

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. **3853**

EXPLANATORY NOTE

In our desire to make our laws more attuned to our needs and in order to be competitive globally in today's Science of a changing and interconnecting world, professional Geodetic Engineers must always keep abreast with the latest state of the art global innovations and scientific developments in order to sustain their competencies and to ensure that they are respected and recognized here and around the world.

This is in line with the government's effort to enhance mobility of all professionals including the geodetic engineering profession to gain access in terms of employment locally and internationally in the field of land surveying, mapping, titling, and land management. It is worth mentioning that most, if not all our Geodetic Engineers working abroad prefer to use the title Land Surveyor or Geomatics Engineer because Geodetic Engineering is not well-known worldwide.

Geomatics Engineering is a field that incorporates several others such as the older field of land survey engineering along with many other aspects of spatial data management and rely heavily upon the theory and practical applications of geodesy.

The term Geomatics was adopted by the International Organization for Standardization (IOS) and many other international authorities worldwide as it also covers related fields of surveying work on, above or below the surface of the earth and/or sea, including but is not limited to measurements in all marine environments and other areas of water.

A large number of University Departments worldwide which were once titled Land Surveying and Survey Engineering have re-titled themselves using the terms Geomatics or Geomatics Engineering. The rapid progress and increased visibility of Geomatics Engineering since the 1990s has been made possible by advances in computer hardware, computer science and software engineering, as well as by airborne and space observation and remote sensing technologies which is a part of Geomatics Engineering. Application areas include: Aeromagnetic surveys; Airborne geophysics; Air navigation services; Coastal zone management and mapping; Disaster informatics for disaster risk reduction and response; Environment Infrastructure management; Land management and reform; Natural resource monitoring and development; Seismic interpretation; Subdivision and urban planning; Oceanography; Parks resource management; Climate change/Environmental monitoring; Digital terrain modelling; Geoinformatics, cadastre, etc.

In view hereof, early passage of this bill to rename / re-title Geodetic Engineering to Geodetic and Geomatics Engineering is earnestly requested to cope with the rapidly changing world of land surveying, mapping, titling, and land management.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

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House Bill No. 3853

AN ACT

AMENDING REPUBLIC ACT NUMBERED EIGHTY FIVE HUNDRED AND SIXTY (R.A. No. 8560) OTHERWISE KNOWN AS THE PHILIPPINE GEODETIC ENGINEERING ACT OF 1998 AS AMENDED, IN ORDER TO MODERNIZE AND ALIGN INTERNATIONALLY THE PRACTICE OF LAND SURVEYING AND FOR OTHER PURPOSES

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

ARTICLE I
TITLE

Section 1. Title. – This Act shall be known as the “**Philippine Geodetic And Geomatics Engineering Act**”.

ARTICLE II
DEFINITION OF TERMS

Section 2. Definition of terms. –

(a) Practice of Geodetic **AND GEOMATICS ENGINEERING** – The practice of Geodetic and Geomatics Engineering is a professional and organized act of gathering physical data EITHER ON, ABOVE OR BELOW the surface of the earth with the use of precision instruments. It is also the scientific and methodical processing of these data and presenting them on graphs, plans, maps, charts or documents. **IT IS ALSO KNOWN AS THE SCIENCE OF THE COLLECTION, ANALYSIS, AND INTERPRETATION OF LAND DATA.**

It shall embrace, but are not limited to the following activities:

1. Professional Geodetic and Geomatics Engineering Services with the use of [surveying and mapping equipment such as graduated rods, measuring tapes, transits, levels, theodolites, fathometers/echosounders, electronic distance meters, global positioning systems, stereoplotters and other instruments] **EXISTING AND MODERN LAND SURVEYING AND MAPPING EQUIPMENT** that are used to determine metes and bounds of lands, positions of points on and below the surface of the earth, water depths, underwater configuration, ground elevation, gravity, isostasy, crustal movements and the size and shape of the earth, and other instruments used for construction survey, and those instruments used to guide the installation of large industrial equipment and machineries.
2. Horizontal and vertical control surveys [and political boundary surveys] **AND THE DETERMINATION OF THE POSITION OF THE BOUNDARIES OF PUBLIC OR PRIVATE LANDS, FOR LAND TITLING AND FOR OTHER PURPOSES;**
3. [Land surveys to determine their metes and bounds and prepare the plans thereof for titling and for other purposes;] **ALL STATE OF THE ART EQUIPMENT IN SURVEYING AND MAPPING SHALL BE UNDER THE JURISDICTION AND CONTROL OF THE GEODETIC AND GEOMATICS ENGINEERING IF IT IS USED**

IN SURVEYING AND MAPPING FOR REFERENCE AND FOR LAND TITLING PURPOSES.

4. [Subdivision, consolidation and/or consolidation-subdivision of titled properties]
5. Submission of all kinds of survey plans for titling purposes to the government agencies concerned **WHICH SHALL BE SUBJECTED TO VERIFICATION AND APPROVAL ONLY BY A REGISTERED GEODETIC AND GEOMATICS ENGINEER.**
6. Preparation and making of sketch, lot and location plans;
7. [Conduction)] **EXECUTION** of engineering surveys and the technical preparation of engineering survey plans such as topographic, hydrographic, tidal, profile, cross-section, construction and boundary surveys;
8. Parcellary surveys of lands traversed by infrastructure projects; and the preparation of subdivision plans;
9. [Conduction)] **EXECUTION** of gravimetric and photogrammetric survey and the technical preparation of such survey plans;
10. Survey and mapping works such as the preparation of geographic and/or land information system;
11. Survey to determine and establish line and grade for the construction of buildings and other structures and its attachments;
12. [Construction of as-staked and as-built surveys for infrastructures] **SITE LAYOUT SURVEYS FOR INFRASTRUCTURES:**
13. [Conduction] **EXECUTION** of mineral and mining surveys;
14. [Installation of machineries requiring the use of precision instruments:] **LEVELLING AND ALIGNMENT IN CONNECTION WITH THE INSTALLATION OF MACHINERIES REQUIRING THE USE OF PRECISION INSTRUMENTS;**
15. Engagement in the transfer of the knowledge and technology of Geodetic and Geomatics Engineering in any institution of learning;
16. **DETERMINATION OF THE POSITION OF THE BOUNDARIES OF LOCAL, NATIONAL AND INTERNATIONAL BOUNDARIES, AS AGREED UPON BY THE CONTENDING PARTIES.**
17. **DETERMINATION OF THE SIZE AND SHAPE OF THE EARTH AND THE MEASUREMENT OF ALL DATA NEEDED TO DEFINE THE SIZE, POSITION, SHAPE AND CONFIGURATION OF ANY PART OF THE EARTH AND MONITORING ANY CHANGE THEREIN.**
18. **ACQUISITION AND USE OF SPATIAL INFORMATION FROM CLOSE RANGE, AERIAL AND SATELLITE IMAGERY AND THE AUTOMATION OF THESE PROCESSES.**
19. **ANALYSIS, INTERPRETATION AND INTEGRATION OF SPATIAL OBJECTS AND PHENOMENA IN GIS, INCLUDING THE VISUALISATION AND COMMUNICATION OF SUCH DATA IN MAPS, MODELS AND MOBILE DIGITAL DEVICES.**
20. **DESIGN, ESTABLISHMENT AND ADMINISTRATION OF GEOGRAPHIC INFORMATION SYSTEMS (GIS) AND THE COLLECTION, STORAGE, ANALYSIS, MANAGEMENT, DISPLAY AND DISSEMINATION OF DATA.**
21. **PROVISION OF TECHNICAL GUIDANCE TO LAND CLAIMANTS IN DETERMINING PROPERTY BOUNDARIES FOR THE SETTLEMENT OF LAND DISPUTES IN ACCORDANCE WITH THE GUIDELINES PROVIDED BY LAW, RULES AND REGULATIONS.**

[(b) **Geodetic Engineer** – A Geodetic Engineer is a natural person who has been issued a Certificate of Registration by the Board of Geodetic Engineering and has taken the Oath of Profession of Geodetic Engineers.]

(b) A Geodetic and Geomatics Engineer is a natural person with academic qualifications, has been issued a Certificate of Registration by the Professional Regulatory Board of Geodetic and Geomatics Engineering (PRBGGE), has taken the Oath of Profession **AND WITH THE TECHNICAL KNOWLEDGE TO PRACTICE THE SCIENCE OF GEODETIC AND GEOMATICS ENGINEERING.**

ARTICLE III BOARD OF GEODETIC ENGINEERING

Section 3. Creation and composition of the Board of Geodetic and Geomatics Engineering. – There is hereby created a Board of Geodetic and Geomatics Engineering, hereinafter called the Board, to be composed of a chairman and two (2) members to be appointed by the President of the Philippines from a list of three (3) recommendees for each position, chosen, ranked in the order of preference and submitted by the duly integrated and accredited association of Geodetic and Geomatics Engineers. The Board shall be organized not later than six (6) months from the effectivity of this Act.

Section 4. Qualifications of Members of the Board. - A member of the Board shall, at the time of his appointment, possess the following qualifications:

- a) Natural born citizen and resident of the Philippines;
- b) Must be at least forty five (45) years of age;
- c) A registered Geodetic and Geomatics Engineer with a valid professional license and an active practitioner in Geodetic and Geomatics Engineering for not less than **twenty Five (25) years** at the time of his or her appointment;
- d) Must not be a member of the faculty of any school, academy, institute, college or university for the past three (3) years prior to appointment where a regular course in Geodetic and Geomatics Engineering is being taught, nor have pecuniary interest in or administrative supervision over any such institution of learning;
- e) Must not, for a period of three (3) consecutive years prior to appointment, be connected with a review center or with any group or association where review classes or lectures in preparation for the licensure examination are offered or conducted at the time of appointment;
- f) Must not be currently employed with any agency of the government at the time of his appointment and shall be considered as organic member of the Commission; and
- g) Must not have been convicted with finality of any offense involving moral turpitude.

Section 5. Term of Office. – The members of the Board shall hold office for a term of three (3) years until their successors shall have been appointed and qualified. Of the members of the Board first appointed under this Act, one (1) member shall be appointed and hold office for three (3) years; and one (1) member for two (2) years, one (1) member for one year. The Chairman or member of the Board may be reappointed for another term but in no case shall he serve continuously for more than six (6) years except in a hold-over capacity. Each member of the Board shall qualify by taking the proper oath of office prior to entering upon the performance of duties.

Section 6. Compensation of the Board members. – The Chairman and members of the Board shall receive salaries, allowances and all other benefits comparable to the compensation and allowances received by existing regulatory Boards with the Professional Regulation Commission (PRC), hereinafter referred to as the Commission, as provided for in the General Appropriations Act.

Section 7. Vacancy and removal of Board members. – Any vacancy occurring in the membership of the Board within the term of a member shall be filled for the unexpired portion of the term only.

The President may remove any member of the Board, upon the recommendation of the Commission, on the following grounds;

- (a) Neglect of duty or incompetence;
- (b) Violation or tolerance of the violation of this Act or the Code of Ethical and Professional Standards for the practice of the Geodetic and Geomatics Engineering profession; and
- (c) Final judgment of a crime involving moral turpitude.

He shall be given due notice and hearing where his right to be heard and to defend himself, assisted by counsel, shall be respected in a proper administrative investigation. **THE COMMISSION'S DECISION MAY BE APPEALED WITHIN FIFTEEN (15) DAYS FROM WRITTEN NOTICE TO THE OFFICE OF THE PRESIDENT. THE DECISION OF THE PRESIDENT IS LIKEWISE APPEALABLE TO THE COURT OF APPEALS WHICH DECISION SHALL BECOME FINAL AND EXECUTORY IF THERE'S NO QUESTION OF LAW.**

Section 8. Powers and duties of the board. – The Board shall exercise the following specific powers, functions, duties and responsibilities:

- a) To promulgate and adopt the rules and regulations necessary for carrying out the provisions of this Act;
- b) To supervise the examination, registration, licensure and practice of Professional Geodetic and Geomatics Engineering in the Philippines;
- c) To administer oaths in connection with the successful examinees entering the practice of Geodetic and Geomatics Engineering;
- d) To issue the Certificates of Registration to successful examinees;
- e) To issue, suspend, revoke the license for the practice of the Geodetic and Geomatics Engineering profession;
- f) To adopt an official seal of the Board;
- g) To look into the conditions affecting the practice of Geodetic and Geomatics Engineering profession and whenever necessary, adopt such measures as may be deemed proper for the enhancement and maintenance of high professional and ethical standards of the profession;
- h) To ensure in coordination with the Commission on Higher Education (CHED), that all educational institutions offering Geodetic and Geomatics Engineering education comply with the policies, standards and requirements of the course prescribed by CHED in the areas of curriculum, faculty, library and facilities;
- i) To prescribe and/or adopt a Code of Ethical and Professional Standards for the practice of the Geodetic and Geomatics Engineering profession;
- j) To hear and try administrative cases involving violations of this Act, its implementing rules and regulations, the Code of Ethics for professional Geodetic and Geomatics Engineers and for this purpose, to issue subpoena and subpoena duces tecum to secure the appearances of witnesses and the production of documents in connection therewith;
- k) To prescribe guidelines in the **[Continuing Professional Education (CPE)] CONTINUING PROFESSIONAL DEVELOPMENT (CPD)** program in coordination with the accredited and integrated association for professional Geodetic and Geomatics Engineers;
- l) To prepare, adopt issue or amend the syllabi of the subjects for examination;
- m) To approve, issue, limit or revoke temporary license to practice Geodetic and Geomatics Engineering;
- n) Discharge such other duties and functions as may be deemed necessary for the enhancement of the Geodetic and Geomatics Engineering profession and the upgrading, development and growth of Geodetic and Geomatics Engineering education in the Philippines.
- o) **(O) REFUSAL TO ISSUE A CERTIFICATE IN CERTAIN CASES. – THE BOARD SHALL REFUSE TO ISSUE A CERTIFICATE OF REGISTRATION TO ANY PERSON CONVICTED WITH FINALITY BY A COURT OF COMPETENT JURISDICTION OF ANY CRIME INVOLVING MORAL TURPITUDE, TO ANY PERSON OF IMMORAL OR DISHONORABLE CONDUCT, AND TO ANY PERSON OF UNSOUND MIND, FURNISHING THE PARTY CONCERNED WITH A WRITTEN STATEMENT CONTAINING THE REASON OR REASONS FOR SUCH ACTION, WHICH STATEMENT SHALL BE INCORPORATED IN THE RECORDS OF THE BOARD.**

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 application for examination, examination papers and results, minutes of deliberation, administrative cases and other investigations involving Geodetic and Geomatics Engineers shall be kept by the Commission.

The Commission shall designate the Secretary of the Board and shall provide the secretariat and other support services to implement the provisions of this Act.

Section 10. Annual Report. – The Board shall, at the close of each calendar year, submit an annual report to the President of the Philippines through the Professional Regulation Commission, giving detailed account of its proceedings and accomplishments during the year and make recommendation for the adoption of measures that will upgrade and improve the conditions affecting the practice of Geodetic and Geomatics Engineering in the Philippines.

ARTICLE IV EXAMINATION, REGISTRATION AND LICENSE

Section 11. Examinations required. – All applicants for registration for the practice of Geodetic and Geomatics Engineering shall be required to undergo and pass a written technical examination as provided for in this Act.

Section 12. Qualifications of applicant for examination. – Every applicant for examination shall establish the following:

- a) That he is a citizen of the Philippines;
- b) That he is a **GRADUATE OF THE FOUR-YEAR REGULAR PROGRAM OF BACHELOR OF SCIENCE IN GEODETIC AND GEOMATICS ENGINEERING** in a school, academy, institute or college duly recognized by the Government; **AND**
- c) **THAT HE / SHE IS OF GOOD MORAL CHARACTER.**

Section 13. Fraudulent application. – The Board may suspend or revoke a Certificate of Registration obtained through misrepresentation made in the application for examination.

Section 14. Scope of examination. – The examination for Geodetic and Geomatics Engineering shall basically cover the following subjects:

1. Mathematics
2. Theory and Practice of Surveying
3. Property Surveying including Isolated, Cadastral, Mineral and Mining Surveys;
4. Cartography, Photogrammetry, **GEOGRAPHIC INFORMATION SYSTEM (GIS);**
5. Geodesy, Geodetic Surveying and Least Squares;
6. Engineering Surveys and Construction Surveying;
7. Laws on Natural Resources including Laws on Property, Land Registration and Agrarian Reform; Laws on Obligations and Contracts;
8. **REMOTE SENSING, NAVIGATION / POSITIONING;**
9. Code of Ethics of the Profession / **VALUE FORMATION**
10. **GEODETIC ENGINEERING LAWS INCLUDING UNCLOS.**

The said subjects and their syllabi may be amended by the Board so as to conform to technological changes brought about by continuing trends in the profession.

Section 15. Rating in the board examinations. – To be qualified as having passed the board examination for Geodetic and Geomatics Engineers, a candidate must obtain a weighted general average of seventy percent (70%), with no grade lower than fifty-five percent (55%) in any given subject. However, an examinee who obtains a weighted general average rating of seventy percent (70%) or higher but obtains a rating below fifty-five (55%) in any given

subject must take the examination in the subject or subjects where he obtained a grade below fifty-five percent (55%).

Section 16. Report of ratings. – The Board shall submit to the Commission the rating obtained by each candidate within [twenty) (20] **FIVE (5) WORKING DAYS** after the examination, unless extended for just cause. Upon the release of the results of the examination, the Board thru the Commission shall send by mail the rating received by each examinee at his given address using the mailing envelope submitted during the examination.

Section 17. Re-examination. – An applicant who fails to pass the examination for the third time shall be allowed to take another examination only after the lapse of one year.

Section 18. Oath. – All successful candidates in the examination shall be required to take an oath of profession before the Board or any government official authorized to administer oaths, prior to entering upon the practice of the Geodetic and Geomatics Engineering profession.

Section 19. Certificate of registration and professional license. – A Certificate of Registration shall be issued to applicants who pass the examination for Geodetic and Geomatics Engineers subject to payment of registration fees.

The Certificate of Registration of a professional Geodetic and Geomatics Engineer shall bear the signatures of the Chairman, members of the Board and the Chairman of the Professional Regulation Commission and stamped with the official seal of the Board indicating that the person named therein is a registered Geodetic and Geomatics Engineer.

A professional license bearing the registration number, date of issuance, expiry date and duly signed by the Chairman of the Board, shall likewise be issued to every registrant, upon payment of the professional fees. No person shall practice Geodetic and Geomatics Engineering in this country unless such person shall have secured a license to practice Geodetic and Geomatics Engineering in the manner herein provided. A license is an entitlement to practice the profession with all the privileges appurtenant thereto until the expiration of the validity of his license.

Section 20. Seal and use of seal. (a) Each registrant shall, upon registration, obtain the seal of such design as the Board of Geodetic and Geomatics Engineering may adopt. Plans and specifications prepared by, or under the direct supervision of a registered Geodetic and Geomatics Engineer, shall be stamped with said seal during the validity of the professional license. No person shall stamp or seal any document with the seal of a registrant after his professional license has expired or lost its validity unless he has been reinstated to the practice and/or unless his license has been renewed.

(b) No officer or employee of the government, [chartered cities, provinces and municipalities] now or hereafter charged with the enforcement of laws, ordinances or regulations relating to all Geodetic and Geomatics Engineering practices shall accept or endorse any survey plans or documents which have not been prepared and submitted in full accord with the provisions of this Act, nor shall any payment be approved by any such officer for any work, the plans and documents of which have not been so prepared, signed and sealed by a duly licensed Geodetic and Geomatics Engineer.

(c) No Geodetic and Geomatics Engineer shall sign his name, affix his seal or use any other method of signature on plans not actually performed by him. He shall be fully responsible for all plans, specifications and other documents issued under his seal or authorized signature.

(d) Plans and documents duly signed, stamped or sealed as instruments of service are the property and documents of the Geodetic and Geomatics Engineer, if the same has not been accepted and/or paid.

Section 21. Indication of License and Professional Tax Receipt. – The Geodetic and Geomatics Engineer shall be required to indicate his professional license number on the documents he signs, uses or issues in connection with the private practice of his profession.

Section 22. Grounds for suspension and revocation of license, cancellation of temporary/special permit. – The Board shall have the power, upon due notice and hearing, to revoke or suspend the license of a Geodetic and Geomatics Engineer, or to cancel a special temporary permit for any cause specified in the preceding Sections, including but is not limited to: the use or perpetration of any fraud or deceit in obtaining a certificate of registration, or for incompetence, negligence, or for abetment of the illegal practice of Geodetic and Geomatics Engineering; violation of the provisions of this Act, its implementing rules and regulations and/or violation of the policies of the Board including the Code of Ethics for Geodetic and Geomatics Engineers: Provided, however, That such action of the Board shall be subject to appeal to the Commission, within fifteen (15) days from written notice.

ARTICLE V

PRACTICE OF GEODETIC ENGINEERING

Section 23. Vested rights: Automatic registration of all practicing Geodetic Engineers. – All practicing Geodetic Engineers who are duly registered at the time this Act takes effect shall automatically be registered as Geodetic and Geomatics Engineers.

Section 24. Practice not allowed for firms and corporations. The last paragraph of Section 24 shall be amended to read as follows:

The practice of Geodetic and Geomatics Engineering is a professional service, admission to which shall be determined upon the basis of an individual's personal qualifications, for which the Geodetic and Geomatics Engineer is responsible for the correctness of his work.

No firm, company, partnership, association or corporation may be registered or licensed as such for the practice of Geodetic and Geomatics Engineering: Provided, however, That persons properly registered and licensed as Geodetic and Geomatics Engineers may among themselves or with a person or persons properly registered and licensed as Geodetic and Geomatics Engineer, may form and obtain registration with Securities and Exchange Commission (SEC) of a firm, partnership or association using the term "Geodetic and Geomatics Engineers," but nobody shall be a member, partner or associate unless he is a duly registered and licensed Geodetic and Geomatics Engineer, and the members who are Geodetic and Geomatics Engineers shall only render work and services proper for a Geodetic and Geomatics Engineer as defined in this Act. **ALL EXISTING CORPORATIONS, PARTNERSHIPS AND RELATED FIRMS SHALL BE REQUIRED TO REGISTER WITH THE CONCERNED GOVERNMENT AGENCIES WITHIN SIX (6) MONTHS AFTER THE APPROVAL OF THIS ACT.**

Section 25. Integration of the Geodetic and Geomatics Engineering profession. – The Geodetic and Geomatics Engineering profession shall be integrated into one (1) national organization which shall be recognized by the Board and by the Commission as the one and only Accredited and Integrated Professional Organization (AIPO) of Geodetic and Geomatics Engineers. Upon registration with the Board, every professional Geodetic and Geomatics Engineer shall automatically become a member of the accredited and integrated national organization and shall receive the benefits and privileges appurtenant thereto. Those who have been registered with the Board but not members of the said integrated and accredited organization at the time of the effectivity of this Act, shall be allowed to register as members of the said organization within one (1) year after the effectivity of this Act. Membership in the accredited and integrated professional organization shall not be a bar to membership in other associations of the Geodetic and Geomatics Engineering profession.

JUNE 19 OF EVERY YEAR SHALL BE DESIGNATED AS NATIONAL GEODETIC ENGINEERING DAY. THE SIGNIFICANCE OF THIS CELEBRATION DATES BACK TO THE FOLLOWING HISTORICAL EVENTS, NAMELY: (A) DR. JOSE P. RIZAL, WHO HIMSELF WAS A SURVEYOR (GEODETIC ENGINEER), WAS BORN ON JUNE 19, 1861; (B) REPUBLIC ACT NO. 4374, ALSO KNOWN AS THE FIRST GEODETIC ENGINEERING LAW WAS ENACTED ON JUNE 19, 1965; AND (C) ACT 1875, ALSO KNOWN AS "AN ACT AMENDING ACT NUMBERED FOUR HUNDRED AND NINETY-SIX, ENTITLED "THE

LAND REGISTRATION ACT," AND OTHER ACTS RELATING THERETO", WAS PASSED ON JUNE 19, 1908, REQUIRING ALL SURVEYORS TO TAKE CIVIL SERVICE OR BUREAU OF LANDS EXAMINATIONS BEFORE THEY CAN EXECUTE LAND SURVEYS FOR REGISTRATION PURPOSES;

Section 26. Foreign reciprocity. - No foreign Geodetic and Geomatics Engineer shall be issued a [temporary license to practice] **SPECIAL TEMPORARY PERMIT TO PRACTICE THE** Geodetic and Geomatics Engineering profession or consultancy thereof or be entitled to any of the rights and privileges under this Act unless the country of which he is a subject or citizen specifically permits Filipino Geodetic and Geomatics Engineers to practice within its territorial limits on the same basis as the subjects or citizens of such foreign state or country.

SEC. 27. POSITIONS IN GOVERNMENT WITH GEODETIC AND GEOMATICS ENGINEERING FUNCTIONS.

ONLY DULY REGISTERED GEODETIC AND GEOMATICS ENGINEERS WITH VALID LICENSE AND UP-TO-DATE PRC IDENTIFICATION CARD SHALL BE APPOINTED OR DESIGNATED TO ALL POSITIONS IN GOVERNMENT WITH GEODETIC AND GEOMATICS ENGINEERING FUNCTIONS AND RESPONSIBILITIES WHICH SHALL INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

- 1. ALL LEVELS IN THE DEPARTMENT, BUREAU, DIVISION SECTION AND UNIT THAT REQUIRES THE TECHNICAL KNOWLEDGE OF GEODETIC AND GEOMATICS ENGINEERING POSITIONS IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), DEPARTMENT OF AGRARIAN REFORM (DAR), LAND REGISTRATION AUTHORITY (LRA), NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY (NAMRIA), DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH), NATIONAL COMMISSION ON INDIGENOUS PEOPLES (NCIP), AND ALL OTHER CONCERNED NATIONAL GOVERNMENT DEPARTMENTS OR AGENCIES, LOCAL GOVERNMENT UNITS, AND GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS WHOSE FUNCTIONS, DUTIES AND RESPONSIBILITIES CONSTITUTE THE PRACTICE OF GEODETIC AND GEOMATICS ENGINEERING;**
- 2. APPROVAL OF LAND SURVEYS FOR LAND TITLING PURPOSES SHALL ONLY BE DONE BY A REGISTERED GEODETIC AND GEOMATICS ENGINEER WITH THE POSITION OF ASSISTANT BUREAU DIRECTOR OR ITS EQUIVALENT RANK;**
- 3. PROFESSOR AND/OR INSTRUCTOR POSITIONS IN PUBLIC AND PRIVATE SCHOOLS, COLLEGES AND UNIVERSITIES WHOSE MAIN FUNCTIONS, DUTIES AND RESPONSIBILITIES IS TEACHING GEODETIC AND GEOMATICS ENGINEERING SUBJECTS LEADING TO THE DEGREE OF BACHELOR OF SCIENCE IN GEODETIC AND GEOMATICS ENGINEERING;**
- 4. ALL ASSESSOR'S OFFICES INCLUDING PROVINCIAL / CITY / AND MUNICIPAL ENGINEERING OFFICES OF THE LOCAL GOVERNMENT UNITS MUST AT LEAST HAVE TWO (2) GEODETIC AND GEOMATICS ENGINEER EACH; AND**
- 5. THERE SHALL BE NO UNDERSTAFFING AND / OR OVERLOADING OF GEODETIC AND GEOMATICS ENGINEERS IN ALL GOVERNMENT OFFICES AND GOVERNMENT OWNED AND CONTROLLED OFFICES.**

SECTION 28. CAREER PROGRESSION AND SPECIALIZATION.

A CAREER PROGRESSION AND SPECIALIZATION (CPS) PROGRAM FOR GEODETIC AND GEOMATICS ENGINEERS SHALL BE INSTITUTIONALIZED WHICH SHALL BE FORMULATED BY THE BOARD IN CLOSE COORDINATION WITH THE GEODETIC AND GEOMATICS ENGINEERS OF THE PHILIPPINES, INC. (GGEP), COMMISSION ON HIGHER EDUCATION (CHED), ACADEME, AND OTHER CONCERNED GOVERNMENT AGENCIES. ANY GEODETIC AND GEOMATICS ENGINEER AND ALLIED PROFESSIONS BEFORE BEING ALLOWED TO WORK IN SPECIALTY AREAS TO PERFORM BEYOND GENERALIST FUNCTION OR HAVE SPECIFIC SPECIALTIES, MUST FIRST FINISH THE FORMAL EDUCATION OR TRAINING OF NOT LESS THAN FOUR (4) YEARS TOWARDS SPECIALIZATION, POSSESS RECOGNIZED PRACTICE COMPETENCIES AND MUST BE CERTIFIED BY THE BOARD UPON RECOMMENDATION OF A COMMITTEE CREATED FOR THIS PURPOSE.

THE GEODETIC AND GEOMATICS ENGINEERING SPECIALIZATION SHALL INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

- 1. REMOTE SENSING**
- 2. ELECTRONIC NAUTICAL CHARTING**
- 3. PUBLIC LAND DISPOSITION AND MANAGEMENT**
- 4. TEACHING RESEARCH AND EXTENSION**
- 5. OFFSHORE HYDROGRAPHY / OCEANOGRAPHY**
- 6. LAND CLAIMS AND CONFLICT SETTLEMENT**
- 7. LAND INFORMATION SYSTEM/GEOGRAPHIC INFORMATION SYSTEM**
- 8. DISASTER INFORMATICS FOR DISASTER RISK REDUCTION AND RESPONSE**
- 9. GEOINFORMATICS**
- 10. AIRBORNE GEOPHYSICS**
- 11. SEISMIC INTERPRETATION**
- 12. AND OTHER RELATED FIELDS.**

ARTICLE VI GENERAL PROVISION

Section [27] 29. Implementing rules and regulations. – Subject to the approval of the Commission, the Board shall adopt and promulgate such rules and regulations, including the Code of Ethics for Geodetic and Geomatics Engineers, to carry out the provisions of this Act, which shall be effective [thirty] (30) **FIFTEEN (15)** days following their publication in the Official Gazette or in a major daily newspaper of general circulation.

Section [28.] 30. Funding. – Such sums as may be necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter: Provided, however That fifty percent (50%) of the fees derived from examination, registration, oath taking and licenses shall be utilized by the Board to defray its administrative and other operational expenses, including the enhancement of the Geodetic and Geomatics Engineering profession.

Section [29.] 31. Enforcement. – The Professional Regulation Commission shall be the enforcement agency of the Board. As such, the Commission shall implement the provisions of this Act, enforce its implementing rules and regulations as adopted by the Board, conduct investigations upon complaints, including violations of the Code of Conduct of the profession and prosecute when so warranted.

Section [30.] 32. Transitory provisions. – (a) The existing Board of Geodetic Engineering shall continue to function in the interim until such time as the new Board shall be duly constituted pursuant to this Act.

[(b) (Examination for Junior Geodetic Engineers shall cease to be conducted upon effectivity of this Act.)

(Incumbent Junior Geodetic Engineers may continue to practice as such for a period of (five (5) years from effectivity of this Act, within which they shall be required to finish the Bachelor of Science in Geodetic Engineering course, the completion of which shall qualify them to take the Geodetic Engineer Licensure Examinations.))]

Section [31.] 33. Penalties. – IN ADDITION TO ACTS OR OMISSIONS ALREADY PENALIZED BY EXISTING LAW, THE FOLLOWING SHALL CONSTITUTE PRACTICES HEREBY DECLARED TO BE UNLAWFUL, AND ANY PERSON WHO VIOLATES ANY OF THE PROVISIONS OF THIS ACT SHALL, UPON CONVICTION, BE PENALIZED BY A FINE OF [Fifty thousand pesos (P50,000.00) nor more than Two hundred thousand pesos (P200,000.00),] NOT LESS THAN TWO HUNDRED FIFTY THOUSAND (P250,000.00) PESOS NOR MORE THAN FIVE HUNDRED THOUSAND (P500,000.00) PESOS, or imprisonment of not less than six (6) months nor more than six (6) years, or both such fine and imprisonment, at the discretion of the court:

- a) ANY PERSON NOT EXEMPT FROM REGISTRATION WHO SHALL PRACTICE GEODETIC AND GEOMATICS ENGINEERING IN THE PHILIPPINES WITHIN THE MEANING OF THIS ACT, WITHOUT HOLDING A VALID CERTIFICATE OF REGISTRATION ISSUED IN ACCORDANCE WITH THIS ACT;**
- b) ANY PERSON WHO SHALL GIVE ANY FALSE OR FRAUDULENT STATEMENT TO THE BOARD IN ORDER TO OBTAIN A CERTIFICATE OF REGISTRATION AS GEODETIC AND GEOMATICS ENGINEER;**
- c) ANY PERSON WHO SHALL PRESENT OR USE AS HIS OWN A CERTIFICATE OF REGISTRATION ISSUED TO ANOTHER UNDER THIS ACT;**
- d) ANY PERSON WHO SHALL USE AN EXPIRED, REVOKED OR SUSPENDED CERTIFICATE OF REGISTRATION AS GEODETIC AND GEOMATICS ENGINEER;**
- e) ANY PERSON WHO SHALL ASSUME, USE OR ADVERTISE AS GEODETIC AND GEOMATICS ENGINEER, OR APPEND TO HIS NAME, LETTERS OR WORDS TENDING TO CONVEY THE IMPRESSION THAT HE IS A REGISTERED GEODETIC AND GEOMATICS ENGINEER OR HAS AUTHORITY TO CONDUCT LAND SURVEY OR GEODETIC AND GEOMATICS ENGINEERING WORK WHEN IN FACT HE IS NOT DULY AUTHORIZED TO PERFORM SUCH ACTIVITIES UNDER THE PROVISIONS OF THIS ACT;**
- f) ANY PERSON WHO MAINTAINS AN OFFICE ENGAGED IN SURVEYING, MAPPING, OR OTHER GEODETIC AND GEOMATICS ENGINEERING WORK, OR WHO ENGAGES IN SURVEYING, MAPPING, OR OTHER ACTIVITIES RESERVED BY LAW TO DULY REGISTERED AND QUALIFIED GEODETIC AND GEOMATICS ENGINEERS, WITHOUT THE REQUISITE AUTHORITY UNDER THIS ACT;**
- g) ANY PERSON WHO SHALL VIOLATE ANY PROVISION OF THIS ACT.**

CONVICTION OF ANY OFFENSE DEFINED IN THIS SECTION SHALL BE WITHOUT PREJUDICE TO OTHER CRIMINAL, CIVIL, OR ADMINISTRATIVE SANCTIONS THAT MAY BE IMPOSED AGAINST THE OFFENDER UNDER EXISTING LAWS.

THE MAXIMUM PENALTY SHALL BE IMPOSED UPON ANY EMPLOYEE OF THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES NOT OTHERWISE AUTHORIZED TO PRACTICE GEODETIC AND GEOMATICS ENGINEERING.

SECTION 34. PRESCRIPTION OF OFFENSES. – ALL OFFENSES PUNISHABLE UNDER THIS ACT SHALL PRESCRIBE IN FIVE (5) YEARS FROM THE DATE OF DISCOVERY THEREOF.

SECTION [33.] 35. ENFORCEMENT OF THIS ACT BY OFFICERS OF THE LAW. – IT SHALL BE THE DUTY OF ALL DULY CONSTITUTED OFFICERS OF THE LAW, OF THE NATIONAL GOVERNMENT OR OF ANY PROVINCIAL, CITY OR MUNICIPAL

GOVERNMENT, TO ENFORCE THE PROVISIONS OF THIS ACT AND TO PROSECUTE ANY PERSON VIOLATING THE SAME. THE SECRETARY OF JUSTICE SHALL ACT AS LEGAL ADVISER TO THE BOARD AND SHALL RENDER SUCH LEGAL ASSISTANCE AS MAY BE NECESSARY IN CARRYING OUT THE PROVISIONS OF THIS ACT.

Section [32.] 36. Separability clause. – If any clause, provision, paragraph or part hereof shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other part hereof, but such judgment shall merely be confined to the clause, provision, paragraph or part directly involved in the controversy upon which such judgment has been rendered.

Section [33.] 37. Repealing clause. – REPUBLIC ACT NOS. 9200, 8560, AND 4374; AND PRESIDENTIAL DECREE NOS. 202 AND 335 ARE HEREBY REPEALED. ALL OTHER LAWS, DECREES, EXECUTIVE ORDERS AND OTHER ADMINISTRATIVE ISSUANCES AND PARTS THEREOF WHICH ARE INCONSISTENT WITH THE PROVISIONS OF THIS ACT ARE HEREBY MODIFIED, SUPERSEDED OR REPEALED ACCORDINGLY.

Section [34.] 38. Effectivity. This Act shall take effect fifteen (15) days following its publication in the Official Gazette or major daily newspaper of general circulation in the Philippines, whichever is earlier.

Approved,