

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5674



Introduced by HONORABLE LUIS N. CAMPOS, JR.

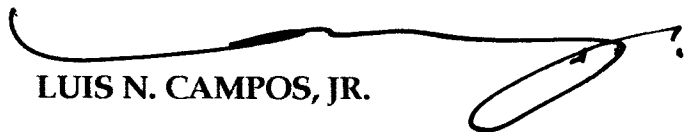
EXPLANATORY NOTE

Article II, Section 20 of the Constitution declares “[t]he State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments”.

In line with the foregoing, it has been a concern of many building owners and managers within Makati City that there is a need to revise the scope of responsibilities of Mechanical Engineers.

As times modernize and technology develops at unprecedented rates there is a need to revise our laws. Under Republic Act No. 8495 (the Philippine Mechanical Engineering Act of 1998) there is a limit on the responsibilities of Mechanical Engineers. This affects the number of available engineers that are required to maintain elevators and similar equipment. Given the growth in the number of buildings with elevators, escalators, and similar equipment, coupled with the improved mechanisms within the same machines, there is a need to revise R.A. No. 8495 to be able to cope with the current times.

This bill seeks to revise the scope of responsibilities of Mechanical Engineers to address the foregoing issues and to update R.A. 8495 to help not just the private sector but also government buildings that require the services of Mechanical Engineers.


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**AN ACT AMENDING REPUBLIC ACT NO. 8495 OTHERWISE KNOWN AS "THE
PHILIPPINE MECHANICAL ENGINEERING ACT OF 1998" TO UPDATE THE SCOPE
OF RESPONSIBILITIES OF MECHANICAL ENGINEERS**

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

SECTION 1. Section 33, Article IV of R.A. No. 8495 otherwise known as "The
Philippine Mechanical Engineering Act of 1998" is hereby revised as follows:

"Section 33. Field of Action Authorized for Each Category: Prohibition. It
shall be unlawful for any person, unless authorized under this Act:

x x x

(d) to operate, tend or maintain, or be in-charge of the operation, tending,
or maintenance of any mechanical works, projects, plant of 100 kw., or
more but not more than 500 kw unless he is a duly licensed Professional
Mechanical Engineer, Mechanical Engineer or Certified Plant Mechanic.

(e) to operate, tend, or maintain or be in-charge of the operation, tending,
or maintenance of any mechanical equipment, machinery or process for
any mechanical works, projects or plants of over 500 kilowatts but not
more than 3000 kw unless he is a duly licensed Professional Mechanical
Engineer or Mechanical Engineer.

(f) to operate, tend or maintain, or to be in charge of the operation, tending or maintenance of any mechanical equipment, machinery, process for any mechanical works, projects or plants of over **3000 KW** unless he is a duly licensed Professional Mechanical Engineer.”

SEC. 2. Section 34, Article IV of R.A. No. 8495 otherwise known as “The Philippine Mechanical Engineering Act of 1998” is hereby revised as follows:

“Section 34. Personnel Required in Mechanical Plant. Every mechanical work project or plant in operation shall have no 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 **500 kw**: one (1) certified plant mechanic, or one (1) 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 hours, shall have in addition to the minimum personnel herein required, at least one (1) certified plant mechanic, of each and every additional shift.

(b) Over **500 KW** but not more than **3000 KW**: one (1) 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 in-charge of each and every additional shift.

(c) Over **3000 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 **FOR CRITICAL ESTABLISHMENTS AND AT LEAST ONE (1) MECHANICAL ENGINEER IN-CHARGE OF EACH AND EVERY SHIFT FOR NON-CRITICAL ESTABLISHMENTS.**

(D) A SUPERVISING PROFESSIONAL MECHANICAL ENGINEER IN-CHARGE SHALL BE ALLOWED TO SUPERVISE MULTIPLE ESTABLISHMENTS UNDER THE NON-CRITICAL CLASSIFICATION PROVIDED THAT MECHANICAL ENGINEERS IN-CHARGE ARE REQUIRED FOR EACH AND EVERY SHIFT. THE BOARD SHALL PROVIDE THE GUIDELINES FOR THE QUALIFICATION AND ENGAGEMENT OF THE SUPERVISING PROFESSIONAL MECHANICAL IN-CHARGE AND DEFINE THE CRITICAL AND NON-CRITICAL CLASSIFICATIONS OF ESTABLISHMENT.

(E) THE BOARD IN CONSULTATION WITH THE INDUSTRY STAKEHOLDERS SHALL REVIEW AND AMEND THE CATEGORIES AND CLASSIFICATION EVERY THREE (3) YEARS WHEN NECESSARY”.

SEC. 3. If any provisions of this Act is declared void and unconstitutional, the remaining provisions hereof not affected thereby shall remain in full force and effect.

SEC. 4. All laws, decrees, orders, rules and regulation or pars thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 5. This Act shall take effect fifteen (15) days after its publication in two national newspapers of general circulation.

Approved,