

FIFTEENTH CONGRESS
REPUBLIC OF THE PHILIPPINES
Third Regular Session

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.

House Bill No. 6439

EXPLANATORY NOTE

The rapid deterioration of the environment, as a result of unplanned and often unrestrained waste disposal, has affected public safety and health. Industrialization and modernization had likewise produced substances that are now public health concerns. The scope and complexities of pollution have increased and the need for environmental preservation and protection has to be broadened. This has prompted the Sanitary Engineers to re-assess the existing Sanitary Engineering Law in order to recommend and adopt measures to carry out more efficient pollution abatement techniques to preserve the environment and to protect public health. Hence, there is an urgent need to update the Sanitary Engineering Law to enable the engineers to be more effective in dealing with today's worsening environmental and sanitation problems.

In the early years of the Sanitary Engineering profession, the practice had been fundamentally in sanitation, water supply, sanitary and storm sewerage systems, and general pollution control and industrial hygiene. In recent years, however, the professional responsibilities had greatly increased to include the following; (1) domestic and industrial waste water treatment; (2) stream, river sanitation and water pollution control; (3) atmospheric pollution control, both indoor and outdoor environment; (4) solid waste management and disposal; and, (5) radioactive, toxic and hazardous material waste disposal.

The Commission on Higher Education (CHED) has realized the need to update the Sanitary Engineering Law, or Republic Act 1364, in order to



prepare the practitioner to a globally competitive professional in the field of Environmental and Sanitary Engineering. It is likewise noteworthy to mention, that schools and universities offering Bachelor of Science in Sanitary Engineering, have changed their curriculum title to Bachelor of Science in Environmental and Sanitary Engineering, consistent with the objective of the Commission on Higher Education.

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

In view of the foregoing, immediate passage of this bill is earnestly sought.



RUFUS B. RODRIGUEZ



MAXIMO B. RODRIGUEZ, JR.

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AN ACT

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

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

ARTICLE 1

TITLE AND DEFINITION OF TERMS

Section 1. Title – this Act shall be known as the “Environmental and Sanitary Engineering Act”.

Section 2. Definition of Terms. – as used in this Act, shall mean;

- 2.01 Sanitary Engineer – a person duly registered with the Board of Examiners for Sanitary Engineers as provided in R.A. 1364
- 2.02 BSSE - Bachelor of Science in Sanitary Engineering.
- 2.03 BSEnSE – Bachelor of Science in Environmental and Sanitary Engineering
- 2.04 R.A 1364 – An Act Regulating the Practice of Sanitary Engineers in the Philippines also known as the Sanitary Engineering Law.
- 2.05 CPE – Continuing Professional Education.
- 2.06 CPD – Continuing Professional Development.
- 2.07 Board – Board of Environmental and Sanitary Engineers.
- 2.08 DECS – Department of Education and Culture.
- 2.09 CHED – Commission on Higher Education.
- 2.10 Commission – Professional Regulation Commission.
- 2.11 Commissioner – Chairman of the Professional Regulation Commission.
- 2.12 PSSEI – Philippine Society of Sanitary Engineers Inc.
- 2.13 Sanitarian – person who reviews or examines critically located establishments in compliance with the Sanitary Code and its implementing rules and regulations.

- 2.14 Environmental and Sanitary Engineer –a person duly registered with the professional regulatory board for environmental and sanitary engineers in the manner herein provided.
- 2.15 Chairman – shall mean the chairman of the Regulatory Board for Environmental and Sanitary Engineer.
- 2.16 Members – members of the Regulatory Board for Environmental and Sanitary Engineers.

Section 3. *Scope of Environmental and Sanitary Engineer.* A person shall be deemed to be practicing environmental and sanitary Engineering within the meaning and intent of this Act when a person renders, or offers to render professional engineering services in the form of, but not limited to the following;

- 3.01 Environmental and Sanitary Engineering: surveys, reports, design, direction, teaching, management, consultation, investigation, valuation, planning, monitoring, construction, installation, manufacturing, research and engineering services requiring environmental and sanitary engineering knowledge.
- 3.02 Public Health Engineering: professional services in water supply, water treatment and purification, water distribution system, sanitary sewerage and storm drainage system; sewage collection, treatment and disposal; plumbing system; sanitation of structures and places; vermin control; industrial hygiene; refuse disposal; nuisance abatement; healthful lighting and ventilation, life and safety engineering; emergency sanitation; disposal of dead persons; and other engineering services related to the protection of public health and welfare.
- 3.03 Environmental Engineering: ecology, solid waste management, environmental impact and assessment, atmospheric pollution and abatement, noise pollution and abatement, land and air pollution and abatement, lake and river pollution abatement, conservation and protection of water resources, classification of water, protection of water sheds, toxic and hazardous substances and radiological pollution management and disposal.
- 3.04 Environmental and Sanitary Engineering design, preparation of plans, specifications, management, supervision, and project studies and estimates.
- 3.05 Management, supervision, operation, maintenance of any environmental and sanitary engineering works requiring the services of an Environmental or Sanitary Engineer.
- 3.06 Research and laboratory works pertaining to environmental and sanitary engineering.
- 3.07 Human resources development in the field of environmental and sanitary engineering to include other paramedical and medical sciences.
- 3.08 Fire Protection system, automatic wet pipe sprinkler system, wet and dry standpipe, life and safety engineering.

Article II

BOARD OF ENVIRONMENTAL AND SANITARY ENGINEERING

Section 4. *Creation and Composition of the Board.* – There is hereby created a Board of Environmental and Sanitary Engineering, hereinafter referred to as the “Board”. It shall be composed of a chairman and three (3) members who shall be appointed by the President of the Philippines upon the recommendation of the chairman of the Professional Regulation Commission, from a list of five (5) nominees endorsed by the duly accredited professional organization of the environmental and sanitary engineers in the Philippines.

Section 5. *Qualification of Members of the Board.* - A member of the Board shall, at the time of his appointment, possess the following qualifications:

- 5.01 Must be a natural-born Filipino citizen and resident of the Philippines for at least 5 years.
- 5.02 At least forty (40) years of age, and of good moral character, of proven integrity with moral values in his personal and professional conduct.
- 5.03 Holder of the degree of Bachelor of Science in Sanitary Engineering (BSSE) or Bachelor of Science in Environmental and Sanitary Engineering (BSEnSE), from a university, school, college, academy or institute in the Philippines that is accredited by the Commission on Higher Education (CHED);
- 5.04 A registered Sanitary Engineer or a registered Environmental and Sanitary Engineer with a valid professional license. The Board member to be designated for the licensure examination for the Sanitarians shall be a registered Sanitary Engineer or a registered Environmental and Sanitary Engineer.
- 5.05 Must not be an official nor a faculty member of, nor have pecuniary interest in, any university college, school or institution conferring bachelor's degree in environmental and sanitary engineering, for at least five (5) years prior to this appointment. He must not be connected with a review center, or with any group or association wherein review classes or lectures in preparation for the licensure examinations are offered or conducted, at the time of his appointment. He must not be an incumbent officer of the accredited environmental and sanitary engineering association or organization;
- 5.06 Have practiced in environmental and sanitary engineering for a period of not less than ten (10) years prior to his appointment; and
- 5.07 Have not been convicted of any offense involving moral turpitude.

Section 6. *Term of Office.* - A member of the board shall hold office for a term of three (3) years from the date of appointment, or until their successor shall have been appointed or qualified. They may, however, be re-appointed for the second term as recommended by their respective accredited professional organization. Each member shall qualify by taking oath of office before entering the performance of his duties. Vacancies in the Board shall be filled by the President of the Philippines, from the list of candidates endorsed

by the Commissioner, who were chosen and recommended from the list of nominees submitted by the accredited professional organization, but for the unexpired term only. At the expiration of the term of the Board Chairman, the most senior of the Board member shall temporarily assume and perform the duties and functions of the Chairman, until a permanent Chairman is appointed by the President of the Philippines.

Section 7. Compensation and Allowances of the Board Members. – The members of the Board shall receive a monthly compensation in accordance with the salaries and wages stipulated under the PRC Law, provided, that the Chairman of the Regulatory Board shall receive a monthly compensation of ten percent (10%) more. Provided, further, that such compensations shall be increased or modified pursuant to the General Appropriations Act of the year. Provided, furthermore, that they shall receive other benefits that may be provided by the Law.

Section 8. Supervision of the Board, Custodian of its Records, Secretariat and Support Services. – The Board shall be under the administrative supervision of the Commission. All records of the Board, including examination papers, minutes of deliberation, records of administrative cases and investigations and examination results shall be for control and disposition of the Commission. The Commission shall designate the secretary of the Board and shall provide secretariat and other support services to implement the implementation of this Act.

Section 9. Powers, Functions and Responsibilities of the Board - The Board shall exercise the following powers, functions and responsibilities:

- 9.01 To promulgate the implementing rules and regulations necessary in carrying out the provisions of this Act.
- 9.02 To regulate the practice of the environmental and sanitary engineering profession in accordance with the provisions of this Act;
- 9.03 To supervise the registration, licensure and practice of registered environmental and sanitary engineers, and sanitarians in the Philippines;
- 9.04 To issue the certificate of registration to successful examinees and to registered sanitary engineers already practicing prior to the effectivity of this Act, to sanitarians who have been accredited by the appropriate government agency prior to the effectivity of this Act.
- 9.05 To administer oaths.
- 9.06 To issue a Special Permit, subject to the approval of the Commission, to qualified foreign environmental and sanitary engineer, who may be authorized by the existing laws to practice environmental and sanitary engineering in the Philippines, for a specific project and for a specific duration of time.
- 9.07 To monitor the conditions affecting the practice of the environmental and sanitary engineering profession, and, whenever necessary, adopt such measures as may be deemed proper for the enhancement of the profession and the maintenance of a high professional technical and ethical standards.

- 9.08 To hear and investigate cases arising from violations of this Act, the rules and regulations, code of ethics, administrative policies, orders and issuances promulgated by the Board. For this purpose, the Board shall issue *subpoena* and/or *subpoena duces tecum*, to secure the attendance of the respondents or witnesses or the production of documents at and relative to the investigation conducted by the Board.
- 9.09 To hear or investigate cases filed before the Board where the issue or question involves strictly concerns the practice of the profession or occupation, in which case shall be presided over by at least one (1) member of the Board concerned assisted by a Legal or Hearing Officer of the Commission;
- 9.10 To conduct, through the Legal Officers of the Commission, summary proceedings on minor violations of environmental and sanitary engineering laws, violations of the rules and regulations issued by the Board to implement the said law, including violations of the general instructions to examinees committed by examinees, and render summary judgment thereon, which shall, unless appealed to the Commission, become final and executory, fifteen (15) days from the receipt of notice of judgment or decision;
- 9.11 Recommend registration without examination and the issuance of corresponding certificate of registration, certificate of specialization and professional identification card to qualified Professionals, subject to the approval of the Commission.
- 9.12 To suspend, revoke or reissue, reinstate certificate of registration, specialization or licenses for causes provided by this law;
- 9.13 To prepare, adopt and issue the syllabi or tables of specifications of the subjects for examinations, in consultation with the academe; determine and prepare the questions for the licensure examinations which shall strictly be within the scope of the syllabus or table of specifications of the subjects for examination; score and rate the examination papers with the name and signature of the Board member concerned appearing thereon, and submit the results in all subjects duly signed by the members of the Board to the Commission within ten (10) days from the last day of examination, unless extended by the Commission for justifiable cause/s; and subject to the approval by the Commission, determine the appropriate passing general average rating in an examination if not provided for in the law regulating the profession;
- 9.14 To prescribe and/or adopt a Code of Ethical and Professional Standards for the practice of the environmental and sanitary engineering profession and sanitarians;
- 9.15 To adopt reference codes and standards as guide for the environmental and sanitary engineering profession practitioners;
- 9.16 To prescribe guidelines in the Continuing Professional Development (CPD) program and to create the CPD Council with the objective of providing and ensuring the continuous development of the registered professionals brought about by modernization and technological advancement, in order to maintain the highest standards and quality

in the practice of his profession, and to make the professional globally competitive, in promoting the general welfare of the public;

9.17 To adopt an official seal of the Board; and

9.18 Perform other functions and duties as may be necessary to implement this Act effectively. Discharge other related duties and functions as may be deemed necessary for the upgrading, development and growth of environmental and sanitary engineering education in the Philippines.

Section 10. *Annual Report.* – The Board shall prepare an accomplishment report of its programs, projects and activities to be submitted to the Commission, and make appropriate recommendations on issues or problems affecting the environmental and sanitary engineering profession.

Section 11. *Removal of Board Members.* – The President, upon recommendation of the Commission, may remove any member of the Board on the following grounds: neglect of duty, incompetence, malpractice, tolerance of irregularities in the examinations, or for unprofessional, unethical, or dishonorable conduct, after having been given the opportunity to defend himself in a proper administrative investigation.

Article III EXAMINATION AND REGISTRATION

Section 12. *Examination Requirement.* – All applicants for registration for the practice of environmental and sanitary engineering, and registered sanitarians shall be required to pass a written technical examination as hereinafter provided, except as otherwise specifically provided in this Act.

Section 13. *Holding of Examination.* - Examination of candidates desiring to practice environmental and sanitary engineering, and sanitarian in the Philippines shall be given at the City of Manila, or any other regional centers that may designated by the Commission beginning the last Monday of February and September of each year, provided that such dates do not fall on official holidays, otherwise, the examination shall be held on the days next following.

Section 14. *Examinations Fees.* – All applicants for written examinations for the environmental and sanitary engineers, and registered sanitarian shall be subject to payment of fees prescribed by the Commission; *Provided*, That ninety percent (90%) of the fees is to be treated as a special fund for the programs, projects and activities of the Commission, and the remaining ten percent (10) shall be set aside as trust fund for the establishment and maintenance of the center for continuing professional development (CPD) and research.

Section 15. *Qualifications of applicants for Environmental and Sanitary Engineering Examinations.* – Any person applying for admission to the environmental and sanitary engineering shall establish to the satisfaction of the Board that, on or before the date of the examination, he possesses the following qualifications:

- 15.01 He is a citizen of the Philippines
- 15.02 He is at least twenty one (21) years of age
- 15.03 He is of good reputation with good moral values;
- 15.04 He has not been convicted by the court of an offense involving moral turpitude;
- 15.05 He is a holder of a degree of Bachelor of Science in Sanitary Engineering or Bachelor of Science in Environmental and Sanitary Engineering from a university, college, academy or institute, duly constituted, recognized and accredited by the Philippine Government.
- 15.06 Engineers who have taken units in Masters in Environmental Science and/or Public Health Engineering with supplemental units which the Board may require.

Section 16. *Qualifications of applicants for Registered Sanitarian.* - Any person applying for admission to the Sanitarian examinations as herein provided, shall establish to the satisfaction of the Board that, on or before the date of examination, he possesses the following qualifications;

- 16.01 He is a citizen of the Philippines.
- 16.02 He is at least twenty one (21) years of age but not more than 45 years.
- 16.03 He is of good reputation with good moral values;
- 16.04 Has completed at least 6 weeks of pre-service training for sanitarians at one of the regional training centers of the Department of Health or other government agencies.
- 16.05 He is a second year student in environmental or sanitary engineering, civil or in any field of medical science.
- 16.06 He has not been convicted by the court of an offense involving moral turpitude;
- 16.07 Must be in good health.

Section 17. *Registration fees, license fees, certification fees and fines.* - All applicants for registration, certification and license to practice shall be subject to payment of registration fees, license fees, and fines, as prescribed by the Commission.

Section 18. *Subjects of examinations for Environmental and Sanitary Engineer:*

18.01 Sanitary Science as Applied to Buildings. (10%)

- 18.01.1 Principles of Plumbing
- 18.01.2 Plumbing Systems;
- 18.01.3 Fire Protection System Design

18.02 Civil Engineering (15%)

- 18.02.1 Mathematics
- 18.02.2 Physical Science
- 18.02.3 Surveying
- 18.02.4 Hydraulics
- 18.02.5 Design and Construction Management

18.03 Public Health Engineering (15%)

- 18.03.1 Control of Communicable Diseases
- 18.03.2 Sanitation and Hygiene;
- 18.03.3 Biostatistics and Vital Statistics;
- 18.03.4 Insect and Vermin Control;
- 18.03.5 Food and Milk Sanitation;
- 18.03.6 Pertinent Laws, Codes, Ordinances, Rules, Regulations and other Issuances.

18.04 Environmental Engineering (20%)

- 18.04.1 Ecology and conservation;
- 18.04.2 Environmental and Impact Statement/Assessment;
- 18.04.3 Microbiology and Parasitology for Environmental Engineering
- 18.04.4 Pollution Abatement;
- 18.04.5 Solid Waste Disposal, Management and Facilities
- 18.04.6 Sanitary Landfill;
- 18.04.7 Hazardous Waste;
- 18.04.8 Pertinent Laws, Codes, Ordinances, Rules, Regulation and other Issuances

18.05 Wastewater Engineering (20%)

- 18.05.1 Wastewater Treatment and Disposal
- 18.05.2 Sewerage system engineering;
- 18.05.3 Wastewater Reclamation and Re-use Engineering;
- 18.05.4 Effluent Disposal
- 18.05.5 Design of Appropriate or Innovative Wastewater Treatment;
- 18.05.6 Pertinent Laws, Codes, Ordinances, Rules, Regulations and other Issuances.

18.06 Water Supply Engineering (20%)

- 18.06.1 Hydrology
- 18.06.2 Microbiology, Bacteriology, Parasitology, Epidemiology, and Toxicology
- 18.06.3 Advance Water Treatment
- 18.06.4 Sanitary Chemistry
- 18.06.5 Water Sources, Development and Collection
- 18.06.6 Water Distribution System
- 18.06.7 Water Purification
- 18.06.8 Water Resources Engineering
- 18.06.9 Waterworks Management and Economics
- 18.06.10 Pertinent Laws, Codes, Ordinances, Rules, Regulations and other Issuances

Section 19. Subjects of Examinations for Sanitarians;

- 19.01 Water Supply Sanitation
- 19.02 Excreta and Sewage Disposal

- 19.03 Plumbing
- 19.04 Refuse Storage, Collection and Disposal
- 19.05 Control of Rodents and Insects
- 19.06 Food Sanitation
- 19.07 Community Sanitary Survey
- 19.08 Vital Statistics
- 19.09 Industrial Hygiene
- 19.10 School Sanitation
- 19.11 Public Swimming Pools and Public Bathing Places
- 19.12 Public Conveyances
- 19.13 Emergency Sanitation
- 19.14 Air Pollution
- 19.15 Nuisance and Offensive trades and Occupations

Section 20. *Report of Rating.* – The Board shall submit to the Commission the ratings obtained by each candidate within fifteen (15) days after the examinations, unless extended for a just cause.

Section 21. *Re-examination.* – An applicant who fails to pass the examination for three consecutive times shall only be allowed to take another examination after a lapse of one year.

Section 22. *Issuance of Certificates of Registration and License.* – Upon payment of the Registration Fee as established by the Commission, and after taking his oath as a new registered professional, the Board shall issue a Certificate of Registration to any applicant who has met the requirements prescribed in this Act.

The Certificate of Registration shall indicate the full name of the registrant, signed by all members of the Board and the Commission, and affixed with the official seal of the Commission. The issuance of a Certificate of Registration by the Board to a registrant is an evidence that the person named therein is entitled to all the privileges of a registered and licensed environmental and sanitary engineer, or registered sanitarian.

A professional license bearing the registration number, date of issuance, expiry date and duly signed by the Chairperson of the Commission, shall likewise be issued to every registrant, provided that the professional fees shall have been paid. No person shall practice environmental and sanitary engineering in the Philippines unless such person shall have registered and secured a license to practice environmental and sanitary engineering in the manner herein provided. A licensee is entitled to practice the profession with all the privileges appurtenant thereto until the expiration of the validity of his license.

Section 23. *Exemption from Examination and Registration.* – Registration shall not be required by foreign environmental and sanitary engineers, or experts, called in by the Philippine Government for consultation, or for specific sanitary and/or environmental engineering services as defined under this Act, *Provided*, that this practice shall be limited to such work; *And provided*, *further*, that they do not engage in private practice at their own account as

environmental and sanitary engineers, and that, they shall secure a special temporary permit as required under Section of this Act.

Section 24. Oath – All successful candidates in the examination shall be required to take a professional oath before the Board prior to entering the practice of Environmental and Sanitary Engineering and the Sanitarian Profession.

Section 25. Seal of a Professional Environmental and Sanitary Engineer – All registered Environmental and Sanitary Engineers shall obtain their respective seal, of such design, as the Board shall authorize and direct. The serial number of the seal shall be stamped on the design, plans and specifications prepared by the environmental and sanitary engineer during the validity of the registrant's certificate. It shall be unlawful for anybody to stamp or seal any document with the said seal after the certificate of registration has expired, or has been revoked, unless, said certificate has been renewed or reissued.

Section 26. Revocation of Certificates of Registration, and Suspension from the Practice of Profession. – The Board, through the Professional Regulation Commission (PRC), shall have the power to suspend or revoke the certificate of registration of any registrant, for any violation of this Act and/or the Code of Professional Ethics.

This decision shall be final and executory unless it is appealed by the respondent to the commission within fifteen (15) days from the receipt of such decision. The decision may be appealed by the respondent to the courts of justice in accordance with the procedure set forth under the rules of court.

Any person, firm, association or corporation may file a complaint with the Professional Regulation Commission against any licensee, or the Board, may, on its own initiative (*motu proprio*), investigate and/or take cognizance of the acts and practices constituting cause for the suspension or revocation of the certificate of registration of the respondent.

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

Section 27. Re-issuance of Revoked Certificates and Replacement of Lost Certificates. – Subject to the approval of the Commission, the Board may, after the expiration of two (2) years from the date the Certificate of Registration has been revoked, or for reasons that may deem proper, entertain an application for a new certificate of registration from the registrant upon payment of the required fees. The application shall be accomplished in the same form prescribed for examination, but the Board may, in its discretion, exempt the applicant from taking the requisite examination.

A new Certificate of Registration to replace a certificate that has been lost, destroyed or mutilated shall be issued after having complied with the PRC requirements and upon payment of the required fee.

Section 28. Renewal of License. – The professional license shall serve as evidence that the licensee can lawfully practice his profession until the

expiration of its validity. However, license can only be secured upon payment of renewal fee corresponding to three (3) consecutive years.

Section 29. *Special Permits.* – The following are required to secure a Special Permit from the Board subject to the approval of the Commission.

29.01 Environmental and sanitary engineers from other countries called in by the government for consultation and/or for a specific project not requiring more than three (3) months period: *Provided*, That such engineers are legally qualified to practice environmental and sanitary engineering in their country or state.

29.02 Foreign consultant specializing in field of environmental and sanitary engineering, who, through the judgment of the Board, may benefit the local practitioners through the transfer of technology, maybe issued a special permit: *Provided*, That such engagements shall satisfy the following conditions;

29.02.1 That, at the time of engagement, no environmental and sanitary engineer in the country is competent, available and willing to perform the services for which the foreigner has been hired.

29.02.2 The foreigner must have been in the prior employ of the engaging firm, or its foreign business partner, outside of the country for a period of not less than one (1) year immediately preceding the date of engagement;

29.02.3 Any particular or specific engagement shall not be in excess of six (6) months but may be renewed once, if necessary, except when such engagement is for a newly established firm in which case the period of engagement may be for a longer period but not to exceed a total term of one (1) year.

Section 30. *Continuing Professional Development* – The program shall be in accordance with the Standardized Guidelines and Procedures for the Implementation of the Continuing Professional Development and or Education (CPD/E) for all professionals as established by the Commission. The number of credit units required under the guidelines for CPD programs, activities or sources shall be the basis for the renewal of the certificate of registration for the registered environmental and sanitary engineers, and sanitarians.

ARTICLE IV

MISCELLANEOUS PROVISIONS RELATIVE TO THE PRACTICE OF ENVIRONMENTAL AND SANITARY ENGINEERING

Section 31. *Enforcement of the Act by Officers of the Law.* The Professional Regulation Commission shall be the enforcement agency of the Board. As such, the Commission shall implement the provisions of this Act, enforce its implementing rules and regulations, conduct investigation on complaints and violations of the Code of Ethics of the profession.

The National Government, or any provincial, city or municipal government or of any of its political subdivision, shall enforce the provisions of

this Act and to prosecute any person violating the same. The Department of Justice shall act as legal adviser of the Board and render such legal assistance as may be necessary in carrying out the provisions of this Act.

Section 32. *Practice for Firms* – The practice of environmental and sanitary engineering is a professional service based on individual and personal qualifications. A Firm, Association, or Partnership can practice environmental and sanitary engineering provided the principals of the Firm, Association or Partnership are registered and licensed environmental and sanitary engineers.

Section 33. *Foreign Reciprocity*. No Foreign Engineer shall be admitted to take a Board Examinations, or be given a Certificate of Registration, or be entitled to any of the rights and privileges under this Act, unless the Country from which he is a subject or citizen, specifically permits Filipino Environmental and Sanitary Engineers to practice within its territorial limits, on the same basis as the subjects or citizens of such country.

Article V TRANSITORY PROVISIONS

Section 34. *Transitory provisions for incumbent Members of the Board.* - the incumbent Board Chairman and two (2) incumbent members shall serve as Chairman and members respectively without the need of new appointments upon the effectivity of this Act, and shall organize the Board within six (6) months. The Board Member for the licensure of the Sanitarian profession shall be appointed by the President of the Philippines, following the requirements and qualifications stipulated in Section 5 of this Act.

Section 35. *Integration and Accreditation of Environmental and Sanitary Engineers Association* – An integrated association of environmental and sanitary engineers shall be created and accredited by the Board and the Commission. All persons whose names now appear in the roll of registered environmental and sanitary engineers, and sanitarians under the custody of the Board and the Commission, or those who may hereafter be included therein upon registration and payment of the required fees shall automatically become members of the integrated and accredited association of environmental and sanitary engineers. The registered environmental and sanitary engineers and sanitarians shall receive the benefits and privileges appurtenant to their membership in the duly integrated and accredited environmental and sanitary engineering association, only upon payment of the required fees.

Section 36. *Registration of Environmental and Sanitary Engineers without examination*: Within two (2) years after the effectivity of this act, the Board shall issue certificates of registration and professional licenses, without taking the examination, to environmental and sanitary engineers and registered sanitarians, who shall possess the following qualifications;

36.01 He or she must be a registered and licensed sanitary engineer.

- 36.02 He or she must be a registered Sanitarian with the Department of Health and/or other local government agencies and must possess civil service eligibility for sanitarian.

Section 37. *Environmental and Sanitary Engineering Code of the Philippines.* - Ninety days (90) after the effectivity of this Act, and upon the recommendation of the Board of Environmental and Sanitary Engineering, the President of the Philippines shall organize a committee to prepare the Environmental and Sanitary Engineering Code of the Philippines and its implementing rules and regulations, to effect and carry out the objectives of this Act.

Article VI **PENAL AND CONCLUDING PROVISIONS**

Section 38. *Penalties.* - In addition to the administrative sanctions imposed under this Act, any person who violates any of the provisions of this Act and its rules and regulations, shall, be penalized by a fine of not less than Fifty Thousand Pesos (P50,000.00) nor more than Five Hundred Thousand Pesos (P500,000.00), or imprisonment of not less than nine (9) months nor more than five (5) years, or both fine and imprisonment at the discretion of the Court.

Section 39. *Implementing Rules and Regulations.* - The Board shall, within six (6) months, formulate and issue the implementing rules and regulations (IRR) to carry out the provisions of this Act.

Section 40. *Funding Provisions.* - Such sums as may be necessary to carry out provisions of this Act shall be included in the General Appropriation Act of the year following its enactment into law and thereafter.

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

Section 42. *Repealing Clause.* - The Sanitary Engineering Law also known as R.A. 1364 shall be repealed.

Section 43. *Effectivity Clause.* - This Act shall take effect fifteen (15) days following its full publication in the Official Gazette or newspaper of general circulation in the Philippines, whichever is earlier.

Approved,