

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 1823



Introduced by: **Hon. Victor J. Yu**

EXPLANATORY NOTE

Presidential Decree No. 1536, also known as the Metallurgical Engineering Law was signed by then President Ferdinand Marcos in 1978, while the first Board Examination for Metallurgical Engineers was administered by the Professional Regulation Commission in 1981. Since then the mineral processing industry opened new doors in related fields for metallurgical engineering graduates.

When the advancement in technological development, P.D. 1536 has been found to be ineffective considering that its provision has become obsolete in promoting and regulating the practice of the metallurgical engineering profession. Hence, there is an urgent need to repeal the decree and enact a new law which will be more realistic, relevant and suitable to the needs the profession.

The proposed measure underscores the need to develop competent, productive, well-rounded and morally upright Metallurgical Engineers whose standards of professional practice and service are expected to be world-class and globally competitive and whose practice will be safeguarded through regulatory measures, programs and activities. New provisions have been added to conform to Republic Act No. 898 or the PRC Modernization Act of 2000, in consonance with the standard form of all professional regulation organic laws.

The increasing scope of application of the practices in the mineral processing industry over the past decades has led to the creation of various fields of expertise and specialization resulting to a greater economic appreciation of the profession. This necessitates the need for a clear delineation of responsibilities for both Mining and Metallurgical Engineers and is ably addressed in some provisions of the amended law.

In addition, the new law ascribes more stringent penal provisions regulating the profession, thus ensuring the reduction and management, if not outright elimination of any illegal activities leading to the uncontrollable social and environmental disasters.

These proposed amendments need not include provisions for fund appropriations since existing laws of the Professional Regulation Commission have already covered this. Similarly, there are no known conflicts, overlapping or redundancies with existing laws in other engineering and allied professions.

Effectively, the proposed amended law is designed to implement more effective professional regulation and at the same time promote and recognize the importance of the profession in nation building and development.

Approval of this bill is earnestly sought.



HON. VICTOR J. YU

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HOUSE BILL NO. _____

Introduced by: **HON. VICTOR J. YU**

AN ACT
REGULATING THE PRACTICE OF METALLURGICAL ENGINEERING IN
THE PHILIPPINES REPEALING FOR THIS PURPOSE PRESIDENTIAL
DECREE 1536, OTHERWISE KNOWN AS THE METALLURGICAL
ENGINEERING LAW OF 1978, AND FOR OTHER PURPOSES

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

Article I

TITLE, STATEMENT OF POLICY, DEFINITION OF TERMS AND SCOPE
OF PRACTICE

1 **Section 1 . Title.** – This Act shall be known as the “Metallurgical Engineering
2 Act of 2013.”

3 **Sec. 2. Statement of Policy.** – The State recognizes the importance of
4 metallurgical engineers in nation building and development. Their talents through
5 sustainable human development shall be promoted. Thus, the State shall develop and
6 nurture competent, virtuous, productive and well-rounded metallurgical engineers
7 whose standards of professional practice and service shall be excellent, world-class
8 and globally competitive through regulatory measures, programs and activities.

9 **Sec. 3. Objectives.** - This Act shall govern but shall not be limited to:
10 (a) the examination, registration, and licensure of metallurgical engineers;
11 (b) the supervision, control and regulation of the practice of metallurgical
12 engineering;

- 1 (c) the development and upgrading of the curriculum of metallurgical
2 engineering profession;
3 (d) the development of the professional competence of metallurgical engineers
4 through continuing professional education;
5 (e) and the integration of the metallurgical engineering profession.

6 **SEC. 4. Definition of Terms** – As used in this Act, the following terms shall
7 mean as follows:

- 8 a) “Practice of metallurgical engineering” means the offering or rendering of
9 services of any of the specialized branches of metallurgy for a fee, salary or
10 other reward or compensation, paid to him/her or through another person, or
11 even without such reward or compensation. The term shall be synonymous
12 with the term “rendering metallurgical engineering services.”
13 b) “Metallurgical Engineering” means a profession which embraces the
14 scientific, engineering, environmental and economic aspects of:
15 i) Mineral Processing and Extractive Metallurgy – The preparation,
16 separation, extraction and purification of ores, metals and mineral
17 products by physical and chemical method such as ore dressing,
18 pyrometallurgical processes such as roasting, and smelting,
19 hydrometallurgical processes such as leaching, electrometallurgical
20 processes such as electric smelting and electrolysis and other
21 similar processes.
22 ii) Adaptive and Physical Metallurgy – Processes which pertain to the
23 adaptation and application of metals such as melting, casting,
24 forging, rolling, extrusion, welding and other metal working and
25 finishing operations. These include unit operations relating to the
26 control of microstructure of metals and its alloys such as the heat
27 treatment and surface hardening, quality control in allowing
28 operations to meet specification of metal alloys; and
29 metallographic studies. These also apply to powder, mechanical,
30 nuclear and vacuum metallurgy.
31 iii) Fuel Technology – Fuel preparation processes such as washing,
32 flotation, and heavy media separation including carbonization,
33 gasification and cooking operations.

- 1 c) "Metallurgical Plant" means any facility involved in processes which include
2 but not limited to the :
- 3 i) Preparation, separation, concentration of minerals, coal and
4 metallurgical fuels;
- 5 ii) Extraction of metals such as hydrometallurgical, pyrometallurgical
6 and electrometallurgical processes;
- 7 iii) Adaptation and application of metals such as melting, casting,
8 forging, rolling, extrusion, powder metallurgy, heat treatment,
9 welding and other metal working and finishing operations.
- 10 d) "Metallurgical Engineer" refers to a person who is a holder of a valid
11 Certificate of Registration and Professional Identification Card issued by the
12 Board of Metallurgical Engineering and the Professional Regulation
13 Commission
- 14 **SEC 5. Scope of Practice-** Metallurgical Engineering service shall embrace the
15 following similar services in relation to metallurgical plants:
- 16 a) Consultation, valuation and management services requiring metallurgical
17 engineering skills and know-how;
- 18 b) Engineering design, preparation of plans, specifications and project studies or
19 estimates for metallurgical equipment and processes;
- 20 c) Management or supervision of the testing and commissioning of metallurgical
21 plants;
- 22 d) Management, supervision, operation and auditing of metallurgical plants;
- 23 e) Teaching of metallurgical engineering subjects in government recognized
24 universities, colleges and schools;
- 25 f) Employment in government as a metallurgical engineer if the nature and
26 character of his/her work requires professional knowledge of metallurgical
27 engineering;
- 28 g) Metallurgical investigation and testing of mineral and metal products;
- 29 h) Training of metallurgical plant operating personnel;
- 30 i) Research and development;
- 31 j) Participation in the preparation of environmental studies for metallurgical
32 projects and monitoring under the Environmental Impact Assessment (EIA)
33 system;

- 1 k) Teaching of metallurgical engineering subjects in any academic program
2 leading to a professional degree, including refresher and review courses; and
3 l) Other metallurgical work or service, which, in the assessment and opinion of
4 the Board, the same constitutes the practice of metallurgical engineering.

5 **Article II**

6 **CREATION OF THE PROFESSIONAL REGULATORY BOARD**
7 **OF METALLURGICAL ENGINEERING**

8 **Sec. 6. Composition of the Professional Regulatory Board of Metallurgical**
9 **Engineering-** – There is hereby created a Professional Regulatory Board of
10 Metallurgical Engineering, hereinafter called the Board, under the administrative
11 control and supervision of the Professional Regulation Commission, hereinafter called
12 the Commission, to be composed of a chairman and two (2) members to be appointed
13 by the President of the Philippines from a list of three (3) recommendees for each
14 position, chosen and ranked in the order of preference and submitted by the
15 Commission, from a list of five (5) nominees submitted by the duly accredited
16 professional organization of metallurgical engineers in the Philippines. The Board
17 shall be organized not later than six (6) months from the effectivity of the Act.

18 **Sec. 7. Powers and Duties of the Board.-** The Board shall have the
19 following powers and duties:

- 20 (a) To supervise and regulate the practice of metallurgical engineering
21 profession;
22 (b) To determine and evaluate the qualifications of the applicants for
23 registration;
24 (c) To prescribe the subjects in the licensure examinations, determine the
25 syllabi of the subjects and their relative weights, construct the test
26 questions in the examinations, score and rate the examination papers, and
27 submit the examination results to the Commission;
28 (d) To issue together with the Commission, certificates of registration and
29 professional identification cards to applicants who have passed the
30 licensure examinations for metallurgical engineers;
31 (e) To issue special/ temporary permits to foreign metallurgical engineers to
32 practice the profession;

- 1 (f) To inquire into conditions affecting the practice of the profession and
2 adopt measures for the enhancement and maintenance of high professional,
3 ethical and technical standards. Pursuant thereto, the Board may inspect
4 establishments where metallurgical engineers practice their profession
5 such as factories, plants, offices and the like in order to determine and
6 enforce compliance with the provisions of this Act and issue Certificates
7 of Compliance for the purpose.
- 8 (g) In coordination with the Commission on Higher Education (CHED),
9 inspect the facilities, faculty, equipment and other aspects directly related
10 to the metallurgical engineering program of educational institutions;
- 11 (h) To adopt the Implementing Rules and Regulations (IRR) necessary for
12 carrying out the provisions of this Act.
- 13 (i) To adopt a Code of Ethics and a Code of Professional and Technical
14 Standards for the practice of the metallurgical engineering profession;
- 15 (j) To investigate, in accordance with the rules on administrative investigation
16 promulgated by the Commission, violations of this Act and its
17 Implementing Rules and Regulations, the Code of Ethics and the Code of
18 Professional and Technical Standards for metallurgical engineers,
19 administrative policies, orders and issuances promulgated by the Board;
- 20 (k) To issue *subpoena duces tecum* to secure the attendance of witnesses or
21 the production of documents in connection with administrative cases
22 before the Board;
- 23 (l) To hear and decide administrative cases filed against metallurgical
24 engineers and firms employing metallurgical engineers. The hearing shall
25 be presided by the chairman or a member of the Board with the assistance
26 of an attorney of the Commission. The decision of the Board may be
27 appealed to the Commission and to the Court within fifteen (15) days from
28 notice, otherwise the decision shall become final and executory;
- 29 (m) To administer oaths in connection with the performance of its functions;
- 30 (n) To adopt an official seal and prescribe the seal of the metallurgical
31 engineering profession;

- 1 (o) To submit an annual report on the proceedings and accomplishments
2 during the year and/or recommendations of the Board to the Commission
3 thirty (30) days after the close of each calendar year;
4 (p) To prosecute or institute criminal action against any violator of this Act
5 and/or the rules and regulations of the Board;
6 (q) To prescribe guidelines and criteria on the continuing professional
7 Education (CPE) program for metallurgical engineers in consultation with
8 the integrated and accredited professional organization of metallurgical
9 engineers; and
10 (r) To perform regulatory, administrative, and quasi-legislative functions as
11 mandated under R.A. 8981, otherwise known as the PRC Modernization
12 Act, and such other functions as may be necessary in order to implement
13 the provisions of this Act.

14 **Sec. 8. Qualifications of the Chairman and Members of the Board -**

15 The chairman and members of the Board, at the time of their appointment, must be:

- 16 (a) A citizen and resident of the Philippines;
17 (b) At least a holder of a bachelor's degree in metallurgical engineering as
18 conferred by an engineering school of good standing, recognized and
19 accredited by Government;
20 (c) A registered Metallurgical Engineer with a valid certificate of registration and
21 professional identification card and an active practitioner for not less than ten
22 (10) continuous years prior to his/her appointment;
23 (d) A person who does not have any pecuniary interest, directly or indirectly in
24 any university, college, school or institution conferring an academic degree
25 necessary for the admission to the practice of metallurgical engineering, or in
26 any institution where review classes in preparation for the licensure
27 examinations for metallurgical engineers are being officially offered or
28 conducted; and not be a member of the faculty or of the administration
29 thereof prior to appointment to the Board, and
30 (e) A member of the accredited professional organization (APO) of metallurgical
31 engineers but not a trustee or officer thereof.

32 **Sec. 9. Term of Office-** The chairman and every member of the Board shall
33 hold office for a term of three (3) years after their appointment or until their

1 successors shall have been appointed and duly qualified. They maybe reappointed for
2 another term of three (3) years immediately after the expiry of their term but in no
3 case shall the whole term exceed six (6) years. Interim vacancies shall be filled for the
4 un-expired portion of the term only.

5 The chairman and members shall qualify by taking the proper oath prior to
6 assumption of office.

7 **Sec. 10. Compensation of the Board.** - The chairman and members of the
8 Board shall receive compensation and allowances comparable to that being received
9 by the chairman and members of other professional regulatory boards under the
10 Commission as provided for in the General Appropriations Act.

11 **Sec. 11. Custodian of Records, Secretariat and Support.** – All records of
12 the Board, including applications for examinations, examination papers and results,
13 minutes of meetings, deliberations of administrative and other investigative cases
14 involving the Board shall be kept by the Commission. The Commission shall
15 designate the Secretary of the Board and shall provide secretariat and other support
16 services to implement the provisions of this Act.

17 **Sec. 12. Grounds for Suspension or Removal of Board Members/**
18 **Chairman.** - The President, upon the recommendation of the Commission after due
19 process and administrative investigation conducted by the Commission, may remove
20 or suspend a chairman or member of the Board on any of the following grounds:

- 21 (a) gross neglect, incompetence or dishonesty in the discharge of his/her duty;
22 (b) violation of any of the causes/grounds and the prohibited acts provided in this
23 Act and the offenses in the Revised Penal Code, the Anti-Graft and Corruption
24 Practices, and other laws, or
25 (c) manipulation or rigging of the licensure examination result for metallurgical
26 engineering, disclosure of secret and confidential information on the
27 examination questions prior to the conduct thereof, or tampering of grades.

28 **Sec. 13. Annual Report.** - The Board shall submit an annual report to the
29 Commission after the close of each calendar year giving detailed account of Board
30 proceedings during the year and embodying such recommendations as the Board may
31 desire to take.

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1 The said subjects and their syllabi may be amended by the Board so as to conform to
2 technological changes brought about by continuing trends in the profession.

3 **Sec. 18. Qualification of Applicants** - Any person applying for licensure
4 examination as metallurgical engineer shall establish to the satisfaction of the Board
5 that:

6 (a) He/she is a citizen of the Philippines or a foreign citizen whose country has
7 reciprocity agreement with the Philippines ;

8 (b) He/she is of good moral character

9 (c) He/she holds the degree of Bachelor of Science in Metallurgical Engineering
10 from a university, school, college, academy, or institute duly constituted and
11 recognized as such by the government; and

12 (d) He/she must not have been convicted by a court of law of a crime involving
13 moral turpitude.

14 **Sec. 19. - Examination Fees**- Any applicant admitted to the metallurgical
15 engineering examination shall pay such fees as may be prescribed by the
16 Commission before he/she shall be allowed to take the examination.

17 **Sec. 20. - Rating in the Licensure Examination**.- To pass the licensure
18 examination for metallurgical engineering, a candidate must obtain a general
19 weighted average of no less than seventy per centum (70%) and a rating of no less
20 than fifty per centum (50%) in any examination subject.

21 **Sec. 21. - Report of Ratings**.- The Board shall, within fifteen (15) days from
22 the last day of examinations, report the rating of examinees to the Commission.

23 **Sec. 22. - Issuance of Certificate of Registration and Professional**
24 **Identification Card**- A certificate of registration shall be issued to those who are
25 registered with or without licensure examination subject to payment of fees prescribed
26 by the Commission. It shall bear the signatures of the Chairperson of the Commission
27 and of the Chairman and members of the Board, stamped with the official seal of the
28 Commission and of the Board, certifying that the person named therein is entitled to
29 the practice of the profession with all the privileges appurtenant thereto. Until
30 withdrawn, revoked, or suspended in accordance with this Act, it shall remain in full
31 force and effect.

1 A professional identification card bearing the registration number and date, its
2 validity and expiry duly signed by the Chairperson of the Commission shall likewise
3 be issued to every registrant who has paid the prescribed fees.

4 **Sec. 23. - Issuance of Certificates of Specialization-** Upon the nomination of
5 the accredited professional organization of metallurgical engineers, the Board shall
6 issue a Certificate of Specialization to an applicant who is a registered metallurgical
7 engineer and who has specialized knowledge, training and experience in a specific
8 field of metallurgy and has documented his/her expertise and competence on the
9 same.

10 **Sec. 24. - Seal of a Metallurgical Engineer-** A metallurgical engineer, upon
11 registration and payment of fees and dues to the accredited professional organization,
12 shall obtain a seal of such design prescribed by the Board, bearing the registrant's
13 name, certificate number and the legend "Registered Metallurgical Engineer".
14 Designs, plans, specifications, project feasibility studies, appraisals, valuations,
15 recommendations, technical reports, proposals, and other professional documents
16 involving metallurgy, quarries, coallier works, projects or installations shall be
17 stamped on every sheet with the said seal of the registrant when filed with
18 government authorities or when submitted or used professionally: *Provided*, That it
19 shall be unlawful for any one to stamp or seal any document with the said seal after
20 the certificate and/ or professional identification card shall have been revoked or
21 cancelled or expired.

22 **Sec. 25. - Fees for Registration-** Every person issued a Certificate of
23 Registration shall pay to the Commission such fees as the Commission may
24 prescribe.

25 **Sec. 26. - Issuance of Temporary /Special Permits-** Temporary Special
26 Permits shall be issued to the following upon proper application with the Board:

27 (a) foreign metallurgical engineers, recognized as experts in their specific
28 fields of metallurgical engineering, called in by the Republic of the
29 Philippines for consultation or for specific design, installation or project:
30 *Provided*, That their practice shall be confined to such work only;

31 (b) foreign metallurgical engineers who have distinguished themselves in their
32 respective fields of specialization, contracted as professors or lecturers on
33 metallurgical engineering subjects by Philippine schools, or colleges,

1 institutes or universities on a direct hire or exchange basis, subject to
2 verification of credentials by the Board; or

3 (c) foreign metallurgical engineers who are duly registered under the
4 bilateral or multilateral agreements where the Philippines is a signatory.

5 *Provided, That all the above shall secure a temporary/special permit from the*
6 *Board prior to arrival in the country.*

7 **Sec. 27. - Refusal to Register.** - The Board shall not register any successful
8 applicant for registration with or without licensure examination who has been:

9 (a) convicted of an offense involving moral turpitude by a court of competent
10 jurisdiction,

11 (b) found guilty of immoral or dishonorable conduct by the Board,

12 (c) summarily adjudged guilty for violation of the General Instruction to
13 Examinees by the Board; and

14 (d) declared of unsound mind by a court of competent jurisdiction.

15 In refusing such registration, the Board shall give the applicant a written
16 statement setting forth the reasons therefor and shall file a copy thereof in its records.

17 **Sec. 28. - Revocation or Suspension of the Certificates of Registration and**
18 **Cancellation of Temporary/Special Permit.**- The Board shall have the power, upon
19 notice of hearing, to revoke or suspend the certificate of registration of a registered
20 metallurgical engineer or to cancel a temporary/special permit granted to a foreign
21 metallurgical engineer, for any of the grounds or causes enumerated in Sec. 27 of this
22 Act, except letter (c) thereof, and for any of the following grounds :

23 (a) violation of a provision of this Act, its IRR, Code of Ethics, and Code of
24 Professional and Technical Standards for the practice of metallurgical
25 engineering;

26 (b) perpetration or use of fraud in obtaining his/her certificate of registration,
27 professional identification card, or temporary/special permit;

28 (c) gross incompetence, negligence or ignorance resulting to death, injury or
29 damage;

30 (d) any act of misrepresentation in connection with an alleged performance of
31 metallurgical engineering activities;

32 (e) acts inimical to the metallurgical engineering profession;

33 (f) gross immorality;

- 1 (g) conviction by final judgment of any act involving moral turpitude;
2 (h) aiding or abetting the illegal practice of a non-registered and non-licensed
3 metallurgical engineer by allowing him/her to use his/her certificate of
4 registration and/or professional identification card, or his/her
5 special/temporary permit;
6 (i) illegally practicing the profession during his/her suspension from the
7 practice thereof; and
8 (j) addicted to a drug or alcohol abuse impairing his/her ability to practice
9 his/her profession, or declared with an unsound mind by a court of
10 competent jurisdiction.

11 The Board shall periodically evaluate the afore-mentioned grounds and revise,
12 exclude or add new ones as the need arises subject to the approval by the
13 Commission.

14 Any person, firm or association may file charges in accordance with the
15 provision of this Section against any registrant, or the Board may investigate violation
16 of any of the above-mentioned causes. An affidavit-complaint shall be filed together
17 with the affidavits of witnesses and other documentary evidence with the Board
18 through the Legal and Investigation Office. The Board may *motu proprio* conduct an
19 investigation which shall be embodied in a formal charge to be signed by at least a
20 majority of the members of the Board. The rules on administrative investigation
21 issued by the Commission shall govern the hearing or investigation subject to
22 applicable provisions of this Act, R.A. No. 8981 and the Rules of Court.

23 **Sec. 29. – Re-issuance of Revoked Certificate of Registration and**
24 **Replacement of Lost Certificate of Registration and Professional Identification**
25 **Card** - The Board may, after two (2) years from the date of revocation of the
26 Certificate of Registration, re-issue a certificate upon proper application.

27 A new certificate of registration and professional identification card, or
28 temporary/special permit, which has been lost, destroyed or mutilated, may be
29 reissued after payment of the required fee prescribed by the Commission.

30 **Article IV**

31 **PRACTICE OF METALLURGICAL ENGINEERING**

32 **Sec. 30. - Prohibition from Practicing Metallurgical Engineering.** - No
33 person shall practice or offer to practice metallurgical engineering or render

1 metallurgical engineering service without a valid certificate of registration and a valid
2 professional identification card. Any person who shall commit the following acts
3 shall be guilty of misdemeanor:

- 4 a) Practice metallurgical engineering or render metallurgical engineering
5 services, or pass himself/herself off or advertise himself/herself as a
6 metallurgical engineer without a valid certificate of registration or when such
7 has been suspended or revoked;
- 8 b) Attempt to use as his/her own the certificate or seal of another person or
9 impersonate another registered metallurgical engineer; or
- 10 c) Furnish the Board or Commission any false information or document in order
11 to secure a Certificate of Registration.

12 No firm, partnership, corporation or association shall operate a metallurgical plant
13 without a minimum complement of licensed metallurgical engineers pursuant to the
14 implementing rules and regulations issued for this purpose.

15 **Sec. 31. - Who May Practice Metallurgical Engineering** – Except as may be
16 provided in this Act, only persons properly licensed and registered may practice
17 metallurgical engineering. For purposes of this Act, no firm, partnership, corporation
18 or association may be licensed and registered as such for the practice of metallurgical
19 engineering, but duly licensed and registered metallurgical engineers may form
20 partnerships among themselves or with other licensed and registered engineers and
21 architects and use the title “Metallurgical Engineers,” “Engineers,” or “Engineers
22 and Architects” in their partnership name.

23 **Sec. 32. - Vested Rights-** All practicing metallurgical engineers who are
24 registered as metallurgical engineers at the time this Act takes effect, shall
25 automatically be registered under this Act as registered metallurgical engineers.

26 **Sec. 33. - Roster of Metallurgical Engineers.-** A roster showing the names,
27 registration numbers and dates of issue and expiry, current addresses, place of
28 business of all metallurgical engineers shall be prepared and kept by the Commission
29 which shall be made available to interested parties upon formal written request.

30 **Sec. 34. Foreign Reciprocity.-** No foreign metallurgical engineer shall be
31 granted any of the right and privilege under this Act unless the country of which
32 he/she is a subject or citizen grants the same or similar rights or privileges to Filipino
33 metallurgical engineers.

1 or is engaged in the metallurgical engineering practice without holding a valid
2 certificate of registration from the Board shall, upon conviction, be sentenced to a fine
3 of not less than Ten Thousand Pesos (P10,000.00) but not more than One Million
4 Pesos (P1,000,000.00) or imprisonment of not less than one (1) month but not more
5 than five (5) years or both at the discretion of the Court.

6 **Sec. 39. - Act Not Affecting Other Professions.** -This Act shall not affect or
7 prevent the practice of any other legally recognized profession.

8 **Sec. 40. Enforcement of the Act by the Officers of the Law.-** The Board
9 shall be assisted by the Commission in carrying out the provisions of this Act and its
10 implementing rules and regulations and other policies. The lawyers of the
11 Commission shall act as the prosecutors against illegal practitioners and other
12 violations of this Act and its rules. The duly constituted authorities of government
13 shall likewise assist the Board and the Commission in enforcing the provisions of this
14 Act and its rules.

15 **Sec. 41. Implementing Rules and Regulations.** - Subject to approval of the
16 Commission, the Board shall adopt and promulgate such implementing rules and
17 regulations and the Code of Ethics and Code of Professional and Technical
18 Standards of Metallurgical Engineers to carry out the provisions of this Act, which
19 shall be effective after thirty (30) days following their publication in the *Official*
20 *Gazette* or in a major newspaper of general circulation.

21 **Sec. 42. Funding Provision.-** The Chairperson of the Professional Regulation
22 Commission shall immediately include in its programs the implementation of this Act,
23 the funding of which shall be included in the Annual General Appropriations Act.

24 **Sec. 43. Transitory Provisions.-** (a) After the approval of this Act,
25 metallurgical engineers possessing valid certificates of registration issued under R.A.
26 1536, otherwise known as the Metallurgical Engineering Law of 1978, shall register
27 with the Board and be issued certificates as registered metallurgical engineers under
28 this Act to replace their original certificates of registration, upon payment of the
29 required fees.

30 (b) Faculty Members currently teaching major metallurgical engineering
31 subjects in universities, colleges, institutes, or schools shall not be allowed to
32 continue teaching after five (5) years from the approval of this Act, unless they are or
33 they have become registered metallurgical engineers with a Master's degree in

1 Metallurgical Engineering or equivalent from duly recognized and accredited
2 universities, colleges, institutes or schools and have at least five years of practical
3 experience.

4 (c) The present chairman and members of the Board shall automatically be
5 issued Certificates of Registration as registered metallurgical engineers. They shall
6 continue to function in the Board until such time as a new Board shall be constituted
7 under this Act.

8 **Sec. 44. Separability Clause.-** If any section or portion of this Act shall be
9 declared unconstitutional or invalid, such shall not invalidate any other section of this
10 Act.

11 **Sec. 45. Repealing Clause.-** Republic Act No. 1536 is hereby repealed. All
12 other laws, parts of law, orders, ordinances, or regulations relative to the practice of
13 metallurgical engineering which are inconsistent with the provisions of this Act are
14 hereby repealed or modified accordingly.

15 **Sec. 46. Effectivity.-** This Act shall take effect fifteen days following its
16 publication in the *Official Gazette* or in a major daily newspaper of general circulation
17 in the Philippines.

18 Approved,