

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

NINETEENTH CONGRESS  
\_\_\_\_\_ Regular Session

HOUSE BILL NO. **6851**



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**Introduced by Representative Ambrosio "Boy" C. Cruz, Jr.**

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#### **EXPLANATORY NOTE**

Environmental protection is paramount in the preservation, conservation, and continuance of life. However, decades of abuse of our ecosystem by unrestrained waste disposal, industrialization, and modernization has resulted in a myriad of environmental problems such as climate change and related disasters. In light of this factual milieu, the advancement of the study of environmental and sanitary engineering has become an important part of the movement to save the environment.

For decades, environmental engineering has been represented by sanitary engineers in the Asia-Pacific Economic Cooperation (APEC), the Association of Southeast Asian Nations (ASEAN), and the ASEAN Chartered Professional Engineering (ACPE) registries in the global arena. The Washington Accord likewise recognizes sanitary engineers as the representatives of the environmental engineering profession.

In the United States, the practice of sanitary engineering was established as a profession in 1956, but evolved into environmental engineering in the 1960s. Since then, environmental engineering has become one of the member professions and is among the engineering societies of the American Board of Engineering and Technology as the "American Academy of Environmental Engineers".

In the Philippines, the study of sanitary engineering was institutionalized through Republic Act No. 1364 or the "Sanitary Engineering Law" on June 18, 1955. The practice of sanitary engineering has been fundamentally focused on sanitation, water supply, sanitary and storm sewerage systems, general pollution control, and industrial hygiene.

In recent years, however, the professional responsibilities of sanitary engineers has expanded in scope to include the following: (1) domestic and industrial wastewater treatment; (2) septage management system; (3) stream, river sanitation, and water pollution control; (4) atmospheric pollution control, both indoor and outdoor environments; (5) solid waste management, including sanitary landfill design; (6) radioactive, toxic and hazardous material waste management; (7) sanitary utilities in buildings; and (8) emergency water and sanitation.

In 2009, the Commission on Higher Education (CHED) issued Memorandum Circular No. 35 embodying the government's response to the need and call of the profession to revise the Sanitary Engineering curriculum in order to prepare its graduates for the following fields of practice:

1. Air Pollution and Air Control;
2. Domestic and Industrial Wastes Collection, Treatment, and Disposal;
3. Plumbing and Fire Protection Systems for Buildings;
4. Public Health Engineering;
5. Sewerage (Storm and Sanitary) Systems;
6. Soil Pollution and Soil Control;
7. Solid Waste Management;
8. Water Pollution and Water Control;
9. Water Supply and Waterworks Systems; and
10. Environmental Engineering Works.

The CHED Memorandum Circular further enumerated the following different fields of specialization under Sanitary Engineering: (1) Environmental Engineering; (2) Environmental Management; (3) Public Health Engineering; (4) Plumbing and Fire Protection; (5) Solid Waste Management; (6) Wastewater Engineering; and (7) Water Supply Engineering.

In 2014, Sanitary Engineering was considered by the CHED as one of the priority courses.<sup>1</sup> More recently, in 2017, the CHED issued Memorandum Order No. 98 series of 2017, in relation to Outcomes Based Education (OBE), outlining a Sanitary Engineering curriculum similar to that contained in the 2009 CHED Memorandum, specifically on the professional courses.

With the rise in demand from public and private entities for engineers who can review, evaluate, and approve plans relevant to environmental and sanitary engineering works, it has

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<sup>1</sup> CHED Memo Order No. 1, s. 2014

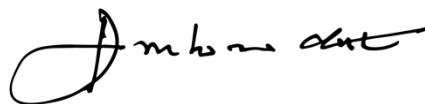
become crucial to integrate engineers who wish to practice under environmental and sanitary engineering.

The effects and complexities of pollution have greatly increased, and its impact is felt throughout the nation. Environmental preservation and protection should now be broadened in order to safeguard public well-being. Hence, there is an urgent need to amend the Sanitary Engineering Law to enable certified practitioners and engineers to be efficient agents in the combat against the worsening environmental and public health problems.

This bill aims to spur the advancement of the practice of Environmental and Sanitary Engineering in the country. Through this bill, practitioners of environmental and sanitary engineering – professional engineers, technologists, and technicians – will have broadened opportunities for career growth in line with their respective specializations. It is anticipated that with this legislation there will be an increase in the number of environmentalists and a realignment of other engineering professionals into the environmental and sanitary engineering fold.

This Environmental and Sanitary Engineering Act of 2023 aims to delineate the practice of the profession and to respond to the modern and changing times. It further seeks to ensure that the practice of environmental and sanitary engineering will have a substantial and significant impact not only in the global sphere, by equipping competitive professionals, but in the local setting as well, by responding to the environmental needs of the Filipino people.

Considering the foregoing, approval of this measure is earnestly sought.

A handwritten signature in black ink, appearing to read 'Ambrosio Cruz, Jr.', with a stylized, cursive script.

**AMBROSIO "BOY" C. CRUZ, JR.**  
**Representative, Fifth District of Bulacan**

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

NINETEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. **6851**

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Introduced by Representative Ambrosio “Boy” C. Cruz, Jr.

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**AN ACT PROVIDING FOR A RESPONSIVE AND COMPREHENSIVE REGULATION OF  
THE LICENSING, REGISTRATION, CERTIFICATION, AND PRACTICE OF  
ENVIRONMENTAL AND SANITARY ENGINEERS, ENVIRONMENTAL AND  
SANITARY TECHNOLOGISTS, AND ENVIRONMENTAL AND SANITARY  
TECHNICIANS IN THE PHILIPPINES, FOR THE PURPOSE OF AMENDING REPUBLIC  
ACT NO. 1364, OTHERWISE KNOWN AS THE “SANITARY ENGINEERING LAW”,  
AND FOR OTHER PURPOSES**

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

**ARTICLE I**  
**TITLE AND DEFINITION OF TERMS**

**Section 1. Title.** – This Act shall be known as the "Environmental and Sanitary Engineering Act of 2023".

**Section 2. Definition of Terms.** – For purposes of this Act, the following terms shall mean:

- a. APO – Accredited Professional Organization;
- b. Board – Professional Regulatory Board of Sanitary Engineering or the Professional Regulatory Board of Environmental and Sanitary Engineering;
- c. BSEnSE – Bachelor of Science in Environmental and Sanitary Engineering;
- d. BSSE – Bachelor of Science in Sanitary Engineering;
- e. Chairperson – Chairperson of the Board;
- f. CHED – Commission on Higher Education;

- g. Commission – Professional Regulation Commission;
- h. Commissioner – Chairperson of the Professional Regulation Commission;
- i. CPD – Continuing Professional Development;
- j. Environmental Health – that branch of public health that encompasses the assessment and control of environmental factors that can potentially affect health;
- k. Environmental and Sanitary Engineer – a person duly registered as such with the Board in the manner and according to the qualifications provided in this Act;
- l. Environmental and Sanitary Engineering Technologist – a person duly registered with the Board in the manner and according to the qualifications under this Act and who renders the scope of services outlined in this Act under the supervision of an environmental and sanitary engineer;
- m. Environmental and Sanitary Engineering Technician – a person duly registered with the Board in the manner and according to the qualifications provided in this Act, and who shall, under the supervision of an environmental and sanitary engineer or environmental and sanitary engineering technologists, or both, conduct inspection, data gathering, and sampling pursuant to the area of specialization contained in this Act;
- n. Pollution Control Officer – a person who inspects and investigates sources of pollution in order to protect the public and the environment and to ensure conformance with regulations and ordinances;
- o. Sanitary Inspector – a person previously bearing the title of a “Sanitarian” who inspects public places and establishments to ensure compliance with sanitation standards;
- p. Sanitary Engineer – a person duly registered as such with the Board for Sanitary Engineering, as provided under R.A. No. 1364; and
- q. Specialist – a duly registered Environmental and Sanitary Engineer certified by the integrated and accredited professional organization of the PRC on Environmental and Sanitary Engineering to have demonstrated his advanced knowledge, skills, and experience in a recognized specialization of Environmental and Sanitary

Engineering, and who is the recipient of a certificate of specialization set forth in this Act.

**Section 3. *Specialization.*** – The practice of Environmental and Sanitary Engineers shall include, but is not limited to, the following areas of specialization:

- a. Environmental Engineering and Management
  - i. Ecology and environmental management;
  - ii. Environmental impact assessment;
  - iii. Environmental risk assessment and management;
  - iv. Atmospheric pollution abatement;
  - v. Noise pollution abatement;
  - vi. Land and air pollution abatement;
  - vii. Lake, river and seawater pollution abatement;
  - viii. Conservation and protection of water resources;
  - ix. Classification of water;
  - x. Protection of watersheds;
  - xi. Radiological pollution management;
  - xii. Remediation of contaminated soil and groundwater; and
  - xiii. Clean up and spills remediation;
- b. Environmental and Sanitary Engineering Education;
- c. Public Health Engineering
  - i. Occupational health and safety engineering;
  - ii. Health care engineering;
  - iii. Life safety engineering; and
  - iv. Vector control;
- d. Sanitary Utilities in Buildings
  - i. Fire suppression system;
  - ii. Water distribution system;
  - iii. Drainage, waste and vent system; and
  - iv. Green building system;
- e. Solid Waste Management

- i. Waste collection treatment and disposal; and
  - ii. Toxic and hazardous waste management;
- f. Wastewater Engineering
  - i. Storm drainage system;
  - ii. Sewerage system;
  - iii. Wastewater treatment facilities;
  - iv. Sewage collection treatment and disposal;
  - v. Sludge and septage management;
  - vi. Sanitation safety planning; and
  - vii. Wastewater reuse and sanitation; and
- g. Water Supply Engineering
  - i. Water supply system;
  - ii. Water resource engineering;
  - iii. Water treatment and purification;
  - iv. Water safety planning; and
  - v. Water harvesting and recycling system.

**Section 4. Scope of Practice.** – The following shall be the respective areas of practice of Environmental and Sanitary Engineers, Environmental and Sanitary Engineering Technologists, and Environmental and Sanitary Engineering Technicians:

- a. An Environmental and Sanitary Engineer shall be deemed to practice Environmental and Sanitary Engineer within the meaning and intent of this Act when one renders or offers to render professional services in the form of, but not limited to, the following services:
  - i. Consultation and academic services, valuation, investigation, studies, researches, surveys, reports and management services requiring environmental and sanitary engineering knowledge;
  - ii. Engineering design, supervision, direction, teaching, preparation of plans, specifications and project studies, estimates, monitoring, operation, and maintenance of environmental and sanitary engineering systems,

processes, works, and projects or plants in the different of fields of specialization as provided for in this Act;

- iii. Development, implementation, and management of programs for waste minimization and resource recovery, such as recycling and reuse, cleaner production, pollution abatement and mitigation, polluted sites remediation, and other relevant environmental strategies;
- iv. Conduct of research on environmental problems, including current and emerging contaminants, pollutants, and public health issues, and creation and design of innovation solutions;
- v. Preparation and certification of technical and environmental reports for compliance with environmental laws and regulation;
- vi. Research and laboratory work pertaining to environmental and sanitary engineering; and
- vii. Specialized services as provided by this Act.

b. An Environmental and Sanitary Engineering Technologist, under the supervision of an environmental and sanitary engineer, shall:

- i. Conduct laboratory and field work pertaining to environmental and sanitary engineering projects and undertakings;
- ii. Recommend the issuance of environmental and sanitary engineering permits as well as other related permits, clearances, or licenses, including discharge permits, permit to operate air pollution source and control installations, and sanitary permits; and
- iii. Assist environmental and sanitary engineers.

c. An Environmental and Sanitary Engineering Technician, under the supervision of an environmental and sanitary engineer or environmental and sanitary engineering

technologists, or both, shall conduct inspection, data gathering, sampling pursuant to the area of specialization listed in Section 3 of this Act.

## **ARTICLE II**

### **BOARD OF ENVIRONMENTAL AND SANITARY ENGINEERING**

**Section 5. *Composition of the Board and Term of Office.*** – Within thirty (30) days from the effectivity of this Act the Board shall be reconstituted as follows:

- a. The Board shall consist of a Chairperson and four (4) members. Two (2) Board members, one of whom is the Chairperson, shall be responsible for the environmental and sanitary engineering licensure examinations; one member and the Chairperson shall be responsible for the environmental and sanitary engineering technologist licensure examinations; and one member and the Chairperson shall be responsible for the environmental and sanitary engineering technician licensure examinations;
- b. The Board members shall be appointed by the President of the Philippines upon the recommendation of the Chairperson from a list of five (5) nominees for each of the vacancies or impending vacancies. All nominees shall be endorsed by the APO from among such persons of recognized standing in their profession as may be certified as having practiced at least five (5) years, and academically and morally fully qualified.
- c. The members of the board shall hold office for a term of three (3) years from the date of appointment, or until their successor shall have been appointed and qualified. They may be reappointed for a second term upon the recommendation of their respective APO. Each member of the Board shall qualify by taking oath of office before entering the performance of his duties.
- d. Vacancies in the Board for causes other than expiration of term shall likewise be filled by appointment by the President of the Philippines from a list of candidates endorsed by the Chairperson, upon the recommendation of the appropriate APO and shall only be for the unexpired term; and
- e. The President, upon recommendation of the Commission, may remove any member of the Board on the following grounds: neglect of duty, incompetence, malpractice, or

for unprofessional, unethical, or dishonorable conduct, after having been given the opportunity to defend himself in a proper administrative investigation.

**Section 6. Powers, Functions and Responsibilities of the Board.** – The Board shall exercise the following powers, functions and responsibilities:

- a. Regulate the registration, licensure, and practice of environmental and sanitary engineers, environmental and sanitary engineering technologists, and environmental and sanitary engineering technicians in accordance with the provisions of this Act;
- b. Issue a certificate of registration and professional identification cards to successful registrants;
- c. Administer oaths in accordance with the provisions of this Act;
- d. Issue special temporary permits to qualified foreign environmental and sanitary engineering practitioners, who may be authorized by existing laws to practice environmental and sanitary engineering in the Philippines pursuant to a specific project or scope of work and predetermined duration or timeline;
- e. Monitor conditions affecting the practice of environmental and sanitary engineering and recommend such measures as may be deemed proper for the enhancement of the profession and maintenance of professional, technical, and ethical standards;
- f. Hear and investigate cases arising from violations of this Act, its IRR, the Code of Ethics, administrative policies, orders and issuances promulgated by the Board. For this purpose, the Board shall issue subpoena *ad testificandum* or subpoena *duces tecum* to secure the attendance of the respondents or witnesses and the production of the documents relative to the investigation conducted by the Board;
- g. To hear and investigate cases filed before the Board where the issue or question strictly concerns the practice of the profession, *Provided*, that one (1) member of the Board assisted by a legal or hearing officer of the Commission, shall preside over the proceedings;

- h. Conduct, through the legal officers of the Commission, summary proceedings on all other violations of this Act, its IRR, including the general instructions to examinees of the profession, and render judgment which shall become final and executory after the lapse of fifteen (15) days from the receipt of the Decision, unless appealed to the Commission;
- i. Suspend, revoke, reissue, or reinstate the certificate of registration and professional identification card or special temporary permit on grounds provided by this Act; and
- j. Adopt, and issue the syllabus or Table of Specifications (TOS) of the subjects for the qualifying licensure examinations in consultation with CHED and Higher Education Institutions (HEIs), prepare the questions strictly within the scope of the syllabus or TOS, score and rate the examination papers, and submit the results to the Commission within thirty (30) days from the last day of examination, duly signed by the members of the Board, unless such period is extended for justifiable cause, subject to the approval of the Commission.

**Section 7. *Qualifications of the Members of the Board.*** – A member of the Board at the time of the appointment shall possess the following qualifications:

- a. A Filipino citizen;
- b. A resident of the Philippines for at least five (5) years;
- c. At least thirty five (35) years of age;
- d. Of good moral character and of proven integrity in personal and professional conduct;
- e. Holder of a degree of BSSE or BSEnSE from a university, school, college, academy or institute in the Philippines accredited by CHED;
- f. A registered Sanitary and Environmental Engineer;
- g. Practiced sanitary and environmental engineering for a period of not less than ten (10) years prior to appointment;
- h. Not faculty member, officer, director or trustee or holds any pecuniary interest in any university, college, school or institution conferring a bachelor's degree in environmental and sanitary engineering for at least three (3) years prior to appointment.

- i. Not affiliated in any manner to a review center, or with any group or association which offers or conducts review classes or lectures in preparation for the licensure examinations, at the time of appointment and during their incumbency;
- j. Not be an incumbent officer of an APO of the environmental and sanitary engineering practitioners; and
- k. Not convicted of any offense involving moral turpitude.

**Section 8. *Compensation and Allowances of the Board Members.*** – The members of the Board shall receive a monthly compensation in accordance with the salaries and wages stipulated under the PRC Law, *Provided*, that such compensation shall be increased or modified pursuant to the General Appropriations Act of the year, *Provided*, further, that they shall receive other benefits that may be provided by pertinent law.

**Section 9. *Supervision of the Board, Custodian of its Records, Secretariat, and Support Services.*** – The Board shall be under the administrative supervision of the Commission. All records of the Board, including the licensure examination papers and examination results, minutes of deliberations, records of administrative cases and investigations shall be subject to the review of the Commission. The Commission shall designate the secretary of the Board and shall provide a secretariat and other support services to implement the provisions of this Act.

**Section 10. *Annual Report.*** – The Board shall, at the end of each calendar year, submit to the Commission a detailed report of its activities and proceedings during the entire calendar year embodying such recommendations as it may deem proper to promote the policies and objectives of this Act.

### ARTICLE III

#### LICENSURE, REGISTRATION, AND PRACTICE

**Section 11. *Examination Requirement.*** – All applicants for registration who intend to practice as environmental and sanitary engineers, environmental and sanitary engineering technologists, and environmental and sanitary engineering technicians shall be required to pass a written technical qualifying licensure examination as provided in this Act.

**Section 12. *Holding of Examination.*** – The licensure examination for environmental and sanitary engineers, environmental and sanitary engineering technologists, and environmental and sanitary engineering technicians shall take place in the City of Manila and any other regional

examination centers as may be designated by the Commission, on the last Monday of the months of February and September of each year, *Provided*, that should such dates be designated as official holidays, the examination shall be held on the next working day

**Section 13. *Examination Fees.*** – All applicants for the written examination shall be subject to the payment of fees prescribed by the Commission, *Provided*, that ninety percent (90%) of the fees shall 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 trust fund for the establishment and maintenance of a Center for Continuing Professional Development and Research.

**Section 14. *Qualifications of Applicants for the Licensure Examinations.*** – An applicant for the licensure examination shall establish to the satisfaction of the Board, on or before the date of examination, that they possess the following qualifications for the respective areas of practice:

- a. Environmental and Sanitary Engineer:
  - i. A natural born citizen of the Philippines;
  - ii. At least twenty-one (21) years of age;
  - iii. Of good reputation and good moral values;
  - iv. Not convicted by a court of justice of any offense involving moral turpitude; and
  - v. A holder of a degree in Bachelor of Science of Sanitary and Environmental Engineering or Bachelor of Science in Sanitary Engineering or Bachelor of Science in Environmental and Sanitary Engineering from a university, college, academy or institute, duly constituted, recognized and accredited by the CHED.
- b. Environmental and Sanitary Engineering Technologist:
  - i. A natural born citizen of the Philippines;
  - ii. Of good reputation and good moral values;
  - iii. A graduate of Bachelor in Environmental and Sanitary Engineering Technology from a university or college or academy or institute duly constituted, recognized and accredited by the CHED; and
  - iv. Not convicted by a court of justice of any offense involving moral turpitude; and is in good health.
- c. Environmental and Sanitary Engineering Technician:

- i. A natural born citizen of the Philippines;
- ii. Has good reputation and good moral values;
- iii. A graduate of a two (2) to three (3) year course leading to a Diploma in Sanitary and Environmental Engineering Technician; and
- iv. Not convicted by a court of justice of any offense involving moral turpitude; and is in good health.

**Section 15. *Subjects of the Environmental and Sanitary Engineering Licensure Examination.*** – The Board shall determine the classification of the subjects for examinations for Environmental and Sanitary Engineering, Environmental and Sanitary Engineering Technologist and Environmental and Sanitary Engineering Technicians Licensure Examination and shall cover the following subjects:

- i. Environmental Engineering And Management;
- ii. Public Health Engineering;
- iii. Sanitary Utilities In Buildings;
- iv. Solid Waste Management;
- v. Wastewater Engineering; and
- vi. Water Supply Engineering.

*Provided*, that the specific subjects for each category shall be limited based on the curriculum and Policies and Standard Guidelines issued by CHED.

The Board, subject to the approval of the Commission, may amend or revise the subjects, the syllabus, and the system and procedure in the Environmental and Sanitary Engineering, Environmental and Sanitary Engineering Technologist and Environmental and Sanitary Engineering Technicians licensure examinations.

**Section 16. *Licensure Examination Rating.*** – In order to be deemed as having passed the licensure examinations for Environmental and Sanitary Engineers, Environmental and Sanitary Engineering Technologists and Environmental and Sanitary Engineering Technicians, a candidate must obtain a general weighted average of at least seventy percent (70%), with no grade lower than fifty percent (50%) in any given subject.

An examinee who shall obtain a general weighted average of at least seventy percent (70%) or higher, but with a rating below fifty percent (50%) in any of the subjects, shall retake the

examination only with respect to the subject or subjects where the grade obtained is below fifty percent (50%).

**Section 17. *Oath of Environmental and Sanitary Engineering Practitioner.*** – All successful examinees must register with the Board and shall take a professional oath before any member of the Board or any other authorized official of the Commission prior to entering the practice of the profession.

**Section 18. *Issuance of the Certificates of Registration and Professional Identification Card.*** – The Board and the Commission shall issue a certificate of registration to a registrant who has met all the requirements for registration under this Act. The certificate of registration shall bear the full name of the registrant, the signatures of the Chairperson of the Commission and all members of the Board, and the official seals of the Board and the Commission. The certificate of registration shall be *prima facie* evidence that the person named is entitled to practice environmental and sanitary engineering or environmental and sanitary engineering technology or environmental and sanitary technician profession, as the case may be.

A professional identification card indicating the registration number, dates of its issuance and expiry, duly signed by the Commission Chairperson, shall likewise be issued to a successful registrant. The professional identification card shall be regularly renewed, subject to compliance with the requirements as may be prescribed by the Board and the Commission.

**Section 19. *Registration without Examination.*** – Apart from such sanitary engineers registered under R.A. No. 1364, who shall automatically be registered under the provisions of this Act bearing their original registration certificate numbers issued pursuant to R.A. No. 1364, the following shall be registered without examinations within two (2) years from the effectivity of this Act:

- a. Environmental and Sanitary Engineers:
  - i. A natural born citizen of the Philippines;
  - ii. At least twenty-one (21) years of age;
  - iii. Of good reputation with good moral values;
  - iv. Not convicted by a court of justice of an offense involving moral turpitude;  
and
  - v. Possesses any of the following academic degrees:

(1) A bachelor's degree in Sanitary Engineering, or Environmental and Sanitary Engineering, or an allied engineering degree from a university, college, academy, or institute, duly constituted, recognized, and accredited by the Philippine Government with at least seven (7) years of experience in a field of specialization under this Act;

(2) A master's degree in Environmental Engineering and has completed major subjects in Public Health and Environmental Engineering, pursuant to a CHED program, from a university, college, academy, or institute, duly constituted, recognized, and accredited by the Philippine Government, with at least five (5) years of experience in a field of specialization under this Act; or

(3) An allied engineering graduate with a PRC license and has completed major subjects in Public Health and Environmental Engineering, pursuant to a CHED program, from a university, college, academy, or institute, duly constituted, recognized, and accredited by the Philippine Government, with at least three (3) years of experience in a field of specialization under this Act.

b. Environmental and Sanitary Engineering Technologies:

- i. Sanitary Inspectors currently employed in the government service for more than three (3) years and who have completed any Baccalaureate Degree;
- ii. Pollution Control Officers actually practicing and designated as such for more than ten (10) years and who have completed any allied Baccalaureate Degree; and
- iii. Those under the different fields of specialization under this Act.

c. Environmental and Sanitary Engineering Technicians:

- i. Sanitary Inspectors who have regular employment as such and have been in the government service for less than ten (10) years. They shall be Technicians in the field of Public Health and accredited or certified to by the Department of Health (DOH); and
- ii. Pollution Control Officers who have been in the practice for less than ten (10) years and are accredited by the Department of Environment and Natural Resources (DENR) or other pertinent government agencies.

**Section 20. *Foreign Reciprocity.*** – No foreigner shall be admitted to practice the profession, to take the licensure examination, or be given a certificate of registration and professional identification card, or be entitled to any of the rights and privileges under this Act, unless the requirements for the registration or licensing in the said foreign country of which such foreigner resides are substantially the same as those of the laws of the Philippines, and that the laws of such foreign country or state specifically permits Filipino environmental and sanitary engineering practitioners to practice within its territorial jurisdiction on the same basis as subjects or citizens of such foreign country or State.

**Section 21. *Special Temporary Permits.*** – The following are required to secure a special temporary permit from the Board, subject to the approval of the Commission:

- a. Environmental and sanitary engineering practitioners or their equivalent from other countries called in by the government for consultation or for a specific project, or both, *Provided*, that such foreign environmental and sanitary engineering practitioner is legally qualified to practice environmental and sanitary engineering or its equivalent in their country or State.
- b. Foreign consultants specializing in the field of environmental and sanitary engineering, who, in the judgment of the Board, may benefit local practitioners through the transfer of technology, *Provided*, that such registrants shall satisfy the following conditions:
  - i. At the time of engagement, no Filipino environmental and sanitary engineering practitioner in the country is competent, available, and willing to perform the services for which the foreigner has been hired; and
  - ii. Any particular or specific engagement shall not be for more than one (1) year, subject to an extension at the discretion of the Board and the Commission.

**Section 22. *Refusal to Issue Certificate of Registration.*** – 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 any person guilty of immoral or dishonorable

conduct, or any person of unsound mind, giving the applicant denied such certification a written statement setting forth the reason for such action.

**Section 23. *Suspension and Revocation of the Certificate of Registration and Professional Identification Card or Special Temporary Permit.*** – The Board shall have the power, after due notice and hearing, to suspend a registrant for a period of six (6) to twelve (12) months, depending on the gravity of the offense, or revoke the certificate of registration and professional identification card or special temporary permit on any of the following grounds:

- a. The following unjustified acts shall warrant the penalty of suspension:
  - i. Unjustified refusal to join or to remain a member in good standing of the APO;
  - ii. Unjustified or unexplained neglect or failure to pay the PRC annual registration fees for five (5) consecutive years; or
  - iii. Unjustified or unexplained non-renewal of the professional identification card for more than five (5) consecutive years.
- b. The following acts shall warrant the penalty of revocation:
  - i. Violation of any provision of this Act, its IRR, Code of Ethics, and other policies and regulatory measures of the Board or the Commission, or both;
  - ii. Perpetration or use of fraud in obtaining a certificate of registration, professional identification card, or special temporary permit;
  - iii. Gross incompetence, negligence, or ignorance in the practice or exercise of the profession resulting in death, injury of persons, and damage to property;
  - iv. Aiding or abetting the illegal practice of a person who is not an environmental and sanitary engineering practitioner such as, but not limited to, allowing another to use his or her certificate of registration, professional identification card, or special temporary permit;
  - v. Practice of the profession during the period of suspension from the practice;
  - vi. Addiction to drug or alcohol abuse impairing the ability to practice the profession; or
  - vii. Declaration of unsound mind by a court of competent jurisdiction.

The Board shall periodically evaluate the enumerated grounds and make such revisions as may be necessary, subject to the approval of the Commission.

**Section 24. *Filing of Charges.*** – The rules on administrative investigation of the Commission shall govern the filing of charges and the conduct of hearings and investigations, subject to the provisions of this Act, R.A. No. 8981 and the Rules of Court.

**Section 25. *Lifting of Suspension, Re-issuance of Revoked Certificate of Registration, and Replacement of Lost or Damaged Certificate of Registration, Professional Identification Card, or Special Temporary Permit.*** – Any suspension imposed under this Act upon an erring registrant shall be automatically lifted upon expiration of the period indicated in the suspension order.

Upon petition, the Board may reinstate or re-issue a revoked certificate of registration after two (2) years from the effectivity of the revocation, reckoned from the date of surrender of the certificate of registration and professional identification card to the Board and the Commission. The Board, in its discretion, may require the holder thereof to take another licensure examination. The petitioner must prove to the Board that he or she has reformed or must show a valid reason justifying or showing fitness to resume the practice of the profession. The Board shall then issue a Board Resolution, subject to approval by the Commission, granting or denying the Petition to reinstate or reissue a revoked certificate of registration.

A duplicate copy of a lost certificate of registration, professional identification card, or special temporary permit may be reissued upon payment of a prescribed fee.

**Section 26. *Denial and Refusal of Registration.*** – The Board shall not register any applicant for registration who suffers from any of the following disqualifications, giving the applicant denied registration a written statement setting forth the reason for such action:

- a. Conviction by final judgment by a court of competent jurisdiction of any offense involving moral turpitude;
- b. Conviction by final judgment in any administrative case involving immorality or notoriously undesirable conduct;
- c. Adjudged guilty for violation of the General Instructions to examinees by the Board;
- d. Declared to be of unsound mind by the court of competent jurisdiction; or
- e. Proven to be afflicted with addiction to a prohibited substance impairing the ability to practice the profession upon a finding by a government-accredited medical or drug testing facility.

**Section 27. *Use of Seal.*** – All environmental and sanitary engineers shall obtain a seal of such design as the Board shall authorize and direct, *Provided*, that the certificate of registration number issued by the Board shall be included in the design of the seal. Plans and specifications prepared by or made under the direct supervision of an environmental and sanitary engineer shall be stamped with such seal during the validity of the certificate of registration. It shall be unlawful to affix a seal on any document after the certificate of registration has been revoked, unless such certificate of registration shall have been renewed or re-issued.

**Section 28. *Display of Certificate of Registration in the Place of Practice.*** – The proprietor or manager of a firm, partnership, or association that employs an environmental and sanitary engineer shall post or cause to be posted in a conspicuous place within the place of business of the firm, partnership, or association, the certificate of registration.

**Section 29. *Roster of Environmental and Sanitary Engineering Practitioners.*** – The Commission shall keep a roster of all duly licensed and registered environmental and sanitary engineers, environmental and sanitary engineering technologists, and environmental and sanitary engineering technicians, with their names, registration numbers, and places of business. The Commission shall regularly update such roster and make it available to all interested parties, upon request.

**Section 30. *Environmental and Sanitary Engineering Code for Environmental and Sanitary Engineering Practitioners.*** – The Board shall adopt and promulgate a “Code of Ethics and Standards of Practice” for environmental and sanitary engineering engineers, environmental and sanitary engineering technologists, and environmental and sanitary engineering technicians, prescribed and issued by the APO of environmental engineers.

#### **ARTICLE IV PENAL PROVISIONS**

**Section 31. *Penal Provision.*** – Any person who shall practice or offer to services as an environmental and sanitary engineers, environmental and sanitary engineering technologist or environmental and sanitary engineering technician in the Philippines without being registered in accordance with the provisions of this Act, or any person presenting or attempting to use as his own the certificate of registration of another person registered pursuant to this Act, or any person who shall give any false or forged document or evidence of any kind to the Board, or any person

who shall impersonate any registrant, or any person who shall attempt to use a revoked or suspended certificate of registration, or 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 or she is an environmental and sanitary engineer, without holding a valid certificate of registration, or any person who shall violate any of the provisions of this Act, shall be imposed a fine of not less than One Hundred Thousand Pesos (Php 100,000.00) but not more than Five Hundred Thousand Pesos (Php 500,000.00), or suffer imprisonment for a period of not less than six (6) months but not more than one (1) year, or both fine and imprisonment, at the discretion of the court.

In case the offender is a corporation, partnership, or judicial person, the penalty of imprisonment shall be imposed on the environmental engineer solidarily with the responsible officers, who participated in or is responsible for permitting or causing the violation.

## **ARTICLE V**

### **MISCELLANEOUS PROVISIONS**

**Section 32. *Integration of the Environmental and Sanitary Engineering Profession.*** – The Philippine Society of Sanitary Engineers, a duly APO for Sanitary Engineers by the PRC, together with the Sanitary Inspectors Association of the Philippines shall be integrated into one (1) national organization which shall be recognized by the Board as the only Accredited Integrated Professional Organization (AIPO) of the environmental and sanitary engineering practitioners. Every environmental and sanitary engineering practitioner shall, upon registration with the Board, *ipso facto* becomes a member of the AIPO and shall receive all the benefits and privileges appurtenant to membership in the AIPO and shall be bound to the By-laws of the AIPO.

**Section 33. *Practice of Firms.*** – The practice of environmental and sanitary engineering is a professional service based on individual and personal qualifications. A firm, association, or partnership may practice this profession, *Provided*, that the principals of the firm, association, or partnership are environmental and sanitary engineers duly registered with the Commission pursuant to the provisions of this Act.

**Section 34. *Appointment of Environmental and Sanitary Engineers to Relevant Positions in the Provincial, City, and Municipal Governments and Establishments with Environmental Engineering Functions.*** – Within two (2) years after the effectivity of this Act, all provinces, cities,

and municipalities must appoint an environmental and sanitary engineer in their respective provincial, city, and municipal engineering offices.

No person shall be appointed to the position of environmental and sanitary engineer or those vested with environmental and sanitary engineering functions unless the person is a citizen of the Philippines, a resident of the local government unit (LGU) concerned, of good moral character, and a registered environmental and sanitary engineer with the PRC. The appointee must satisfy the qualification requirements issued by the Civil Service Commission (CSC) and shall have the minimum functions as follows:

- a. Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures, and practices in environmental and sanitary engineering works in general of the local government unit concerned;
- b. Advise the governor or mayor, as the case may be, on environmental and sanitary engineering matters and concerns;
- c. Administer, coordinate, supervise, and control the implementation of projects relevant to environmental and sanitary engineering;
- d. Provide engineering services to the local government unit concerned, including investigation and survey, engineering designs, feasibility studies, and project management;
- e. In the case of provincial environmental and sanitary engineers, exercise technical supervision over all environmental and sanitary engineering offices of component cities and municipalities; and
- f. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

Firms, companies, partnerships, or associations mandated to comply with environmental laws shall have in their employ a registered environmental and sanitary engineer aided by, as the case may be, an environmental and sanitary engineering technologists and environmental and sanitary engineering technicians, or both.

**Section 35. *Ratio of Environmental and Sanitary Engineers, Environmental and Sanitary Engineering Technologists, and Environmental and Sanitary Engineering Technicians per population of Local Government Units.*** – A standard ratio of environmental and sanitary engineers, environmental and sanitary engineering technologists, and environmental and

sanitary engineering technicians per unit of population served in every province, city, or municipality shall be duly maintained.

**Section 36. *Enforcement of the Act by Officers of the Law.*** – The Board and the Commission shall implement and enforce the provisions of this Act and its IRR.

The National Government, any of its provincial, city, or municipal government, or political subdivisions, shall assist in the enforcement of the provisions of this Act. The Department of Justice shall act as legal adviser of the Board and render such legal assistance as may be necessary for carrying out provisions of this Act.

**Section 37. *Implementing Rules and Regulations.*** – The Board shall promulgate the Implementing Rules and Regulations of this Act, subject to the approval of the Commission.

**Section 38. *Appropriations.*** – The Chairperson shall immediately include in the Commission's programs the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act (GAA). The amount necessary to carry out the initial implementation of this Act shall be charged against the current year's appropriations of the Commission. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the succeeding GAA.

**Section 39. *Separability Clause.*** – If any provision or part of this Act is declared unconstitutional or invalid for any reason, the remaining provisions or parts not affected shall remain in full force and effect.

**Section 40. *Repealing Clause.*** – R.A. No. 1364 is deemed amended and replaced by this Act and all other laws, decrees, orders, resolutions, instructions, and rules and regulations or parts thereof which are inconsistent with this Act are hereby deemed repealed or modified accordingly.

All other professionals governed by their respective professional regulatory laws (PRLs) shall be allowed to continue their practice as provided for in the respective PRLs.

**Section 41. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

*Approved,*