

TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. **3843**

EXPLANATORY NOTE

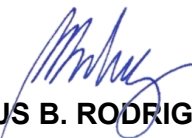
The Civil Engineering Law, Republic Act No. 544, which governs the practice of civil engineering in the Philippines, was last amended 54 years ago.

Since then, the number of registered civil engineers has grown to over 130,000 today. A new role for the civil engineer has likewise evolved in the light of globalization and cross-border practice. Whereas before the civil engineer was confined to the application of technical knowledge and skills in the successful implementation and completion of projects, the civil engineer is now confronted with a broader range of issues to deal with. The civil engineer now has to face the challenges of integrating the socio-economic and environmental issues with the technical aspects of the construction projects. The civil engineer is constantly challenged to design and build developments in a manner that is environmentally sound, socially acceptable, and globally competitive.

This Bill, therefore, seeks to achieve the following objectives:

1. To attune the law to the needs for national development;
2. To strengthen the profession and enable the civil engineers to cope with the formidable challenges brought about by globalization and cross-border practice;
3. To continually upgrade the level of competence of the civil engineers through:
 - a. peer recognition of specialization in civil engineering,
 - b. continuing professional development, and
 - c. strengthening of the accredited professional organization of civil engineers;
4. To define more clearly the practice of civil engineering in the Philippines by foreign nationals;
5. To make the law better serve and safeguard public interest by establishing a clear, precise and practicable delineation of professional accountability in the civil engineering practice.

In view of the foregoing, the immediate passage of this Bill is earnestly sought.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

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AN ACT

FURTHER AMENDING REPUBLIC ACT NO. 544, AS AMENDED, OR THE CIVIL ENGINEERING LAW

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

SECTION 1. Sections 4, 13, 16 and 19 of Republic Act No. 544, as amended, are hereby further amended to read as follows:

“Section 4. *Powers and duties of the Board.* – The Board of Civil Engineers is vested with authority, conformable with the provisions of this Act, to administer oaths, issue, suspend and revoke certificates of registration for the practice of civil engineering, [issue certificates of recognition to civil engineers already registered under this Act for advanced studies, research, and/or highly specialized training in any branch of civil engineering, subject to the approval of the Secretary of the Public Works and Communications,] to investigate such violations of this Act and the regulations, there under as may come to the knowledge of the Board and, for this purpose, issue *subpoena* and *subpoena duces tecum* to secure appearance of witnesses in connection with the charges presented to the Board, to inspect at least once a year educational institutions offering courses in civil engineering, civil engineering works, projects or corporations, established in the Philippines and, for safe-guarding of life, health and property, to discharge such other powers and duties as may affect ethical and technological standards of the civil engineering profession in the Philippines. For this purpose of this act, the Director of the Public Works and/or his authorized representative 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.

The Board may [, with the approval of the Secretary of Public Works and Highways and Communications issue] PROMULGATE such rules and regulations as may be deemed necessary to carry out the provisions of this act. THE CIVIL ENGINEERING CODE AND THE MANUAL OF PROFESSIONAL PRACTICE OF CIVIL ENGINEERS AS PREPARED BY THE ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL ENGINEERS (APOCE) AND APPROVED BY THE BOARD, SHALL FORM PART OF THE IMPLEMENTING RULES AND REGULATIONS. The Board shall also adopt a code of ethics in the practice of civil engineering and have an official seal to authenticate its official documents.

SECTION 4 (A). *CERTIFICATE OF SPECIALIZATION* – IN ORDER TO ENCOURAGE THE CONTINUING PROFESSIONAL EDUCATION AND

DEVELOPMENT OF REGISTERED CIVIL ENGINEERS, THE ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL ENGINEERS (APOCE) BY THE PROFESSIONAL REGULATION COMMISSION SHALL BE VESTED WITH AUTHORITY CONFORMABLE WITH THE PROVISIONS OF THIS ACT, TO ISSUE A CERTIFICATE OF SPECIALIZATION TO A REGISTERED CIVIL ENGINEER WHO HAS DEMONSTRATED HIS ADVANCED KNOWLEDGE, EXPERIENCE, EDUCATION, RESEARCH, AND TRAINING IN A RECOGNIZED BRANCH OF CIVIL ENGINEERING; PROVIDED, THAT AT THE INITIAL EFFECTIVITY OF THIS ACT, THE SPECIALIZATIONS OF PROJECT MANAGEMENT AND CONSTRUCTION ENGINEERING, ENVIRONMENTAL AND ENERGY ENGINEERING, GEOTECHNICAL ENGINEERING, STRUCTURAL ENGINEERING, TRANSPORTATION ENGINEERING, AND WATER ENGINEERING SHALL BE SO RECOGNIZED. PROVIDED FURTHER, THAT OTHER SPECIALIZATIONS MAY ADDITIONALLY BE RECOGNIZED BY THE APOCE. SPECIALISTS IN EACH RECOGNIZED BRANCH MAY FORM A SPECIALTY ORGANIZATION OF CIVIL ENGINEERS (SOCE); PROVIDED FURTHER, STILL, THAT THIS SOCE IS AFFILIATED TO AND RECOGNIZED BY THE APOCE. PROVIDED FINALLY, THAT THERE IS ONLY ONE SOCE FOR EACH RECOGNIZED BRANCH OF CIVIL ENGINEERING, WITHOUT PREJUDICE TO MEMBERSHIP IN OTHER VOLUNTARY PROFESSIONAL ORGANIZATIONS. THE HOLDER OF SUCH CERTIFICATE OF SPECIALIZATION MAY USE THE SPECIALIST TITLE, IN ADDITION TO AND NOT REPLACING HIS CIVIL ENGINEER TITLE, IN THE SIGNING OF RELEVANT PLANS AND DOCUMENTS.

THE APOCE SHALL HAVE THE AUTHORITY TO SUSPEND OR REVOKE A CERTIFICATE OF SPECIALIZATION PREVIOUSLY ISSUED ON GROUNDS OF VIOLATION OF ANY OF THE PROVISIONS OF THIS ACT.”

“Section 13. *Oath of Civil Engineers.* – All successful candidates in the examination shall be required to take a professional oath before the Board of Civil Engineers or other government officials authorized to administer oaths, prior to entering upon the practice of the civil engineering profession. ALL REGISTERED CIVIL ENGINEERS SHALL ALSO TAKE THEIR OATH AS MEMBERS OF THE ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL ENGINEERS (APOCE) AND SHALL COMPLY WITH ALL THEIR MEMBERSHIP REQUIREMENTS. ALL REGISTERED CIVIL ENGINEERS MUST REMAIN MEMBERS IN GOOD STANDING OF THE APOCE TO BE ABLE TO CONTINUE TO PRACTICE THE PROFESSION.”

“Section 19. *Transitory Provisions* – As soon as this Act takes effect, any person desiring to practice the profession of civil engineering shall be required to obtain a certificate of registration in the manner and under the conditions hereinafter provided. All civil engineers duly licensed under the provisions of Act Numbered Twenty-nine hundred and eighty-five, as amended, at the time this Act takes effect, shall be automatically registered under the provisions hereof. Certificates of registration held by such persons in good standing shall have the same force and effect as though the same have been issued under the provisions of this Act. CERTIFICATES OF SPECIALIZATION ISSUED TO REGISTERED CIVIL

ENGINEERS BY THE BOARD OR ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL ENGINEERS (APOCE) HELD BY SUCH PERSONS IN GOOD STANDING SHALL HAVE THE SAME FORCE AND EFFECT AS THOUGH THE SAME HAVE BEEN ISSUED UNDER THE PROVISIONS OF THIS ACT.”

SECTION 2. Separability Clause – Should any provision of this Act or any part thereof be declared invalid, the other provisions, so far as they are separable from the invalid ones, shall remain in full force of effect.

SECTION 3. Repealing Clause – All other laws, decrees, presidential issuances, proclamations, and administrative regulations inconsistent with or contrary to the provisions of this Act are hereby amended, modified or repealed accordingly.

SECTION 4. Effectivity Clause – This act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,