

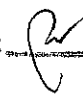
FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )

SENATE  
OFFICE OF THE SECRETARY

10 JUL 27 10:46

SENATE

S. B. No. **2109**

RECEIVED BY: 

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Introduced by Senator FRANCIS G. ESCUDERO

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### 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

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

*"Section 2. Definition of Terms.*

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

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

(c) ACCREDITED PROFESSIONAL ORGANIZATION OF CIVIL ENGINEERS (APOCE) SHALL MEAN THE PHILIPPINE INSTITUTE OF CIVIL ENGINEERS (PICE) WHICH IS THE OFFICIAL NATIONAL ORGANIZATION OF ALL REGISTERED CIVIL ENGINEERS IN THE PHILIPPINES AS ACCREDITED BY THE PROFESSIONAL REGULATION COMMISSION."

"Section 4. *Powers and duties of the Board.* - The Board of Examiners 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 advance 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, project 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 the 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 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 Communications issue] **PROMULGATE** such rules and regulations as may be deemed necessary to carry out the provisions of this act. **THE LATEST EDITION OF THE CIVIL ENGINEERING CODE, THE MANUAL OF PROFESSIONAL PRACTICE OF CIVIL ENGINEERS AS PREPARED BY THE 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 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 ADVANCE KNOWLEDGE, EXPERIENCE, EDUCATION, AND TRAINING IN A**

RECOGNIZED BRANCH OF CIVIL ENGINEERING: PROVIDED, THAT AT THE INITIAL EFFECTIVITY OF THIS ACT, THE SPECIALIZATION OF CONSTRUCTION MANAGEMENT AND ENGINEERING, GEOTECHNICAL ENGINEERING, STRUCTURAL ENGINEERING, TRANSPORTATION ENGINEERING, AND WATER RESOURCES AND HYDRAULICS ENGINEERING SHALL BE SO RECOGNIZED. PROVIDED FURTHER, OTHER SPECIALIZATION MAY ADDITIONALLY BE RECOGNIZED BY THE APOCE. SPECIALISTS IN EACH RECOGNIZED BRANCH MAY FORM A SPECIALTY ORGANIZATION OF CIVIL ENGINEERS (SOCE): PROVIDED FURTHER THAT THIS SOCE IS AFFILIATED TO AND RECOGNIZED BY THE APOCE. PROVIDED FINALLY, 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 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 PROVISION 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 Examiners 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 REQUIREMENT."

"Section 16. *Refusal to Issue Certificate* - The Board of Examiners for Civil Engineers shall not Issue a certificate to any person convicted by a court of a competent jurisdiction of any criminal offense involving moral turpitude, or to any person guilty of immoral or dishonorable conduct, or to any person of unsound mind. THE BOARD SHALL NOT ISSUE A CERTIFICATE TO ANY PERSON WHO IS NOT A MEMBER OF GOOD STANDING OF THE APOCE. In the vent of a refusal to issue a certificate to any person, the Board shall give to the

applicant a written statement setting forth its reason for such action, which statement shall be incorporated in the records of the Board.”

“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 ENGINEER BY THE BOARD OR ACCREDITED PROFESSIONAL ORGANIZATION FOR CIVIL ENGINEERING (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.**”

**SEC. 2.**        *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, specifically, among others, Executive Order No. 495 dated 06 December 1992.

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

**SEC. 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,*