

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **6747**



INTRODUCED BY HON. LUIS JOSE ANGEL N. CAMPOS

EXPLANATORY NOTE

Over the past few years, office and residential buildings in Makati have experienced difficulty in obtaining "Certificates to Operate" because of Section 34 in Republic Act No. 8495, otherwise known as the "Philippine Mechanical Engineering Act of 1998".

Section 34 of Republic Act No. 8495 requires that every mechanical work, project, or plant in operation, have a licensed professional mechanical engineer or certified plant mechanic present twenty-four hours a day. However, said provision which was clearly made for industrial plants is now being implemented against non-stock non-profit condominium corporations and commercial buildings which do not have nor do they utilize equipment and machinery present in industrial plants such as steam engines, turbines, boilers, furnaces, cranes and the like. Said residential and office buildings only have air conditioners, elevators, and escalators.

The adversely affected buildings have attempted to comply with the requirements of the law, but despite earnest efforts, they failed to do so due to the limited number of licensed mechanical engineers available for employment. Moreover, the high cost of employing a mechanical engineer to be available for twenty-four hours a day as required by foregoing section further prevents compliance.

The skills of our licensed mechanical engineers would be of better use in operating, maintaining, and keeping safe plants and operations that actually utilize complex machinery, engines, equipment, and similar devices. It would be redundant for residential and office buildings to employ licensed engineers just to monitor and maintain elevators, air conditioners, and escalators since they would either have a technician to handle the same or the supplier of the said equipment would be handling its maintenance.

This bill seeks to rectify the situation by amending Republic Act 8495 so that it excludes residential and office buildings that only use simple machines such as elevators, escalators, and ventilating equipment/air conditioners.

In light of the foregoing, the approval of this measure is earnestly sought.



LUIS JOSE ANGEL N. CAMPOS, JR.

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**AN ACT AMENDING THE PHILIPPINE MECHANICAL
ENGINEERING ACT OF 1998**

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

SECTION 1: *Declaration of Policy* – Section 34 of Republic Act No. 8495, otherwise known as the Philippine Mechanical Engineering Act of 1998 is hereby amended as follows:

“Section 34. Personnel Required in Mechanical Plant. – Every mechanical work project or plant in operation shall have not less than the following complement of resident licensed professional mechanical engineer, mechanical engineer or certified plant mechanic:

- (a) 100 kw or over but not more than 300 kw: one (1) certified plant mechanic, or more mechanical engineer or one (1) professional mechanic engineer: Provided, That every mechanical work, project, or plant in this category operating in more than one shift every twenty-four hours, shall have in addition to the minimum personnel herein required, one (1) certified plant mechanic, or one (1) mechanical engineer, or one (1) professional mechanical engineer in-charge of each and every additional shift.
- (b) 300 kw or over, but not more than 2000 kw: one (1) mechanical engineer or one (1) professional mechanical engineer or one (1) professional mechanical engineer: Provided, That every mechanical work, project, or plant in this category operating in more than one shift every twenty-four (24) hours shall have, in addition to the minimum personnel herein required at least one (1) mechanical engineer, or one (1) professional mechanical engineer in-charge of each and every additional shift.

- (c) Over 2000 kw: one (1) professional mechanical engineer: Provided, That every mechanical work, project or plant in this category operating in more than one shift every twenty-four (24) hours shall have, in addition to the minimum personnel herein required at least one (1) professional mechanical engineer in-charge of each and every additional shift.

PROVIDED, HOWEVER, THAT BUILDINGS USED FOR RESIDENTIAL, OFFICE, OR COMMERCIAL PURPOSES, WHICH ONLY UTILIZE BASIC NON-INDUSTRIAL EQUIPMENT SUCH AS ELEVATORS, ESCALATORS, HEATING, AIR CONDITIONING, VENTILATING EQUIPMENT, OR OTHER SIMILAR MECHANICAL EQUIPMENT NECESSARY AND DESIRABLE FOR RESIDENTIAL, OFFICE, OR COMMERCIAL PURPOSES, SHALL BE EXEMPTED FROM COMPLYING WITH THIS SECTION".

SECTION 2: *Separability Clause* – If any provision of this Act is subsequently declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain in full force and effect.

SECTION 3: *Repealing Clause* – All laws, acts, presidential decrees, executive orders, issuances, presidential proclamations, rules and regulations or parts thereof which are contrary and/or inconsistent with any provision of this Act are hereby repealed, amended, or modified accordingly.

SECTION 4: *Effectivity Clause* – This Act shall take effect fifteen (15) days upon completion of its publication in at least two (2) national newspapers of general circulation.

Approved,