

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **1063**



Introduced by Honorable Neptali M. Gonzales II

EXPLANATORY NOTE

Advances in the world's major industries have seen the rise in technologies such as robotization and automation. These were adopted by major industrial concerns to meet market demands, and improve productivity as well as efficiency. The accelerated pace that accompanied this technological development came to mean the introduction of improved instruments, fast and efficient monitoring and control system, and sophisticated data acquisition systems that are capable of integrating and controlling the various loops in production process. It also meant the evolution of the branch of engineering now known as instrument and control engineering.

Today, with the continued innovation in technology and the development of industrial standards of excellence (e.g. ISO ratings), instrument and control engineers and technicians are called upon to innovate and improve their level of competence and professional integrity. Their stewardship of a crucial in the world's industrial process requires nothing less. Equally so, the State must now initiate the enactment of a law that will professionalize the practice and control of instrumentation and

control engineering in the country. This will, in part, guarantee the compliance of practitioners in this engineering discipline with the demands of demands of competitive and highly innovative profession.

This proposed bill seeks to address this need by:

1. Creating the Board Examiners for Instrumentation and Control Engineers;
2. Mandating the examination and subsequent registration of applicants intending to practice instrumentation and control engineering; and
3. Establishing regulations that will govern the practice of the profession.

The country's drive toward industrialization, modernization, competitiveness, and our integration into the global economic structure will come to mean the readiness of both public and private sectors to keep apace with social and economic forces. Toward this end, providing the necessary infrastructure as well as professional regulations to those who play a major part in this drive is necessary.

In the light of the foregoing, early passage of this bill is earnestly sought.



NEPTALI M. GONZALES II

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AN ACT
REGULATING THE PRACTICE OF INSTRUMENTATION AND CONTROL
ENGINEERING IN THE PHILIPPINES AND FOR OTHER PURPOSES

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Title.* – This Act shall be known as the “Philippine
Instrumentation and Control Engineering Law of 2013”.

SEC 2. *Statement of Policy.* – The State recognizes the role of
Instrumentation and Control Engineers in nation-building and development.
The State likewise recognizes the need to regulate the practice of the
profession with the end in view of developing competent and well-rounded
Instrumentation and Control Engineers whose standards of professional
service shall be excellent, qualitative and globally competitive.

1 SEC. 3. *Definition of Terms.* – As used in this Act, the following terms
2 shall mean:

3 (a) *Instrumentation* – It is the collection of instruments of their
4 application for the purpose of observation, measurement or
5 control.

6 (b) *Instrumentation and Control Engineering* – The practice of
7 Instrumentation and Control Engineering shall mean the rendering
8 or offering of professional Instrumentation and Control Engineering
9 service for a fee, salary or other reward of compensation paid
10 through him/her or through another person, or even such rewards
11 or compensation. The term shall be synonymous with “rendering
12 Instrumentation and Control Engineering service”.

13 SEC. 4. *Scope of Practice.* – The practice of Instrumentation and
14 Control Engineering within the context and intent of this Act shall embrace
15 the following:

16 (a) Design of Front-End Engineering which includes Process and
17 Instrument Diagram (P & ID); Detailed Engineering which includes
18 the making of Instrument Index, Specifications/Data Sheets,
19 Control Diagrams, Logic Diagrams, Ladder Diagrams, Isometric
20 Drawings, Termination Drawings, Loop Drawings,
21 Instrument/Junction Box Location Drawings, Cable Tray Support
22 and Installation Details, Hook-up Drawings, Instrument Support
23 Fabrication and Installation Details, and Control Panel Layout;
24 Special Calculations which include Orifice Sizing; System
25 Automation which includes Programmable Logic Controller (PLC),

- 1 (a) Promulgate, administer and enforce rules and regulations
2 necessary for carrying out the provisions of this Act, in accordance
3 with the charter of the Commission;
- 4 (b) Supervise and regulate the registration, licensure and practice of
5 Instrumentation and Control Engineering in the Philippines;
- 6 (c) Administer oaths in connection with the administration of the Act;
- 7 (d) Adopt an official seal of the Board;
- 8 (e) Maintain a roster of Instrumentation and Control Engineers
9 indicating therein the basic information about the registered
10 professionals;
- 11 (f) Issue, reinstate, suspend or revoke the Certificate of Registration
12 and/or Professional License for the practice of Instrumentation and
13 Control Engineering;
- 14 (g) Monitor the conditions affecting the practice of Instrumentation
15 and Control Engineering and adopt such measures as may be
16 deemed proper for the enhancement of the profession and/or
17 maintenance of high professional, ethical and technical standards;
- 18 (h) Ensure, in coordination with the Commission on Higher Education
19 (CHED) that all educational institutions offering Instrumentation
20 and Control Engineering education comply with the policies,
21 standards and requirements of the course prescribed by CHED in
22 the areas of curriculum, faculty, library and facilities;
- 23 (i) Prescribe and/or adopt a Code of Ethics for the practice of
24 Instrumentation and Control Engineering;

- 1 (j) Hear or investigate any violation of this Act, its implementing rules
2 and regulations and the Code of Ethics for Instrumentation and
3 Control engineers as shall come to the knowledge of the Board, and
4 for this purpose, to issue *subpoena* and *subpoena duces tecum* to
5 secure the appearance of witnesses and the production of
6 documents in connection therewith;
- 7 (k) Prescribe guidelines and criteria in the Continuing Professional
8 Education (CPE) program for Instrumentation and Control
9 Engineers;
- 10 (l) Adopt a program for the full computerization of the licensure
11 examination;
- 12 (m) Prepare, adopt and issue the syllabi of the subjects for the
13 examinations by determining and preparing the questions which
14 shall strictly be within the scope of the syllabus of the subject for
15 examination;
- 16 (n) Approve registration without examination, subject to review by the
17 Commission;
- 18 (o) Issue special permits to persons admitted to the practice of
19 Instrumentation and Control Engineering for a specific duration of
20 time, and certificates of recognition to Instrumentation and Control
21 Engineers for advance studies, researches, highly specialized
22 trainings, and accomplishments that contribute to the enrichment
23 of the profession;
- 24 (p) Submit an annual report after the close of each fiscal year on the
25 proceedings and accomplishments of the Board during the year as

1 well as any recommendation of the same to the Commission with
2 the end in view of upgrading and improving the conditions affecting
3 the practice Instrumentation and Control Engineering in the
4 Philippines; and

5 (q) Discharge such other powers and functions as the Board may
6 deem necessary for the practice of the profession and the
7 upgrading, enhancement, development and growth of
8 Instrumentation and Control Engineering in the Philippines.

9 The policies, resolutions, rules and regulations, orders or decisions
10 issued or promulgated by the Board shall be subject to the review and
11 approval of the Commission: *Provided, however,* That the decisions,
12 resolutions or orders rendered by the Board which are not interlocutory in
13 an administrative case, shall only be subject to review on appeal.

14 SEC. 7. *Qualifications of the Chairman and the Members of the Board.*

15 – The Chairman and the Members of the Board shall, at the time of
16 appointment, possess the following qualifications:

- 17 (a) Must be a citizen and resident of the Philippines;
18 (b) Must be at least Thirty-five (35) years of age;
19 (c) Must be proven integrity and with high moral values as evidenced
20 by his past professional conduct;
21 (d) Must be a graduate of Instrumentation and Control Engineering;
22 (e) Must be duly registered Instrumentation and Control Engineer
23 under this Act with a valid Certificate of Registration and
24 Professional License and have been in the active practice of the

1 profession for a period of not less than ten (10) years either in the
2 government service or the private sector;

3 (f) Must be a member in good standing of the integrated and
4 accredited association of Instrumentation and Control Engineers;
5 (g) Must not have any pecuniary interest, directly or indirectly in any
6 school, academy, college, university or institution conferring an
7 academic degree necessary for admission to the practice of
8 Instrumentation and Control where review classes in preparation
9 for the licensure examination are being offered or conducted, nor
10 shall be a member of the faculty or of the faculty or of the
11 administration thereof at the time of his appointment to the Board;
12 and

13 (h) Must not have been convicted of any offense involving moral
14 turpitude.

15 SEC. 8. *Term of Office.* – The Chairman and Members of the Board
16 shall hold for three (3) years or until their successors shall have been
17 appointed and duly qualified: *Provided*, That Members of the first appointed
18 Board shall hold office for the following terms: one (1) Member as Chairman
19 for three (3) years, one (1) Member for two (2) years and one (1) Member for
20 one (1) year.

21 The Chairman and Members of the first Board shall automatically be
22 registered as Instrumentation and Control Engineers and issued with
23 Certificate of Registration and Professional License.

1 The Chairman or Member of the Board may be reappointed for
2 another term but in no case shall he/she serve continuously for more than
3 six (6) years. They shall take oath of office prior to assumption of duty.

4 SEC. 9. *Compensation and Allowances of the Board.* – The Chairman
5 and Members of the Board shall receive compensation and allowances
6 comparable to that being received by the Chairman and Members of the
7 existing regulatory boards under the Commission as provided for in the
8 General Appropriations Act.

9 SEC. 10. *Vacancy and Removal.* – Any vacancy in the Board shall be
10 filled up for the unexpired portion of the term only.

11 The Chairman or any Member of the Board may suspended or
12 removed by the President of the Philippines upon recommendation of the
13 Commission for neglect of duty, incompetence, malpractice, commission of
14 tolerance of irregularities in any examination given by the Board,
15 unprofessional or unethical conduct, after due notice and hearing where
16 his/her right to be heard, to defend himself/herself and to be assisted by
17 counsel shall be respected in a proper administrative investigation: *Provided,*
18 That during the process of investigation, the Commission shall have the
19 power to suspend such Member under investigation and shall appoint a
20 temporary Member in his/her place. The Commission's decision may be
21 appealed within fifteen (15) days to the President of the Philippines whose
22 decision shall be final and executory.

23 SEC. 11. *Supervision of the Board, Custodian of its Records, Secretariat*
24 *and Support Services.* – The Board shall be under the general supervision

1 and administrative control of the Commission. All the records of the Board,
2 including applications for examination, examination papers and results,
3 minutes of deliberation, administrative cases, and other investigated cases
4 involving Instrumentation and Control Engineers shall be kept by the
5 Commission.

6 The Commission shall designate the Secretary of the Board and shall
7 provide the secretariat and other support services to implement the
8 provisions of this Act.

9 ARTICLE III

10 EXAMINATION AND REGISTRATION

11 SEC. 12. *Licensure Examinations.* - Every applicant seeking to be
12 registered and licensed as Instrumentation and Controls Engineers or
13 Instrumentation and Control Technicians shall undergo and pass a written
14 technical examination to be given by the Board as least once a year in such
15 places and dates as the Commission may designate.

16 SEC. 13. *Qualifications for Examination.* - Any person applying for
17 admission to the licensure examination for Instrumentation and Control
18 Engineering or Instrumentation and Control Technicians shall establish to
19 the satisfaction of the Board that:

- 20 (a) He is a citizen of the Philippines;
- 21 (b) He is of good reputation and unsullied moral character;
- 22 (c) He has not been finally convicted by a competent court of an
23 offense involving moral turpitude;

1 (d) For Instrumentation and Control Engineering, he is a graduate of a
2 prescribed course in Instrumentation and Control Engineering
3 from any school, academy, institute, college or university
4 recognized and accredited by the Philippine Government or the
5 state wherein it is established: *Provided*, That within three (3) years
6 after the approval of this Act, certified holders of Associate in
7 Instrumentation and Control Engineering, Instrumentation
8 Technology, or any allied engineering courses, with at least five (5)
9 years of active practice in instrumentation and control or allied
10 fields, shall be qualified to take the licensure examination for
11 Instrumentation and Control Engineering;

12 (e) For Instrumentation and Control Technician, he must possess any
13 of the following qualifications:

14 (1) He has completed at least three (3) years of a five-year course in
15 Bachelor of Science in Instrumentation and Control Engineering
16 or a three-year course in Instrumentation and Control
17 Technology from an engineering school, academy, institute,
18 college or university recognized and accredited by the Philippine
19 Government or the state wherein it is established and, in
20 addition, has at least one (1) year of practice in maintenance,
21 calibration, etc.; or

22 (2) He has graduated from a two-year vocational course on
23 electronics and, in addition, has at least two (2) years of
24 apprenticeship in instrumentation; or

1 (3) He has completed a one-year vocational course on electronics or
2 industrial electricity and, in addition, has at least three (3) years
3 of apprenticeship in Instrumentation; or

4 (4) He has completed a four-year high school education or its
5 equivalent and, in addition, has at least five (5) years of
6 apprenticeship in Instrumentation.

7 SEC. 14. *Scope of Examination.* – The Board shall prescribe the
8 subjects for Instrumentation and Control Engineering as well as that for the
9 Instrumentation and Control Technician.

10 SEC. 15. *Release of the Results of Examination.* – The Board and the
11 Commission shall correct and rate the licensure examination papers and
12 shall release the examination results within fifteen (15) days after the said
13 examination.

14 SEC. 16. *Ratings in the Examination.* – An examinee shall be deemed
15 to have successfully passed the examination if he has obtained an average of
16 at least seventy percent (70%); *Provided*, That in no case should the rating in
17 any subject be less than fifty percent (50%); *Provided, further*, That an
18 applicant who fails to obtain a passing average but who obtained at least
19 seventy percent (70%) in each of at least one-half of the total subjects given
20 in the examination, may be permitted to take, any number of times, a
21 removal examination on the subject in which he obtained a grade below
22 seventy percent (70%), until he has obtained a passing average on all
23 subjects.

1 SEC. 17. *Issuance of the Certificate of Registration and Professional*
2 *License.* – A Certificate of Registration shall be issued to examined who
3 passed the licensure examination for Instrumentation and Control
4 Engineering or Technician subject to payment of fees prescribed by the
5 Commission. The Certificate of Registration shall bear the signature of the
6 Chairman of the Commission and Members of the Board, stamped with the
7 official seal, indicating that the person named therein is entitled to practice
8 the profession with all the privileges appurtenant thereto.

9 The certificate shall remain in full force and effect until withdrawn,
10 suspended or revoked in accordance with this Act.

11 A Professional License, duly signed by the Chairman of the
12 Commission, bearing the registration number, date of issuance, expiry date,
13 shall likewise be issued to every registrant who has paid the annual
14 registration. This license will serve as evidence that the licensee can
15 lawfully practice his profession until the expiration of its validity.

16 SEC. 18. *Registration Without Examination.* – The first Board shall,
17 within a period of two (2) years from the effectivity of this Act, issue a
18 Certificate of Registration and Professional License without the necessity of
19 undergoing and passing the licensure examination for Instrumentation and
20 Control Engineering, to any applicant who with his application for
21 registration, shall present evidence of proof satisfactory to the Board that:

- 22 (a) He/She is a graduate of Instrumentation and Control Engineering;
23 (b) He/She is in the active practice of the profession for at least ten
24 (10) years; *Provided*, That if his/her active practice of the
25 profession is only eight (8) years, he/she must have passed the

1 qualifying examination on Instrumentation Engineering conducted
2 by the integrated and accredited association of Instrumentation
3 and Control Engineers;

4 (c) He is a person of good moral character and can be trusted to
5 practice Instrumentation and Control Engineering as defined in
6 this Act; and

7 (d) For Instrumentation and Control Technicians, he must possess
8 any of the following qualifications:

9 (1) He/she has completed at least three (3) years of a five-year
10 course in a Bachelor of Science in Instrumentation and Control
11 Engineering or a three-year course in Instrumentation and
12 Control Technology from an engineering school, academy,
13 institute, college and active practice of two (2) years and he/she
14 has an active practice of Instrumentation and Control for two (2)
15 years or he/she must have passed the qualifying examination
16 on Instrumentation and Control by the integrated and
17 accredited association of Instrumentation and Control
18 Engineers.

19 (2) He/She has graduated from a two-year vocational course on
20 electronics or industrial electricity and, in addition, has at least
21 four (4) years practice in Instrumentation;

22 (3) He/she has completed a one-year vocational course on
23 electronics or industrial electricity and, in addition, has at least
24 four (4) years practice in Instrumentation; or

1 (4) He has completed a four-year high school education or its
2 equivalent and, in addition, has at least five (5) years practice in
3 Instrumentation.

4 (5) He is a member in good standing of the Integrated and
5 accredited association of Instrumentation and Control Engineer.

6 SEC. 19. *Refusal to Register.* – The Board shall refuse to issue the
7 Certificate of Registration and/or Professional License to any person who
8 has been convicted by a court of competent jurisdiction of any crime
9 involving moral turpitude, or has been found guilty of immoral and
10 dishonorable conduct after due investigation by the Board, or has been
11 declared to be of unsound mind. The reason for the refusal shall be set
12 forth in writing and shall be incorporated with the records of the Board.

13 SEC. 20. *Revocation or Suspension of the Certificate of Registration and*
14 *Professional License.* – The Board may, after giving proper notice and hearing
15 to the party concerned, revoke the practitioner's Certificate of Registration
16 and cancel his Professional License, thereby suspending him from the
17 practice of the profession for any unprofessional or unethical conduct,
18 malpractice, or violation of any of the provisions of this Act, its rules and
19 regulations, the Code of Ethics for Instrumentation and Control Engineers,
20 or upon conviction of any crime.

21 SEC. 21. *Reinstatement, Reissuance or Replacement of Certificate of*
22 *Registration and Professional License.* – The Board may, upon application
23 and for reasons deemed proper and sufficient, reinstate any revoked
24 Certificate of Registration or reissue any suspended Professional License,

1 and in so doing, may, in its discretion, exempt the applicant from taking
2 another examination.

3 A new Certificate of Registration or Professional License to replace the
4 lost, destroyed or mutilated ones may be issued subject to the rules
5 implemented by the Board.

6 SEC. 22. *Renewal of Professional License.* – The Professional License
7 shall be renewed every three (3) years upon satisfying the requirements
8 imposed by the Board, such as attendance in Continuing Professional
9 Education (CPE) program and payment of the corresponding fees as may be
10 prescribed by the Board in accordance with the schedule of fees fixed by the
11 Commission.

12 SEC. 23. *Roster of Instrumentation and Control Engineers and*
13 *Technicians.* – The Board shall keep a roster of all duly registered and
14 licensed Instrumentation and Control Engineers and Technicians, indicating
15 their names, registration numbers, places of work, and other pertinent data.
16 The Board shall regularly update such roster and make it available to all
17 interested parties.

18 SEC. 24. *Issuance of Temporary or Special Permits.* – Without
19 prejudice to existing laws on the practice of professions by foreigners in the
20 Philippines, the following may be issued temporary or special permits to
21 practice Instrumentation and Control Engineering in the Philippines:

22 (1) Foreign registered and/or licensed Instrumentation and Control
23 Engineers recognized as experts in their specific fields, called in by

1 the Philippine Government for Consultation or for specific design,
2 installation or project; and

3 (2) Foreign registered and/or licensed Instrumentation and Control
4 Engineers who have distinguished themselves in their respective
5 fields of specialization and who are either directly hired or
6 employed as exchange professors or lecturers on Instrumentation
7 and Control Engineering subjects by Philippine schools, colleges,
8 institutes or universities.

9 *Provided, however,* That their practice of the profession shall be
10 limited to the particular work for which they are commissioned. *Provided,*
11 *further,* That the said temporary or special permits shall be valid for one (1)
12 year subject to renewal every year.

13 ARTICLE IV

14 PRACTICE OF INSTRUMENTATION AND CONTROL ENGINEERING

15 SEC. 25. *Prohibitions and Limitations in the Practice of Instrumentation*
16 *and Control Engineering.* – No person shall offer himself in the Philippines
17 as, or use the title “*Instrumentation and Control Engineer*” or
18 “*Instrumentation and Control Technician*”, or use any word, letter figure, or
19 sign whatsoever, tending to convey the impression that he is an
20 Instrumentation and Control Engineer or Instrumentation and Control
21 Technician, or advertise that he is qualified to perform the work of such,
22 without holding a valid Certificate of Registration and valid Professional

1 License in accordance with this Act, except as provided under Section 24
2 thereof.

3 SEC. 26. *Professional Oath* - All successful candidates in the
4 examination or registration shall be required to take an professional oath
5 before any member of the Board or any person duly authorized by the
6 Commission, prior to the practice of the profession.

7 SEC. 27. *Seal of Registered Instrumentation and Control Engineers* -
8 All registered and licensed Instrumentation and Control Engineers shall
9 obtain and use a seal of a design prescribed by the Board bearing the
10 registrant's name, registration number and the legend *Registered*
11 *Instrumentation and Control Engineer*. Plans, specifications, reports and
12 other professional documents prepared by and/or executed under the
13 supervision of, and issued by the registrant shall be stamped on every
14 sheet/page with said seal when filled with Government agencies or
15 institutions or when used professionally. It shall be unlawful for anyone to
16 stamp any document with said seal after the certificate of the registrant
17 named therein has been suspended or revoked.

18 SEC. 28. *Code of Ethics*. - The Board shall adopt the Code of Ethics
19 for Instrumentation and Control Engineering which shall be promulgated by
20 the integrated and accredited association of Instrumentation and Control
21 Engineers.

22 SEC. 29. *Continuing Professional Education (CPE) Program*. - All
23 registered Instrumentation and Control Engineers and Technicians shall

1 comply with the pertinent rules and regulations already prescribed and/or
2 as may be prescribed and promulgated by the Commission with respect to
3 the Continuing Professional Education (CPE) Program.

4 SEC. 30. *Integration of Instrumentation and Control Engineers.* – All
5 Instrumentation and Control Engineers and Technicians shall be integrated
6 into one (1) national organization, which shall be recognized by the Board as
7 the one and only integrated and accredited national organization of
8 Instrumentation and Control Engineers and Technicians.

9 All Instrumentation and Control Engineers and Technicians duly
10 registered with the Board shall automatically become a member of the
11 integrated and accredited association of Instrumentation and Control
12 Engineers and Technicians, and shall receive the benefits and privileges
13 appurtenant thereto upon payment of the required fees and dues.
14 Membership in the said integrated and accredited association shall not be a
15 bar to membership in other associations of Instrumentation and Control
16 Engineers and Technicians.

17 SEC. 31. *Foreign Reciprocity.* – No foreign Instrumentation and Control
18 Engineers shall be admitted to the examination or be given a Certificate of
19 Registration or be entitled to any of the privileges under this Act unless the
20 country of which he is a subject or citizen specifically permits Filipino
21 Instrumentation and Control Engineers to practice within its territorial
22 limits on the same basis as the subjects or citizens of such foreign state or
23 country.

1 ARTICLE V

2 MISCELLANEOUS PROVISIONS

3 SEC. 32. *Funding Provisions.* – Such sums as may be necessary to
4 carry out the provisions of this Act shall be included in the General
5 Appropriations Act of the year following its enactment into law and
6 thereafter.

7 SEC. 33. *Enforcement of the Law.* – Any law enforcement agency, upon
8 its initiative or call/request of the Board and/or Commission, shall render
9 assistance in enforcing this Act, including its rules and regulations, by
10 apprehending the violators thereof and charging them in accordance with
11 law and the rules of Court.

12 SEC. 34. *Implementing Rules and Regulations.* – Subject to the
13 approval of the Commission, the Board shall adopt and promulgate such
14 rules and regulations, including the Code of Ethics for Instrumentation and
15 Control Engineers, to carry out the provisions of this Act, which shall be
16 effective after thirty (30) days following their publication in the Official
17 Gazette or in a major daily newspaper of general circulation.

18 SEC. 35. *Penal Provisions.* – Any person who shall violate any of the
19 provisions of this Act or any of its implementing rules and regulations, upon
20 conviction, shall be punished by a fine of not less than Ten Thousand Pesos
21 (PhP 10,000.00) nor more than Fifty Thousand Pesos (PhP 50,000.00) or by
22 imprisonment of not less than six (6) months nor more than five (5) years, or
23 both such fine and imprisonment, at the discretion of the court.

1 SEC. 36. *Separability Clause.* – If any section or provisions of this Act
2 shall be declared invalid or unconstitutional, such shall not invalidate any
3 other section or provision of this Act.

4 SEC. 37. *Repealing Clause.* – All laws, decrees, executive orders, rules
5 and regulations or parts thereof which are in conflict with the provisions of
6 this Act are hereby repealed or modified accordingly.

7 SEC. 38. *Effectivity.* – This Act shall take effect fifteen (15) days
8 following its full publication in the Official Gazette or two (2) major daily
9 newspaper of general circulation.

Approved,