

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
Second Regular Session



COMMITTEE REPORT NO. 1946

Submitted by the Committee on Civil Service and Professional Regulation on

01 MAR 2012 5940
Re: House Bill No. _____

Recommending its approval in substitution of House Bill Nos. 2200, 2797, 4071 and 4456

Sponsors: Representatives Andres D. Salvacion, Jr., Salvador H. Escudero III, Rufus B. Rodriguez, Maximo B. Rodriguez, Jr., Angelo B. Palmones and Aurelio D. Gonzales, Jr.

Mr. Speaker:

The Committee on Civil Service and Professional Regulation to which were referred House Bill No. 2200 introduced by Rep. Salvador H. Escudero III, entitled:

AN ACT
FURTHER AMENDING REPUBLIC ACT NO. 544, AS AMENDED,
OR THE CIVIL ENGINEERING LAW

House Bill No. 2797 introduced by Reps. Rufus B. Rodriguez and Maximo B. Rodriguez, Jr., entitled:

AN ACT
FURTHER AMENDING REPUBLIC ACT NO. 544, AS AMENDED,
OR THE CIVIL ENGINEERING LAW

House Bill No. 4071 introduced by Rep. Angelo B. Palmones, entitled:

AN ACT
FURTHER AMENDING REPUBLIC ACT NO. 544, AS AMENDED,
OR THE CIVIL ENGINEERING LAW

and House Bill No. 4456 introduced by Rep. Aurelio D. Gonzales, Jr., entitled:

AN ACT
FURTHER AMENDING REPUBLIC ACT NO. 544, AS AMENDED,
OR THE CIVIL ENGINEERING LAW

has considered the same and recommends that the attached House Bill No. _____
entitled:

5940

AN ACT
FURTHER AMENDING REPUBLIC ACT NO. 544, AS AMENDED,
OR THE CIVIL ENGINEERING LAW

be approved in substitution of House Bill Nos. 2200, 2797, 4071 and 4456 with Reps. Salvador H. Escudero III, Rufus B. Rodriguez, Maximo B. Rodriguez, Jr., Angelo B. Palmones, Aurelio D. Gonzales, Jr., Andres D. Salvacion, Jr., Daryl Grace J. Abayon, Agapito H. Guanlao, Antonio L. Tinio, Rafael V. Mariano, Carlos M. Padilla and Eduardo R. Gullas as authors thereof.

Respectfully submitted,



HON. ANDRES D. SALVACION, JR.
Chairman
Committee on Civil Service
and Professional Regulation

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5940

Introduced by Representatives Salvador H. Escudero III, Rufus B. Rodriguez, Maximo B. Rodriguez, Jr., Angelo B. Palmones, Aurelio D. Gonzales, Jr., Andres D. Salvacion, Jr., Daryl Grace J. Abayon, Agapito H. Guanlao, Antonio L. Tinio, Rafael V. Mariano, Carlos M. Padilla and Eduardo R. Gullas

AN ACT
FURTHER AMENDING REPUBLIC ACT NO. 544, AS AMENDED,
OR THE CIVIL ENGINEERING LAW

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

SECTION 1. Section 2 of Republic Act No. 544, as amended, is 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 Examiners for Civil Engineers in the manner as hereinafter provided.

(C) THE TERM ACCREDITED PROFESSIONAL ORGANIZATION (APO) SHALL MEAN THE PROFESSIONAL ORGANIZATION OF CIVIL ENGINEERS DULY ACCREDITED BY THE PROFESSIONAL REGULATORY BOARD OF CIVIL ENGINEERING AND THE PROFESSIONAL REGULATION COMMISSION."

SEC. 2. Section 4 of the same Act, as amended, is further amended to read as follows:

"Section 4. *Powers and Duties of the Board.* – The Board of Examiners for Civil Engineers is vested with authority, conformable with the provisions of this Act, to administer oaths, issue, suspend and revoke certificates of registration for the practice of civil engineering, [issue certificates of recognition to civil engineers already 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 Public Works and Communications,] to investigate such violations of this Act and the regulations, thereunder as may come to the knowledge of the Board and, for this purpose, issue *subpoena* 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 safeguarding 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] SECRETARY of Public Works AND HIGHWAYS and/or THE DULY 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, 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 AND THE MANUAL OF PROFESSIONAL PRACTICE OF CIVIL ENGINEERS AS PREPARED BY

1 THE ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL
2 ENGINEERS AND APPROVED BY THE BOARD SHALL FORM PART
3 OF THE IMPLEMENTING RULES AND REGULATIONS. The Board
4 shall also adopt a code of ethics in the practice of civil engineering and have
5 an official seal to authenticate its official documents.

6 **SEC. 3.** A new Section 4(A) is inserted to read as follows:

7 "SECTION 4(A). *CERTIFICATE OF SPECIALIZATION* – IN ORDER TO
8 ENCOURAGE THE CONTINUING PROFESSIONAL EDUCATION OF
9 REGISTERED CIVIL ENGINEERS, THE ACCREDITED PROFESSIONAL
10 ORGANIZATION OF CIVIL ENGINEERS SHALL BE VESTED WITH
11 AUTHORITY CONFORMABLE WITH THE PROVISIONS OF THIS ACT,
12 TO ISSUE A CERTIFICATE OF SPECIALIZATION TO A REGISTERED
13 CIVIL ENGINEER WHO HAS DEMONSTRATED AN ADVANCED
14 KNOWLEDGE, EXPERIENCE, EDUCATION, RESEARCH, AND
15 TRAINING IN A RECOGNIZED BRANCH OF CIVIL ENGINEERING:
16 *PROVIDED*, THAT AT THE INITIAL EFFECTIVITY OF THIS ACT, THE
17 SPECIALIZATIONS OF ENVIRONMENT AND ENERGY
18 ENGINEERING, GEOTECHNICAL ENGINEERING, STRUCTURAL
19 ENGINEERING, TRANSPORTATION ENGINEERING, AND WATER
20 ENGINEERING SHALL BE SO RECOGNIZED: *PROVIDED FURTHER*,
21 THAT OTHER SPECIALIZATIONS MAY ADDITIONALLY BE
22 RECOGNIZED BY THE ACCREDITED PROFESSIONAL
23 ORGANIZATION OF CIVIL ENGINEERS. SPECIALISTS IN EACH
24 RECOGNIZED BRANCH MAY FORM A SPECIALTY ORGANIZATION
25 OF CIVIL ENGINEERS: *PROVIDED FURTHER*, THAT THIS SOCIETY
26 OF CIVIL ENGINEERS IS AFFILIATED TO AND RECOGNIZED BY
27 THE ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL
28 ENGINEERS: *PROVIDED FINALLY*, THAT THERE SHALL BE ONLY
29 ONE SOCIETY OF CIVIL ENGINEERS FOR EACH RECOGNIZED
30 BRANCH OF CIVIL ENGINEERING, WITHOUT PREJUDICE TO
31 MEMBERSHIP IN OTHER VOLUNTARY PROFESSIONAL
32 ORGANIZATIONS. THE HOLDER OF SUCH CERTIFICATE OF

1 SPECIALIZATION MAY USE THE SPECIALIST TITLE IN THE
2 SIGNING OF RELEVANT PLANS AND DOCUMENTS.

3 THE ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL
4 ENGINEERS SHALL HAVE THE AUTHORITY TO SUSPEND OR
5 REVOKE A CERTIFICATE OF SPECIALIZATION PREVIOUSLY
6 ISSUED ON GROUNDS OF VIOLATION OF ANY OF THE PROVISIONS
7 OF THIS ACT."

8 **SEC. 4.** Section 13 of the same Act, as amended, is further amended to read as
9 follows:

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

18 **SEC. 5.** Section 16 of the same Act, as amended, is further amended to read as
19 follows:

20 "Section 16. *Refusal to Issue Certificate* – The Board of Examiners for Civil
21 Engineers shall not issue a certificate to any person convicted by a court of
22 competent jurisdiction of any criminal offense involving moral turpitude, or to
23 any person guilty of immoral or dishonorable conduct, or to any person of
24 unsound mind. THE BOARD SHALL NOT ISSUE A CERTIFICATE TO
25 ANY PERSON WHO IS NOT A MEMBER OF GOOD STANDING OF
26 THE ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL
27 ENGINEERS. In the event of a refusal to issue a certificate to any person, the
28 Board shall give to the applicant a written statement setting forth its reason for
29 such action, which statement shall be incorporated in the records of the
30 Board."

31 **SEC. 6.** Section 19 of the same Act, as amended, is further amended to read as
32 follows:

1 “Section 19. *Transitory Provisions.* – As soon as this Act takes effect, any
2 person desiring to practice the profession of civil engineering shall be required
3 to obtain a certificate of registration in the manner and under the conditions
4 hereinafter provided.

5 All civil engineers duly licensed under the provisions of Act Numbered
6 Twenty-nine hundred and eighty-five, as amended, at the time this Act takes
7 effect, shall be automatically registered under the provisions hereof.
8 Certificates of registration held by such persons in good standing shall have
9 the same force and effect as though the same have been issued under the
10 provisions of this Act. CERTIFICATES OF SPECIALIZATION ISSUED
11 TO REGISTERED CIVIL ENGINEERS BY THE BOARD OR
12 ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL
13 ENGINEERS HELD BY SUCH PERSONS IN GOOD STANDING SHALL
14 HAVE THE SAME FORCE AND EFFECT AS THOUGH THE SAME
15 HAVE BEEN ISSUED UNDER THE PROVISIONS OF THIS ACT.

16 x x x”

17 **SEC. 7. Separability Clause.** – Should any provision of this Act or any part thereof
18 be declared invalid, the other provisions, so far as they are separable from the invalid ones,
19 shall remain in full force and effect.

20 **SEC. 8. Repealing Clause.** – All other laws, decrees, presidential issuances,
21 proclamations, and administrative regulations inconsistent with or contrary to the provisions
22 of this Act are hereby amended, modified or repealed accordingly.

23 **SEC. 9. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its
24 publication in the *Official Gazette* or in a newspaper of general circulation.

25 Approved,

FACT SHEET

House Bill No. 5940

(As Approved on September 26, 2011)

AN ACT FURTHER AMENDING REPUBLIC ACT NO. 544, AS AMENDED, OR THE CIVIL ENGINEERING LAW

Introduced by: *REPRESENTATIVES SALVADOR H. ESCUDERO III,
RUFUS B. RODRIGUEZ, MAXIMO B. RODRIGUEZ, JR., ANGELO B.
PALMONES AND AURELIO D. GONZALES, JR*

Committee Referral: *COMMITTEE ON CIVIL SERVICE AND PROFESSIONAL
REGULATION*

Committee Chairperson: *HON. ANDRES D. SALVACION.*

OBJECTIVES:

- To update the present law to respond to national development needs.
- To strengthen the civil engineering profession and enable civil engineers to cope with the formidable challenges brought about by globalization and cross-border practice.
- To continually upgrade the level of competence of the civil engineers through: peer recognition of specialization in civil engineering; continuous professional development; and strengthening of the accredited professional organization of civil engineers.

KEY PROVISIONS:

- Encourages the continuing professional education of registered civil engineers by vesting the Accredited Professional Organization of civil engineers (APO) with authority that conforms with the provisions of this act, to issue a certificate of specialization to a registered civil engineer who has demonstrated advanced knowledge, experience, education, research, and training in a recognized branch of civil engineering.
- Provides that the latest edition of the civil engineering code and the manual of professional practice of civil engineers as prepared by the accredited professional organization of civil engineers and

approved by the board shall form part of the implementing rules and regulations.

- Mandates that the board shall not issue a certificate to any person who is not a member of good standing of the accredited professional organization of registered civil engineers.
- Integrates all registered civil engineers into one (1) accredited professional organization (APO) of registered civil engineers upon recognition and accreditation by the Board of Civil Engineers subject to the approval by the Professional Regulation Commission.

RELATED LAWS:

- ❖ R.A. 544, An Act to Regulate the Practice of Civil Engineering in the Philippines
- ❖ R.A. 1582, An Act further Amending Rep. Act. No. 544, as Amended