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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
Third Regular Session

COMMITTEE REPORT NO. 2407

Submitted by the Committees on Civil Service and Professional Regulation and Appropriations
on 20 SEP 2012 6575
Re: House Bill No. _____
Recommending its approval in substitution of House Bill Nos. 401, 2665, 2701 and 2716

Sponsors: Representatives Andres D. Salvacion, Jr., Joseph Emilio A. Abaya, Jr., Juan Edgardo
M. Angara, Florencio "Bem" G. Noel and Angelo B. Palmones

Mr. Speaker:

The Committees on Civil Service and Professional Regulation and Appropriations to which were
referred House Bill No. 401 introduced by Rep. Juan Edgardo M. Angara, entitled:

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

House Bill No. 2665 introduced by Rep. Florencio "Bem" G. Noel, entitled:

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

House Bill No. 2701 introduced by Rep. Angelo B. Palmones, entitled:

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

and House Bill No. 2716 introduced by Rep. Juan Edgardo M. Angara, entitled:

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

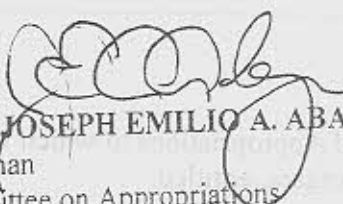
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have considered the same and recommend that the attached House Bill No. _____ entitled:

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

be approved in substitution of House Bill Nos. 401, 2665, 2701 and 2716, and with Reps. Juan Edgardo M. Angara, Florencio "Bem" G. Noel, Angelo B. Palmones, Andres D. Salvacion, Jr., Joseph Emilio A. Abaya, Daryl Grace J. Abayon, Salvador H. Escudero III, Neil Benedict A. Montejo, Rufus B. Rodriguez, Janette A. Garin, Rafael V. Mariano, Anthony Rolando T. Golez, Jr., Philip A. Pichay, Carlos M. Padilla, Josephine Veronique R. Lacson-Noel, Rachel Marguerite B. del Mar and Catalina C. Bagasina as authors thereof.

Respectfully submitted,


HON. JOSEPH EMILIO A. ABAYA
Chairman
Committee on Appropriations


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

Third Regular Session

6575

HOUSE BILL NO. _____

(in substitution of HBs 401, 2665, 2701 and 2716)

Introduced by Representatives Juan Edgardo M. Angara, Florencio "Bem" G. Noel, Angelo B. Palmones, Andres D. Salvacion, Jr., Joseph Emilio A. Abaya, Neil Benedict A. Montejo, Josephine Veronique R. Lacson-Noel, Rachel Marguerite B. del Mar and Catalina C. Bagasina

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 2012."

SEC. 2. Declaration of Policy. - 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 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.* - Refers to the study, analysis, modification and calculations of physico-chemical or biochemical properties of matter. Chemistry 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. Biochemistry, which is defined as the study of the chemical compounds and processes in biological organisms, is included within the scope of chemistry for purposes of this Act.

(b) *Registered Chemist.* - Refers to any person who is engaged in the professional practice of chemistry, as defined herein, who is 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*. – Refers to any person who is engaged in the work of chemical analysis, as defined herein, and who is 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*. – Refers to 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*. – Refers to a facility where activities described in Sections 3(d) and 3(e) 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 Chemists:

- (a) Performance of a chemical analysis or chemical synthesis;
- (b) Certification of a chemical analysis or chemical synthesis;
- (c) Inspection of a laboratory with respect to its chemical or biochemical activities;
- (d) Certification of a laboratory with respect to its chemical or biochemical activities;

- (e) Supervision of a chemical laboratory;
- (f) Supervision of a chemical analysis or chemical synthesis, whether or not this is performed in a laboratory;
- (g) 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;
- (h) Consultation or investigation, research concerning physico-chemical or biochemical matters which involve the public interest, public safety, laws or regulations. For these purposes, the Registered Chemist must affix one's signature, license number and official seal to any certification report which one submits;
- (i) Sale of chemicals, chemical apparatus, or chemical equipment;
- (j) Supervision of the sale of chemicals, chemical apparatus, or chemical equipment; and
- (k) Functions related to the management of chemicals, such as chemical safety, chemical waste management, pollution control, and the like.

The Chemistry Board, subject to the approval of 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. Any report on chemical analysis or synthesis must be signed by the chemical analyst who performed and who must duly affix one's license number.

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, under the administrative control and supervision of the Professional Regulation Commission, hereinafter referred to as the Commission, which shall be composed of a Chairperson and two (2) Members 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 (APO) of chemists.

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

1 (a) Supervise and regulate the practice of the chemistry profession in the Philippines
2 in accordance with the provisions of this Act;

3 (b) Determine the requirements and evaluate the qualifications of the applicants for
4 registration and renewal of license of registered chemists and registered chemical analysts;

5 (c) Prescribe the subjects in the licensure examination, determine the syllabi of the
6 subjects and their relative weights, construct the test questions in the examinations, and
7 submit the examination results to the Commission;

8 (d) Issue, together with the Commission, certificates of registration to persons
9 admitted to the practice of the professions of Chemistry and Chemical Analysis;

10 (e) Oversee the conduct of the Continuing Professional Education (CPE) program for
11 the professional chemists and chemical analysts;

12 (f) Determine, in consultation with the accredited professional organization, private
13 industry, and relevant government agencies, the requirements of chemistry laboratories both
14 private and government, and other entities engaged in the practice of chemistry for
15 registration or renewal of permit, and to issue, together with the Commission, the certificate
16 of authority to operate to those which satisfy the said requirements;

17 (g) Conduct on-site inspection of chemistry laboratories and other entities engaged in
18 the practice of Chemistry and seek the assistance of the APO in order to carry out these
19 functions;

20 (h) Inquire into the conditions affecting the practice of the profession and adopt
21 measures for the enhancement and maintenance of high professional, ethical and technical
22 standards.

23 (i) Adopt and promulgate the Code of Ethics and Code of Good Governance for the
24 practice of Chemistry;

25 (j) Issue subpoena *ad testificandum* and subpoena *duces tecum* to secure the
26 attendance of witnesses or the production of documents in connection with any administrative
27 case before the Board;

28 (k) Hear and decide administrative cases filed against chemists, chemical analysts,
29 and the owners and administrators of chemical laboratories. The hearing shall be presided
30 over by the Chairperson or a Member of the Board with the assistance of an attorney of the
31 Commission. Any decision shall be decided by a majority of the Board. The decision of the
32 Board may be appealed to the Commission within fifteen (15) days from notice, otherwise
33 such decision shall be final and executory;

34 (l) Administer oaths in connection with the performance of its functions;

35 (m) Adopt the implementing rules and regulations of this Act; and

(n) Perform such other functions as may be necessary in order to implement the provisions of this Act.

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

(a) must be a citizen and resident of the Philippines;

(b) of good moral character and of sound mind;

(c) must be 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) must be a registered chemist who has been in active practice for at least ten (10) years;

(e) must be a person who does 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 shall one be a member of the faculty or administration thereof;

(f) must be a member in good standing of the APO;

(g) must not be 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 Members of the Board shall hold office for a term of three (3) years from the date of appointment or until their successors shall have been appointed. They may be reappointed for another term of three (3) years immediately after the expiry of their term: *Provided*, That their terms should not be more than two (2) terms or not more than six (6) years, whichever is longer: *Provided, further*, That 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) year: *Provided, furthermore*, That 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 Services. - 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 and Members.

- 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 one's 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 Corrupt Practices Act, 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 otherwise known as the PRC Modernization Act of 2000, 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 a 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.

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

3 (a) must be a citizen and resident of the Philippines or a foreign citizen whose
4 country/state has reciprocity with the Philippines in the practice of chemistry;

5 (b) of good moral character and of sound mind;

6 (c) must be a graduate of any higher educational institution and a holder of a degree of
7 Bachelor of Science (BS) in Chemistry or an allied degree, the curricula of which are under
8 the academic supervision of the CHED: *Provided*, That the applicant must have earned at
9 least sixty (60) university units in chemistry which should include all of the professional
10 chemistry courses: *Provided, further*, That the allied degree and its curriculum shall have
11 passed the evaluation of the Board of Chemistry. Graduates of reputable foreign universities
12 who have been conferred the degree of BS Chemistry or its equivalent, and whose curriculum
13 includes all of the professional chemistry courses, may apply to take the licensure
14 examination, subject to evaluation by the Board; and

15 (d) must not have been convicted of a crime or an offense involving moral turpitude
16 by a court of competent jurisdiction.

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

26 **SEC. 18. Qualifications of Applicant for Chemical Analyst.** - To be authorized to
27 practice the profession of Chemical Analysis, an applicant must possess the following
28 qualifications:

29 (a) must be a citizen of the Philippines, or a citizen of a foreign country which grants
30 the corresponding privilege to Filipinos;

31 (b) of good moral character and of sound mind; and

32 (c) must have successfully completed at least thirty (30) units of undergraduate
33 chemistry courses from an institution duly recognized by the CHED or Technical Education
34 and Skills Development Authority (TESDA). The courses should include both lecture and
35 laboratory courses in the following subjects: General Chemistry, Analytical Chemistry and

1 Organic Chemistry. A certified true copy of the applicant's transcript of records must
2 accompany the application.

3 **SEC. 19. Scope of Examination for Chemical Analyst.** - The licensure examination
4 for Chemical Analyst shall cover practical aspects of laboratory work in the following
5 chemistry subjects with equal weights: Analytical Chemistry and Organic Chemistry. The
6 Board may modify the coverage of the Board examination as required by developments in
7 chemistry and the professional practice of Chemical Analysis. In such a case, the Board shall
8 consult with the CHED, TESDA and the APO for chemistry. The Board must announce
9 revisions in chemistry subjects and topics at least two years prior to their inclusion in the
10 Board examination.

11 **SEC. 20. Holding of Examination.** - Examination of candidates desiring to practice
12 Chemistry and Chemical Analysis in the Philippines shall be given at least once each
13 calendar year on the date(s) and venue(s) prescribed by the Commission in accordance with
14 R.A. No. 8981.

15 **SEC. 21. Examination Fees.** - Each applicant admitted to take the Chemistry
16 examination shall pay such fees as may be prescribed by the Commission before one is
17 allowed to take the examination.

18 **SEC. 22. Ratings in the Licensure Examination.** - The Board and the Commission
19 shall issue certificates of registration if the examinee attains the following ratings:

20 (a) Examination for Chemist: the examinee must obtain a general average of at least
21 seventy percent (70%) and no rating less than fifty percent (50%) in any subject:
22 *Provided, however,* That if the examinee passes any two subjects, the examinee
23 shall automatically qualify as a Chemical Analyst;

24 (b) Examination for Chemical Analyst: the examinee must obtain an overall average
25 of at least seventy percent (70%) and no rating less than fifty percent (50%) in any
26 subject.

27 The results of the examination shall be released within ten (10) working days from the
28 last day of the examination.

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

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

4 (a) Foreign-based chemists, recognized as experts in their specific field of chemistry,
5 who are invited by the Republic of the Philippines for purposes of consultation or
6 for a specific project: *Provided*, That their practice shall be confined to such
7 work; and

8 (b) Foreign-based chemists, who have distinguished themselves in their respective
9 fields of specialization, contracted as professors or lecturers on chemistry subjects
10 by Philippine schools, colleges, institutes or universities on a direct hire or
11 exchange basis. The special permit shall indicate the period of validity but shall
12 not exceed three (3) years. It may be renewed subject to the rules and regulations
13 of the Board. Complaints or questions regarding such individuals may be directed
14 to the Board for verification or action.

15 **SEC. 25. Professional Oath.** - All persons to be admitted to the practice as
16 registered chemists and registered chemical analysts are required to take their oath before the
17 Board or any officer authorized by the Commission prior to the issuance of their Certificate
18 of Registration.

19 **SEC. 26. Issuance of Certificate of Registration for Chemist and Chemical**
20 **Analyst.** - A certificate of registration for a chemist and chemical analyst shall be issued by
21 the Board to examinees who have passed the relevant licensure examination subject to the
22 payment of fees prescribed by the Commission. The certificate of registration shall state the
23 full name of the registrant and the registration number, bear the signature of the Chairperson
24 of the Commission and the Chairperson and Members of the Board, and shall be
25 authenticated by the official seal of the Commission and the Board.

26 The certificate of registration shall remain in full force and effect unless suspended or
27 revoked under the provisions of this Act.

28 **SEC. 27. Issuance of Professional Identification Card for Chemist and Chemical**
29 **Analyst.** - A professional identification card for chemist shall be issued to holders of a valid
30 certificate of registration for chemist, subject to the payment of fees prescribed by the
31 Commission. A professional identification card for chemical analyst shall be issued to
32 holders of a valid certificate of registration for chemical analyst. The professional
33 identification card shall state the full name of the registrant and the registration number, bear
34 the signature of the chairpersons of the Commission and the Board, and shall be authenticated
35 by the official seal of the Commission and the Board. The professional identification card

1 shall be valid for a period of three (3) years, subject to renewal: *Provided*, That the certificate
2 of registration shall not have been suspended or revoked under the provisions of this Act.

3 **SEC. 28. Indication of Numbers: Certificate of Registration and Professional**
4 **Tax Receipt.** – All registered chemists shall be required to indicate the Certificate of
5 Registration (CR) and Professional Tax Receipt (PTR) Numbers, its date and place of
6 issuance and its expiration date.

7 **SEC. 29. Revocation or Suspension of the Certificate of Registration and**
8 **Cancellation of Temporary/Special Permit.** – The Board shall have the power, upon notice
9 and hearing, to revoke or suspend the certificate of registration of a registered chemist or to
10 cancel a temporary/special permit granted to a foreign chemist, based on the following
11 grounds:

12 (a) Any act of misrepresentation, dishonesty, unethical conduct or gross incompetence
13 in connection with the performance of chemistry services as defined in this law or
14 any act inimical to the chemistry profession;

15 (b) Immorality or commission of any act involving moral turpitude;

16 (c) Conviction by final judgment of a court of competent jurisdiction of any criminal
17 offense; or

18 (d) Judicial declaration that the former is of unsound mind.

19 The Board may, for reason it may deem sufficient and upon proper petition, reissue
20 revoked certificates of registration or other certificates.

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

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

30 **SEC. 32. Roster of Chemists and Chemical Analysts.** – The Commission shall keep
31 a roster of all registered chemists and chemical analysts, stating their names, registration
32 numbers and places of business. The Commission shall regularly update such roster and
33 make it available to all interested parties.

34 **SEC. 33. Seal of Registered Chemist.** – Each registered chemist shall, upon
35 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. – No foreign chemists and chemical analysts shall be allowed to take the licensure examination, issued a certificate of registration and professional identification card, and allowed to practice chemistry and chemical analysis in the Philippines or be entitled to any of the rights and privileges under this Act, unless the country such foreign chemist or chemical analyst is a subject or citizen of specifically permits Filipino chemists and chemical analysts to practice within its territorial limits on the same basis.

SEC. 35. Certificate of Authority to Operate for Firms, Corporations, and Government Agencies. - Only firms, corporations, and government agencies duly authorized by the Board and which hold a valid certificate may operate a chemical laboratory or engage in the practice of chemistry or chemical analysis in the Philippines: *Provided*, That such chemical practice is carried out only by registered Chemists or registered Chemical Analysts holding valid certificates of registration and professional identification cards issued by the Board. The person or officer who is charged with the management or administration of such firm, corporation or government agency 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 issuance of the certificate of authority to operate a chemical laboratory or to engage in the practice of chemistry or chemical analysis. 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, including their business addresses and registration numbers. The Commission shall regularly update such roster.

ARTICLE IV

GENERAL PROVISIONS

SEC. 38. Penal Code 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 card. This includes any person who:

(a) Practises chemistry without a valid certificate of registration and/or a valid professional identification card or a valid temporary/special permit;

(b) Attempts to use 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, a violator shall be sentenced with 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 (P100,000.00) or not more than one million pesos (P1,000,000.00), 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 authority to operate the same. 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 (P100,000.00) or more than one million pesos (P1,000,000.00), 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 the chemist's registration number affixed thereto. A registered chemical analyst who performs a chemical analysis test in conjunction with a test or task performed by a registered chemist shall likewise sign such report or document and affix one's 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 shall 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 coverage 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 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 Analysts. – All chemists and chemical analysts 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 from 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. 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. The same grace period shall be enjoyed by those who, on the date of the effectivity of this Act, are teaching professional chemistry subjects during which time they must fulfill the following requirements:

(a) Completion of at least sixty (60) units of Chemistry subjects 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) Satisfaction of all other reasonable requirements or criteria that the Board may set to demonstrate one’s competence to teach such subjects; and

(d) Active participation in Continuing Professional Education (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

1 subjects. However, such permission to teach professional chemistry subjects shall not be
2 construed as permission to practice chemistry.

3 ARTICLE VI

4 FINAL PROVISIONS

5 **SEC. 47. Implementing Rules and Regulations.** – The Board, subject to the
6 approval of the Commission, shall adopt and promulgate the Implementing Rules and
7 Regulations and Code of Ethics for the Practice of Chemistry, and other resolutions necessary
8 to carry out the provisions of this Act.

9 **SEC. 48. Appropriations.** – The chairperson of the PRC shall immediately include
10 in the Commission's programs the implementation of this Act, the funding of which shall be
11 included in the annual General Appropriations Act.

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

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

17 **SEC. 51. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its
18 publication in the *Official Gazette* or in a newspaper of general circulation.

19 Approved,

H. B. Nos. 401 and 2716 by Rep. Juan Edgardo M. Angara

H.B. No. 2665 by Rep. Florencio G. Noel

H.B. No. 2701 by Rep. Angelo B. Palmones

AN ACT

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

*Committee Referral: COMMITTEE ON CIVIL SERVICE AND
PROFESSIONAL REGULATION (Primary)*

Committee Chairperson: REP. ANDRES D. SALVACION, JR.

Committee Referral: COMMITTEE ON APPROPRIATIONS (Secondary)

Committee Chairperson: REP. JOSEPH EMILIO A. ABAYA

OBJECTIVES:

- To emphasize the role of chemistry in national development by promoting and protecting the interests of the chemistry profession.
- To elevate the standards of the profession by strengthening the promotion, regulation and measures for continued development in the field.
- To boost the country's aspirations towards global competitiveness by repealing the outdated Chemistry Law of 1952.

KEY PROVISIONS:

- Updates the definition of Chemistry and the scope of the professional practice of Chemistry.
- Defines the practice of the Chemical Analyst.
- Strengthens the professional practice of Chemistry for global competitiveness and to bring it in line with international practice, certification and standards.
- Rationalizes the relationship between Chemistry and allied professions.
- Strengthens the linkage between the training of Chemists and the professional practice of Chemistry.
- Strengthens 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.
- Supports the requirement for Continuing Professional Education (CPE) for

the continuous training and international competitiveness of professional chemists.

- Synchronizes the practice of Chemistry with the requirements and standards of the PRC Modernization Act of 2000 (RA 8981), as well as national concerns related to chemistry, such as toxic and hazardous and nuclear wastes (RA 6969) and dangerous drugs (RA 9165).

RELATED LAW:

- R.A. No. 754, The Chemistry Law of 1952