

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. 7080



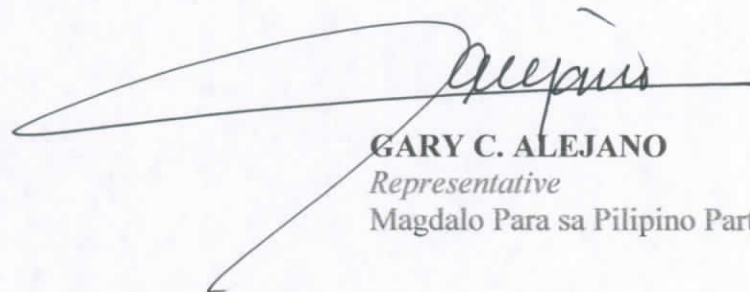
Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

With the fast-changing signs of the times and the advent of modern technology, the existing Sanitary Engineering Law that aims to protect public health and environment has become outdated. The scope and complexities of environment pollution have increased and the need for environmental surveillance and protection in the field of Sanitary Engineering has broadened. Thus, it is the aim of this legislation to enact a measure that will enable the Sanitary and Environmental Engineers to be more effective in dealing with today's environmental and public health problems.

This bill seeks to update and upgrade the more than fifty-year old Republic Act No. 1364 to make the practice of Environmental and Sanitary Engineering more relevant to contemporary conditions and challenges.

In view of the foregoing, approval of this measure is earnestly requested.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7080**

Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

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

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

SECTION 1. Title.- This Act shall be known as the *"Revised Environmental and Sanitary Engineering Act of 2018"*.

SEC. 2. Definition of Terms.- As used in this Act, the following terms shall mean:

- a. Biosolids - similar to sludge.
- b. Fixture Unit - a quantity in terms of which the load producing effects the plumbing systems of different kinds of plumbing fixtures are expressed on some arbitrarily chosen scale.
- c. Garbage - used to designate the putrescible wastes resulting from growing, handling, preparation, cooking and consumption of food.
- d. Gray Water - untreated household wastewater which has not come in contact with toilet waste and includes water from bathtubs, bathroom washbasin, and washing machines and laundry tubs. It shall not include wastewater from kitchen sinks or dishwashers.
- e. Hazardous Waste - shall refer to by-products, side products, process residues, spent reaction media, contaminated plant or equipment or other substances from manufacturing operations and as consumer discards of manufactured products which present unreasonable risk/injury to health and safety and to the environment.
- f. Ionizing Radiation - is the energy that propagated through space or material medium in the form of waves or particle and is capable of either directly or indirectly removing electrons from atoms, thereby creating ions, which are electrically charged atoms.
- g. Non-Ionizing Radiation - includes ultraviolet radiation, visible light, microwaves, electromagnetic radiation used in television, am and fm radio communications and electromagnetic fields around electric power lines and appliances.
- h. Plumber - a person who fits and repairs water and drainage pipes.

- i. Radiation - the process in which energy in the form of rays of light, heat or waves is sent out through space from atoms and molecules as they go through internal change.
- j. Reclaimed Water - water which, as a result of a tertiary treatment of domestic wastewater, is made suitable for direct beneficial use, specifically excluded from this definition is "gray water".
- k. Refuse - materials that are collected and disposed of which includes garbage, rubbish, ashes, street sweepings, dead animals, and solid market and industrial wastes.
- l. Re-use Water - gray water and/or reclaimed water put into beneficial use.
- m. Rubbish - denotes all non-putrescible waste except ashes.
- n. Sanitarian - person who reviews or examines critically located establishments in compliance to the Sanitation Code and its implementing rules and regulations.
- o. Environmental and Sanitary Engineer - a person duly registered with the Board of Examiners for Environmental and Sanitary Engineering in the manner as herein provided.
- p. Sanitary Engineer - a person duly registered with the Board of Sanitary and Environmental Engineering under Republic Act 1364, that shall be an environmental and sanitary engineer upon the enactment of this law.
- q. Solid Waste - synonymous to refuse.
- r. Toxic Materials - any material that may have a poisonous effect on man or organism.
- s. Trash - similar to rubbish, dry solid wastes generated in office buildings.
- t. Treated Water - water that had undergone mechanical, physical and/or chemical process for the purpose of purification.

SEC. 3. Scope of Environmental and Sanitary Engineer. - Under this Act, Environmental and Sanitary engineering may be practiced by a person who renders or offer professional engineering services in the form of, but not limited to, the following:

1. Consultancy, investigation, valuation, planning, monitoring, construction, installation, manufacturing, research and management of services requiring environmental and sanitary engineering knowledge.
2. Human resources development on environmental protection and sanitation, in consonance with the other engineering disciplines with other paramedical and medical sciences.

SEC. 4. Duties and Responsibilities. - The functions of environmental and sanitary engineer are, but not limited to, the following areas:

1. Public Health is a field wherein services as nosocomical engineering for the health administrative authority are rendered in, but not limited to sanitation, disease prevention and control, and other public health concerns using engineering methods and paramedical measures;
2. Water usage, conservation and protection shall include all aspects in the protection and conservation of water resources, classification of water, protection of watersheds and use of water;

3. Re-education of the populace on the production of safe water supply, water purifications, water collection, conveyance, treatment and distribution;
4. Storm drainage and wastewater management wherein waste management shall include, but not limited to, waste minimization, sanitary sewer collection, wastewater conveyance and disposal, wastewater treatment plants, sewage treatment plants, and effluent disposal, sewer appurtenances, sewage lifting stations, leachate treatment, sludge and septage disposal and storm drainage management shall include, but not limited to, run-off collection, storm water conveyance and disposal including storm sewer appurtenances;
5. Solid waste refuse management shall include, but not limited to, waste minimization, storage, segregation, collection, conveyance, treatment and disposal, including necessary appurtenances;
6. Toxic and hazardous substances and radiation wherein toxic and hazardous substances shall involve engineering works in, but not limited to, manufacturing, processing, storage, conveyance, use, treatment and disposal of products, and by-products such as heavy metals, persistent organic pollutants, priority pollutants, polychlorinated biphenyls, poisons, radioactive and nuclear wastes, hospital waste, institutional waste, and agricultural wastes. Radiation shall include, but not limited to, non-ionic and ionic radiation effects, protection, and control;
7. Pollution Prevention and Control shall involve all aspects in prevention and control of noise, air, water, and land pollution;
8. Life and Safety shall involve the preservation of life and protection of property against hazards and injurious conditions in, but not limited to, buildings, horizontal developments, aircrafts, sea vessels, land crafts, industrial areas, public places and areas, underground structures for public and private use, recreational places and areas. It shall include construction safety management, management and operation safety, and mitigating measures; and
9. Environmental Engineering and Planning wherein engineering in environmental protection shall include, but not limited to, hydrology, ecology, environmental impact assessment.

ARTICLE II

Board of Examiners for Sanitary and Environmental Engineers

SEC. 5. Composition of the Board. - Within thirty (30) days from the effectivity of this Act, there shall be created a Board of Examiners for Environmental and Sanitary Engineers, hereinafter referred to as the "Board". It shall be composed of a chairman and two (2) members who shall be appointed by the President of the Philippines upon the recommendation of the Commissioner on Civil Service from among such persons of recognized standing in their profession as may be certified as having practiced at least five years and academically and morally fully qualified by their *bonafide* sanitary engineering associations. The members of the Board shall hold office for a term of three (3) years after appointment or until their successor shall have been appointed and shall have duly qualified. The first members of the Board appointed under this Act shall hold office for the following terms: one (1) member for one (1) year; one (1) member for two (2) years; and one (1) member for three (3) years. Each member of the Board shall qualify by taking the proper oath of office before entering upon the performance of his duties. Any member of the Board may be removed by the President for neglect of duty, incompetence, malpractice, unprofessional, unethical, immoral, or dishonorable conduct, after having been given opportunity to defend himself in a proper administrative investigation:

1 *Provided*, That during the process of investigation, the President shall have power to suspend
2 such member under investigation and shall appoint a temporary member in his place. Vacancies
3 in the Board shall be filled for the unexpired with the following designations:

- 4
- 5 1. One (1) over-all Environmental and Sanitary Engineer as chairman; and
- 6
- 7 2. Two (2) Environmental and Sanitary Engineer members; one (1) of which shall be the
- 8 same time a Sanitarian.
- 9

10 The two (2) members shall work under the direct supervision and responsibility of the
11 Chairman of the Board.

12

13 **SEC. 6. Powers and Duties of the Board.** - The Board of Examiners for Environmental
14 and Sanitary Engineering is vested with the authority, conformable with the provisions of this
15 Act, to administer oaths, issue, suspend and revoke certificates of registration for the practice of
16 Environmental and Sanitary Engineering, to issue certificates of recognition to sanitary engineers
17 who are already practicing prior to the effectivity of this Act for advanced studies, research
18 and/or highly specialized training in any branch of Environmental and Sanitary Engineering,
19 subject to the approval of the President, to investigate such violations of this Act and the
20 regulations thereunder as may come to the knowledge of the Board and for this purpose, to issue
21 *subpoena duces tecum* to secure appearance of witnesses in connection with the charges
22 presented to the Board, to inspect, at least once a year, educational institutions offering courses
23 in Environmental and Sanitary Engineering, and to discharge such other powers and duties as
24 may effect ethical and technological standards of the Sanitary Engineering profession in the
25 Philippines. For the purpose of this Act, the Secretary of Health, and/or his duly authorized
26 representatives in the provinces and chartered cities shall be *ex-officio* agents of the Board, and
27 as such it shall be their duty to help in the enforcement of the provision of this Act.

28

29 If any person refuse to obey any subpoena so issued or shall refuse to testify or produce
30 any book, document, etc., the Board may present its petition to the appropriate courts of
31 jurisdiction, setting forth the facts and thereupon such court shall, in a proper case, issue its
32 *subpoena* to such person, inquiring his appearance before such court shall, and there to testify or
33 produce such books, person papers, documents, etc., as may be deemed necessary and pertinent
34 by the Board. Any person failing or refusing to obey the *subpoena* or order of the said court, may
35 be proceeded against in the same manner as for refusal to obey any other *subpoena* or order of
36 the court.

37

38 The board shall exercise executive/administrative, quasi-legislative and quasi-judicial
39 powers in carrying out the specific powers, functions, duties and responsibilities:

- 40
- 41 1. Supervise and regulate the practice of the Environmental and Sanitary Engineers and
- 42 Sanitarians in the country;
- 43
- 44 2. Determine and evaluate the qualifications of the applicants for registration for special
- 45 permits;
- 46
- 47 3. Prepare the examination questions in accordance with the pertinent section of this
- 48 Act; prescribe the syllabi of the subjects and their relative weights for the licensure
- 49 examinations; formulate or adopt test questions and deposit them in a test question
- 50 bank; draw the test questions at random through process of computerization; and
- 51 submit the examination results to the Professional Regulation Commission (PRC)
- 52 within the period provided for by the rules of the Commission;
- 53
- 54 4. Prescribe, amend or revise the requirements for Environmental and Sanitary
- 55 Engineers subjects in the licensure examination for Professional Environmental and
- 56 Sanitary Engineers, registered Sanitarians and their relative weight, subject to the
- 57 approval of the Commission;

- 1
2 5. Register successful applicants who have passed the licensure examinations for
3 Environmental and Sanitary Engineers and Sanitarians and issue corresponding
4 certificates of registration and professional licensure;
5
- 6 6. Issue special permits to individual foreign Sanitary Engineer, Environmental
7 Engineers and Sanitarians for specific projects and for specific duration of time;
8
- 9 7. Look into the conditions affecting the practice of the Environmental and Sanitary
10 Engineering and Sanitarian profession and adopt measures for the enhancement of the
11 professions and the maintenance of high professional technical and ethical standards
12 and conduct ocular inspections of the places where registrants practice their
13 profession to determine and enforce compliance with this Act. The Board shall
14 authorized the duly integrated and accredited Environmental and Sanitary
15 Engineering, integrated sanitation associations to render assistance in the function;
16
- 17 8. Promulgate rules and regulations including a code of ethics, administrative policies,
18 orders and issuance to carry out the provisions of this Act;
19
- 20 9. Investigate violations of the Act and the rules and regulations, code of ethics,
21 administrative policies, orders and issuance promulgated by the Board. The rules on
22 administrative investigation promulgated by the Commission shall govern such
23 investigation;
24
- 25 10. Issue *subpoena* or *subpoena decus tecum* to secure the attendance of respondents or
26 witnesses or the production of documents at, and relative to the investigation
27 conducted by the Board;
28
- 29 11. Delegate the investigation of the case to the Chairman, a member of the Board of
30 Professional Regulations Commission (PRC) Legal Division. If the case concerns
31 strictly the practice of the profession, the investigation shall be presided by the
32 Chairman or Member of the Board with the assistance of a PRC attorney;
33
- 34 12. Render decision, order or resolution on preliminary investigation or inquiry, on
35 undocketed cases and on docketed administrative cases against examinees or
36 registrants which shall become final and executor unless appealed with the
37 commission within fifteen (15) days from receipt of the copy thereof. The decision of
38 the commission may be appealed to the court of justice in accordance with the
39 procedure provided in the rules of court;
40
- 41 13. After due notice and hearing, cancel examination papers and/or bar any examinee
42 from the future examination; refuse or defer his registration; reprimand the registrant
43 with stern warning; suspend him from the practice of his profession; revoke his
44 Certificate of Registration; delist his name from the roll of professional
45 Environmental and Sanitary Engineers, Registered Sanitarians, for continuous non-
46 payment of annual registration. Delisting from the roll by the Board as provided
47 herein, may be appealed initially to the Commission within fifteen (15) days from
48 receipt thereof. The decision of the Commission may be appealed to the court in
49 accordance with the procedure provided in the rules of court;
50
- 51 14. Administer oaths in connection with administrations, implementations, or
52 reinforcement of this Act;
53
- 54 15. Submit an annual report on the proceeding and accomplishments during the year, and
55 on recommendations of the Board of the Commission after the close of each fiscal
56 year;
57

1 16. Prosecute or institute criminal action against any violator of the Act and/or the rules
2 and regulations of Board;

3
4 17. Adopt an official seal;

5
6 18. Coordinate with the Commission on Higher Education in prescribing, amending
7 and/or revising the courses; and

8
9 19. Perform such other functions and duties as may be necessary to implement effectively
10 this Act. The policies, resolutions, rules and regulations, orders or decisions issued or
11 promulgated by the Board shall be subject to the review and approval by the
12 Commission: *Provided, however,* That the Board's decisions, resolutions or orders
13 which are not interlocutory, rendered in an administrative case, shall be subject for
14 review only if on appeal.

15
16 **SEC. 7. Qualifications of Board Members.** - Each member of the Board shall, at the
17 time of this appointment:

18
19 1. Be a natural-born Filipino citizen and resident of the Philippines for at least five (5)
20 consecutive years;

21
22 2. Be at least thirty-five (35) years of age and of good moral character, of proven
23 integrity with moral values in his personal as his professional conduct;

24
25 3. Be a holder of the Degree of Bachelor of Science in Sanitary Engineering (BSSE) or
26 Bachelor of Science in Environmental and Sanitary Engineering (BSEnSE), for the
27 members of the Board of Sanitary and Environmental Engineering and Chairman of
28 specialty boards, from a university, school, college, academy or institute duly
29 constituted, recognized and accredited by the Philippine government;

30
31 4. Be registered professional Environmental and Sanitary Engineer, or sanitarian with a
32 valid certificate of registration in their respective field of practice, and a valid license
33 duly qualified to practice Environmental and Sanitary Engineering or as Sanitarian in
34 the Philippines;

35
36 5. Must not be an official nor a member of the faculty of, nor have pecuniary interest in,
37 any university, college, school or institution offering bachelor's degree in
38 Environmental and Sanitary Engineering for at least three (3) years prior to this
39 appointment, and is not connected with a review center or with any group or
40 association where review classes or lectures in reparation for the licensure
41 examinations are offered or conducted at the time of his appointment;

42
43 6. Have practiced Environmental and Sanitary Engineering or as a Sanitarian for a
44 period of not less than ten (10) years prior to his appointment, with a sworn statement
45 as such; and

46
47 7. Finally, a person with no final conviction by the court of an offense involving moral
48 turpitude.

49
50 **SEC. 8. Compensation of Board of Members.** - The members of the Board shall receive
51 monthly compensation of not less fifteen thousand (P15,000.00) or in accordance with the
52 salaries and wages stipulated under PRC Law: *Provided,* That the Chairman shall receive a
53 monthly compensation often percent (10%) more. *Provided, further,* That such compensation
54 shall be increased or modified pursuant to the general appropriations act of the year. *Provided,*
55 *furthermore,* That they shall receive other benefits that may be provided for by the law.

1 **SEC. 9. Executive Officer of the Board.** - The Commissioner shall be the executive
2 officer of the Board and shall conduct the examination given by the Board and shall designate
3 any subordinate officer of the commission to act as secretary and a custodian of all records and
4 minute of the Board, including all examination papers, and minutes of the deliberations of the
5 board.

6
7 **SEC. 10. Term of Office.** - The members of the Board shall hold office for a term of
8 three (3) years from the date of appointment or until their successor shall have been appointed or
9 qualified. They may, however, be re-appointed for the second term as recommended by their
10 respective accredited professional regulation organizations. Each member shall qualify by taking
11 oath of office before entering upon the performances of his duties.

12
13 Vacancies in the Board shall be filled by the President from the list of candidates selected
14 by the Commissioner who were chosen from the list of nominees submitted by the integrated and
15 accredited association for the unexpired term only.

16
17 **SEC. 11. Removal of Board Members.** - Any member of the Board may be removed by
18 the President of the Philippines, upon the recommendation of the Commissioner for neglect of
19 duty, incompetence, malpractice, commission or tolerance of irregularities in the examinations,
20 or for unprofessional, unethical, or dishonorable conduct, after having been given the
21 opportunity to defend himself in administrative investigation.

22
23 **SEC. 12. Terms of Office of the Board Members.** - Upon Approval of this Act, the
24 incumbent chairman and two (2) members of the Board shall continue to serve until their terms
25 of office expire, or until their replacements have been appointed by the President, and shall have
26 been duly qualified.

27 28 29 **ARTICLE III** 30 **Examination and Registration**

31
32 **SEC. 13. Registration and License Required.** - A valid certificate of registration and a
33 valid professional license from the Commission are required before any person is allowed to
34 practice Environmental and Sanitary Engineering and as Sanitarian in the Philippines, except, as
35 otherwise allowed under this Act.

36
37 **SEC. 14. Examination Requirement.** - All applicants for registration for the practice of
38 Environmental and Sanitary Engineering shall be required to pass their respective technical
39 examinations as hereinafter provide, except as otherwise specifically allowed under this Act.

40
41 **SEC. 15. Holding of Examination.** - Examination of candidates desiring to practice
42 Environmental and Sanitary Engineering and Sanitarian in the Philippines shall be given in the
43 City of Manila, or any other regional centers that may be designated by the Board, beginning on
44 the last Monday of February and August of each year: *Provided*, That such days do not fall on
45 official holidays, otherwise the examination shall be held on the days immediately following the
46 set date.

47
48 **SEC. 16. Examination Fees.** - All applicants for written examinations for the
49 professional Environmental and Sanitary Engineers, Registered Sanitarian shall be subject to
50 payment of fees prescribed by the Commission: *Provided*, That ninety percent (90%) of the fees
51 is to be treated as a special fund for the programs, projects and activities of the Commission and
52 the remaining ten percent (10%) shall be set aside as trust fund for the establishment and
53 maintenance of the center for continuing education and research.

54
55 **SEC. 17. Registration Fees, License Fees, and Fines.** - All applicants for registration
56 and license to practices shall be subject to payment of registration fees, license fees, and fines, in
57 case of violation of the pertinent rules and regulations for the amounts prescribed by the Board

1 and approved by the Commission: *Provided*, That fifty percent (50%) from these collections
2 shall be set up in a separate special fund for the supervisory and regulatory functions of the
3 Board.

4
5 **SEC. 18. *Scope of Examination.*** - Applicants for certificates of registration as
6 Environmental and Sanitary Engineer, and as Sanitarian shall be examined in the following
7 subjects:

- 8
9 1. Professional Environmental and Sanitary Engineer - Mathematics, including
10 algebra, plane and spherical trigonometry, analytic, descriptive and solid
11 geometry, differential and integral calculus, rational and applied mechanics;
12 hydraulics; topographic surveying, design and construction of wooden, masonry,
13 reinforced concrete, and steel structures as flumes, water towers and drainage
14 canals; hydrology, ecology, public health engineering, environmental impact
15 assessment, pollution prevention and control, design and construction of sewers,
16 storm drains, water purification plants, treatment plants and planning
17 engineering: *Provided, however*, That duly registered Civil Engineers shall be
18 exempted from taking examinations in the following subjects: (1) Mathematics,
19 including algebra, plane and spherical trigonometry, differential and integral
20 calculus, rational and applied mechanics; (2) hydraulics; (3) topographic and
21 hydrographic surveying; and (4) design and construction of wooden, masonry,
22 reinforced concrete and steel structure flumes, water towers and drainage canals;
23 and
24
25 2. Registered Sanitarian - Arithmetic; code on sanitation and its implementing rules
26 and regulations; microbiology and parasitology and practical problems.
27

28 **SEC. 19. *Report of Ratings.*** - The Board of Examiners for Environmental and Sanitary
29 Engineering shall, within one hundred twenty (120) days after the date of completion of the
30 examination, report the ratings obtained by each candidate to the Civil Service Commissioner,
31 who shall submit such ratings to the President.
32

33 **SEC. 20. *Examination.*** - An applicant who for the third time fails to pass the
34 examination for the same grade shall not be allowed to take another until at least one year has
35 elapsed after his last examination.
36

37 **SEC. 21. *Issuance of Certificates of Registration and Professional License.*** - The
38 President shall upon the recommendation of the Board, issue a certificate of registration upon
39 payment of the registration fess as provided in this Act to any applicant, who, in the opinion of
40 the Board and after approval by the President, has satisfictorily met all the requirements
41 specified in this Act.
42

43 The registration for Environmental and Sanitary Engineer or registered Sanitarian shall
44 commence from the date his name is entered in the roll of registrants or licensees, for his
45 profession, or trade. Every registrant who has satisfactorily met all the requirements specified in
46 this Act, upon payment of the registration fee, shall be issued a certificate of Environmental and
47 Sanitary Engineer or registered Sanitarian that shows the full name of the registrant, and with a
48 serial number, signed by the Commissioner and by the Chairman and all the members of the
49 Board, stamped with the official seal.
50

51 To practice the profession and/or Trade with all the rights and privileges appurtenant
52 thereto, the certificate shall remain in full force and effect until withdrawn, suspended, or
53 revoked in accordance with the law.
54

55 A professional license signed by the Commission and bearing the registration number and
56 date of issuance thereof, and the month of expiry or renewability shall likewise be issued to
57 every registrant who has paid the rumual registration fees for three (3) consecutive years. This

license will serve as evidence that license can lawfully practice his profession until the expiration of its validity.

SEC. 22. Qualification of Applicants for Environmental and Sanitary Engineering Examinations. - Any person applying for admission to the Environmental and Sanitary Engineering, as herein provided, shall establish to the satisfaction of the Board that, on or before the date of examination, he possesses the following qualifications:

1. He is a citizen of the Philippines;
2. He is of good reputation with good moral values;
3. He has not been finally convicted by the court of an offense involving moral turpitude;
4. He is a holder of the degree of Bachelor of Science in Sanitary Engineering (BSSE) or Bachelor of Science in Environmental and Sanitary Engineering (BSEnSE) from a university, college, academy or institute duly constituted, recognized and accredited by the Philippine government; and
5. Engineers who have taken their Masteral units in Environmental and/or Public Health Engineering with supplemental units which the Board may require.

SEC. 23. Qualification of Applicants for Registered Sanitarian. - Any person applying for the admission to the Sanitarian examinations, as herein provided, shall establish to the satisfaction of the Board that, on or before the date of the examination, he possesses the following qualifications:

1. He is a citizen of the Philippines;
2. He is of good reputation with good moral values;
3. He has not been finally convicted by the court of an offense involving moral turpitude;
4. He is second year student of Bachelor of Science in Sanitary, Civil, Mechanical, Chemical or Electrical Engineering or second year student of Bachelor of Science in the field of natural sciences;
5. He has at east two (2) units in basic microbiology, parasitology and environmental sanitation laws; and
6. He has at least six (6) weeks experience as apprentice sanitarian under the supervision of registered Environmental and Sanitary Engineer.

SEC. 24. Oath. - All successful candidates in the examination shall be required to take a professional oath before the Board authorized to administer oaths, prior to entering upon the practice of Environmental and Sanitary Engineering and Sanitarian profession.

SEC. 25. Seal and Use of Seal. - All registered Environmental and Sanitary Engineers shall obtain their respective seal, of such design, as the certificate issued by the Board shall authorize and direct: *Provided, however,* That the serial number of the seal, plans and specifications prepared by, or under the direct supervision of a registered Environmental and Sanitary Engineers, shall be stamped with the seal during the life of the registrants certificate. And it shall be unlawful for anybody to stamp or seal any document with said seal after the certificate the registrant named therein has expired or has been revoked, unless said certificate have been renewed or reissued.

1
2 **SEC. 26. Exemption from Examination and Registration.** - Registration shall not be
3 required of foreign Sanitary Engineers or experts called in by the Philippine government for
4 consultation for specific Sanitary and/or Environmental Engineering services as defined under
5 this Act: *Provided*, That this practice shall be limited to such work: *And provided further*, That
6 they do not engage in private practice at their own account as Environmental and Sanitary
7 Engineers.

8
9 **SEC. 27. Refusal to Issue Certificates.** - The Board of Environmental and Sanitary
10 Engineers shall not issue a certificate of registration to any person convicted of any criminal
11 offense involving moral turpitude, or to any person guilty of immoral or dishonorable conduct, or
12 to any person of unsound mind. In the event of a refusal to issue a certificate to any person, the
13 Board shall give to the applicant a written statement setting forth the reasons for such action,
14 which statement shall be incorporated in the records of the Board.

15
16 **SEC. 28. Revocation of Certificates of Registration and Suspension from the Practice**
17 **of Profession.** - The Board shall have the power after due notice and hearing, to suspend or
18 revoke the certificate of registration of any registrant, for any cause mentioned in the preceding
19 section, or due to incompetence or for unprofessional or dishonorable conduct, for violation of
20 this Act, the rules and other policies of the Board and the code of professional ethics.

21
22 It shall be a sufficient ground for the revocation of certification issued to a person under
23 this Act, and his suspension from the practice of his profession for unprofessional or
24 dishonorable conduct, if:

- 25
26 1. Being a Professional Environmental and Sanitary Engineer, he has signed and affixed
27 his seal on any plan, design, technical reports, valuation, estimate, specification or
28 other similar document or work not prepared by him or not executed under his
29 immediate supervision;
30
31 2. To be in charge of the construction, erection, installation, or alteration, or of the
32 performance of Sanitary Engineering service in connection with the manufacture, sale
33 supply or distribution of any Sanitary Engineering works, projects or plant (as cited in
34 article one, section two of this Act), either for himself or for others, unless he holds a
35 valid certificate of registration as Environmental and Sanitary Engineer;
36
37 3. This decision of the Board shall be final and executory unless it is appealed by the
38 respondent to the Commission within fifteen (15) days from the receipt of such
39 decision. The Board's or Commission's decision is appealable by the respondent to the
40 court of justice in accordance with the procedure under the rules of court;
41
42 4. Any person, firm, associations or corporation may file charges in accordance with the
43 provisions of this section against any license, or Board may, on its own initiative
44 (*motu proprio*) investigate and/or take cognizance of acts and practices constituting
45 cause for suspension or revocation of the certificate of registration;
46
47 5. The rules and regulations of the commission on administrative investigation shall
48 govern the procedure and conduct of administrative investigation before the Board;
49 and
50
51 6. The respondent shall have the right to a speedy and public hearing and to confront
52 and cross-examine witnesses against him.

53
54 **SEC. 29. Re-issuance of Revoked Certificates and Replacement of Lost Certificates.** -
55 Subject to approval of the Commission, the Board may, after the expiration of one (1) year from
56 the date a Certificate of Registration is revoked, and for reasons may deem sufficient, entertain
57 an application for a new certificate of registration from the registrant concerned. Such

1 application shall be accomplished in the same form prescribed for examination, but the Board
2 may, in its discretion, exempt the applicant from taking the requisite examination. A new
3 Certificate of Registration to replace any certificate that has been lost, destroyed or mutilated be
4 issued, subject to the rules of the Board.

5
6 **SEC. 30. *Integration of the Professional Organizations.*** - The Environmental and
7 Sanitary Engineering Professional shall be integrated into one national organization which shall
8 be recognized by the Board as the one Integrated and Accredited Association. Every
9 Environmental and Sanitary Engineer and Registered Sanitarian upon registration with the Board
10 as such, shall *ipso facto*, become a member of their respected integrated national organization.
11 Those who have been registered with the Board but are not members of the said organization at
12 the time of the effectivity of this Act, shall be allowed to register as members of the said within
13 three (3) years after the effectivity of this Act. Membership in the integrated organization shall
14 not be baned in other associations.

15
16 **SEC. 31. *Continuing Professional Education and Development Committee.*** - The
17 accredited professional organizations shall have a continuing professional development
18 committee which shall be appointed by the Board of Directors of the PSSE, by means of
19 resolution, whose members shall be represented one (1) member of the PTC, one (1) member of
20 the Academe, one (1) member from the practitioners and one (1) Pre Board of EnSE and
21 Sanitarian, to evaluate the programs, providers, and certificates of the continuing professional
22 program.

23 24 **ARTICLE IV**

25 **Sundry Provisions Relative to the Practice of Environmental and Sanitary** 26 **Engineering**

27
28 **SEC. 32. *Foreign Reciprocity.*** - No Foreign Engineer shall be admitted to take a Board
29 of Examination, be given a Certificate of Registration, or be entitled to any of the rights and
30 privileges under this Act unless the country of which he is a subject or citizen specifically
31 permits Filipino Engineers to practice within its territorial limits on the same basis as the subjects
32 or citizens of such country.

33
34 **SEC. 33. *Enforcement of the Act by Officers of the Law.*** - It shall be the duty of all
35 constituted officers of the law of the national government, or any provincial, city, or municipal
36 government or of any political subdivision, to enforce the provisions of this Act and to prosecute
37 any person violating the same. The Secretary of Justice or his assistant shall act as legal advisers
38 of the Board and render such legal assistance as may be necessary in carrying out the provisions
39 of this Act.

40
41 **SEC. 34. *Field of Practice.*** - The field of practice for Environmental and Sanitary
42 Engineers and registered Sanitarian shall be as follows:

- 43
44 1. A Sanitary and Environmental Engineer's field of practice includes the sole authority
45 to sign and seal sanitary plans and to practice Environmental and Sanitary
46 Engineering in its full scope as defined in this Act.
47
48 2. A registered Sanitarian's field of practice includes inspection of facilities for the
49 purpose of sanitation, and fields of work provided by the Department of Health
50 (DoH).
51

52 **SEC. 35. *Prohibition in the Practice of Sanitary and Environmental Engineering.*** - No
53 person shall:

- 54
55 1. Practice or offer to practice Environmental and Sanitary Engineering in the
56 Philippines without having previously obtained a Certificate of Registration and a

Professional License from the Board of Sanitary and Environmental Engineering as provided for in Section 15 hereof;

2. Use, or attempt to use as his own Certificate of Registration, Professional License or the seal of another;
3. Give false or forged evidence of any kind to the Board or to any member thereof in obtaining a Certificate of Registration or Professional License;
4. Falsely impersonate any registrant of like or different name;
5. Attempt to use a revoked or suspended Certificate of Registration or Professional License;
6. Use, in connection with his name or otherwise assume, or use or advertise any title or description, tending to convey the impression that he is a registered Environmental and Sanitary Engineer or Sanitarian without holding a valid certificate or valid license; and
7. Sign document involving sanitary design, plan, technical specifications, valuation and the like on behalf of a Registered Engineer.

SEC. 36. *Personnel Required.* - Except as otherwise provided in this Act, every industrial plant or factory, commercial establishment, institutional building, or in any other installation where persons and properties require the services of an Environmental and Sanitary Engineer, a duly Registered Environmental Sanitary Engineer shall be employed for the purpose to ensure safe operation and safeguard public welfare.

SEC. 37. *Certificate of Specialty.* - Certificates of specialty shall be issued by the Board, subject to the approval of the Commission, to any Environmental and Sanitary Engineers who have been screened and recommended by the Integrated and Accredited Environmental and Sanitary Engineering and Sanitarian Association, these are for specific fields in which the applicants have specialized knowledge, training and experience and have demonstrated their competence and expertise, the Board shall, subject to the approval of the Commission, and after consultation with the said association prescribe and issue the necessary guidelines for the issuance of these certificates.

SEC. 38. *Practice for Firms and Corporations.* - The practice of Sanitary and Environmental Engineering is a professional service admission which based on individual and personal qualifications. Practice in a corporation may be allowed but individual members shall be limited to restrictions of corporate practice.

Persons properly qualified and license Environmental and Sanitary Engineer may, among themselves, from a partnership or association and collectively render Environmental and Sanitary Engineering service.

SEC. 39. *Penalty Clause.* - Any person who shall violate any provision of this Act shall be guilty of misdemeanor and shall, upon conviction, be sentenced to a fine of not less than fifty thousand pesos (P50,000.00) or imprisonment for a period of not less than six (6) months nor more than five (5) years or both.

ARTICLE V Transitory Provisions

SEC. 40. *New Certificates of Registration and Professional License.* - Sanitary Engineers, Environmental and Sanitary Engineers and Engineers accredited by the Board with valid Certificates of Registration under Republic Act No. 1364, shall register within two (2)

1 years from the effectivity of this Act and be issued new Certificates of Registration and new
2 license as Registered Environmental and Sanitary Engineers with the same serial numbers as
3 their old ones to replace their old original certificates and licenses.

4
5 **SEC. 41. *Environmental and Sanitary Engineering Code of the Philippines.*** - Sixty
6 (60) days after the effectivity of this Act, the President of the Philippines shall organize a
7 committee to prepare the Environmental and Sanitary Engineering Code of the Philippines, its
8 implementing rules and regulations, to effect and carry out the objectives of this Act, upon the
9 recommendation of the Board of Examiners of the Environmental and Sanitary Engineers, and in
10 consultation with the Philippine Society of Sanitary Engineers, Inc.

11
12 **ARTICLE VI**
13 **Final Provisions**
14

15 **SEC. 42. *Repealing Clause.*** - All laws, provisions of charters, executive orders, rules
16 and regulations or parts thereof contrary to or inconsistent with the provisions of this Act are
17 hereby repealed, amended, or modified accordingly.

18
19 **SEC. 43. *Separability Clause.*** - If any part of this Act or application thereof is declared
20 unconstitutional or invalid for any reason, the same shall not affect the validity of the other
21 provisions.

22
23 **SEC. 44. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days following its
24 complete publication in the Official Gazette or newspaper of general circulation.

Approved,