

HOUSE OF REPRESENTATIVES

4456
House Bill No. _____

Introduced by Rep. Aurelio "Dong" D. Gonzales Jr.

EXPLANATORY NOTE

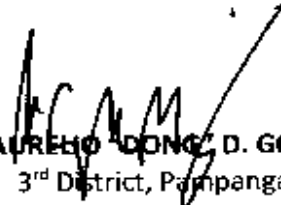
The Civil Engineering Law, Republic Act No. 544, which governs the practice of Civil Engineering in the Philippines, was last amended by RA 1582 about 55 years ago.

Since then, the number of registered civil engineers has grown to over 100,000. A new role for the civil engineer has likewise evolved in the light of globalization, cross-border practice and climate change. Whereas the civil engineer's role used to be confined to the application of technical knowledge with a broad range of issues to deal with, the civil engineer now has to face the challenges of integrating the socio-economic and environmental issues with the technical aspects of the construction projects. The civil engineer is constantly challenged to design and build developments in a manner that is environmentally sound, socially acceptable, and globally competitive.

This bill, with its proposed amendments of the law, seeks to achieve the following objectives:

1. To attune the law to national development needs;
2. To strengthen the profession and enable civil engineers to cope with the formidable challenges brought about by globalization, cross-border practice, and climate change issues;
3. To continually upgrade the level of competence of the civil engineers through:
 - a. peer recognition of specialization in civil engineering;
 - b. continuing professional development including research; and
 - c. the strengthening of the accredited professional organization of civil engineers;

As a licensed civil engineer who recognize the need for these important changes, I urge for the immediate passage of this proposed legislation.


REP. AURELIO "DONG" D. GONZALES, JR.
3rd District, Pampanga

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

House Bill No. 4456

Introduced by Rep. Aurelio "Dong" D. Gonzales Jr.

AN ACT

FURTHER AMENDING REPUBLIC ACT NO. 544, OTHERWISE KNOWN AS THE CIVIL ENGINEERING LAW, AS AMENDED.

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

SECTION 1. Sections 2, 4, 13, 16 and 19 of Republic Act No. 544, as amended, are hereby further amended to read as follows:

"Section 2. Definition of Terms.

(a) The practice of civil engineering within the meaning and intent of this Act shall embrace services in the form of consultation, design, preparation of plans, specifications, estimates, erection, installation and supervision of the construction of streets, bridges, highways, railroads, airports and hangars, port works, canals, river and shore improvements, lighthouses, and dry docks; buildings, fixed structures for irrigation, flood protection, drainage, water supply and sewerage works; demolition of permanent structures; and tunnels. The enumeration of any work in this section shall not be construed as excluding any other work requiring civil engineering knowledge and application.

(b) The term "civil engineer" as used in this act shall mean a person duly registered with the Board of Civil Engineers in the manner as hereinafter provided.

(C) ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL ENGINEERS (APOCE) SHALL MEAN THE PHILIPPINE INSTITUTE OF CIVIL ENGINEERS (PICE) WHICH IS THE OFFICIAL NATIONAL ORGANIZATION OF ALL REGISTERED CIVIL ENGINEERS IN THE PHILIPPINES AS ACCREDITED BY THE PROFESSIONAL REGULATION COMMISSION ”

registered under this Act for advanced studies, research, and/or highly specialized training in any branch of civil engineering, subject to the approval of the Secretary of the Public Works and **HIGHWAYS**[Communications] to investigate such violations of this Act and the regulations, there-under as may come to the knowledge of the Board and, for this purpose, issue *subpoena* and *subpoena duces 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 civil engineering, civil engineering works, projects or corporations, established in the Philippines and, for safe-guarding of life, health and property, to discharge such other powers and duties as may affect ethical and technological standards of the civil engineering profession in the Philippines. For the purpose of this act, the Director of the Public Works and/or his authorized representative 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 provisions of this Act.

The Board may, with the approval of the Secretary of Public Works and [Communications] **HIGHWAYS** [issue] **PROMULGATE** such rules and regulations as may be deemed necessary to carry out the provisions of this act. **THE LATEST EDITION OF THE CIVIL ENGINEERING CODE, THE MANUAL OF PROFESSIONAL PRACTICE OF CIVIL ENGINEERS AS PREPARED BY THE APOCE AND APPROVED BY THE BOARD, SHALL FORM PART OF THE IMPLEMENTING RULES AND REGULATIONS.** The Board shall also adopt a code of ethics in the practice of civil engineering and have an official seal to authenticate its official documents.

SECTION 4 (A). CERTIFICATE OF SPECIALIZATION – IN ORDER TO ENCOURAGE THE CONTINUING PROFESSIONAL EDUCATION AND DEVELOPMENT OF REGISTERED CIVIL ENGINEERS, THE ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL ENGINEERS (APOCE) BY THE PROFESSIONAL REGULATION COMMISSION SHALL BE VESTED WITH AUTHORITY CONFORMABLE WITH THE PROVISIONS OF THIS ACT, TO ISSUE A CERTIFICATE OF SPECIALIZATION TO A REGISTERED CIVIL ENGINEER WHO HAS DEMONSTRATED HIS ADVANCED KNOWLEDGE, EXPERIENCE, EDUCATION, RESEARCH, AND TRAINING IN A RECOGNIZED BRANCH OF CIVIL ENGINEERING; PROVIDED, THAT AT THE INITIAL EFFECTIVITY OF THIS ACT, THE SPECIALIZATIONS OF CONSTRUCTION MANAGEMENT AND ENGINEERING, ENVIROENERGY ENGINEERING, GEOTECHNICAL ENGINEERING, STRUCTURAL ENGINEERING, TRANSPORTATION ENGINEERING, AND WATER RESOURCES AND HYDRAULIC ENGINEERING SHALL BE SO RECOGNIZED. PROVIDED FURTHER, THAT, OTHER SPECIALIZATIONS MAY ADDITIONALLY BE RECOGNIZED BY THE APOCE. SPECIALISTS IN EACH RECOGNIZED BRANCH MAY FORM A SPECIALTY ORGANIZATION OF CIVIL ENGINEERS (SOCE); PROVIDED FURTHER, STILL, THAT THIS SOCE IS AFFILIATED TO AND RECOGNIZED BY THE APOCE PROVIDED FINALLY THAT

SPECIALIST TITLE IN THE SIGNING OF RELEVANT PLANS AND DOCUMENTS.

THE APOCE SHALL HAVE THE AUTHORITY TO SUSPEND OR REVOKE A CERTIFICATE OF SPECIALIZATION PREVIOUSLY ISSUED ON GROUNDS OF VIOLATION OF ANY OF THE PROVISION OF THIS ACT."

*"Section 13. Oath of Civil Engineers. – All successful candidates in the examination shall be required to take a professional oath before the Board of Civil Engineers or other government officials authorized to administer oaths, prior to entering upon the practice of the civil engineering profession. **ALL REGISTERED CIVIL ENGINEERS SHALL ALSO TAKE THEIR OATH AS MEMBERS OF THE ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL ENGINEERS (APOCE) AND SHALL COMPLY WITH ALL THEIR MEMBERSHIP REQUIREMENTS."***

*"Section 16. Refusal to Issue Certificate – The Board of Civil Engineers shall not issue a certificate to any person convicted by a court of a competent jurisdiction of any criminal offense involving moral turpitude, or to any person guilty of immoral or dishonorable conduct, or to any person of unsound mind. **THE BOARD SHALL NOT ISSUE A CERTIFICATE TO ANY PERSON WHO IS NOT A MEMBER OF GOOD STANDING OF THE APOCE.** 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 its reason for such action, which statement shall be incorporated in the records of the Board."*

*"Section 19. Transitory Provisions. As soon as this Act takes effect, any person desiring to practice the profession of civil engineering shall be required to obtain a certificate of registration in the manner and under the conditions hereinafter provided. All civil engineers duly licensed under the provisions of Act Numbered Twenty-nine hundred and eighty-five, as amended, at the time this Act takes effect, shall be automatically registered under the provisions hereof. Certificates of registration held by such persons in good standing shall have the same force and effect as though the same have been issued under the provisions of this Act. **CERTIFICATES OF SPECIALIZATION ISSUED TO REGISTERED CIVIL ENGINEERS BY THE BOARD OR ACCREDITED PROFESSIONAL ORGANIZATION FOR CIVIL ENGINEERING (APOCE) HELD BY SUCH PERSONS IN GOOD STANDING SHALL HAVE THE SAME FORCE AND EFFECT AS THOUGH THE SAME HAVE BEEN ISSUED UNDER THE PROVISIONS OF THIS ACT."***