any crime involving moral turpitude.

28  
29 **SEC. 8. *Term of Office.*** - The members of the Board shall hold office for a term of  
30 three (3) years after appointment or until their successors shall have been appointed and  
31 duly qualified. Each member of the Board may be reappointed for one full term of three (3)  
32 years.

33  
34 Of the members of the Board first created under this Act, one member shall be  
35 appointed and hold office as chairman for three (3) years, one member for two (2) years, and  
36 one member for one (1) year; Provided, the incumbent members of the Board appointed  
37 under P.D. No. 1570 shall continue to serve under this new Board for the remainder of their  
38 term or until the chairman and members of such Board shall have been organized.

39  
40 In case of vacancy by reason of death, resignation, or removal of an incumbent  
41 Member, the same shall be filled for the unexpired portion of the term of the previous  
42 incumbent. Each member of the board shall qualify by taking the proper oath of the office  
43 before entering upon the performance of his duties.

44  
45 **SEC. 9. *Powers and Duties of the Board.*** - The Board shall exercise the  
46 following specific powers, duties, functions, and responsibilities:

- 47  
48 (a) Promulgate and adopt the rules and regulations necessary for carrying out the  
49 provisions of this Act;

- 1  
2 (b) Regulate the registration, licensure, and practice of aeronautical engineering;  
3  
4 (c) Administer oaths in connection with the administration of this Act;  
5  
6 (d) Issue, suspend, revoke, or reinstate the Certificate of Registration and the  
7 Professional Identification Card for the practice of the aeronautical engineering profession;  
8  
9 (e) Adopt an official seal of the Board;  
10  
11 (f) Study and monitor the conditions affecting the practice of aeronautical  
12 engineering and adopt such measures as may be deemed necessary for the advancement  
13 of ethical and technical standards of the profession;  
14 (g) Hear and decide administrative cases involving violations of this Act, its  
15 implementing rules and regulations, the Code of Ethics, the Code of Technical Standards of  
16 Professional Practice and for this purpose, to issue *subpoena ad testificandum* and  
17 *subpoena duces tecum* to secure the appearance of witnesses and the production of  
18 documents in connection therewith; Provided, That the decision of the Board shall, unless  
19 appealed to the Commission, become final and executory after fifteen (15) days from receipt  
20 of notice of judgment or decision. The decision of the Commission may be appealed to the  
21 Court of Appeals in accordance with the procedure under the Rules of Court;  
22  
23 (h) Prescribe guidelines for the Continuing Professional Education (CPE) program in  
24 consultation with the accredited professional organization for aeronautical engineers;  
25  
26 (i) Prepare, adopt, issue or amend the syllabi of the subjects for examinations by  
27 determining and preparing questions which shall be within the scope of the syllabi of the  
28 subject for examination as well as administer, correct and release the results of the  
29 licensure examinations;  
30  
31 (j) Approve, issue, limit or cancel temporary or special permit to practice  
32 aeronautical engineering;  
33  
34 (k) The Board may conduct inspection or visit public or private institutions or  
35 corporations to determine compliance with this Act and the rules and regulations  
36 promulgated pursuant thereto, or to serve as an aid in formulating, amending, or revising  
37 policies of the Board;  
38  
39 (l) In coordination with the CHED, ensure that all higher educational instruction and  
40 offerings for aeronautical engineering comply with the policies, standards, and requirements  
41 of the course prescribed by the CHED in the areas of curriculum, faculty, library and  
42 facilities, and for this purpose visit and inspect the same. The board may deny admission to  
43 the licensure examinations graduates of universities, colleges, institutes or schools found  
44 deficient of the essential and minimum requirements.  
45  
46 (m) To adopt a program for the full computerization of the licensure examination; and  
47

1 (n) Discharge such other duties and functions as may be deemed necessary for the  
2 enhancement of the aeronautical engineering profession and the upgrading, development  
3 and growth of the aeronautical engineering education.  
4

5 The policies, resolutions, rules and regulations, issued or promulgated by the Board  
6 shall be subject to review and approval of the Commission. However, the Board's decisions,  
7 resolutions or orders rendered in administrative cases which are not interlocutory shall be  
8 subject to review only if on appeal.  
9

10 SEC. 10. **Administrative Supervision of the Board, Custodian of its Records,**  
11 **Secretariat and Support Services.** The Board shall be under the administrative  
12 supervision of the Commission. All records of the Board, including applications for  
13 examination, and administrative and other investigative cases conducted by the Board shall  
14 be under the custody of the Commission. The Commission shall designate the Secretary of  
15 the Board and shall provide the secretariat and other support services to implement the  
16 provisions of this Act.  
17

18 SEC. 11. **Grounds for Suspension or Removal of Members of the Board.** -  
19 The President of the Philippines, upon the recommendation of the Commission, after giving  
20 the concerned member an opportunity to defend himself/herself in a proper administrative  
21 investigation to be conducted by the Commission, may suspend or remove any member on  
22 the following grounds:  
23

24 (a) Neglect of duty or incompetence;  
25

26 (b) Violation, or tolerance of the violation, of this Act, or its implementing rules and  
27 regulations or the Code of Ethics, and the Code of Technical Standards of Professional  
28 Practice;  
29

30 (c) Final judgment of crimes involving moral turpitude; and  
31

32 (d) Manipulation or rigging of the Aeronautical Engineering licensure examination  
33 results, disclosure of secret and confidential information in the examination questions prior to  
34 the conduct of the said examination or tampering of grades.  
35

36 SEC. 12. **Compensation and Allowances of the Board.** - The chairman and  
37 members of the Board shall receive compensation and allowances comparable to that being  
38 received by the chairman and members of existing regulatory Boards under the Commission  
39 as provided for in the General Appropriations Act.  
40

41 SEC. 13. **Annual Report.** - The Board shall submit an annual report to the  
42 Commission after the close of each year giving a detailed account of its proceedings and  
43 accomplishments during the year and making such recommendations as it may deem  
44 proper.  
45

46  
47 **ARTICLE III**  
48 **EXAMINATION, REGISTRATION AND LICENSURE**  
49

1        SEC. 14. **Examination Required.** – All applicants for registration for the practice of  
2 Aeronautical Engineering shall be required to undergo a licensure examination to be given  
3 by the Board in such places and dates as the Commission may designate in accordance  
4 with the provisions of R.A. No. 8981.

5  
6        SEC. 15. **Qualifications of Applicant for Examination.** - Any person applying for  
7 examination shall establish to the satisfaction of the Board that:

8  
9        (a) He/she is a Filipino citizen or a citizen of a foreign country or state which has  
10 reciprocity with the Philippines in the practice of the aeronautical engineering;

11  
12        (b) He/she is of good moral character;

13  
14        (c) He/she is a holder of the degree of Bachelor of Science in Aeronautical  
15 Engineering conferred by a school, college, academy or institute duly recognized and/or  
16 accredited by the Commission on Higher Education (CHED) or of an equivalent course  
17 offered in any institution of learning in a foreign country/ state, if the applicant is a foreigner,  
18 subject to the provisions of the existing laws; and

19  
20        (d) He/she has not been convicted of any criminal offense involving moral turpitude.

21  
22        SEC. 16. **Subjects for Examination.** - The licensure examination for Aeronautical  
23 Engineers shall cover, but are not limited to, the following subjects:

24  
25        (a) Mathematics;

26        (b) Aerodynamics;

27        (c) Aircraft Structures and Design;

28        (d) Aircraft Powerplant and Propulsion System

29        (e) Air Laws and Regulations, Engineering Economics, Management and Ethics; and

30        (f) Aircraft Materials, Construction, Modifications and Repair.

31  
32        The Board, subject to the approval of the Commission, may revise or exclude any of  
33 the subjects and their syllabi, and add new ones as the need arises to conform to  
34 technological changes brought about by continuing trends in the profession.

35  
36        SEC. 17. **Rating in the Licensure Examination.** - To be qualified as having  
37 passed the licensure examination for Aeronautical Engineers, a candidate must obtain a  
38 weighted general average of seventy five percent (75%), with no grade lower than fifty  
39 percent (50%) in any subject.

40  
41        SEC. 18. **Report of Ratings.** - The Board shall submit to the Commission the  
42 ratings obtained by each candidate within ten (10) calendar days after the examination,  
43 unless extended for just cause.

44  
45        SEC. 19. **Oath.** – All successful candidates in the examination shall be required to  
46 take an oath of profession before any member of the Board, any officer of the Commission  
47 authorized by it or any person authorized by law to administer oaths, prior to entering upon  
48 the practice of the profession.

1        SEC. 20. **Issuance of Certificates of Registration and Professional**  
2 **Identification Card.** – A certificate of Registration shall be issued to examinees who pass  
3 the licensure examination subject to payment of fees prescribed by the Commission. The  
4 Certificate of Registration shall bear the signature of the chairperson of the Commission and  
5 the chairman and members of the Board, stamped with the official seal of the Commission  
6 and of the Board, indicating that the person named therein is entitled to the practice of the  
7 profession with all the privileges appurtenant thereto. The said certificate shall remain in full  
8 force and effect until withdrawn, suspended or revoked in accordance with this Act.  
9

10        A Professional Identification Card bearing the registration number, date of issuance,  
11 expiry date, duly signed by the chairperson of the Commission shall likewise be issued to  
12 every registrant who has paid the prescribed fee.  
13

14        SEC. 21. **Roster of Aeronautical Engineers.** – - The Board shall prepare and  
15 maintain a roster of the names, residence and/or office address of all registered Aeronautical  
16 Engineers, which shall be updated annually in cooperation with the Accredited Professional  
17 Organization (APO), indicating therein the status of the Certificate of Registration,  
18 Professional Identification Card and membership in the Accredited Professional Organization  
19 (APO) for aeronautical engineers, whether valid, inactive due to death or other reasons,  
20 delinquent, suspended or revoked. The said roster shall be conspicuously posted within the  
21 premises of the Commission and the information therefrom made available to the public  
22 upon inquiry or request.  
23

24        SEC. 22. **Seal, Issuance and Use of Seal.** – A duly registered and licensed  
25 Aeronautical Engineer shall affix the seal prescribed by the Board bearing the registrant's  
26 name, registration number and title "Aeronautical Engineer" on all aeronautical engineering  
27 plans, drawings, specifications and all other contract documents prepared by or under  
28 his/her direct supervision.  
29

30        a) Each registrant hereunder shall, upon registration, obtain a seal of such design  
31 as the Board shall authorize and direct. Aeronautical Engineering plans and specifications  
32 prepared by, or under the direct supervision of a registered and licensed aeronautical  
33 engineer shall be stamped with said seal during the life of the registrants certificate, and it  
34 shall be unlawful for any one to stamp or seal any documents with said seal after the  
35 certificate of the registrant named thereon has expired or has been revoked, unless said  
36 certificate shall have been renewed or re-issued.  
37

38        b) No officer or employee of this Republic, chartered cities, provinces and  
39 municipalities, now or hereafter charged with the enforcement of laws, ordinances or  
40 regulations relating to the practice of Aeronautical Engineering, shall accept, endorse or  
41 approve any aeronautical engineering plans, drawings, designs, reports or specifications  
42 which have not been prepared and submitted in full accord with all the provisions of this Act;  
43 nor shall any payments be approved by any such officer for any work, the plans and  
44 specifications for which have not been so prepared and signed and sealed by the author.  
45

46        c) It shall be unlawful for any aeronautical engineer to sign his/her name, affix  
47 his/her seal or use any other method of signature on aeronautical engineering plans,  
48 specifications or other documents made under another aeronautical engineer's supervision,  
49 unless the same is made in such manner as to clearly indicate the part or parts of such work

1 actually performed by the former, and it shall be unlawful for any person, except the  
2 aeronautical engineer-of-record, to sign for any branch or work for any function of  
3 aeronautical engineering practice, not actually performed by him/her. The aeronautical  
4 engineer shall be fully responsible for all aeronautical engineering plans, specifications and  
5 other documents issued under his/her seal or authorized signature.

6  
7 d) Drawings and specifications duly signed, stamped or sealed, as instruments of  
8 service, are the intellectual properties and documents of the aeronautical engineer, whether  
9 the object for which they are made is executed or not. It shall be unlawful for any person,  
10 without the consent of the aeronautical engineer or author of said documents, to duplicate or  
11 to make copies of said documents for use in the repetition of and for other projects, whether  
12 executed partly or in whole.

13  
14 (e) All aeronautical engineering plans, designs, specifications, drawings and  
15 aeronautical engineering documents relative to the practice of aeronautical engineering shall  
16 bear the seal and signature only of an aeronautical engineer registered and licensed under  
17 this Act together with his/her professional identification card number and the date of its  
18 expiration.

19  
20 **SEC. 23. *Indication of Certificate of Registration/Professional Identification***  
21 ***Card and Professional Tax Receipt.*** - The aeronautical engineer shall be required to  
22 indicate his/her Certificate of Registration and Professional Identification Card Number, its  
23 date of issuance and the duration of validity, including the professional tax receipt number,  
24 on the documents he/she signs, uses or issues in connection with the practice of his/her  
25 profession.

26  
27 **SEC. 24. *Refusal to Issue Certificate of Registration and Professional***  
28 ***Identification Card.*** - The Board shall not register and issue a Certificate of Registration  
29 and Professional Identification Card to any person who has falsely sworn or misrepresented  
30 himself/herself in his/her application for examination or to any person convicted by a court of  
31 competent jurisdiction of a criminal offense involving moral turpitude or guilty of immoral and  
32 dishonorable conduct or to any person of unsound mind. In the event of refusal to issue  
33 certificate for any reason, the Board shall give the applicant a written statement setting forth  
34 the reasons for such action, which statement shall be incorporated in the record of the  
35 Board.

36  
37 **SEC. 25. *Suspension and Revocation of Certificates of Registration,***  
38 ***Professional Identification Card or the Special/Temporary Permit.*** - The Board shall  
39 have the power, upon notice and hearing, to revoke or suspend a Certificate of Registration  
40 or to cancel a special permit granted under this Act to an aeronautical engineer, on any  
41 ground mentioned under Section 23 hereof for the use of or perpetuation of any fraud or  
42 deceit in obtaining a Certificate of Registration and Professional Identification Card or  
43 special/temporary permit; for gross negligence or incompetence; for unprofessional or  
44 dishonorable conduct; or refusal to join and to remain a member of good standing of the  
45 integrated professional organization of aeronautical engineering accredited by the  
46 Commission, or for any cause specified hereunder; *Provided, however,* That such action of  
47 the Board shall be subject to appeal to the Commission whose decision shall be final if  
48 he/she:  
49

1 (a) has signed and affixed or permitted to be signed or affixed his name or seal on  
2 aeronautical engineering plans and designs, specifications, drawings, technical reports,  
3 valuation, estimates, or other similar documents or work not prepared by him/her or not  
4 executed under his/her immediate supervision; or

5  
6 (b) has paid money except the regular fees provided for to secure a Certificate of  
7 Registration; or

8  
9 (c) has falsely impersonated a practitioner, or former practitioner of alike or different  
10 name or has practiced under an assumed, fictitious or corporate name other than that of the  
11 registered; or

12  
13 (d) has aided or abetted in the practice of Aeronautical Engineering any person not  
14 duly authorized to practice Aeronautical Engineering in the Philippines; or

15  
16 (e) has openly solicited projects by actually undertaking aeronautical engineering  
17 services without a valid service agreement guaranteeing compensation of services to be  
18 rendered and/or has actually allowed himself/herself to be exploited by undertaking  
19 aeronautical engineering services without a valid service agreement, both acts being  
20 prejudicial to other Aeronautical Engineer registered and licensed under this Act and  
21 inimical to the interests of the profession; or

22  
23 (f) has violated any provision of this Act, its implementing rules and regulations, the  
24 Code of Ethics and Code of Technical Standards of Professional Practice.

25  
26 The Board shall periodically examine the grounds for the revocation of the Certificate  
27 of Registration and update these as necessary under the implementing rules and  
28 regulations.

29  
30 Any person, firm or association, may prepare charges in accordance with the  
31 provisions of this section against any registrant, or the Board may *motu proprio* investigate  
32 and/or take cognizance of acts and practices constituting sufficient cause for suspension or  
33 revocation of the Certificate of Registration by proper resolution or order. Such charges  
34 shall be in writing and shall be sworn to by the person making them and shall be filed with  
35 the Secretary of the Board or the Legal and Investigation Division.

36  
37 **SEC. 26. *Reinstatement or Replacement of Revoked/ Suspended or Lost***  
38 ***Certificates of Registration, Professional Identification Card or Special and Temporary***  
39 ***Permit.*** - The Board may, after the expiration of two (2) years from the date of revocation a  
40 Certificate of Registration, and upon application and for reasons deemed proper and  
41 sufficient, reinstate of a revoked Certificate of Registration and in so doing may, in its  
42 discretion, exempt the applicant from taking another examination.

43  
44 A new Certificate of Registration or Professional Identification Card,  
45 temporary/special permit to replace those which have been lost, destroyed, or mutilated,  
46 may be re-issued, subject to the rules promulgated by the Board and the Commission, upon  
47 payment of the required fees.

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ARTICLE IV  
PRACTICE OF AERONAUTICAL ENGINEERING

SEC. 27. **Registration of Aeronautical Engineers Required.** - No person shall practice Aeronautical Engineering in this country, or engage in preparing aeronautical engineering plans, specifications or preliminary data, or use the title "Aeronautical engineer", or display the word "Aeronautical engineer" together with another word, or display or use any title, sign, card, advertisement, or other device to indicate such person practices or offers to practice Aeronautical Engineering, or is an aeronautical engineer, unless such person shall have received from the Board a Certificate of Registration and a Professional Identification Card in the manner hereinafter provided and shall thereafter comply with the provisions of this Act.

A foreign aeronautical engineer, or any person, not authorized to practice Aeronautical Engineering in the Philippines, who shall stay in the country and perform any of the activities mentioned in Sections 3 and 4 of this Act, or any other activity analogous thereto, shall be deemed engaged in the unauthorized practice of Aeronautical Engineering.

SEC 28. **Posting Certificates-** The owner, manager or other person in- charge of any aircraft or of firm, co- partnership, corporation, or joint corporation operating an aircraft shall post or cause to be posted in any conspicuous place within such station or establishment the certificate of registration of the aeronautical engineer employed in such station or establishments.

SEC. 29. **Vested Rights. Aeronautical Engineers Registered When This Law is passed.** - All Aeronautical Engineers registered at the time this law takes effect shall automatically be registered under the provisions hereof, subject, however, to the provisions herein set forth as to future requirements.

Certificate of Registration and Professional Identification Card held by such persons in good standing shall have the same force and effect as though issued after the passage of this Act.

SEC. 30. **Reciprocity Requirements.** - A person who is not a citizen of the Philippines at the time he/she applies to take the examination shall not be allowed to take the licensure examination unless he/she can prove, in the manner provided by the Rules of Court that, by specific provision of law, the country of which he/she is a citizen, subject or national either admits citizens of the Philippines to the practice of the same profession without restriction or allows them to practice it after passing an examination on terms of strict and absolute equality with citizens, subjects or nationals of the country concerned, including the unconditional recognition of prerequisite degrees/diplomas issued by the institutions of learning duly recognized for the purpose by the Government of the Philippines.

SEC. 31. **Continuing Professional Education (CPE).** - To promote public interest and to organization safeguard life, health and property, all practicing Aeronautical Engineers shall maintain a program of continuing professional education. The integrated and accredited professional organization and other entity/accredited providers by the Continuing Professional Education (CPE) Council shall have the responsibility of developing a continuing professional development program for Aeronautical Engineers.

1  
2       **SEC. 32. *Prohibition in the Practice of Aeronautical Engineering and Penal***  
3 ***Clause.*** – Any person who shall practice or offer to practice Aeronautical Engineering in the  
4 Philippines without being registered and licensed and who are not holders of temporary or  
5 special permits in accordance with the provisions of this Act, or any person presenting or  
6 attempting to use as his/her own the Certificate of Registration/Professional  
7 Identification Card or seal of another or temporary /special permit of another, or any person  
8 who shall give any false or forged evidence of any kind to the Board or to any member  
9 thereof in obtaining a Certificate of Registration/Professional Identification Card or temporary  
10 or special permit, or any person who shall falsely impersonate any registrant of like or  
11 different name, or any person who shall attempt to use a revoked or suspended Certificate of  
12 Registration/Professional Identification Card or cancelled special/temporary permit, or any  
13 person who shall use in connection with his/her name or otherwise assume, use or advertise  
14 any title or description tending to convey the impression that he/she is an aeronautical  
15 engineer when he/she is not in fact an aeronautical engineer, or any person whether Filipino  
16 or foreigner, who knowingly allows the use, adoption, implementation of plans, designs or  
17 specifications made by any person, firm, partnership or company not duly licensed to  
18 engage in the practice of Aeronautical Engineering, or any person who shall violate any of  
19 the provisions of this Act, its implementing rules and regulations, or any policy of the Board  
20 and the Commission, shall be guilty of misdemeanor and charged in court by the  
21 Commission and shall, upon conviction be sentenced to a fine of not less than One hundred  
22 thousand pesos (P100,000.00) but not more than Five million pesos (P5,000,000.00) or  
23 imprisonment for a period not less than six (6) months but not exceeding six (6) years or  
24 both, at the discretion of the Court.  
25

26       **SEC. 33. *Prohibition in the Practice of Aeronautical Engineering.*** – Any person  
27 or entity, whether public or private, Filipino or foreigner, who/which shall entice, compel,  
28 coerce, require or otherwise force an aeronautical engineer registered and licensed under  
29 this Act to undertake/perform any service under the general practice of Aeronautical  
30 Engineering as defined under this Act, without first executing a written contract/service  
31 agreement, shall be guilty of a misdemeanor and shall, upon conviction be sentenced to a  
32 fine of not less than Two hundred thousand pesos (P200,000.00) or to suffer imprisonment  
33 for a period not exceeding six (6) years, or both, at the discretion of the Court.  
34

35       **SEC. 34. *Liability of Representatives of Non-Registered Persons.*** - It shall be  
36 unlawful for any person or firm or corporation to seek to avoid the provisions of this Act by  
37 having a representative or employee seek aeronautical engineering work in their behalf,  
38 unless and until, such persons have duly qualified and duly registered/licensed Aeronautical  
39 Engineer, otherwise, both those represented and the representative, the employer and the  
40 employee shall be deemed guilty of violation of this Act. Solicitation of aeronautical  
41 engineering work shall be construed as offering to practice Aeronautical Engineering and  
42 shall be unlawful for any non-registered and unlicensed persons to do so.  
43

44       **SEC. 35. *Signing of Aeronautical Engineering Plans, Specifications and Other***  
45 ***Contract Documents.*** – It shall be unlawful for any aeronautical engineer to sign his/her  
46 name, affix his/her seal, or use other method of signature on aeronautical engineering plans,  
47 specifications or other aeronautical engineering documents made under another  
48 aeronautical engineer's supervision, unless the same is made in such manner as to clearly  
49 indicate the part or parts of such work actually performed by the former; and it shall be

1 unlawful for any person, except the Aeronautical engineer-of-record to sign for any branch of  
2 the work, or any function or aeronautical engineering practice, not actually performed by  
3 him/her. The Aeronautical engineer-of-record shall be fully responsible for all aeronautical  
4 engineering plans, specifications, and other documents issued under his/her seal or  
5 authorized signature.

6  
7 All reports, plans, specifications, drawings, designs and other related documents  
8 pertaining, but not limited to major structural repair, major structural modifications, major  
9 *system repair and modifications, operational limitations, aircraft performance classifications,*  
10 weight and balance data limits and computations, shall bear the signature and seal of  
11 registered and licensed aeronautical engineer.

12  
13 The Board shall promulgate all the necessary rules and regulations as regards to the  
14 signing and sealing of drawings, specifications, reports, and other documents.

15  
16 **SEC. 36. *Ownership of Plans, Specifications and Other Contract Documents.*** -  
17 Drawings and specifications and other contract documents duly signed, stamped or sealed,  
18 as instruments of service, are the intellectual property and documents of the aeronautical  
19 engineer, whether the object for which they are made is executed or not. It shall be unlawful  
20 for any person to duplicate or to make copies of said documents for use in the repetition of  
21 and for other projects or design, whether executed partly or in whole, without the written  
22 consent of the aeronautical engineer or author of said documents.

23  
24 All Registered and Licensed Aeronautical Engineers shall incorporate this provision  
25 in all contract documents and other instruments of service.

26  
27 **SEC. 37. *Non-Registered Person shall not Claim Equivalent Service.*** - Persons  
28 not registered as an aeronautical engineer shall not claim nor represent either services or  
29 work as equivalent to those of a duly registered and licensed aeronautical engineer, or that  
30 they are qualified for any branch or function of aeronautical engineering practice, even  
31 though no form of the title "Aeronautical engineer" is used.

32  
33 **SEC. 38. *Positions in Government Requiring the Services of Registered and***  
34 ***Licensed Aeronautical Engineers.*** - Within three (3) years from the effectivity of this Act,  
35 all existing and proposed positions in the local and national government including  
36 government regulatory agency such as Air Transportation Office, whether career,  
37 permanent, temporary or contractual and primarily requiring the services of an aeronautical  
38 engineer shall be filled only by registered and licensed Aeronautical Engineers.

39  
40 **SEC. 39. *Collection of Professional Fees.*** - *It* shall be unlawful for any  
41 unregistered person to collect a fee for aeronautical engineering services except as an  
42 employee collecting a fee as representative of a Registered and Licensed Aeronautical  
43 engineer.

44  
45 **SEC. 40. *Limitation to the Registration of a Firm, Company, Partnership,***  
46 ***Corporation or Association.*** - The practice of Aeronautical Engineering is a professional  
47 service, admission to which shall be determined upon the basis of individual personal  
48 qualifications. However, a firm, company, partnership, corporation or association may be

1 registered or licensed as such for the practice of Aeronautical Engineering under the  
2 following conditions:

3  
4 a) Only Filipino citizens properly registered and licensed as Aeronautical Engineers  
5 under this Act may, among themselves, or together with allied technical professionals, form  
6 and obtain registration as a firm, company, partnership, association or corporation for the  
7 practice of Aeronautical Engineering;

8  
9 b) Registered and licensed Aeronautical Engineers shall compose at least seventy-  
10 five percent (75%) of the owners, or shareholders, or members, or directors, or executive  
11 officers, as the case may be;

12  
13 c) Individual members of such firm, partnership, association or corporation shall be  
14 responsible for their individual and collective acts as an entity and as provided by law;

15  
16 d) Such firm, partnership, association or corporation shall be registered with the  
17 Securities and Exchange Commission and the Board.

18  
19 **SEC. 41. Coverage of Temporary/Special Permits.** - Foreign nationals who have  
20 gained entry in the Philippines to perform professional services as Aeronautical Engineers or  
21 consultants in foreign-funded or assisted projects of the government or employed or  
22 engaged by Filipino or foreign contractors or private firms, shall, before assuming the duties,  
23 functions and responsibilities as Aeronautical Engineers or consultants, secure a  
24 special/temporary permit from the Board subject to approval of the Commission, to practice  
25 his/her profession in connection with the project to which he/she was commissioned:  
26 *Provided, That a foreign national or foreign firm, whose name or company name, with the*  
27 *title aeronautical engineer, aeronautical engineering consultant, design consultant,*  
28 *consultant or designer appears on aeronautical engineering plans, specifications and other*  
29 *related technical documents, for securing permits, licenses and government authority*  
30 *clearances for actual practice of aeronautical engineering in the Philippines and*  
31 *advertisements and billboards for marketing purposes, shall be deemed practicing*  
32 *Aeronautical Engineering in the Philippines, whether the contract for professional services is*  
33 *consummated in the Philippines or in a foreign country. Provided, further, That the following*  
34 *conditions are satisfied as follows:*

35  
36 (a) That he/she is a citizen or subject of a country which specifically permits Filipino  
37 professionals to practice his/her profession within its territorial limits, on the same basis as  
38 the subjects or citizens of such foreign state or country;

39  
40 (b) That he/she is legally qualified to practice Aeronautical Engineering in his/her own  
41 country, and that his/her expertise is necessary and advantageous to our country particularly  
42 in the aspects of technology transfer and specialization;

43  
44 (c) That foreign nationals shall be required to work with a Filipino counterpart and  
45 shall also be responsible for public abilities and taxes due to the Philippine government,  
46 relative to their participation in, or professional services rendered to the project, in  
47 accordance with the established implementing rules and regulations providing for the  
48 procedure for the registration and/or issuance of temporary/special permits to foreign

1 Aeronautical Engineers allowed by law to practice their profession in the Philippines by the  
2 Board of Aeronautical Engineering and the Accredited Professional Organization (APO); and  
3

4 (d) Agencies, organizations or individuals whether public or private, who secure the  
5 services of a foreign professional authorized by law to practice in the Philippines for reasons  
6 aforementioned, shall be responsible for securing a special permit from the Professional  
7 Regulation Commission (PRC) and the Department of Labor and Employment (DOLE)  
8 pursuant to PRC and DOLE rules.  
9

10 **SEC. 42. *Liability Insurance of a Person or Entity Allowed to Practice under a***  
11 ***Temporary/Special Permit.*** – Foreign nationals, including former Filipinos wanting to  
12 engage in the general practice of Aeronautical Engineering as defined in Section 3 (c) of this  
13 Act must secure locally their professional liability insurance or malpractice insurance or their  
14 acceptable equivalent in bond form commensurate with the nature and magnitude of their  
15 project involvement and their compensation the implementing rules and regulations for such  
16 a requirement for practice shall be implemented by the Board in consultation with the  
17 integrated and accredited professional organization of Aeronautical Engineers within six (6)  
18 months from the effectivity of this Act.  
19

## 20 21 **ARTICLE V** 22 **FINAL PROVISIONS** 23 24

25 **SEC. 43. *Integration of the Aeronautical Engineering Profession.*** – The  
26 Aeronautical Engineering profession shall be integrated into one (1) national organization  
27 which shall be accredited by the Board, subject to the approval by the Commission, as the  
28 integrated and accredited professional organization of Aeronautical Engineers: *Provided,*  
29 *however,* That such an organization shall be registered with the Securities and Exchange  
30 Commission, as a non-profit, non-stock corporation to be governed by by-laws providing for  
31 a democratic election of its officials. An aeronautical engineer duly registered with the Board  
32 shall automatically become a member of the integrated and accredited professional  
33 organization of Aeronautical Engineers and shall receive the benefits and privileges provided  
34 for in this Act upon payment of the required fees and dues.  
35

36 The CPE Council composed of the Chairman/Member of the Board, the President or  
37 designated Officer of the Accredited Professional Organization and the President or  
38 designated officer of the association of deans/heads of schools/colleges offering the course  
39 shall implement the continuing professional education, accredit other organizations or  
40 entities to provide continuing professional education, promulgated by the Board and/or the  
41 Commission, compliance with which shall be a requirement for the renewal of the  
42 Professional Identification Card and one of the requisites for the maintenance of  
43 membership in good standing of the professional in the Accredited Professional  
44 Organization. All members of good standing of this Accredited Professional Organization  
45 shall be issued an annual membership card indicating the membership number and validity  
46 period of the membership. Failure to maintain membership in good standing in the  
47 Accredited Professional Organization shall be a cause for listing of the individual as  
48 delinquent in the roster of professionals.  
49

1        **SEC. 44. *Implementing Rules and Regulations.*** - Within ninety (90) days after the  
2        effectivity of this Act, the Board, subject to the approval of the Commission and in  
3        consultation with the integrated and accredited professional organization, shall adopt and  
4        promulgate such rules and regulations, Code of Ethics and Code of Technical Standards of  
5        Professional Practice, to carry out the provisions of this Act which shall be effective after  
6        fifteen (15) days following their publication in the *Official Gazette* or in two (2) major daily  
7        newspapers of general circulation.  
8

9        **SEC. 45. *Appropriations.*** - The Chairperson of the Professional Regulation  
10       Commission shall immediately include in the Commission's programs the implementation of  
11       this Act, the funding of which shall be included in the annual General Appropriations Act.  
12

13       **SEC. 46. *Act Not Affecting Other Professionals.*** - This Act shall not be construed  
14       to affect or prevent the practice of any other legally recognized and regulated profession.  
15

16       **SEC. 47. *Enforcement of the Act.*** - It shall be the primary duty of the Commission  
17       and the Board to effectively enforce the provisions of this Act. All duly constituted law  
18       enforcement agencies and officers of national, provincial, city or municipal government or of  
19       any government regulatory agency for aircraft operation such as Air Transportation Office,  
20       shall enforce the provisions of this Act and to prosecute any person violating the provisions  
21       of the same. The Secretary of Justice or his duly designated representative shall act as legal  
22       adviser to the Commission and the Board, and shall render legal assistance as may be  
23       necessary in carrying out the provisions of this Act.  
24

25       Any person may bring before the Commission, Board or the aforementioned officers  
26       of the law, cases of illegal practice or violations of this Act committed by any person or party.  
27

28       The Board shall assist the Commission in filing the appropriate charges through the  
29       concerned prosecution office in accordance with this Act and the Rules of Court.  
30

31       **SEC. 48. *Separability Clause.*** - If any clause, provision, paragraph or part hereof  
32       shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or  
33       impair any other part hereof, but such judgment shall be merely confined to the clause,  
34       provision, paragraph or part directly involved in the controversy in which such judgment has  
35       been rendered.  
36

37       **SEC. 49. *Repealing Clause.*** - Presidential Decree No. 1570 is hereby repealed. All  
38       other laws, executive orders, rules and regulations or parts thereof in conflict with the  
39       provisions of this Act are hereby repealed or amended accordingly.  
40

41       **SEC. 50. *Effectivity.*** - This Act shall take effect after fifteen (15) days following its  
42       full and complete publication in the *Official Gazette* or in two (2) newspapers of general  
43       circulation.  
44

45       Approved,  
46  
47