



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 186



Introduced by REPRESENTATIVE AURELIO "DONG" D. GONZALES, JR.

AN ACT REGULATING THE PRACTICE OF CIVIL ENGINEERING, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 544, AS AMENDED BY REPUBLIC ACT NO. 1582

EXPLANATORY NOTE

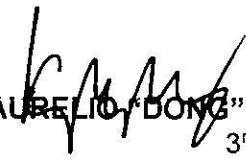
The civil engineering profession has a great role to play in the light of globalization, cross-border practice and climate change, as civil engineers contribute to the improvement of the living standards of the Filipino people and ensure that the planning, design, management, construction, and maintenance of buildings, structures, facilities, utilities and the like, both in the public and private sector, are at par with the best in the world. Thus, there is a need to clearly define the practice of civil engineering, to strengthen and broaden the profession as it copes with the challenges of globalization, to further improve the competence of our civil engineers with upgrading civil engineering education and its requirements and most importantly to be able to better serve and safeguard public interest and responsibility that the profession carries with it.

The Article XIV, Sec. 10 of the Constitution provides, "Science and technology are essential for national development and progress. The State shall give priority to research and development, invention, innovation, and their utilization; and to science and technology education, training, and services."

As lawmakers, it is our constitutional responsibility to observe and forge the continuous and gradual improvement of our sciences and technology not only in the field of education but as well as in the regulation of their respective professions.

This Bill aims to continually upgrade the level of competence of civil engineers through peer recognition of specialization in civil engineering, continuing professional development, including research, and strengthen the accredited professional organization of civil engineers through means of (1) reinforcing the authority of the board of civil engineering in ensuring the capabilities of our aspiring civil engineers and monitoring the practice of present civil engineers; (2) widening the scope of the licensure examinations to include a vital subject in the National Building Code; (3) allowing specialization in different areas in the practice of civil engineering.

In view of the foregoing, I seek for the immediate passage of this proposed legislation.


REP. AURELIO "DONG" D. GONZALES, JR.
3rd District, Pampanga



Introduced by REPRESENTATIVE AURELIO "DONG" D. GONZALES, JR.

AN ACT REGULATING THE PRACTICE OF CIVIL ENGINEERING AND REPEALING FOR THAT PURPOSE REPUBLIC ACT NO. 544, AS AMENDED BY REPUBLIC ACT NO. 1582

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

ARTICLE I

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

SECTION 1. *Title* – This Act shall be known as the "Civil Engineering Law".

SECTION 2. *Objective* – The objective of this Act is to clearly define the practice of civil engineering and to ensure its relevance to national needs and public issues.

SECTION 3. *Statement of Policy* – It is hereby declared the policy of the State to promote and regulate the practice of civil engineering in support of national development, and to upgrade civil engineering education to ensure that Filipino civil engineers are at par with the best in the world.

SECTION 4. *Definition of Terms* – As used in this Act:

(a) "Civil Engineering" is the science or profession in which knowledge of the mathematical and physical sciences gained by study and practice is applied with judgment to utilize natural and man-made resources in the planning, design, management, construction, and maintenance of buildings, structures, facilities, and utilities for the progressive well-being and use of mankind, protection of the environment, community living, industry, and transportation, taking into consideration such aspects as but not limited to safety, economy, functionality, efficiency, constructability, operability, and environmental quality;

(b) "Civil Engineer" is a person duly registered with the Board of Civil Engineering of the Professional Regulation Commission in the manner as hereinafter provided;

(c) "Accredited Professional Organization of Civil Engineers (APOCE)" is the official national organization of all registered Civil Engineers in the Philippines as accredited by the Professional Regulation Commission;

(d) "Civil Engineering Design" is a methodical series of steps that civil engineers use in the planning and design of civil engineering structures;

(e) "Civil Engineering Plans" are construction drawings prepared, signed and sealed by a registered civil engineer;

(f) "Construction Management and Engineering" is a discipline of civil engineering which plans, coordinates, budgets, and supervises construction projects from development to completion;

(g) "Energy and Environmental Engineering" is a discipline of civil engineering which seeks to efficiently use energy and to maintain or improve the environment;

(h) "Geotechnical Engineering" is a discipline of civil engineering which deals with the application of the principles of soil and rock mechanics in the investigation, evaluation

and design of civil works involving the use of earth materials and foundations and the inspection or testing of the construction thereof;

(i) "Hydraulics and Water Resources Engineering" is a discipline of civil engineering which deals with the application of fluid mechanics principles in the collection, storage, control, transport, regulation, measurement, and use of water;

(j) "Structural Engineering" is a discipline of civil engineering which deals with the analysis and design of structures that support or resist loads; and

(k) "Transportation Engineering" is a discipline of civil engineering involving the application of technology and scientific principles to the planning, functional design, operation and management of facilities for any mode of transportation.

SECTION 5. Scope of Practice – The scope of the practice of Civil Engineering encompasses the provision of professional services in connection with Civil Engineering structures and facilities and may include, but are not limited to:

(1) Technical, economic and financial feasibility studies, project promotional services, planning and designing;

(2) Pre-design services such as, but not limited to, consultation, consultancy, giving written advice and directions, evaluations, surveys, investigations, quantity surveys, appraisals and adjustments, environmental impact assessment and studies, schematic design, and design development;

(3) Preparation, signing, sealing of plans, specifications, calculations, bill of quantities and materials, cost estimates, tender documents including invitation for bids or proposals, instructions to bidders or offerors, general conditions of contract, special conditions of contract, and other contract documents;

(4) Construction and project management, giving general management, administration, supervision, coordination and responsible direction of the planning, designing, construction, reconstruction, erection, alteration, improvement, upgrading, conversion, expansion, demolition, repair, rehabilitation, restoration, retrofitting and renovation of Civil Engineering structures and facilities, including all their components, sites and environs, intended for private or public use;

(5) Planning, lay-out and utilization of spaces within and surrounding such Civil Engineering structures and facilities including their sites, interiors, spaces, utilities systems, equipment, and fixtures;

(6) Programming, administration, construction arbitration, and conservation of civil engineering structures;

(7) All works which relate to the scientific and orderly coordination of all works and branches of the work, systems and processes necessary for the production of structures and facilities, whether for public or private use to enhance and safeguard life, health and property and the promotion and enrichment of the quality of life; and

(8) Research on civil engineering and teaching, lecturing, and reviewing of professional civil engineering subjects in the curricula for Bachelor of Science in Civil Engineering or other academic courses and training in civil engineering or a subject in the Civil Engineering Licensure Examination given in any academic institution of higher learning.

The civil engineering structures covered under the practice of Civil Engineering include, but are not limited to, the following:

- a) Airports to include all landside and airside facilities;
- b) Highways, streets, roads and bridges;
- c) Railways;
- d) Buildings of all types;
- e) Irrigation;

- f) Canals;
- g) Dams and other impounding structures;
- h) Power generating plant and transmission lines;
- i) Harbors, portworks, drydocks, lighthouses and other marine and navigational structures;
- j) Transport networks structures;
- k) River and shore, reclamation and coastal improvements;
- l) Water supply, sanitary, landfills and sewerage works;
- m) Structures for flood control, drainage and storm surge and wave protection;
- n) Tunnels, nuclear plants, communication towers and tunnels, submarine and offshore, structures and other specialty structures; and
- o) other works or structures requiring civil engineering knowledge and application.

SECTION 6. *Categories of Practice* –

- a) "Civil Engineer-of-Record" is the civil engineer registered under this Act, and qualified under the implementing rules and regulations hereof, who is the signatory and sealer to the plans and building permits, specifications, calculations and others which form part of the contract documents for a project or component of a project, and who is therefore professionally responsible and liable for the design for that project or component of that project;
- b) A "Civil Engineer In-charge of Construction" is the civil engineer registered under this Act, and qualified under the implementing rules and regulations hereof, who is the signatory and sealer to the building permit of a project or component of a project and who is therefore professionally responsible and liable for the construction management and supervision of the project or component of that project; and
- c) A "Civil Engineer Prime Professional" is the civil engineer registered under this Act, and qualified under the implementing rules and regulations hereof, who is responsible for the overall integration, coordination, and successful conduct of all processes in the project from inception to completion

ARTICLE II

BOARD OF CIVIL ENGINEERING

SECTION 7. *Composition of the Board* – Within three (3) months after the approval of this Act, a Board of Civil Engineering shall be created, which is a collegial body under the administrative supervision of the PRC, composed of a chairman and two members who shall be appointed by the President of the Philippines, upon the endorsement of the PRC, which shall select from a list of at least five (5) nominees for each position as recommended by the APOCE.

The Chairperson of the Board shall be appointed by the President of the Philippines from among the members of the Board, who shall serve until the expiration of his/her term. Except for the first Chairperson, only members of the Board, who have served for at least one (1) year as member of the Board, shall be qualified to be appointed as Chairperson.

SECTION 8. *Powers and Duties of the Board* – The Board of Civil Engineering is vested with authority to:

- a) Prepare the contents of licensure examinations for civil engineers; and determine, prescribe, and revise the course requirements;
- b) Administer oath and issue Certificate of Registration for the practice of civil engineering;
- c) Visit and inspect educational institutions offering courses in civil engineering;
- d) Adopt and enforce a Code of Ethics for the practice of the profession;
- e) Recommend measures necessary for advancement in the field of civil engineering;

- f) Investigate violations of set professional standards and adjudicate administrative and other cases against erring registrants in the field of civil engineering; and
- g) Suspend, revoke, or reissue Certificate of Registration for the practice of civil engineering for causes provided by law.

SECTION 9. *Qualifications of Board Members* – Each member of the Board shall, at the time of his appointment:

- (a) Be a citizen and resident of the Philippines;
- (b) Be at least thirty (30) years of age and of good moral character;
- (c) Be a graduate of Civil Engineering from a recognized and legally-constituted educational institution;
- (d) Be a registered civil engineer duly qualified to practice civil engineering in the Philippines;
- (e) Has practiced civil engineering, with a certificate as such, for a period of not less than ten (10) years prior to his appointment. At least five (5) years of such practice must be as either a Civil Engineer-of-Record, Civil Engineer In-Charge of Construction, or Civil Engineer Prime Professional;
- (f) Not be a member of the faculty of any school, college, university, or educational institution where civil engineering course is taught, nor have a pecuniary interest in such institutions; and
- (g) Not be a former member of the faculty of any school, college, university, or educational institution, where civil engineering is taught, within three (3) consecutive years prior to his/her appointment.

SECTION 10. *Term of Office* – The members of the Board shall hold office for a term of three (3) years after appointment or until their successors shall have been appointed and shall have been duly qualified.

The first members of the Board appointed under this Act shall hold office for the following terms: the chairman for three (3) years; one (1) member for two (2) years; and one (1) member for one (1) year. Each member of the Board shall qualify by taking the proper oath of office before performing his/her duties.

SECTION 11. *Removal/Suspension of Members* – Any member of the Board may be removed by the President of the Philippines by reason of (a) neglect of duty; (b) incompetence, (c) malpractice; or (d) unprofessional, unethical, immoral, or dishonorable conduct, after having been given opportunity to defend himself in a proper administrative investigation by the PRC: Provided, that during the process of investigation the President of the Philippines shall have the power to suspend such member under investigation and shall appoint a temporary member in his/her place.

SECTION 12. *Compensation of the Board* – The members of the Board shall each receive as compensation the sum comparable to, and in like manner with, the compensation received by like members of other existing professional regulatory boards under the Commission. A Civil Engineer in service with the government of the Republic of the Philippines, appointed as member of the Board, shall receive the compensation as herein provided, in addition to any compensation received for such service.

SECTION 13. *Secretary of the Board* – The PRC shall designate the Secretary of the Board, who shall provide the secretariat and other support services to implement the provisions of this Act.

SECTION 14. *Enforcement Assistance to the Board* – For the purposes of this Act, the Secretary of Public Works and Highways and/or his/her authorized representative in the provinces and chartered cities shall be ex-officio agent/s of the Board and as such it shall be their duty to help in the enforcement of the provisions of this Act.

SECTION 15. *Appropriations* – Such sums as may be necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter: Provided, however, that fifty percent (50%) of the fees derived from registration and licenses of civil engineers shall be utilized by the Board to defray its administrative and other operational expenses, including the enhancement of the civil engineering profession.

SECTION 16. *Implementing Rules and Regulations* – The Board may promulgate such rules and regulations as may be deemed necessary to carry out the provisions of this Act. The latest edition of the Civil Engineering Code, the Manual of Professional Practice of Civil Engineers as prepared by the APOCE and approved by the Board shall be considered to form part of the Implementing Rules and Regulations.

SECTION 17. *Annual Report* – The Board shall, at the end of each fiscal year, submit to the PRC a detailed report of its activities and proceedings during the period covered by the fiscal year ended.

ARTICLE III EXAMINATION AND REGISTRATION

SECTION 18. *Examination Requirement* – All applicants for registration for the practice of Civil Engineering shall be required to pass a technical examination as hereinafter provided.

SECTION 19. *Qualification for Examination* – Any person applying for admission to the Civil Engineering examination as herein provided shall, prior to the date of the examination, establish to the satisfaction of the Board that he/she has the following qualifications:

- (a) At least twenty-one (21) years of age;
- (b) A citizen of the Philippines;
- (c) Of good reputation and moral character; and
- (d) A holder of a bachelor's degree in Civil Engineering from a recognized and legally-constituted educational institution.

SECTION 20. *Fraudulent applications* – The Board may suspend or revoke a Certificate of Registration obtained through misrepresentation made in the application for examination.

SECTION 21. *Examination Fees* – All applicants for written examinations for registered civil engineer shall be subject to payment of fees prescribed by the Commission: Provided, that ninety percent (90%) of the fees is to be treated as a special fund for the programs, projects and activities of the Commission and the remaining ten percent (10%) shall be set aside as a trust fund for the establishment and maintenance of a center for continuing education and research in civil engineering.

SECTION 22. *Holding and Date of Examination* – Examination of candidates for the practice of Civil Engineering in the Philippines shall be conducted at such places and on such dates determined, fixed, and announced by the PRC in accordance with the laws, rules, and regulations governing the conduct of licensure examinations for all existing professional regulatory boards under the PRC.

SECTION 23. *Scope of Examination* – Applicants for registration for the practice of Civil Engineering shall be examined, in the discretion of the Board, on the following subjects:

- (a) General Civil Engineering including, but not limited to, project planning, designs and management; manual of practice, codes and regulations, especially the National

Building Code of the Philippines, economics, environmental impact assessment; materials testing and inspection; highway and railroad curves; plane, topographic and hydrographic surveying, and advanced surveying; numerical methods for computer application; mathematics such as algebra, plane and spherical trigonometry, analytic, descriptive and solid geometry, differential and integral calculus, and rational and applied mechanics;

- (b) Transportation engineering including, but not limited to, theory and practice of transportation engineering, transportation and traffic engineering studies, planning, design, construction, operation and maintenance of highways including pedestrian facilities, railways, ports and harbors, and airports;
- (c) Hydraulics and water resources engineering including, but not limited to, hydrology, hydraulics, reservoirs, spillways, open channels, pressure conduits, navigation canals and locks, sanitary engineering works, water supply system, dikes, dams, and irrigation and drainage canals, and hydropower structures;
- (d) Geotechnical engineering including, but not limited to soil composition, classification of soils, compaction of soils, flow of water in soils, permeability, seepage, flow nets, effective stress, compressibility of soil, shear strengths of soil, lateral earth pressure, soil bearing capacity, slope stability, solid waste disposal systems and ground improvement;
- (e) Structural engineering including, but not limited to, theory of structures, properties of materials, lateral load analysis, earthquake engineering, wind engineering, functional planning, floor plans, elevations, sections, utilities, design of wooden, reinforced concrete, steel, and composite buildings, bridges, towers, walls, foundations, silos, and masonry structures; and
- (f) Construction management and engineering including, but not limited, to contracts, cost estimates, unit cost development, construction schedule, manpower and equipment scheduling and control, material control, Program Evaluation and Review Technique/Critical Path Method (PERT-CPM), bar chart schedule, project monitoring, s-curve, network analysis, time scheduling, project activities, project cost, project control, quality assurance, bidding, tender documents, specifications, and construction supervision.

SECTION 24. Rating in the Civil Engineering Board Exams – The passing general average rating shall be seventy percent (70%) with no grade below sixty percent (60%) in any subject.

SECTION 25. Re-examination of Failed Subjects – An applicant shall be allowed to retake, any number of times, only the subject/s in which he/she has obtained a grade below sixty percent (60%). When he/she shall have obtained an average grade of seventy percent (70%) in the subject/s repeated, he/she shall be considered to have passed his/her licensure examination.

SECTION 26. Re-examination – An applicant who, for the third time fails to pass the examination for the same subject, shall not be allowed to take another until at least one (1) year has lapsed after his/her last examination.

SECTION 27. Registration Required – Unless exempt from registration, no person shall practice or offer to practice civil engineering in the Philippines without having obtained the proper certificate of registration from the Board for Civil Engineers.

SECTION 28. Issuance of Certificate of Registration and Professional Identification Card – Individual certificates of registration shall be issued by the Board and the PRC to all successful candidates in the examinations and who have taken the professional oath, subject to payment of required fees prescribed by the Commission. The certificate shall be the authority to practice the profession. Such authority may be suspended or revoked by the Board and the Commission for just cause, as may be provided by law after due notice and hearing.

Individual professional identification cards shall be issued by the Commission to all registered civil engineers, each card to bear the (a) name and picture of the registrant; (b) registration number; (c) date of issuance of card; (d) expiry date of card; and (e) signature of the chairman of the Commission.

No professional identification card shall be issued to the new registrant unless he/she presents a certificate of active membership in good standing issued by the APOCE. The same certificate shall be required before the Board and the Commission shall renew the professional card of a registered civil engineer.

SECTION 29. *Contents of the Certificate of Registration* – The Certificate of Registration of a professional civil engineer shall bear the signatures of the Chairman of the Board and the Chairman of the PRC; and stamped with the official seal of the Board indicating that the person named therein is a registered civil engineer.

A professional license bearing the registration number, date of issuance, expiry date and duly signed by the Chairman of the Board, shall likewise be issued to every registrant, upon payment of the professional fees. No person shall practice civil engineering in this country unless such person shall have secured a license to practice civil engineering in the manner herein provided.

A license holder is entitled to practice the profession with all the privileges appurtenant thereto until the expiration of the validity of his license.

SECTION 30. *Fees for Registration* – Every person issued a Certificate of Registration as a registered civil engineer shall pay to the PRC such fees as the Commission may prescribe.

SECTION 31. *Oath of Professional* – All successful candidates in the examination shall be required to take a professional oath before the Board of Civil Engineers or other government officials authorized to administer oaths, prior to entering upon the practice of the civil engineering profession.

SECTION 32. *Seal of Professional* – All registered civil engineers shall obtain a seal of such design as the Board shall authorize and direct, provided, however, that the serial number of the certificates issued by the Board shall be included in the design of the seal. Plans and specifications prepared by, or under the direct supervision of a civil engineer shall be stamped with said seal during the period of the registrant's certificate. It shall be unlawful for any person to stamp or seal any documents with said seal after the certificate of the registrant named thereon has expired or has been suspended or has been revoked, unless said certificate shall have been renewed or re-issued.

Plans, drawings, specifications, and other contract documents duly signed and sealed, as instruments of professional service, shall remain as intellectual property of the civil engineer, whether the object for which they are made is executed or not. It shall be unlawful for any person, without the written consent of the civil engineer who is the author of such signed and sealed documents, to duplicate or to make copies of said documents for use in the repetition of said object or for other projects. Civil engineers shall incorporate the text of the preceding two (2) sentences in full and in prominent location in all written instruments of professional service.

SECTION 33. *Refusal to Issue Certificate* – The Board shall not issue a certificate of registration to any person convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude, or to any person guilty of immoral or dishonorable conduct, or to any person of unsound mind. The Board shall not issue a certificate to any person who has not taken the oath of Civil Engineers. In the event of a refusal to issue a certificate to any person, the Board shall give to the applicant a written statement setting forth its reason for such action, which statement shall be incorporated in the records of the Board.

SECTION 34. *Suspension and Revocation of Certificates and Cancellation of Professional Identification Cards and Procedure of Investigation of Violations* – Subject to the approval of the PRC, the Board shall have the power to suspend or revoke the certificate of registration due to the registrant's malpractice, unprofessional, unethical, immoral, dishonorable conduct,

after due notice and hearings allowing the registrant the opportunity to defend himself/herself in a proper administrative investigation by the Board.

Upon suspension or revocation of the certificate of registration, the cancellation of the professional identification card shall be ordered by the Chairman.

SECTION 35. *Re-issuance of Certificates and Professional Identification Cards* – The Board may, after the expiration of one (1) year from the date a certificate of registration is revoked and for reasons it may deem sufficient, entertain an application for a new certificate of registration from the registrant concerned. Such application shall be accomplished in the same form prescribed for examination, but the Board may, in its discretion, exempt the applicant from taking the requisite examination. The corresponding application for professional identification card shall be accomplished in the same form prescribed for renewal.

ARTICLE IV PRACTICE OF PROFESSION

SECTION 36. *Vested Rights/Automatic Registration* – All practicing civil engineers who are registered at the time this Act takes effect, shall automatically be registered.

SECTION 37. *Transitory Provision* – As soon as this Act takes effect, any person desiring to practice the profession of civil engineering shall be required to obtain a certificate of registration in the manner and under the conditions herein provided. All civil engineers duly registered under the provisions of Republic Act 544, as amended, shall automatically retain their registered status as if they are registered under the provisions hereof. Certificates of registration held by such persons in good standing shall have the same force and effect as though the same have been issued under the provisions of this Act.

Certificates of recognition for advanced studies, research, or highly specialized training in any specialized branch of Civil Engineering issued to registered civil engineers under Republic Act 544 shall be replaced by equivalent certificates of specialization. Likewise, Certificates of Specialization previously issued by the Board or the APOCE held by such persons in good standing shall have the same force and effect as though the same have been issued under the same provision of this Act.

SECTION 38. *Certificate of Specialization* – To encourage the practice of civil engineering in all disciplines, the APOCE shall be vested with authority, conformable with the provisions of this Act, to issue a certificate of specialization to a registered civil engineer who specializes himself/herself with the practice of Civil Engineering in any of the following disciplines or areas of specialization:

- (a) Civil Engineering Education;
- (b) Construction Management and Engineering;
- (c) Energy and Environmental Systems Engineering;
- (d) Geotechnical Engineering;
- (e) Hydraulic and Water Resources Engineering;
- (f) Structural Engineering;
- (g) Transportation Engineering; and
- (h) Other specializations that may be recognized by the Board.

The Board of Civil Engineering shall have the authority to suspend or revoke a Certificate of Specialization previously issued on grounds of violation of any of the provisions under this Act.

SECTION 39. *Who May Practice* – The practice of Civil Engineering is a professional service, admission to which must be determined upon individual and personal qualifications.

SECTION 40. *Prohibition in the Practice* – No firm, partnership, corporation or association may be registered or licensed as such for the practice of civil engineering: Provided, however, that persons properly registered and licensed as civil engineers may, among themselves or with a person or persons properly registered and licensed as architects, form, and obtain registration of, a firm, partnership or association using the term "Engineers" or "Engineers and Architects,"

but, nobody shall be a member or partner of such firm, partnership or association unless he is duly licensed civil engineer or architect, and the members who are civil engineers shall only render work and services proper for a civil engineer, as defined in this Act, and the members who are architects shall also only render work and services proper for an architect, as defined in the law regulating the practice of architecture; individual members of such firms, partnership or association shall be responsible for their own respective acts.

SECTION 41. *Collection of professional fees* – It shall be unlawful for any unregistered person to collect a fee for services rendered except as an employee collecting a fee as representative of a registered civil engineer.

SECTION 42. *Enforcement of the Act* – It shall be the duty of all duly constituted law officers of the national, provincial, city and municipal governments, or any political subdivisions thereof, to enforce the provisions of this Act and to prosecute any person violating the same.

SECTION 43. *Roster of Civil Engineers* – A roster showing the names and places of business of all registered Civil Engineers shall be prepared by the PRC through the Board periodically but at least once a year.

SECTION 44. *Submission of Designs for Government Approval* – Any proposal, design, specification, working drawing or plan for a structure or any part thereof submitted to any government agency, national or local, including government-owned or controlled corporations, shall not be processed or approved, nor shall such plan be issued any permit, license, franchise, authorization or certification unless such proposal, design, specification, working drawing or plan is signed by a registered civil engineer, with his seal and registration number affixed thereto.

SECTION 45. *Preparation of Plans* – It shall be unlawful for any person to order or otherwise cause the construction, reconstruction, or alteration of any building or structure intended for public gathering or assembly such as theaters, cinematographs, stadia, churches, schools, gymnasia, shopping malls, or structures of like nature, and any other engineering structures mentioned in Section 5 of this Act unless the designs, plans, and specifications of same have been prepared under the responsible charge of and signed and sealed by a registered civil engineer, and unless the construction, reconstruction and/or alteration thereof are executed under the responsible charge and direct supervision of a registered civil engineer. Plans and designs of structures must be approved as provided by law or ordinance of a municipality, city or province where the said structure is to be constructed.

SECTION 46. *Foreign Reciprocity and Special Temporary Permits* – All foreign nationals, including former Filipino citizens desiring to practice the profession of Civil Engineering in the Philippines and who are authorized by law to practice Civil Engineering in the Philippines, shall apply for a special temporary permit from the Board subject to approval of the Commission, in accordance with the provisions of section 7(j) of Republic Act No. 8981. Except for cases where the foreign national has already been issued a special temporary permit, the agencies, organizations, or individuals, whether public or private, who secure the services of a foreign national authorized by law to practice Civil Engineering in the Philippines shall be responsible for securing a special temporary permit from the Board, subject to approval of the Commission.

No working permit, temporary or permanent visa shall be issued by any government agency to any foreign national intending to practice Civil Engineering in the Philippines without complying with these provisions.

A foreign civil engineer or any person not authorized to practice Civil Engineering in the Philippines, or a foreign civil engineer authorized to practice Civil Engineering in the Philippines but who has not been issued a special temporary permit from the Board, who shall stay in the country and perform any of the activities mentioned in Section 5 of this Act or any other activity analogous thereto, shall be deemed engaged in the unauthorized practice of Civil Engineering.

SECTION 47. *No Effect on other Professions* – Nothing in this Act would likewise limit the other professionals from practicing their own respective professions: Provided, that such professional does not designate himself/herself as a civil engineer.

SECTION 48. *Privilege Tax* – A civil engineer shall indicate his privilege tax receipt number on the documents he signs, uses or issues in connection with the practice of his profession.

SECTION 49. *Membership in APOCE* – All registered civil engineers shall automatically qualify as members of the Philippine Institute of Civil Engineers (PICE), which is the Accredited Professional Organization of Civil Engineers (APOCE) and shall comply with all the membership requirements therein.

SECTION 50. *Posting of Certificates* – The owner, manager, or other person in-charge of any civil engineering works, projects, or structures, of a firm, co-partnership, corporation or joint-stock association, shall post or cause to be posted in a conspicuous place within such place of business, the original certificate of registration of the engineer or engineers and of the certified civil engineer/s employed in such plant, in a frame protected by transparent glass or its equivalent.

SECTION 51. *Positions in Government* – Within three (3) years from the effectivity of this Act, all existing and proposed positions in the local and national government, whether permanent, temporary or contractual and primarily requiring the services of civil engineers shall accordingly be filled only by registered and licensed professional civil engineers.

SECTION 52. *Continuing Professional Development* – All registered civil engineers shall maintain a program of professional development to promote public interest and to safeguard life, health, and property. The APOCE shall have the responsibility of developing a continuing professional development program for civil engineers. Other entities or organizations may become Continuing Professional Development providers upon accreditation by the Board.

SECTION 53. *Indication of Registration on Documents* – The civil engineer shall be required to indicate his/her Certificate of Registration and Professional Identification Card, its date of issuance and the duration of validity, including the professional tax receipt number, on the plans and documents he/she signs, uses or issues in connection with the practice of his/her profession.

ARTICLE V GENERAL PROVISIONS

SECTION 54. *Penal Clause* – Upon conviction, a fine of not less than one hundred thousand pesos (Php 100,000) nor more than one million pesos (Php 1,000,000), or to suffer imprisonment for a period of not less than six months nor more than three years, or both, at the discretion of the Court shall be sentenced upon:

- a) Any person who shall practice or offer to practice Civil Engineering in the Philippines without being registered in accordance with the provisions of this Act;
- b) Any person presenting or attempting to use as his/her own the certificate of registration or professional identification card of a registered civil engineer;
- c) Any person who shall give any false or forged evidence of any kind to the Board;
- d) Any person who shall impersonate any registered civil engineer of different name;
- e) Any person who shall attempt to use a revoked or suspended certificate of registration or professional identification card;
- f) Any person who shall use in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he/she is a civil engineer, without holding a valid certificate of registration;
- g) Any head of a government agency or officer of a private firm or institution who fails to secure a special temporary permit from the Board subject to approval of the PRC prior to engaging the services of a foreign national to practice Civil Engineering

under the employ or engagement by the agency, firm or institution, unless such foreign national has already been issued a special temporary permit;

h) Foreign nationals who engage in the practice of Civil Engineering in the Philippines without the benefit of a special temporary permit, or any person, partnership; and

i) Officers of corporation who shall violate any of the provisions of this Act and its implementing rules and regulations.

Foreign nationals who engage in the practice of Civil Engineering in the Philippines without the benefit of a special temporary permit shall also be subject to deportation.

SECTION 55. *Separability Clause* – If any part or section of this Act shall be declared unconstitutional, such declarations shall not invalidate the other provisions hereof.

SECTION 56. *Repealing Clause* – All laws, decrees, presidential issuances, proclamations, orders, ordinances, rules and regulations, or parts thereof, in conflict with the provisions of this Act as pertains to the practice of civil engineering, are hereby amended, modified or repealed accordingly.

No laws of other allied professions shall limit the scope of the practice of Civil Engineering nor shall exclude the civil engineer from practicing his/her profession as defined in this Act: Provided, that he/she does not designate himself/herself as such as other professional.

SECTION 57. *Effectivity*. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette and in at least two (2) newspapers of general circulation.

Approved,