

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2665

Introduced by the Honorable Florencio "Bem" G. Noel

EXPLANATORY NOTE

The Chemistry Law (R.A. 754) was promulgated on June 18, 1952. Because of the significant changes brought about by the rapid developments in Chemistry, science and technology, the rise of international standards, global competition, as well as concerns for the environment, climate change and sustainable development, there is an urgent need to reformulate the Chemistry Law so that it will be more responsive to these modern developments. Today, for example, sophisticated chemical design, synthesis and analyses are required in a wide variety of applications, such as environment, water, food products, pharmaceuticals, forensics, plastics and polymers, materials, and many others.

Chemistry has two important aspects: Chemistry as a scientific and academic endeavor, and Chemistry as applied to public safety, public interest and the national economy. The Chemistry Law should promote the former, but should regulate the latter. Specifically, the proposed new Chemistry Law seeks to introduce the following important changes:

- Update the definition of Chemistry and the scope of the professional practice of Chemistry.
- Define the practice of the Chemical Analyst.
- Strengthen the professional practice of Chemistry for global competitiveness and to bring it in line with international practice, certification and standards.
- Rationalize the relationship between Chemistry and allied professions.
- Strengthen the linkage between the training of Chemists and the professional practice of Chemistry.
- Strengthen the authority of the Board of Chemistry to supervise chemistry laboratories and other entities which practice chemistry to ensure that the minimum quality standards are maintained.
- Support the requirement for Continuing Professional Education (CPE) for the continuous training and international competitiveness of professional chemists.
- Bring the practice of Chemistry in line with the PRC modernization act of 2000 (RA 8981), as well as national concerns related chemistry, such as toxic and hazardous and nuclear waste (RA 6969) and dangerous drugs (RA 9165).

Approval of this bill is earnestly sought.


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AN ACT
TO REGULATE AND MODERNIZE THE PRACTICE OF CHEMISTRY IN
THE PHILIPPINES, REPEALING FOR THE PURPOSE R.A. 754

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

ARTICLE I.
TITLE, POLICY AND DEFINITIONS

SECTION 1. Title - This Act shall be known as the "Chemistry Law of 2010."

SEC. 2. Declaration of Policy.- Because Chemistry is vital to public safety, the national economy, and the protection of the environment, it is the policy of the State to promote, regulate and protect the professional practice of chemistry in the Philippines, and to ensure the continued development and high international standard of the practice of Chemistry in the Philippines.

SEC. 3. Definition of Terms.- The following terms used in this Act shall be defined as follows:

- a) **Chemistry.** The study, characterization, analysis, modification and calculation of physico-chemical or biochemical properties of matter. It includes the atomic, molecular, surface and supramolecular composition and structure of matter, properties and reactions, the changes which matter undergoes, the energy involved, and the conditions under which such changes occur.
- b) **Registered Chemist.** Any person who is engaged in the professional practice of chemistry, as defined herein, must be a Registered Chemist who shall be duly registered with the Board of Chemistry and the Professional Regulation Commission. A Registered Chemist shall have the authority to undertake the professional practice of chemistry.
- c) **Registered Chemical Analyst.** Any person who is engaged in the work of chemical analysis, as defined herein, shall be duly registered with the Board of Chemistry.

- d) "Chemical analysis" refers to a physico-chemical or biochemical technique which includes the following, and related techniques:
- i) use of methods such as titration, gravimetric analysis, electrochemical measurements, spectroscopy, chromatography, and others;
 - ii) preparation of a sample for chemical analysis;
 - iii) determination of the atomic, molecular, or supramolecular properties of a substance;
 - iv) quantitative analysis of the components of a substance;
 - v) determination of the molecular structure of a substance using the tools of spectroscopy, mass spectrometry, x-ray crystallography, or other techniques;
 - vi) separation or purification of a mixture into its components using techniques, such as distillation, crystallization, solvent extraction, adsorption, size exclusion, affinity, chromatography, and others;
 - vii) other analytical methods which characterize matter at the atomic, molecular, or supramolecular level.
- e) "Chemical synthesis" shall mean the preparation of a compound or chemical entity from its elements or from other compounds or chemical entities, by one or more chemical reactions. Synthesis as defined here refers to both chemical synthesis, which may use chemical catalysts, and biochemical synthesis, which uses enzymes and other biological compounds to promote a reaction.
- f) "Chemical laboratory" shall mean a facility where activities described in Sections 3d and 3e are performed. Such activities carried out outside of a chemical laboratory, for example, a factory, mobile laboratory, or field analysis, are also covered. The head of a chemical laboratory should be a Registered Chemist.

SEC. 4. Scope of the Professional Practice of Chemistry.- The professional practice of chemistry covers the performance of a service related to the public interest, public safety, legal or regulatory matters. The following and similar activities shall be the functions of the Registered Chemist:

1. Performance of a chemical analysis or chemical synthesis;
2. Certification of a chemical analysis or chemical synthesis;
3. Inspection of a laboratory with respect to its chemical or biochemical activities;
4. Certification of a laboratory with respect to its chemical or biochemical activities;
5. Supervision of a chemical laboratory;
6. Supervision of a chemical analysis or chemical synthesis, whether or not this is performed in a laboratory;
7. Teaching, lecturing and reviewing of a professional chemistry subject in the curriculum of the Bachelor of Science in Chemistry degree or a subject in the chemistry licensure examination given in any college, university, or training or review center, or any other educational institution or certification body;
8. Consultation or investigation, research concerning physico-chemical or biochemical matters which involve the public interest, public safety, laws or regulations. For purposes of this Act, the Registered Chemist must affix his signature, license number and official seal to any certification report which he/she submits;

9. Sale of chemicals, chemical apparatus, or chemical equipment;
10. Supervision of the sale of chemicals, chemical apparatus, or chemical equipment; and
11. Functions related to the management of chemicals, such as chemical safety, chemical waste management, pollution control, and the like.

The Chemistry Board, subject to approval by the Commission, may revise, exclude from or add to the above-enumerated acts or activities as the need arises to conform to the latest trend in the practice of the profession.

SEC. 5. Scope of the Professional Practice of Chemical Analysis.- The scope of the practice of Chemical Analysis shall be limited to the performance of physico-chemical or biochemical analysis, chemical or biochemical synthesis, and sale of chemicals, chemical apparatus, or chemical equipment, provided that such activities are under the supervision of a Registered Chemist. The Chemical Analyst must affix his signature and license number to the report of a chemical analysis or synthesis which he has performed.

ARTICLE II

PROFESSIONAL REGULATORY BOARD OF CHEMISTRY

SEC. 6. Composition of the Board.- There is hereby created a Professional Regulatory Board of Chemistry, hereinafter referred to as the Board, which shall be composed of a Chairperson and two (2) Members under the administrative control and supervision of the Professional Regulation Commission, hereinafter referred to as the Commission. They shall be appointed by the President of the Philippines from a list of three (3) recommendees for each position ranked by the Commission from a list of five (5) nominees for each position submitted by the accredited professional organization of Chemists.

SEC. 7. Powers and Duties of the Board.- The Board shall have the following powers and duties:

- a) To supervise and regulate the practice of the chemistry profession in the Philippines in accordance with the provision of this Act;
- b) To determine the requirements and evaluate the qualifications of the applicants for registration and renewal of license of Registered Chemists and Registered Chemical Analysts;
- c) To prescribe the subjects in the licensure examination; determine the syllabi of the subjects and their relative weights; construct the test questions in the examinations; and submit the examination results to the Commission;
- d) To issue, together with the Commission, Certificates of Registration to persons admitted to the practice of the professions of Chemistry and Chemical Analysis;
- e) To oversee the conduct of the Continuing Professional Education (CPE) program for the professional Chemists and Chemical Analysts;
- f) To determine, in consultation with the APO, private industry, and relevant government agencies, the requirements of chemistry laboratories, both private and government, and other entities engaged in the practice of Chemistry for registration or renewal of permit, and to issue, together with the Commission,

the Certificate of Authority to Operate to those which satisfy the said requirements;

- g) The Board may conduct on-site inspection of chemistry laboratories and other entities engaged in the practice of Chemistry, and may seek the assistance of the APO in order to carry out these functions;
- h) To inquire into the conditions affecting the practice of the profession and adopt measures for the enhancement and maintenance of high professional, ethical and technical standards.
- i) To adopt and promulgate the Code of Ethics and Code of Good Governance for the practice of Chemistry;
- j) To issue *subpoena testificandum* or *subpoena duces tecum* to secure the attendance of witnesses or the production of documents in connection with any administrative case before the Board;
- k) To hear and decide administrative cases filed against chemists, chemical analysts, and the owners and administrators of chemical laboratories. The hearing shall be presided over by the Chairperson or a Member of the Board with the assistance of an attorney of the Commission. Any decision should be concurred in by a majority of the Board. The decision of the Board may be appealed to the Commission within fifteen (15) days from notice, otherwise such decision shall be final and executory;
- l) To administer oaths in connection with the performance of its function;
- m) To adopt the implementing rules and regulations of this Act; and
- n) To perform such other functions as may be necessary in order to implement the provisions of this Act.

SEC. 8. Qualification of the Board Chairperson and Members.- The Chairperson and Members of the Board shall have the following qualifications:

- a) A citizen and resident of the Philippines;
- b) Of good moral character and of sound mind;
- c) A holder of at least a Master's degree in Chemistry conferred by a chemistry institution recognized by the Commission on Higher Education, or by a reputable foreign university;
- d) A Registered Chemist who has been in active practice for at least ten (10) years;
- e) Not have any pecuniary interest, directly or indirectly, in any higher educational institution conferring an academic degree necessary for admission to the practice of chemistry or where review classes in preparation for the licensure examination are being offered or conducted; nor should he be a member of the faculty or administration thereof;
- f) A member in good standing of the APO;
- g) Not an officer or trustee of the APO; and
- h) Not convicted by a court of competent jurisdiction of an offense involving moral turpitude.

SEC. 9. Term of Office.- The Chairperson and Member of the Board shall hold office for a term of three (3) years from the date of appointment or until their successors shall have qualified and shall have been appointed. They may be reappointed for another term of three (3) years immediately after the expiry of their term; provided, not more than two (2) terms or not more than six (6) years, whichever is longer; further the first board under this Act shall hold these terms of office: The

Chairperson for three (3) years, the first member for two (2) years and the second member for one (1); provided furthermore, any appointee to a vacancy with an unexpired period shall only serve such period. The Chairperson and the Members shall duly take their oath of office.

SEC. 10. Compensation of the Board.- The Chairperson and Members of the Board shall receive such compensation and allowances comparable to that being received by the Chairperson and Members of other professional regulatory boards under the Commission as provided for in the General Appropriations Act.

SEC. 11. Custodian of Records, Secretariat and Support.- All records of the Board, including applications for examinations, examination papers and results, minutes of meetings, deliberations of administrative and other investigative cases involving the Board shall be kept by the Commission. The Commission shall designate the Secretary of the Board and shall provide secretariat and other support services to implement the provisions of this Act.

SEC. 12. Grounds for Suspension or Removal of the Chairperson or Member.- The President, upon the recommendation of the Commission after due process and administrative investigation conducted by the Commission, may remove or suspend a Chairperson or Member of the Board on any of the following grounds:

- a) Gross neglect, incompetence or dishonesty in the discharge of his/her duty;
- b) Violation of any of the causes/grounds and the prohibited acts provided in this Act and the offenses in the Revised Penal Code, the Anti-Graft and Corruption Practices, and other laws; and
- c) Manipulation or rigging of the licensure examination results, or disclosure of examination questions prior to the conduct of the examination, or tampering of the grades;

The Commission, in the conduct of the investigation, shall be guided by Sec. 7 (s) of R.A. No. 8981, the rules on administrative investigation, and the applicable provisions of the New Rules of Court.

SEC. 13. Annual Report and Annual Meeting.- The Board shall submit an annual report to the Commission after the close of each fiscal year giving a detailed account of the proceedings of the Board during the year and embodying such recommendations to the Commission as the Board may desire to make. At least once a year, the Board shall meet with the APO, representatives of departments of chemistry in higher education institutions, and Commission on Higher Education (CHED) to discuss matters pertinent to the professional practice of Chemistry.

ARTICLE III LICENSURE EXAMINATION AND REGISTRATION

SEC. 14. Certificate to Practice Chemistry and Chemical Analysis.- Unless exempt from registration or not subject to the requirements of this Act, no person shall practice or offer to practice as a Chemist or Chemical Analyst in the Philippines, without having previously obtained a Certificate of Registration from the Board and Professional Identification Card.

SEC. 15. Requirement for Registration as Chemist and Chemical Analyst.-

All applicants for registration for the practice of Chemistry and Chemical Analysis in the Philippines shall be required to pass the licensure examination prescribed herein unless otherwise provided in this Act.

SEC. 16. Qualifications of Applicant for Examination.- Any person applying for admission to the chemistry examination must have the following qualifications:

- a) He/she is a citizen and resident of the Philippines or a foreign citizen whose country/state has reciprocity with the Philippines in the practice of chemistry;
- b) He/she is of good moral character and of sound mind;
- c) He/she is a graduate of any higher educational institution with the degree of BS Chemistry or an allied degree, with at least sixty (60) university units in chemistry which should include all of the professional chemistry courses. Provided further, that the allied degree and its curriculum are under the same academic supervision by CHED as the BS Chemistry program, and that it is subject to evaluation by the Board of Chemistry. Graduates of reputable foreign universities who have been conferred the degree of BS Chemistry, or its equivalent, and whose curriculum includes all of the professional chemistry courses, may apply to take the licensure examination, subject to evaluation by the Board.
- d) He/she has not been convicted of a crime or an offense involving moral turpitude by a court of competent jurisdiction.

SEC. 17. Scope of Examination for Chemists.- The chemistry licensure examination shall cover the following professional chemistry subjects: Analytical Chemistry, Organic Chemistry, Biochemistry, Inorganic Chemistry, and Physical Chemistry. Provided, that the relative weight of any subject shall not exceed 30% or be less than 15% of the total. The Board may modify the coverage of the Board Examination as required by developments in chemistry and the professional practice of chemistry. In such a case, the Board shall consult with the CHED and the APO for chemistry. The Board must announce revisions in chemistry subjects and topics at least two years prior to their inclusion in the Board examination.

SEC. 18. Qualifications for Chemical Analyst.- Any person applying for the professional practice of Chemical Analyst must have the following qualifications:

- a) He/she is a citizen of the Philippines, or a citizen of a foreign country which grants the corresponding privilege to Filipinos;
- b) He/she is of good moral character and of sound mind; and
- c) Successfully completed at least thirty (30) units of undergraduate chemistry courses from an institution duly recognized by the CHED or TESDA. The courses should include both lecture and laboratory courses in the following subjects: General Chemistry, Analytical Chemistry and Organic Chemistry. The applicant should submit a certified true copy of his transcript.

SEC. 19. Scope of Examination for Chemical Analyst.- The licensure examination for Chemical Analyst shall cover practical aspects of laboratory work in the following chemistry subjects with equal weights: Analytical Chemistry and Organic Chemistry. The Board may modify the coverage of the Board Examination as required by developments in chemistry and the professional practice of Chemical

Analysis. In such a case, the Board shall consult with the CHED, TESDA and the APO for chemistry. The Board must announce revisions in chemistry subjects and topics at least two years prior to their inclusion in the Board examination.

SEC. 20. Holding of Examination.- Examination of candidates desiring to practice Chemistry and Chemical Analysis in the Philippines shall be given at least once each calendar year on the date(s) and venue(s) prescribed by the Commission in accordance with R.A. 8291.

SEC. 21. Examination Fees.- Each applicant admitted to take the Chemistry examination shall pay such fees as may be prescribed by the Commission before he/she is allowed to take the examination.

SEC. 22. Ratings in the Licensure Examination.- The Board and the Commission shall issue Certificates of Registration if the examinee attains the following ratings:

- a) Examination for Chemist: the examinee must obtain a general average of at least seventy percent (70%) and no rating less than fifty percent (50%) in any subject. Provided however, if the examinee passes any two subjects, he/she shall automatically qualify as a Chemical Analyst;
- b) Examination for Chemical Analyst: the examinee must obtain an overall average of at least seventy percent (70%) and no rating less than fifty percent (50%) in any subject.

The results of the examination shall be released within 10 working days from the last day of the examination.

SEC. 23. Exemption from Examination for Chemists.- Holders of a doctoral degree in Chemistry from a reputable university may apply for registration as Chemist without examination from the Board. They must submit a copy of their undergraduate and graduate diplomas, transcripts, and cover pages of their Doctoral thesis. Provided further, that such individuals must show evidence that they have been active in the practice of Chemistry. The Board may require presentation of the Doctoral thesis and other evidences of competence and achievement in Chemistry.

SEC. 24. Issuance of Temporary/Special Permit.- The Board may issue a Special Permit to practice Chemistry to the following persons upon proper application with the Board:

- a) Foreign-based chemists, recognized as experts in their specific field of chemistry, called in by the Republic of the Philippines for consultation or for a specific project, provided, that their practice shall be confined to such work; and
- b) Foreign-based chemists, who have distinguished themselves in their respective fields of specialization, contracted as a professor or lecturer on chemistry subjects by Philippine schools, colleges, institutes or universities on a direct hire or exchange basis. The Special Permit shall indicate the period of validity, provided that such period shall not exceed three (3) years. It may be renewed subject to the rules and regulations of the Board. Complaints or questions regarding such individuals may be directed to the Board for verification or action.

SEC. 25. Professional Oath.- All persons to be admitted as Registered Chemist and Registered Chemical Analyst are required to take their oath before the Board or any officer authorized by the Commission prior to the issuance of their Certificate of Registration.

SEC. 26. Issuance of Certificate of Registration for Chemist and Chemical Analyst.- A Certificate of Registration for Chemist and Chemical Analyst shall be issued by the Board to examinees that satisfy the requirements of the relevant licensure examination subject to the payment of fees prescribed by the Commission. The Certificate of Registration shall state the full name of the registrant and his registration number, and bear the signature of the Chairperson of the Commission and the Chairperson and Members of the Board, authenticated by the official seal of the Commission and the Board.

The Certificate of Registration shall remain in full force and effect unless suspended or revoked under the provisions of this Act.

SEC. 27. Issuance of Professional Identification Card for Chemist and Chemical Analyst.- A Professional Identification for Chemist shall be issued to holders of a valid Certificate of Registration for Chemist, subject to the payment of fees prescribed by the Commission. A Professional Identification for Chemical Analyst shall be issued to holders of a valid Certificate of Registration for Chemical Analyst. The Professional Identification shall state the full name of the registrant and his registration number, and bear the signature of the Chairpersons of the Commission and the Board, authenticated by the official seal of the Commission and the Board. The Professional Identification shall be valid for a period of three (3) years, subject to renewal, provided that the Certificate of Registration shall not have been suspended or revoked under the provisions of this Act.

SEC. 28. Indication of Numbers: Certificate of Registration and Professional Tax Receipt.- The Chemist shall be required to indicate his/her Certification of Registration (CR) and Professional tax Receipt (PTR) Numbers its date and place of issuance and its expiry.

SEC. 29. Revocation or Suspension of the Certificate of Registration and Cancellation of Temporary/Special Permit.- The Board shall have the power, upon notice of hearing, to revoke or suspend the certificate of registration of a Registered Chemist or to cancel a temporary/special permit granted to foreign chemist, for violation of any of the following grounds:

- a) Any act of misrepresentation, dishonesty, unethical conduct or gross incompetence in connection with the performance of chemistry services as defined in this law or any act inimical to the chemistry profession;
- b) Gross immorality or commission of any act involving moral turpitude;
- c) Any person who has been convicted by final judgment of a court of competent jurisdiction of any criminal offense; or
- d) Any person who has been judicially declared to be of unsound mind. The Board may, for reason it may deem sufficient and upon proper petition, reissue revoked Certificates of Registration or other certificates.

SEC. 30. Membership in the Accredited Professional Organization (APO).- Registered Chemists and Chemical Analysts are required to maintain regular and associate membership, respectively, in the APO. Membership in the APO shall not be a hindrance to membership in other associations.

SEC. 31. Continuing Professional Education (CPE) Program.- The CPE program guidelines for Chemistry and Chemical Analysis shall be prescribed and promulgated by the Board, subject to the approval of the Commission. The Board shall create a CPE Council to administer the CPE program. The CPE Council shall be composed of a Chairperson coming from the Board, a member from the APO and a member from the academe.

SEC. 32. Roster of Chemists and Chemical Analysts.- The Commission shall keep a roster of all registered Chemists and Chemical Analysts, stating their names, registration numbers and places of business. The Commission shall regularly update such roster and make it available to all interested parties.

SEC. 33. Seal of Registered Chemist.- Each registered Chemist shall, upon registration, obtain a seal as prescribed by the Board with the label "Registered Chemist" bearing the registrant's name and registration number. All official documents or reports which require the certification or signature of the registered Chemist shall be stamped with the personal seal of the registered chemist.

SEC. 34. Foreign Reciprocity.- A foreign citizen may be allowed to take the licensure examination and may be given a certificate of registration and professional identification card if he/she can prove that by specific provisions of law the country or state of which he/she is a citizen allows Filipino Chemist to practice his/her profession in their country.

SEC. 35. Certificate of Authority to Operate for Firms, Corporations, and Government Agencies.- Only firms, corporations, and government agencies which hold a Certificate of Authority to Operate from the Board may operate a chemical laboratory or engage in the practice of Chemistry or Chemical Analysis in the Philippines; provided further that such chemical practice is carried out only by registered Chemists or Chemical Analysts holding valid Certificates of Registration and Professional Identification issued by the Board. In case of a firm, corporation, or government agency, the person who has charge of the management or administration shall be held personally liable for violations of this Act.

SEC. 36. Requirements for Certificate of Authority to Operate.- The Board, in consultation with the relevant entities and the APO, shall set the requirements for the Certificate of Authority to Operate. Such requirements shall be issued as Board resolutions.

SEC. 37. Roster of Chemical Laboratories and Related Entities.- The Commission shall keep a roster of all chemical laboratories and entities engaged in the practice of chemistry, stating their names, registration numbers and places of business. The Commission shall regularly update such roster.

ARTICLE IV GENERAL PROVISIONS

SEC. 38. Penal Clause for the Professional Practice of Chemistry and Chemical Analysis.- No person shall undertake the professional practice of Chemistry or Chemical Analysis without a valid Certificate of Registration and Professional Identification. This includes any person who:

- a) Practices chemistry without a valid certificate of registration and/or a valid professional identification card or a valid temporary/special permit
- b) Attempts to use as his own the certificate, license number or seal of another person or impersonate any registered Chemist or Chemical Analyst;
- c) Abets the illegal practice of chemistry by an unregistered or unauthorized person;
- d) Furnishes the Board or Commission any false information or document in order to secure a Certificate of Registration; or
- e) Impersonates a registered chemist or a holder of a special/temporary permit.

Upon conviction, these persons shall be sentenced to a penalty of imprisonment for a period of not less than one (1) month or not more than one (1) year, or a fine of not less than one hundred thousand pesos (P100,000) or not more than one million pesos (P1,000,000), or both, at the discretion of the court.

SEC. 39. Penal Clause for Chemical Laboratories and Related Firms.- No chemical laboratory or firm shall undertake activities covered by this Act without a valid Certificate of Authority to Operate. The president or the highest ranking officer of the corporation shall be held liable for violations of this Act. Upon conviction, these persons shall be sentenced to a penalty of imprisonment for a period of not less than one (1) month or more than one (1) year or a fine of not less than one hundred thousand pesos (P100,000) or more than one million pesos (P1,000,000), or both, at the discretion of the court.

SEC. 40. Reports and Other Legal Documents.- Any document related to the practice of chemistry shall not be considered as official or admissible for legal purposes unless such document is signed by a registered Chemist, and registration number affixed thereto. Registered Chemical Analysts who contribute to the work should also sign such reports or documents, affix his registration number and official seal.

SEC. 41. Coverage of Professional Practice.- A duly licensed professional chemist cannot be prevented from the practice of chemistry if the work is within the scope of the practice of chemistry or chemical analysis. Likewise, this Act does not prevent the practice of any legally recognized allied profession provided that the activity is within the scope of the allied profession.

SEC. 42. Hazard Pay, Health and Accident Insurance, and Legal Assistance.- Registered Chemists and Registered Chemical Analysts who are exposed to chemicals as part of their regular responsibilities are entitled to hazard pay and insurance commensurate to the risk involved. Likewise, Registered Chemists and Registered Chemical Analysts who face civil or criminal suits arising from chemistry

work done in good faith are entitled to legal assistance to be provided by the employer/laboratory for whom the work was performed.

ARTICLE V TRANSITORY PROVISIONS

SEC. 43. Term of Office of Incumbent Board.- The incumbent Chairperson and Members of the Board at the time of approval of this Act shall automatically function and hold office for another two (2) years from the date of effectivity of this Act or for the remaining duration of their current term, whichever is longer. The Board shall then promulgate the provisions, rules and regulations for the implementation of this Act.

SEC. 44. Vested Rights: Automatic Registration of Chemists and Chemical Technicians.- All Chemists and Chemical Technicians who are registered under R.A. 754 at the time of effectivity of this Act shall automatically be considered registered, and shall hold the same registration number. The validity and period of the existing professional license shall continue in force until its date of expiry.

SEC. 45. Preparation of Seal of Registered Chemist.- Within three (3) years of the date of effectivity of this Act, all duly registered Chemists with a valid professional license shall obtain an official seal prescribed by the Board with the label "Registered Chemist" bearing the chemist's name and registration number. Within three years, all official documents or reports which require the certification or signature of the registered chemist shall be stamped with the personal seal of the registered Chemist.

SEC. 46. Grace Period.- There shall be a three (3) year grace period for all individuals and institutions to comply with the provisions of this Act. For those who are teaching professional chemistry subjects on the date of effectivity of this Act, there shall be a three year grace period by which time he/she must fulfill the following requirements:

- a) Successfully complete at least sixty (60) units of chemistry in an undergraduate degree course which must include all of the professional chemistry subjects. This may include chemistry subjects taken before or after the date of effectivity of this Act;
- b) Must have been already teaching these subjects satisfactorily for at least three (3) years on the date of effectivity of this Act;
- c) Has satisfied other reasonable requirements or criteria that the Board may set to demonstrate his competence to teach such subjects; and
- d) Actively participate in CPE for chemistry. After the three (3) year grace period, such individuals must submit the certified true copies of all of their relevant transcripts for evaluation. Those who are evaluated to have fulfilled the requirements shall be issued a Special Permit to teach professional chemistry subjects. Such permission to teach professional chemistry subjects shall be limited only to this privilege and shall not be construed as permission to practice chemistry.

ARTICLE VI
FINAL PROVISIONS

SEC. 47. Implementing Rules and Regulations. – Subject to the approval of the Commission, the Board shall adopt and promulgate the Implementing Rules and Regulations and Code of Ethics for the Practice of Chemistry, and other resolutions necessary to carry out the provisions of this Act.

SEC. 48. Appropriations. – The amount necessary for the implementation of this Act shall be included in the General Appropriations Act of the year following its enactment and thereafter.

SEC. 49. Separability Clause. - If any section of this Act shall be declared unconstitutional or invalid, such shall not invalidate any other section of this Act.

SEC. 50. Repealing Clause. – Republic Act No. 754 and all other laws, parts of laws, orders, ordinances, or regulations in conflict with the provisions of this Act, are hereby repealed.

SEC. 51. Effectivity. – This Act shall take effect fifteen (15) days following its publication in the Official Gazette or any major newspaper of general circulation.

Approved.