

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




Senate
Office of the Secretary

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SENATE

S. B. No. **704**

RECEIVED BY: 

Introduced by **Senator FRANCIS G. ESCUDERO**

EXPLANATORY NOTE

The Civil Engineering Law, Republic Act No. 544, which governs the practice of Civil Engineering in the Philippines, was last amended 49 years ago.

Since then, the number of registered civil engineers has grown to over 100,000 today. A new role for the civil engineer has likewise evolved in the light of the globalization and cross-boarder practice. Whereas before the civil engineer was confined to the application of technical knowledge with a boarder 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, with its proposed amendments of the law, seeks to achieve the following objectives:

1. To attune the law to national development needs;
2. To strengthen the profession and enable civil engineers to cope with the formidable challenges brought about by globalization and cross-boarder practice;
3. To continually upgrade the level of competence of the civil engineers through:
 - a. peer recognition of specialization in civil engineering;
 - b. continuous professional development; and
 - c. the strengthening of the accredited professional organization of civil engineers;

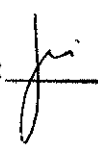
In view of the foregoing, the immediate passage of this proposed legislation is earnestly sought.

FRANCIS G. ESCUDERO

13 JUL 10 A9:19

SENATE

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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:

1 **SECTION 1.** Sections 2, 4, 13, 16 and 19 of Republic Act No. 544, as amended,
2 are hereby further amended to read as follows:

3
4 “Section 2. *Definition of Terms.*

5
6 (a) The practice of civil engineering within the meaning and
7 intent of this Act shall embrace services in the form of consultation,
8 design, preparation of plans, specifications, estimates, erection,
9 installation and supervision of the construction of streets, bridges,
10 highways, railroads, airports and hangars, port works, canals, river
11 and shore improvements, lighthouses, and dry docks; buildings,
12 fixed structures for irrigation, flood protection, drainage, water
13 supply and sewerage works; demolition of permanent structures; and
14 tunnels. The enumeration of any work in this section shall not be
15 construed as excluding any other work requiring civil engineering
16 knowledge and application.

17
18 (b) The term “civil engineer” as used in this act shall mean a
19 person duly registered with the Board for Civil Engineers in the
20 manner as hereinafter provided.

21
22 (C) **ACCREDITED PROFESSIONAL ORGANIZATION**
23 **OF CIVIL ENGINEERS (APOCE) SHALL MEAN THE**
24 **PHILIPPINE INSTITUTE OF CIVIL ENGINEERS (PICE)**
25 **WHICH IS THE OFFICIAL NATIONAL ORGANIZATION**
26 **OF ALL REGISTERED CIVIL ENGINEERS IN THE**
27 **PHILIPPINES AS ACCREDITED BY THE PROFESSIONAL**
28 **REGULATION COMMISSION.”**

29
30
31 “Section 4. *Powers and duties of the Board.* – The Board of
32 Examiners of Civil Engineers is vested with authority, conformable
33 with the provisions of this Act, to administer oaths, issue, suspend
34 and revoke certificates of registration for the practice of civil
35 engineering, [issue certificates of recognition to civil engineers

1 already registered under this Act for advance studies, research,
2 and/or highly specialized training in any branch of civil engineering,
3 subject to the approval of the Secretary of the Public Works and
4 Communications,] to investigate such violations of this Act and the
5 regulations, there-under as may come to the knowledge of the Board
6 and, for this purpose, issue *subpoena and subpoena duces tecum* to
7 secure appearance of witnesses in connection with the charges
8 presented to the Board, to inspect at least once a year educational
9 institutions offering courses in civil engineering, civil engineering
10 works, project or corporations, established in the Philippines and,
11 for safe-guarding of life, health and property, to discharge such
12 other powers and duties as may affect ethical and technological
13 standards of the civil engineering profession in the Philippines. For
14 the purpose of this act, the Director of the Public Works and/or his
15 authorized representative in the provinces and chartered cities shall
16 be *ex-officio* agents of the Board and as such shall be their duty to
17 help in the enforcement of the provisions of this Act.

18
19 The Board may[, with the approval of the Secretary of Public Works
20 and Communications issue] **PROMULGATE** such rules and
21 regulations as may be deemed necessary to carry out the provisions
22 of this act. **THE LATEST EDITION OF THE CIVIL**
23 **ENGINEERING CODE, THE MANUAL OF PROFESSIONAL**
24 **PRACTICE OF CIVIL ENGINEERS AS PREPARED BY THE**
25 **APOCE AND APPROVED BY THE BOARD SHALL FORM**
26 **PART OF THE IMPLEMENTING RULES AND**
27 **REGULATIONS.** The Board shall also adopt a code of ethics in
28 the practice of civil engineering and have an official seal to
29 authenticate its official documents.”

30
31 **“SECTION 4 (A). CERTIFICATE OF SPECIALIZATION – IN**
32 **ORDER TO ENCOURAGE THE CONTINUING**
33 **PROFESSIONAL DEVELOPMENT OF REGISTERED CIVIL**
34 **ENGINEERS, THE ACCREDITED PROFESSIONAL**
35 **ORGANIZATION OF CIVIL ENGINEERS (APOCE) BY THE**
36 **PROFESSIONAL REGULATION COMMISSION SHALL BE**
37 **VESTED WITH AUTHORITY CONFORMABLE WITH THE**
38 **PROVISIONS OF THIS ACT, TO ISSUE A CERTIFICATE**
39 **OF SPECIALIZATION TO A REGISTERED CIVIL**
40 **ENGINEER WHO HAS DEMONSTRATED HIS ADVANCE**
41 **KNOWLEDGE, EXPERIENCE, EDUCATION, AND**
42 **TRAINING IN A RECOGNIZED BRANCH OF CIVIL**
43 **ENGINEERING: PROVIDED, THAT AT THE INITIAL**
44 **EFFECTIVITY OF THIS ACT, THE SPECIALIZATION OF**
45 **CONSTRUCTION MANAGEMENT AND ENGINEERING,**
46 **GEOTECHNICAL ENGINEERING, STRUCTURAL**
47 **ENGINEERING, TRANSPORTATION ENGINEERING, AND**
48 **WATER RESOURCES AND HYDRAULICS ENGINEERING**
49 **SHALL BE SO RECOGNIZED. PROVIDED FURTHER,**
50 **OTHER SPECIALIZATION MAY ADDITIONALLY BE**
51 **RECOGNIZED BY THE APOCE. SPECIALISTS IN EACH**
52 **RECOGNIZED BRANCH MAY FORM A SPECIALTY**
53 **ORGANIZATION OF CIVIL ENGINEERS (SOCE):**
54 **PROVIDED FURTHER THAT THIS SOCE IS AFFILIATED**

1 TO AND RECOGNIZED BY THE APOCE. PROVIDED
2 FINALLY, THERE IS ONLY ONE SOCE FOR EACH
3 RECOGNIZED BRANCH OF CIVIL ENGINEERING,
4 WITHOUT PREJUDICE TO MEMBERSHIP IN OTHER
5 VOLUNTARY PROFESSIONAL ORGANIZATIONS. THE
6 HOLDER OF SUCH CERTIFICATE OF SPECIALIZATION
7 MAY USE THE SPECIALIST TITLE IN THE SIGNING OF
8 RELEVANT PLANS AND DOCUMENTS.
9

10 THE APOCE SHALL HAVE THE AUTHORITY TO
11 SUSPEND OR REVOKE A CERTIFICATE OF
12 SPECIALIZATION PREVIOUSLY ISSUED ON GROUNDS
13 OF VIOLATION OF ANY OF THE PROVISION OF THIS
14 ACT.”
15

16
17 “Section 13. *Oath of Civil Engineers.* – All successful candidates in
18 the examination shall be required to take a professional oath before
19 the Board Examiners of Civil Engineers or other government
20 officials authorized to administer oaths, prior to entering upon the
21 practice of the civil engineering profession. **ALL REGISTERED**
22 **CIVIL ENGINEERS SHALL ALSO TAKE THEIR OATH AS**
23 **MEMBERS OF THE ACCREDITED PROFESSIONAL**
24 **ORGANIZATION OF CIVIL ENGINEERS (APOCE) AND**
25 **SHALL COMPLY WITH ALL THEIR MEMBERSHIP**
26 **REQUIREMENT.”**
27

28
29 “Section 16. *Refusal to Issue Certificate* – The Board of Examiners
30 for Civil Engineers shall not Issue a certificate to any person
31 convicted by a court of a competent jurisdiction of any criminal
32 offense involving moral turpitude, or to any person guilty of
33 immoral or dishonorable conduct, or to any person of unsound
34 mind. **THE BOARD SHALL NOT ISSUE A CERTIFICATE**
35 **TO ANY PERSON WHO IS NOT A MEMBER OF GOOD**
36 **STANDING OF THE APOCE.** In the vent of a refusal to issue a
37 certificate to any person, the Board shall give to the applicant a
38 written statement setting forth its reason for such action, which
39 statement shall be incorporated in the records of the Board.”
40

41
42 “Section 19. *Transitory Provisions.* As soon as this Act takes effect,
43 any person desiring to practice the profession of civil engineering
44 shall be required to obtain a certificate of registration in the manner
45 and under the conditions hereinafter provided. All civil engineers
46 duly licensed under the provisions of Act Numbered Twenty-nine
47 hundred and eighty-five, as amended, at the time this Act takes
48 effect, shall be automatically registered under the provisions hereof.
49 Certificates of registration held by such persons in good standing
50 shall have the same force and effect as though the same have been
51 issued under the provisions of this Act. **CERTIFICATES OF**
52 **SPECIALIZATION ISSUED TO REGISTERED CIVIL**
53 **ENGINEER BY THE BOARD OR ACCREDITED**
54 **PROFESSIONAL ORGANIZATION FOR CIVIL**

1 **ENGINEERING (APOCE) HELD BY SUCH PERSONS IN**
2 **GOOD STANDING SHALL HAVE THE SAME FORCE AND**
3 **EFFECT AS THOUGH THE SAME HAVE BEEN ISSUED**
4 **UNDER THE PROVISIONS OF THIS ACT.”**
5
6

7 **SEC. 2.** *Repealing Clause.* – All other laws, decrees, presidential issuances,
8 proclamations, and administrative regulations inconsistent with or contrary to the
9 provisions of this Act are hereby amended, modified or repealed accordingly,
10 specifically, among others, Executive Order No. 495 dated 06 December 1992.
11

12 **SEC. 3.** *Separability Clause.* – In the event that any provision of this Act is
13 declared void or unconstitutional such declaration shall not affect the validity of the
14 unaffected provisions of this Act.
15

16 **SEC. 4.** *Effectivity Clause.* - This Act shall take effect fifteen (15) days
17 after its complete publication in at least two (2) newspapers of general circulation.

18 *Approved,*