




SENATE

'13 AUG -5 AIO :02

S.B. No. 1211

RECEIVED BY: 

Introduced by Senator Franklin M. Drilon

EXPLANATORY NOTE

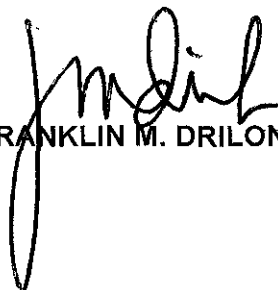
The Civil Engineering Law, Republic Act No. 544, which governs the practice of civil engineering in the Philippines, was last amended 54 years ago.

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.


FRANKLIN M. DRILON

SENATE

S.B. No. 1211

'13 AUG -5 AIO :02

Introduced by Senator Franklin M. Drilon

RECEIVED BY: 

1 AN ACT
2 FURTHER AMENDING REPUBLIC ACT NO. 544, AS AMENDED,
3 OR THE CIVIL ENGINEERING LAW

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

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

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

1 Works and/or his authorized representative in the provinces and chartered cities
2 shall be *ex-officio* agents of the Board and as such it shall be their duty to help in
3 the enforcement of the provisions of this Act.

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

13 SECTION 4(A). *CERTIFICATE OF SPECIALIZATION* – IN ORDER TO
14 ENCOURAGE THE CONTINUING PROFESSIONAL EDUCATION AND
15 DEVELOPMENT OF REGISTERED CIVIL ENGINEERS, THE ACCREDITED
16 PROFESSIONAL ORGANIZATION OF CIVIL ENGINEERS (APOCE) BY THE
17 PROFESSIONAL REGULATION COMMISSION SHALL BE VESTED WITH
18 AUTHORITY CONFORMABLE WITH THE PROVISIONS OF THIS ACT, TO
19 ISSUE A CERTIFICATE OF SPECIALIZATION TO A REGISTERED CIVIL
20 ENGINEER WHO HAS DEMONSTRATED HIS ADVANCED KNOWLEDGE,
21 EXPERIENCE, EDUCATION, RESEARCH, AND TRAINING IN A RECOGNIZED
22 BRANCH OF CIVIL ENGINEERING; PROVIDED, THAT AT THE INITIAL
23 EFFECTIVITY OF THIS ACT, THE SPECIALIZATIONS OF PROJECT
24 MANAGEMENT AND CONSTRUCTION ENGINEERING, ENVIRONMENTAL AND
25 ENERGY ENGINEERING, GEOTECHNICAL ENGINEERING, STRUCTURAL
26 ENGINEERING, TRANSPORTATION ENGINEERING, AND WATER
27 ENGINEERING SHALL BE SO RECOGNIZED. PROVIDED FURTHER, THAT
28 OTHER SPECIALIZATIONS MAY ADDITIONALLY BE RECOGNIZED BY THE

1 APOCE. SPECIALISTS IN EACH RECOGNIZED BRANCH MAY FORM A
2 SPECIALTY ORGANIZATION OF CIVIL ENGINEERS (SOCE); PROVIDED
3 FURTHER, STILL, THAT THIS SOCE IS AFFILIATED TO AND RECOGNIZED BY
4 THE APOCE. PROVIDED FINALLY, THAT THERE IS ONLY ONE SOCE FOR
5 EACH RECOGNIZED BRANCH OF CIVIL ENGINEERING, WITHOUT
6 PREJUDICE TO MEMBERSHIP IN OTHER VOLUNTARY PROFESSIONAL
7 ORGANIZATIONS. THE HOLDER OF SUCH CERTIFICATE OF
8 SPECIALIZATION MAY USE THE SPECIALIST TITLE, IN ADDITION TO AND
9 NOT REPLACING HIS CIVIL ENGINEER TITLE, IN THE SIGNING OF
10 RELEVANT PLANS AND DOCUMENTS.

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

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

24 "Section 19. *Transitory Provisions* - As soon as this Act takes effect, any person
25 desiring to practice the profession of civil engineering shall be required to obtain a
26 certificate of registration in the manner and under the conditions hereinafter
27 provided. All civil engineers duly licensed under the provisions of Act Numbered

1 Twenty-nine hundred and eighty-five, as amended, at the time this Act takes
2 effect, shall be automatically registered under the provisions hereof. Certificates
3 of registration held by such persons in good standing shall have the same force
4 and effect as though the same have been issued under the provisions of this Act.
5 CERTIFICATES OF SPECIALIZATION ISSUED TO REGISTERED CIVIL
6 ENGINEERS BY THE BOARD OR ACCREDITED PROFESSIONAL
7 ORGANIZATION OF CIVIL ENGINEERS (APOCE) HELD BY SUCH PERSONS
8 IN GOOD STANDING SHALL HAVE THE SAME FORCE AND EFFECT AS
9 THOUGH THE SAME HAVE BEEN ISSUED UNDER THE PROVISIONS OF
10 THIS ACT."

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

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

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

19 Approved,
