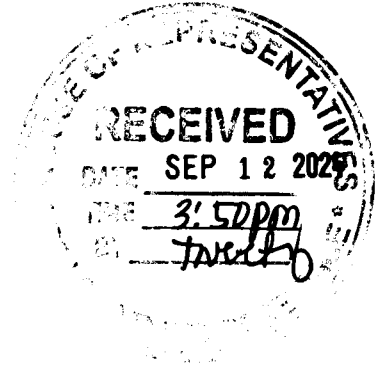




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10905



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

EXPLANATORY NOTE

Since its inception on 18 June 1955 through Republic Act No. 1364, the practice of the Sanitary Engineering profession has been fundamentally in sanitation, water supply, sanitary and storm sewerage systems, and general pollution control and industrial hygiene. In recent years, however, the professional responsibilities have greatly increased 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 environment; (5) solid waste management and sanitary landfill design; (6) radioactive, nuclear, toxic and hazardous material waste management; (7) sanitary utilities in buildings; and (8) emergency water and sanitation. Clearly, Public Health Engineering needs to be protected by updating the Sanitary Engineering profession.

Environmental protection is paramount in preservation and continuance of life. However, the decades of abuse of our ecosystem by unrestrained waste disposal, industrialization and modernization had resulted to destructive impact of climate change and its subsequent related disasters. The scope and complexities of pollution had increased and the need for environmental preservation and protection has to be broadened to safeguard public well-being. This has prompted Sanitary Engineers to re-assess the existing Sanitary Engineering Law in order to recommend and adopt measures to carry out more efficient pollution abatement techniques, increasing numbers of environmentalist and realigning other engineering professionals into environmental and sanitary engineering field. Hence, there is an urgent need to update the Sanitary Engineering Law to enable environmental and sanitary engineers and practitioners to be more effective in dealing with today's worsening environmental and public health problems.

In the global arena, Environmental Engineering is well represented by the Sanitary Engineers in ASEAN, APEC and ASEAN Chartered Professional Engineering (ACPE) registries for decades. The Washington Accord, likewise, recognizes the representation of sanitary engineers in environmental engineering. The evolution of Bachelor of Science in Environmental and Sanitary Engineering will re-establish and continue to affirm the global dignity and will not vitiate the Philippine representation in these registries.

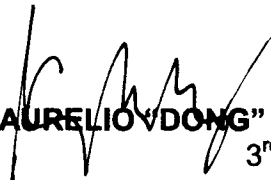
With the rise in demand for engineers who can review, evaluate, and approve plans relevant to environmental and sanitary engineering works in local government units (LGUs), national government agencies and instrumentalities, including government-owned and controlled corporations (GOCCs) as well as in industries, private establishments, firms, corporations and institutions, it has become crucial to address the increase in the professional population of environmental and sanitary

engineers by integrating engineers who practice under environmental and sanitary engineering and align for career progression in the field of practice to provide more effective and efficient public service.

It is in this context that the practitioners of environmental and sanitary engineering such as engineers, technologists, and technicians must have a career progression in environmental and sanitary engineering field to gear the professionals towards specializations.

It is hereby proposed in this Act for local and international development to follow globalization trends in specialization in order to serve the Filipinos and be globally competitive. As such, a new Environmental and Sanitary Engineering Law must be enacted that is comprehensive, globally acceptable, as well as locally adaptable and responsive to the needs of the people.

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


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



HOUSE BILL NO. 10905

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

**AN ACT
PROVIDING FOR A MORE RESPONSIVE AND COMPREHENSIVE REGULATION
FOR THE LICENSING, REGISTRATION, CERTIFICATION AND PRACTICE OF
ENVIRONMENTAL AND SANITARY ENGINEERS, ENVIRONMENTAL AND
SANITARY ENGINEERING TECHNOLOGISTS AND ENVIRONMENTAL AND
SANITARY ENGINEERING TECHNICIANS IN THE PHILIPPINES,
AND FOR OTHER PURPOSES**

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

**ARTICLE I
PRELIMINARY PROVISIONS**

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

Section 2. Statement of Policy. The State recognizes the importance of environmental and sanitary engineers, environmental and sanitary engineering technologists, and environmental and sanitary engineering technicians in nation- building and development. Thus, the State shall develop and nurture competent, virtuous, productive and well-rounded environmental and sanitary engineers, environmental and sanitary engineering technologists, and environmental and sanitary engineering technicians whose standards of professional practice and service shall be excellent, world-class and globally competitive through regulatory measures, programs and activities.

Section 3. Objectives. This Act shall govern, but not be limited to, the following:

- a. The examination, registration, licensure, and certification of environmental sanitary engineers, environmental and sanitary engineering technologists and environmental and sanitary engineering technicians;
- b. The regulation, supervision, and control of the practice of environmental and sanitary engineers, environmental and sanitary engineering technologists, and environmental and sanitary engineering technicians;
- c. The development, upgrading, and updating of the curriculum of environmental and sanitary engineers, in conformity and approval of the Commission on Higher Education (CHED); environmental and sanitary engineering technologists, and environmental and sanitary engineering technicians' professions in conformity with the Philippine Qualifications Framework (PQF).
- d. The development and improvement of the professional competence and career progression in the practice of environmental and sanitary engineering, environmental and sanitary engineering technologists, and environmental and sanitary engineering technicians in line with the thrust of the PQF, Continuing

Professional Development (CPD) and the Career Progression and Specialization programs;

- e. The integration of all environmental and sanitary, sanitary inspectors, occupational health officers and pollution control officers under this Act; and
- f. The creation of relevant positions for environmental and sanitary engineers, environmental and sanitary engineering technologists and environmental and sanitary engineering technicians and such other positions which require the knowledge and services of environmental and sanitary engineering practitioners in all levels of local government units, relevant national government agencies and instrumentalities, including government owned and controlled corporations (GOCCs) as well as in industries, private establishments, firms, corporations and institutions.

Section 4. Definition of Terms. As used in this Act, the following terms shall mean:

- a. Accredited Integrated Professional Organization (AIPO) – the one and only organization accredited by the Board and the Commission that is mandated to integrate all sanitary engineers, environmental and sanitary engineering technologists and environmental and sanitary engineering technicians and where membership thereto is automatic and mandatory;
- b. Allied Baccalaureate Degree – a Bachelor's Degree to that directly support or can lead to the practice of an Environmental and Sanitary Engineer in the field of specializations under this Act;
- c. Board – Professional Regulatory Board of Environmental and Sanitary Engineering;
- d. BSEnSE – Bachelor of Science in Environmental and Sanitary Engineering;
- e. BSSE – Bachelor of Science in Sanitary Engineering;
- f. PRB Chairperson – Chairperson of the Board for Environmental and Sanitary Engineering;
- g. CHED – Commission on Higher Education;
- h. Commission – Professional Regulation Commission
- i. CPD- Continuing Professional Development – is the inculcation of advanced knowledge, skills, and ethical values in a post-licensure specialization or in an inter- or multidisciplinary field of study, for assimilation into professional practice, self-directed research and/or lifelong learning;
- j. DOH – Department of Health;
- k. Embellishing establishment- is a place for cosmetology and tattooing;
- l. Environmental and Sanitary Engineer – a person duly registered with the Board in the manner provided in this Act;
- m. Environmental and Sanitary Engineering (EnSE) – is the Field that concerns public health and environmental engineering

- n. Environmental Conservation, Rehabilitation, and Restoration —are multi-sectoral concerns through various sectoral collaboration intended for the conservation and protection of the environment;
- o. Environmental and Sanitary Engineering Technologist – a person duly registered with the Board in the manner provided in this Act who shall support on research and development activities, office, laboratory and field works, and other similar works, within a field or specialization in the EnSE through application of principles and practices to develop procedures, concepts, products, equipment, or processes for implementation;
- p. Environmental and Sanitary Engineering Technician – a person duly registered with the Board in the manner provided in this Act who shall be proficient in relevant skills and techniques, with relatively practical understanding of the theoretical principles similar to inspection, data gathering, sampling and other related works;
- q. Environmental Engineering – encompasses the application and management of science and engineering principles to protect the environment and avoid its degradation; includes the protection of air, water, and land resources; classification of water; rehabilitation of polluted sites; solid waste management, management of toxic and hazardous substances and radiological pollution, atmospheric pollution abatement; noise pollution abatement.; further includes works in environmental impact assessment, and environmental risk assessment and management;
- r. Environmental Engineering Management – refers to an entire spectrum of activities including, but not limited, to environmental impact assessment/statement (EIA/S), water quality management, ambient air quality management, climate change adaptation and mitigation, disaster risk reduction and management, and other programs and strategies to maintain safe and healthy environment and protect public health;
- s. Environmental Health – a branch of public health that encompasses the assessment and control of environmental factors that can potentially affect human health;
- t. HEI – Higher Educational Institutions;
- u. Menagerie – shall mean aquarium, safari park, zoological garden, wildlife park or similar collection of cooped animals;
- v. OBO – Office of the Building Official;
- w. Philippine Qualification Framework (PQF) - describes the levels of educational qualifications and sets the standards for qualification outcomes with three (3) domains namely knowledge, skills and values; application; and degree of independence.
- x. Plumbing Systems Engineer- a person duly registered with the Professional Board of Sanitary Engineering and the Commission pursuant to R.A. No.1364, who have passed the licensure examination that includes PLUMBING as required subject in R.A. 1364, Article III, Section 13, who has attained a post level Baccalaureate level in the PQF, and who designs engineering systems in water supply, water distribution, storm drainage, sewage drainage and ventilation inside buildings and structures.

- y. Pollution Control Officer – inspects and investigates sources of pollution to protect the public and environment and ensure conformance with regulations and ordinances
- z. Public Health Engineering – covers the control of all factors in man's physical environment that adversely affect human life, health and safety. It focuses on the identification and prevention of transmission of diseases through the control of physical aspects of the environment including food, water, air, refuse, soil, insects, rodents, vermin and all other vectors and also the control of domestic and personal hygiene practices; includes sanitation of establishments, institutions and public places; vector control; industrial hygiene; solid waste management, occupational health and safety engineering; health care engineering; life safety engineering; nuisance abatement; lighting and ventilation; emergency water supply and sanitation; environmental health impact assessment; disposal of dead persons; swimming pool system; water supply and distribution system design and management in both potable water and used water and inclusive of those in buildings/structures; food sanitation; and other engineering services related to the protection of public health and welfare;
- aa. Sanitary Engineer – a person duly registered with the Board and the Commission pursuant to R.A. No.1364 or the Sanitary Engineering Law;
- bb. Sanitary Inspector – the present title of a Sanitarian, a person currently employed with the local government units whose work is to inspect public places and establishments to ensure that they are complying with sanitation standards.
- cc. Sanitary Utilities in Buildings – refers to the potable water supply and distribution system, sanitary drainage and vent system, wastewater recycling and reuse, storm drainage system and wastewater treatment facility for public health protection in various building occupancies; and fire protection in buildings where hydraulic and engineering principles are applied for protection of public health structures
- dd. Specialist – is a registered Environmental and Sanitary Engineer who is certified by the AIPO who have demonstrated advanced knowledge, skills and experience, in a recognized field of specialization in Environmental and Sanitary Engineering; and a recipient of a certificate of specialization as provided for in this Act
- ee. Tonsorium – shall mean hair-dressing establishment for males and females
- ff. Wastewater Engineering – covers wastewater collection, treatment and disposal where basic principles of science and engineering are applied to control water pollution problems; it includes wastewater characterization, determination of wastewater flow rates, design of secondary and tertiary or advanced treatment processes, wastewater treatment plant residuals management, plant performance and treated wastewater disposal; sludge and septage management systems; sewerage and storm drainage systems; operational safety planning; and, wastewater reuse and recycling systems.
- gg. Water Supply Engineering – concerns the conservation and protection of water resources and utilizing scientific and engineering principles for the production of potable water for public health protection; includes the quantity and quality of water supply for urban and rural waterworks, as well as, beneficial water recycling and re-use; it shall cover the environmental preservation of the water cycle, water source development, water quality and standards, evaluation of

project alternatives on selection of criteria for source of drinking water, engineering design of water supply systems; water treatment and purification; water safety planning; water quality management, considering the physical, chemical, biological, microbiological, and radiological quality of water to maintain its most beneficial use; water harvesting and recycling systems, operation and maintenance of water supply, storage and distribution systems in compliance to public health standards

hh. Transportation Vessel - a conveyance designed to be propelled or drawn that includes a cart, caravan, railway carriage, tram, car, ship or boat, or aircraft and other transport means of any description

Section 5. Scope of Practice. The following shall be the respective practice of:

a. Environmental and Sanitary Engineer. A person shall be deemed to practice as an Environmental and Sanitary Engineer within the meaning and intent of this Act if one renders, or offers to render professional services which shall include but not be limited to:

1. Consultation and academic services, valuation, investigation, studies, researches, surveys, reports and management services requiring environmental and sanitary engineering knowledge;
2. Engineering design; supervision; direction; teaching; preparation of plans, specifications and project studies; estimates; be in-charge of construction; execution of plans; monitoring, operation and maintenance of environmental and sanitary engineering systems, processes, works, projects or plants, including but not limited to its; tanks, reactors, materials handling equipment, piping, sensors, controls, monitors and all components necessary to complete the system of any magnitude, size, capacity, technical ratings and performance ratings in totality or individually of its components in the different fields of specialization as provided for in this Act;
3. Development, implementation and management of programs;
4. Waste minimization and resource recovery (recycling and reuse), cleaner production, pollution abatement and mitigation, polluted sites remediation and other relevant environmental strategies;
5. Conduct research on environmental and sanitary problems, including current and emerging contaminants, pollutants and public health issues, and create, design and innovate solutions; and
6. Prepare and certify technical, environmental and sanitary reports for compliance to environmental and sanitation laws and regulation.
7. Research and laboratory work pertaining to environmental and sanitary engineering; and
8. Specialized services as provided by this Act.

b. Environmental and Sanitary Engineering Technologist. A person shall be deemed to practice as an Environmental and Sanitary Engineering Technologists within the meaning and intent of this Act if one renders, or offers to render professional services under the supervision of an environmental and sanitary engineer:

1. Conduct office, laboratory and field works pertaining to environmental and sanitary engineering projects and undertakings;
2. 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
3. Assist environmental and sanitary engineers in the practice of the profession.

- c. **Environmental and Sanitary Engineering Technician.** A person shall be deemed to practice as an Environmental and Sanitary Engineering Technician within the meaning and intent of this Act if one renders, or offers to render professional services under the supervision of an environmental and sanitary engineer and/or environmental and sanitary engineering technologist or both, in conducting inspection, data gathering and sampling as regards to the different fields of specialization as contained in Section 6 hereof.

A technician is a practitioner in a field of technology who is proficient in the relevant skill and technique, with a relatively practical understanding of the theoretical principles.

Section 6 – Specializations and Sub-specializations in Environmental and Sanitary Engineering. The following areas of specializations and sub-specializations are recognized under this Act but this shall not be construed as to limit future specializations that may be created and recognized, whenever necessary for the protection of Public Health and the Environment:

1. Environmental Engineering and Management:

a. Ecological and Environmental Engineering:

- i. Classification of Water
- ii. Protection of Watersheds
- iii. Environmental Impact Assessment/Statement
- iv. Environmental Risk Assessment and Management
- v. Climate Change Adaptation and Engineering
- vi. Conservation and Protection of Water Resources, which shall include but not be limited to;

- 1) Fresh water and Seawater Pollution Abatement and Control
- 2) Remediation of Contaminated Soil and Groundwater
- 3) Spill Clean Up and Remediation
- 4) Flood Control

- b. Atmospheric and Air Pollution Abatement and Management;
- c. Land and Geologic Pollution Abatement and Management;
- d. Toxic and Radiological Pollution Management;
- e. Agricultural (run-off) Pollution and Management;
- f. Urban and Rural Development:

i. Solid and Hazardous Waste Management

- 1) Healthcare Waste Management
- 2) Solid Waste Management
- 3) Toxic and Hazardous Waste Management
- 4) Nuclear Waste Management

ii. Water Supply Engineering

- 1) Water Supply System
- 2) Water Resource Engineering
- 3) Water Treatment and Purification
- 4) Water Safety Planning
- 5) Water Harvesting and Recycling System

iii. Wastewater Engineering

- 1) Storm Drainage System and Flood Mitigation**
- 2) Sewerage System**
- 3) Wastewater Treatment Facilities**
- 4) Sewage Collection Treatment and Disposal**
- 5) Sludge and Septage Management**
- 6) Wastewater Reuse**

iv. Nuisance and Emergency Management;

- 1) Noise Abatement and Control**
- 2) Vehicular Traffic Management**
- 3) Vehicular Parking**
- 4) Fire Protection Hydrants, Fire Lanes and Fire Evacuation Management**

2. Public Health Engineering

a. Control of Infectious and Communicable Diseases

- i. Water-Related Diseases**
- ii. Non -water Related Diseases**
- iii. Vector Transmission and Control**
- iv. Parasitic Infestation and Control**
- v. Infectious and Communicable diseases control by engineering interventions**

b. Sanitation

- i. Food and Food Establishments**
- ii. Tonsorial, Embellishing and Dermatologic Services**
- iii. Therapy and Wellness services**
- iv. Sanitary Facilities and Services for Transportation, Ports and Vessels**
- v. Recreational Establishments, Amusement, Entertainment and Leisure Places**
- vi. Open areas, Menageries, Parks, and Public Places**
- vii. Learning Establishments**
- viii. Health Care Facilities Engineering**
- ix. Swimming Pool System Engineering (Public Bathing)**
- x. Sanitation and Safe in Habitable Structures**
- xi. Disposal of Dead Persons**
- xii. Other Public Health Structures**

c. Sanitary Facilities and Utilities in all Building Occupancies

i. Plumbing

- 1) Water Distribution System**
- 2) Drainage, Waste and Vent System**
- 3) Hydraulically Designed Automatic Fire Sprinkler System**

- ii. Comfort Illumination and Occupants' Ventilation**
- iii. Solid Waste Management (segregation to reduce, recycling and re-use)**
- iv. Fire Suppression System**

- v. Nuisances
 - vi. Life Safety Engineering
 - vii. Green Building Systems
 - viii. Other Sanitation and other public health facilities and structures
- d. Occupational Health and Safety Engineering
- i. Industrial Hygiene
 - 1) Comfort and Workplace Illumination
 - 2) Indoor Air Ventilation
 - 3) Ergonomics
 - ii. Occupational Health Risk Engineering
 - iii. Occupational and Construction Safety Engineering
 - iv. Other Occupational Health and Safety concerns relating to Environmental and Sanitary Engineering
- e. Disaster Risk Reduction and Emergency Management
- i. Strategic Disaster Risk Assessment and Emergency Management
 - ii. Water Supply and Sanitation
 - iii. Site Excreta Management and Disposal
 - iv. Solid waste Management
 - v. Evacuation and Site Management
 - vi. Nuisances
3. Research and Development, and Laboratory Management for (1) and (2)
4. Environmental and Sanitary Engineering Education
5. Construction Management and Project Management of Public Health Buildings and Structures

ARTICLE II BOARD OF ENVIRONMENTAL AND SANITARY ENGINEERING

Section 7. Creation and Composition of the Board. There is hereby created a Board of Environmental and Sanitary Engineering, which shall consist of a Chairperson and four (4) Members. The Chairperson and two (2) Board Members shall be responsible for the environmental and sanitary engineering licensure examinations; the Chairperson and the other two (2) Board Members shall be responsible for the environmental and sanitary engineering technologist licensure examinations and for the environmental and sanitary engineering technician licensure examinations.

They shall be appointed by the President of the Philippines upon the recommendation of the Commission, from a list of eight (8) nominees endorsed by the duly accredited integrated professional organization of the Environmental and Sanitary Engineers or the academe or government agencies involved in health, labor or environmental protection.

Section 8. Qualifications of the Members of the Board. A member of the Board shall, at the time of the appointment, possess the following qualifications;

- a. Must be a natural-born Filipino citizen and a resident of the Philippines for at least five (5) years;

- b. At least thirty-five (35) years of age, of good moral character, and of proven integrity in the personal and professional conduct;
- c. Holder of a degree of Bachelor of Science in Environmental and Sanitary Engineering (BSEnSE) or Bachelor of Science in Sanitary Engineering (BSSE) from a university, school, college, academy or institute in the Philippines that is accredited by CHED;
- d. A registered Environmental and Sanitary Engineer or a registered Sanitary Engineer;
- e. Have practiced Environmental and Sanitary Engineering for a period of not less than ten (10) years prior to appointment;
- f. Must neither be an official nor a faculty member, nor shall have pecuniary interest in any university, college, school or institution conferring bachelor's degree in environmental and sanitary engineering for at least three (3) years prior to the appointment.
- g. Must not be connected with 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 in the Board.
- h. Must not be an incumbent officer of the AIPO of the environmental and sanitary engineering; and
- i. Must not have been convicted of any offense involving moral turpitude.

Section 9. Term of Office. A member of the board shall hold office for a term of five (5) years from the date of appointment, or until their successor shall have been appointed or qualified. Each member shall qualify by taking oath of office before entering the performance of duties. Vacancies in the Board shall be filled by the President of the Philippines, from the list of candidates endorsed by the Commission, who were chosen and recommended from the list of nominees submitted by the AIPO for the unexpired term and shall continue to hold office for a term of five (5) years, or until a/their successor shall have been appointed or qualified. At the expiration of the term of the Board Chairperson, the most senior of the Board Members shall temporarily assume and perform the duties and functions of the Chairperson, until a permanent Chairperson is appointed by the President of the Philippines.

A successor to a Member whose term of office has expired shall be appointed for the full term of five (5) years from the date of expiration of the term of office for which his/her predecessor was appointed.

Section 10. Compensation and Allowances of the Board Members. The chairman and members of the Board shall receive compensation and allowances comparable to those being received by the chairman and members of existing regulatory Boards under the Commission as provided for in the General Appropriations Act.

Section 11. 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 examination papers, minutes of deliberation, records of administrative cases and investigations and examination results shall be for control and disposition of the Commission. The Commission shall designate the secretary of the Board and shall provide secretariat and other support services to implement the provisions of this Act.

Section 12. Powers, Functions and Responsibilities of the Board. The Board shall exercise the following powers, functions and responsibilities:

- a. To promulgate the rules and regulations necessary in carrying out the provision of this Act;

- b. To regulate the registration, licensure and the practice of environmental and sanitary engineering, environmental and sanitary engineering technologist, and environmental and sanitary engineering technician in accordance with the provisions of this Act;
- c. To issue the certificate of registration (COR) and professional identification cards (PIC) to successful registrants;
- d. To administer oaths in accordance with the provisions of this Act;
- e. To issue special temporary permit to qualified foreign environmental and sanitary engineering practitioners, who may be authorized by existing laws to practice environmental and sanitary engineering in the Philippines for a specific project and duration of time only;
- f. To monitor the conditions affecting the practice of the environmental and sanitary engineering profession and, whenever necessary, adopt such measures deemed proper for the enhancement of the profession and the maintenance of high professional technical and ethical standards;
- g. To hear and investigate cases arising from violations of this Act, its Implementing Rules and Regulations (IRR), Code of Ethics, administrative policies, orders and issuances promulgated by the Board. For this purpose, the Board shall issue subpoena ad testificandum and/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.
- h. To hear and investigate the cases filed before the Board where the issue or question strictly concerns the practice of the professions, in which case, the hearing shall be presided over by at least one (1) member of the Board to be assisted by a Legal or Hearing Officer of the Commission;
- i. To conduct, through the Legal Officers of the Commission, summary proceeding on minor violations of this Act, its IRR, including the general instructions to examinees, and render the summary judgment thereon, which, unless appealed to the Commission, shall become final and executory after fifteen (15) days from the receipt of the decision;
- j. To suspend, revoke, reissue, or reinstate the COR and PIC, or special temporary permit for causes provided for in this Act;
- k. To prepare, adopt, and issue the syllabi or Tables of Specifications (TOS) of the subjects for examination, in collaboration with CHED and/or HEIs; determine and prepare the questions for the licensure examinations which shall strictly be within the scope of the syllabus or TOS of the subjects for examination; score and rate the examination papers and submit the results in all the subjects duly signed by the members of the Board to the Commission within thirty (30) days from the last day of examination, unless extended for justifiable cause, and subject to the approval of the Commission;
- l. To prescribe and adopt a Code of Ethics for Environmental and Sanitary Engineers, Environmental and Sanitary Engineering Technologists and Environmental and Sanitary Engineering Technicians in consultation with the AIPO;
- m. To prescribe guidelines in the Continuing Professional Development (CPD) program and to create the CPD Council with the objective of providing and ensuring the continuous development of all environmental and sanitary engineering practitioners;
- n. To issue certificates of specialization as recommended by the CPD-CPSP-CATS Council under the CPSP-CATS program;
- o. Issue certificates of recognition to sanitary engineers already practicing prior to the effectivity of this Act for advanced studies, research and/or highly specialized training in any branch of Environmental and sanitary engineering subject to the approval of the President;
- p. To inspect, at least once a year, educational institutions offering courses in Environmental and sanitary engineering, to discharge such other powers and

duties as may affect ethical and technological standards of the sanitary engineering profession in the Philippines;

- q. To grant applications for registration without examination, subject to the requirements and conditions prescribed in this Act;
- r. To adopt an official seal of the Board; and
- s. To perform other functions and duties as may be necessary to implement this Act.

The policies, resolutions, rules and regulations issued or promulgated by the Board shall be subject to review and approval of the Commission. However, the Board's decisions, resolutions and orders rendered in administrative cases shall be subject to review only if on appeal.

Section 13. Annual Report. The Board shall, within first two (2) weeks of the succeeding calendar year, submit to the Commission a detailed report of its activities and proceedings during the year embodying also such recommendations as it may deem proper to promote the policies and objectives of this Act.

Section 14. Removal of Board Members. The President, upon recommendation of the Commission, may remove any member of the Board on the following grounds: neglect of duty, incompetence, malpractice, tolerance of irregularities in the examinations, or for unprofessional, unethical, or dishonorable conduct, after having been given the opportunity to defend oneself in a proper administrative investigation.

ARTICLE III

LICENSURE, REGISTRATION AND PRACTICE OF ENVIRONMENTAL AND SANITARY ENGINEERING ENVIRONMENTAL AND SANITARY ENGINEERING TECHNOLOGIST AND ENVIRONMENTAL AND SANITARY ENGINEERING TECHNICIAN

Section 15. Examination Requirement. All applicants for registration for the practice of environmental and sanitary engineering, environmental and sanitary engineering technologists and environmental and sanitary engineering technicians shall be required to pass a written technical examination as hereinafter provided in this Act.

Section 16. Holding of Examination. Examination of candidates desiring to practice environmental and sanitary engineering, environmental and sanitary engineering technologist and environmental and sanitary engineering technician professions in the Philippines shall be given at the City of Manila, or any other testing centers that may be designated by the Commission, at least twice a year following the Commission's annual schedule of licensure examination. In case the date of the examination falls on official holiday, the examination shall be held on the next working day unless the Commission and the Board shall determine otherwise.

Section 17. Examination Fees. All applicants for written examinations for the environmental and sanitary engineers, environmental and sanitary engineering technologists and environmental and sanitary engineering technicians shall be subject to payment of fees prescribed by the Commission.

Section 18. Qualifications of Applicants for the Environmental and Sanitary Engineers Licensure Examinations. An applicant for the licensure examination for environmental and sanitary engineer shall establish to the satisfaction of the Board that, on the date of filing of application, they possess the following qualifications:

- a. A natural-born citizen of the Philippines;
- b. At least twenty-one (21) years of age;

- c. Of good reputation and good moral values;
- d. Has not been convicted by the court of any offense involving moral turpitude; and
- e. A Holder of a degree in Bachelor of Science in Environmental and Sanitary and Engineering (BSENSE) or Bachelor of Science in Sanitary Engineering (BSSE) from a university, college, academy or institute, duly constituted, recognized and accredited by the CHED.

Section 19. Qualifications of Applicants for the Environmental and Sanitary Engineering Technologists Licensure Examination. An applicant for the licensure examination for environmental and sanitary engineering technologist shall establish to the satisfaction of the Board that, on the date of filing of application, the following qualifications are met:

- a. A natural-born citizen of the Philippines;
- b. At least twenty-one (21) years of age;
- c. Of good reputation and good moral values;
- d. A graduate of a three (3) year Diploma course in Environmental and Sanitary Engineering Technology; and
- e. Has not been convicted by the court of any offense involving moral turpitude

Section 20. Qualifications of Applicants for the Environmental and Sanitary Engineering Technicians Licensure Examination. An applicant for the licensure examination for an environmental and sanitary engineering technician shall establish to the satisfaction of the Board that, on the date of filing of application, the following qualifications are met:

- a. A natural-born citizen of the Philippines;
- b. Has good reputation and good moral values;
- c. A graduate of a Two (2) Year Diploma in Environmental and Sanitary Engineering Technician; and
- d. Has not been convicted by the court of any offense involving moral turpitude.

Section 21. Registration Fees, License Fees, Certificate Fees and Fines. All applicants for registration certification shall be subject to payment of fees, license fees and fines as prescribed by the Commission.

Section 22. 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, which shall cover the following subjects.

- a. Environmental Engineering;
- b. Environmental Management;
- c. Public Health Engineering;
- d. Sanitary Facilities and Utilities in all Building Occupancies
- e. Solid Waste Management;
- f. Wastewater Engineering;
- g. Water Supply Engineering; and
- h. Civil Engineering

Section 23. Subjects of the Environmental and Sanitary Technologist Licensure Examination. The Board shall determine the classification of the subjects for examinations for Environmental and Sanitary Engineering Technologist and shall cover the following subjects.

- a. Environmental Science
- b. Environmental Management;

- c. Sanitation Code;
- d. Sanitary Facilities and Utilities in all Building Occupancies
- e. Solid Waste Management;
- f. Microbiology
- g. Wastewater treatment Concept, Operation and Maintenance;
- h. Water Supply and Treatment Concepts, Operation and Maintenance
- i. Mathematics
- j. Physics
- k. Hydrology
- l. Hydraulics
- m. Chemistry

Section 24. Subjects of the Environmental and Sanitary Technician Licensure Examination. The Technicians Licensure Examination and shall cover the following subjects.

- a. Environmental Science;
- b. Sanitation Code;
- c. Sanitary Facilities and Utilities in all Building Occupancies
- d. Solid Waste Management;
- e. Wastewater Characterization;
- f. Water Supply Parameters for potability
- g. Mathematics
- h. Basic Microbiology
- i. Chemistry
- j. Data Gathering
- k. Sampling and Laboratory Procedures

However, the specific subjects for each category shall be so limited only to the competencies that they have undergone under their course degrees based on curriculum and Policies and Standard Guidelines issued by CHED.

The Board, subject to the approval of the Commission, may amend or revise the subjects and their corresponding percentage weights, the syllabi, and the system and procedure in administering the Environmental and Sanitary Engineering, Environmental and Sanitary Engineering Technologist and Environmental and Sanitary Engineering Technicians Licensure Examination.

Section 25. Rating in the Licensure Examination. To be qualified 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 weighted general average of at least seventy percent (70%), with no grade lower than fifty percent (50%) in any given subject.

Section 26. Oath of Environmental and Sanitary Engineering Practitioner. All successful examinees must register and shall take the prescribed 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 27. Issuance of the Certificates of Registration (COR) and Professional Identification Card (PIC).

The Board and the Commission shall issue a COR to a registrant who has met all the requirements for registration under this Act. The COR 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 COR shall be the

evidence that the person named therein is entitled to practice the environmental and sanitary engineering, environmental and sanitary engineering technology or environmental and sanitary engineering technician profession, as the case may be, with all the privileges appurtenant thereto.

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

Section 28. Foreign Reciprocity. No foreigner shall be admitted to 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 requirement for the registration or licensing in said foreign country or State are substantially the same as those required and contemplated by 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 limits on the same basis as the subjects or citizens of such foreign country or State.

Section 29. 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 and for a specific project, or both; Provided, that such foreign environmental and sanitary engineering practitioners are 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 the local practitioners through the transfer of technology: Provided, that such registrants shall satisfy the following conditions:
 - i. That, 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 in excess of one (1) year, renewable at the discretion of the Board and the Commission.

Section 30. Refusal to Register. The Board shall not register any applicant for registration who suffers from any of the following disqualifications:

- 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 substance/s impairing the ability to practice the profession through a finding to this effect by a medical or drug testing facility accredited by the government.

In case of refusal to register, the Board shall issue to the applicant a written statement setting forth the reasons for such refusal and shall file a copy thereof in its records.

Section 31. 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 depending on the gravity of the offense or revoke the COR and PIC and special temporary permit on any of the following grounds:

For Suspension:

- a. Unjustified refusal to join or to remain a member in good standing of the AIPO;
- b. Unjustified or unexplained neglect or failure to pay the PRC annual registration fees for five (5) consecutive years; and
- c. Unjustified or unexplained non-renewal of the professional identification card for more than five (5) consecutive years.
- d. Violation of any provision of this Act, its IRR, Code of Ethics, and other policies and regulatory measures of the Board and the Commission, or both
- e. Aiding or abetting the illegal practice of a person who is not an environmental and sanitary engineering practitioner by allowing oneself to use the certificate of registration, professional identification card or special temporary permit, among others;

For Revocation:

- a. Perpetration or use of fraud in obtaining the certificate of registration, professional identification card or special temporary permit;
- b. Gross incompetence, negligence or ignorance in the practice or exercise of the profession resulting to death, injury of persons and damage to property;
- c. Practice of the profession during the suspension from the practice thereof; and
- d. Addiction to drug or alcohol abuse impairing oneself ability to practice the profession or being declared of unsound mind by a court of competent jurisdiction.

The Board shall periodically evaluate the aforementioned grounds and revise or add new ones as the need arises, subject to approval by the Commission.

Section 32. Filing of Charges. The rules on administrative investigation of the Commission shall govern the filing of charges and the conduct of hearing and investigation, or both subject to applicable provisions of this Act, R.A. No. 8981 and the Rules of Court.

Section 33. Reissuance of Revoked Certificate of Registration, Replacement of Lost or Damaged Certificate of Registration, Professional Identification Card or Special Temporary Permit. Suspensions imposed against a registrant shall be automatically lifted upon expiration of the period indicated in the suspension order. The Board may, upon petition, reinstate or reissue a revoked COR after two (2) years from the effectivity of the revocation, which is reckoned from the date of surrender of the said COR and PIC, or both to the Board and the Commission. The Board may not require the holder thereof to take another licensure examination. The petitioner shall prove to the Board that one has a valid reason to resume the practice of the profession. For the grant of one's petition, the Board shall issue a decision subject to approval by the Commission.

A duplicate copy of a lost COR, PIC or special temporary permit may be reissued in accordance with rules thereon and upon payment of the prescribed fee therefore.

Section 34. Use of Seal. All environmental and sanitary engineers shall obtain a seal of such design as the Board shall authorize and direct: Provided, however, that the COR number issued by the Board shall be included in the design of the seal. Plans,

specifications, reports and documentations prepared by, and under the direct supervision of an environmental and sanitary engineer shall be stamped with such seal during the validity of the latter's COR. It shall be unlawful to affix the seal on any document after the environmental and sanitary engineer's COR has been revoked, unless such COR shall have been renewed or re-issued.

Section 35. Display of Certificate of Registration in the Place of Practice. The proprietor or manager of a firm, partnership or association which 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 COR of the environmental and sanitary engineer, provided that his terms of engagement is for the practice of said profession.

Section 36. Roster of Sanitary and Environmental 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.

Section 37. Environmental and Sanitary Engineering Code for Environmental and Sanitary Engineering Practitioners. The Board shall adopt and promulgate the Code of Ethics and Standards of Practice for environmental and sanitary engineers, environmental and sanitary engineering technologists, and environmental and sanitary engineering technicians, prescribed and issued by the AIPO of environmental and sanitary engineers.

ARTICLE IV PENAL AND OTHER MISCELLANEOUS PROVISIONS

Section 38. Vested Rights. All sanitary engineers registered under RA No 1364, otherwise known as the "Sanitary Engineering Law" shall automatically be registered under the provisions of this Act bearing their original registration certificate numbers.

Section 39. 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 registered with the Commission pursuant to the provisions of this Act.

Section 40. Integration of the Environmental and Sanitary Engineering Profession. Upon the approval of this Act, the PRC shall adopt rules to give effect to the integration of the profession under such conditions as it shall see fit in order to raise the standards of the profession.

All AIPO chapters and integrated organizations shall register as independent enterprise under the SEC, as non-profit organization, and shall be accredited by the AIPO to enable such entities to undertake regional projects or specialized projects, however, they shall seek the approval of the AIPO board prior to the undertaking of such projects.

Section 41. 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 approval of this Act, all provinces, cities and municipalities must appoint an environmental and sanitary engineer in their respective Provincial, City and Municipal Health Offices, Engineering Offices and Offices of Building Officials.

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 concerned, of good moral character, and a registered environmental and sanitary engineer. The appointee must satisfy the qualification requirements issued by the Civil Service Commission and will 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 local chief executive, governor or mayor, as the case may be, on environmental and sanitary engineering matters and concerns;
- c. Administer, coordinate, supervise, and execute 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.

Similarly, corporations, partnerships, or associations that are mandated to comply with environmental and sanitation laws shall have in their employ a registered Environmental and Sanitary Engineer.

Section 42. Ratio of Environmental and Sanitary Engineers, Environmental and Sanitary Engineering Technologists, and Environmental and Sanitary Engineering Technicians per population of Local Government Units. The IRR of this Act shall set the 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.

Section 43. Review, Approval and Permitting of Environmental and Sanitary Engineering Works. Review, approval and permitting of Environmental and Sanitary Engineering works, plans, specifications, reports and related documentations shall be by the Department of Health. In cases where the Environmental and Sanitary Engineering works, plans, reports and related documentations forms part of a work or project under permitting from the OBO, permitting from the OBO shall be upon endorsement by the Department of Health.

Section 44. Penal Provision. In addition to the administrative sanctions imposed under this Act, any person shall, upon conviction, be meted with the penalty of imprisonment of not less than one (1) year but not more than five (5) years, of 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 both, at the discretion of the Courts, for any of the following acts:

- a. Engaging in the practice of environmental and sanitary engineering in the Philippines without having been registered or without having conformed with the provisions of this Act;
- b. Presenting or attempting to use as one's own the PIC or COR of another environmental and sanitary engineer, environmental and sanitary engineering technologists or environmental and sanitary engineering technician, or special temporary permit of a foreign environmental and sanitary engineering practitioner;

- c. Submitting any false or forged evidence to the Board for the purpose of securing a COR, PIC, or special temporary permit, or impersonating any environmental and sanitary engineering practitioner;
- d. Attempting to use or using a revoked or suspended COR, PIC, or special temporary permit;
- e. Using or advertising any title or description tending to convey the impression on another person as an environmental and sanitary engineering practitioner even without a valid COR, PIC, or special temporary permit; and
- f. Violating any of the provisions of this Act.

In case a corporation, partnership or any non-proprietorship organization is found legally culpable, and penalty is imprisonment, the environmental and sanitary engineer, together with the responsible officer or officers who have permitted or caused the violation shall likewise suffer the same penalty; or causing violation

Section 45. Enforcement of the Act by Officers of the Law. The Board and the Commission shall implement and enforce the provisions of this Act, its IRR, and whenever warranted, investigate complaints for violations of this Act, its IRR and the Code of Ethics and Standards for Environmental and Sanitary Engineers, Environmental and Sanitary Engineering Technologists and Environmental and Sanitary Engineering Technicians.

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 in carrying out provisions of this Act.

The Secretary of Health, and/or his duly authorized representatives in the provinces and chartered cities shall be ex officio agents of the Board, and as such it shall be their duty to help in the enforcement of the provisions of this Act;

Section 46. Appropriations. The Chairperson of the Commission 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 47. Separability Clause. If any provision of this Act is declared unconstitutional or invalid for any reason, the same shall not affect the validity of the other provisions.

Section 48. Repealing Clause. RA 1364 is repealed and replaced by this Act. However, nothing herein shall be construed as to prevent or affect the practice of other legally recognized professions

In the event of actual or perceived conflicts or encroachments on the scope of practice of other professions, the Boards concerned shall endeavor to reconcile their differences through alternative modes of dispute settlement or resolution (e.g. mediation and conciliation).

Section 49. Transitory Provisions: Within two (2) years upon the effectivity of this Act, any person desiring to practice the profession of Environmental and Sanitary engineering field shall be required the following:

- a. A Sanitary Engineer with valid COR and PIC issued under R.A. 1364 shall automatically be qualified and issued a new COR and PIC as Environmental and Sanitary Engineer under this Act;
- b. The existing Board shall continue to hold office and serve in the interim until such time that the new Board shall have been qualified and appointed under this Act and shall exercise the powers, functions, and responsibilities of the Board for the first five (5) years; and with composition of the entire Board shall develop strategies, syllabi and terms of reference for licensure for Environmental and Sanitary Engineers, Technologists and Technicians. The Board succession and terms of office after the transitory period shall be as stated in Section 9 of this Act.
- c. Registration without Examination. Within two (2) years from the approval of the Implementing Rules and Regulations of this Act, the following shall be registered without examinations:
 - 1) Environmental and Sanitary Engineers – subject to the satisfaction of the Board and the AIPO, the following shall be registered as Environmental and Sanitary Engineers:
 - i. A natural born citizen of the Philippines;
 - ii. Of good reputation with good moral values;
 - iii. Has not been convicted by the court of an offense involving moral turpitude; and
 - iv. Educational and work experience requirements:
 - a) A holder of a Master's degree in any Allied Engineering discipline with Valid PRC license and has completed major subjects in Public Health and Environmental Engineering, following the existing BSSE program, from a university, college, academy or institute, duly constituted, recognized and accredited by the CHED and with at least fifteen (15) years of experience in any field of specialization under this Act, subject to the satisfaction of the Board and the AIPO.
 - b) Master in Environmental Engineering and has completed major subjects in Public Health and Environmental Engineering, following the existing BSSE program, from a university, college, academy or institute, duly constituted, recognized and accredited by the CHED; and with at least fifteen (15) years of experience in any field of specialization under this Act.
 - c) Sanitary Engineering graduate who is a holder Master's degree in Sanitary Engineering from a university, college, academy or institute, duly constituted, recognized and accredited by CHED, with at least ten (10) years of experience in any field of specialization under this Act.
 - 2) Environmental and Sanitary Engineering Technologist – subject to the satisfaction of the Board and the AIPO, the following shall be registered as Environmental and Sanitary Engineering Technologists:
 - i. Sanitary Inspectors who are currently employed in the government service for at least ten (10) years. In addition, they must have completed any Baccalaureate Degree.
 - ii. Pollution Control Officers who have been practicing and designated as Pollution Control Officers for at least ten (10) years. In addition, they shall also have completed any Allied Baccalaureate Degree.
 - iii. Occupational and Safety Officers who have been practicing and designated as Occupational and Safety Officers for at least ten (10)

years. In addition, they shall also have completed any Allied Baccalaureate Degree.

- iv. Those who have been practicing under different fields of specialization under this Act for at least ten (10) years. In addition, they shall also have completed any Allied Baccalaureate Degree.
- 3) Environmental and Sanitary Engineering Technicians, subject to the satisfaction of the Board and the AIPO, the following shall be registered as Environmental and Sanitary Engineering Technicians:
- i. Sanitary Inspectors who have regular employment as such and has been in the government service for at least ten (10) years. They shall be Technicians in the field of Public Health and are accredited or certified by the DOH
 - ii. Pollution Control Inspectors who have been in the practice for ten (10) years and are accredited by the Department of Environment and Natural Resources or other government agencies authorized to do such.
 - iii. Safety Inspectors who have been actually practicing and designated as Occupational and Safety inspectors for at least ten (10) years. and are accredited by the Department of Labor and Employment or other government agencies authorized to do such.
 - iv. Those who have been actually practicing under the different fields of specialization under this Act for at least ten (10) years.

Section 50. Implementing Rules and Regulations of this Act: The Board together with the AIPO, upon the review of the Commission, shall issue the implementing rules and regulations within 6 months after the approval of this Act.

Section 51. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.