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SENATE

S. NO. 914

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

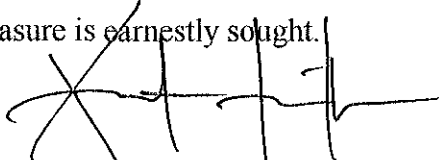
EXPLANATORY NOTE

The Chemistry Law (R.A. 754) was promulgated on June 18, 1952. Because of the significant changes brought about by the rapid developments in Chemistry, science and technology, the rise of international standards, global competition, as well as concerns for the environment, climate change and sustainable development, there is an urgent need to reformulate the Chemistry Law so that it will be more responsive to these modern developments. Today, for example, sophisticated chemical design, synthesis and analyses are required in a wide variety of applications, such as environment, water, food products, pharmaceuticals, forensics, plastics and polymers, materials, and many others.

Chemistry has two important aspects: Chemistry as a scientific and academic endeavor, and Chemistry as applied to public safety, public interest and the national economy. The Chemistry Law should promote the former, but should regulate the latter. Specifically, the proposed new Chemistry Law seeks to introduce the following important changes:

- Update the definition of Chemistry and the scope of the professional practice of Chemistry.
- Define the practice of the Chemical Technician.
- Strengthen the professional practice of Chemistry for global competitiveness and to bring it in line with international practice, certification and standards.
- Rationalize the relationship between Chemistry and allied professions.
- Strengthen the linkage between the training of Chemists and the professional practice of Chemistry.
- Strengthen the authority of the Board of Chemistry to supervise chemistry laboratories and other entities which practice chemistry to ensure that the minimum quality standards are maintained.
- Support the requirement for Continuing Professional Education (CPE) for the continuous training and international competitiveness of professional chemists.
- Bring the practice of Chemistry in line with the PRC modernization act of 2000 (RA 8981), as well as national concerns related chemistry, such as toxic and hazardous and nuclear waste (RA 6969) and dangerous drugs (RA 9165).

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


ANTONIO "SONNY" F. TRILLANES
Senator



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S. NO. 914

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
TO REGULATE AND MODERNIZE THE PRACTICE OF CHEMISTRY IN THE
PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED
754 ENTITLED "AN ACT TO REGULATE THE PRACTICE OF CHEMISTRY IN
THE PHILIPPINES", AND FOR OTHER PURPOSES

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

ARTICLE I.

TITLE, POLICY AND DEFINITIONS

1 **SECTION 1. Title** - This act shall be known as the "*Chemistry Law of 2013.*"

2 **SEC. 2. Declaration of Policy.** - Because Chemistry is vital to public safety, the
3 national economy, and the protection of the environment, it is the policy of the State to
4 regulate and protect the professional practice of chemistry, and to promote the continued
5 development and high international standard of chemistry in research, industry, and
6 education in the Philippines.

7 **SEC. 3. Definition of Terms.** The following terms used in this Act shall be defined as
8 follows:

9 (a) **Chemistry.** The study, characterization, analysis, modification and calculation of
10 physico-chemical or biochemical properties of matter. It includes the atomic,
11 molecular, surface and supramolecular composition and structure of matter,
12 properties and reactions, the changes which matter undergoes, the energy involved,
13 and the conditions under which such changes occur.

14 (b) **Registered Chemist.** Any person who is engaged in the professional practice of
15 chemistry, as defined herein, must be a Registered Chemist who shall be duly
16 registered with the Board of Chemistry and the Professional Regulation Commission.
17 A Registered Chemist shall have the authority to undertake the professional practice
18 of chemistry.

1 (c) **Registered Chemical Technician.** Any person who is engaged in the work of
2 chemical analysis, as defined herein, shall be duly registered with the Board of
3 Chemistry.

4 (d) **Chemical analysis** refers to a physico-chemical or biochemical technique which
5 includes the following, and related techniques:

6 i. measurement of properties, such as pH, oxidation-reduction potential, density,
7 atomic or molecular weight, and others;

8 ii. use of methods such as titration, gravimetric analysis, electrochemical
9 measurements, spectroscopy, chromatography, and others;

10 iii. determination of the atomic or molecular quantity of one or more components of
11 a substance;

12 iv. determination of the atomic, molecular, surface or supramolecular nature or
13 structure of a substance;

14 v. separation and/or purification of a mixture into its components using techniques,
15 such as distillation, crystallization, density, reactivity, extraction, adsorption,
16 size exclusion, affinity, chromatography, and others;

17 vi. calculations of physico-chemical or biochemical properties or concentrations of
18 chemicals or biochemicals;

19 vii. computational methods applied to chemically- or biochemically- related matters,
20 such as molecular design, molecular modeling, chemometrics and others; and

21 viii. other analytical methods which characterize matter at the atomic, molecular, or
22 supramolecular level.

23 (e) **Chemical synthesis** shall mean the preparation of a compound or chemical entity
24 from its elements or from other compounds or chemical entities, by one or more
25 chemical reactions. Synthesis as defined here refers to both chemical synthesis, which
26 may use chemical catalysts, and biochemical synthesis, which uses enzymes and
27 other biological compounds to promote a reaction.

28 (f) **Chemical laboratory** shall mean a facility where activities described in Sections 3d
29 and 3e are performed. Such activities carried out outside of a chemical laboratory, for
30 example, a factory, mobile laboratory, or field analysis, are also covered.

31 (g) **Green Chemistry** shall mean the various measures which aim to mitigate the impact
32 of chemicals on the environment using principles of atom balance, energy efficiency,
33 pollution prevention, and the like.

34

1 **SEC. 4. Scope of the Professional Practice of Chemistry.** The professional practice
2 of chemistry covers the performance of a service related to the public interest, public safety,
3 analysis of commercial products, product standards, and legal and regulatory matters. The
4 following and similar activities shall be the functions of the Registered Chemist:

- 5 1. Performance of a chemical analysis or chemical synthesis;
- 6 2. Certification of a chemical analysis or chemical synthesis;
- 7 3. Inspection of a laboratory with respect to its chemical or biochemical activities;
- 8 4. Certification of a laboratory with respect to its chemical or biochemical activities;
- 9 5. Management of a chemical laboratory, whether in an industrial, government or
10 academic setting, including K to 12. In the case of a laboratory with mixed functions
11 and where the larger amount of work is not chemical in nature, the chemical work
12 should be supervised by a Registered Chemist;
- 13 6. Supervision of an analysis or synthesis, whether or not this is performed in a
14 laboratory;
- 15 7. Teaching, lecturing or reviewing of a professional chemistry subject in the curriculum
16 of the Bachelor of Science in Chemistry degree or a subject in the chemistry licensure
17 examination given in any higher education institution or review center;
- 18 8. Consultation or investigation, research concerning physico-chemical or biochemical
19 matters which involve the public interest, public safety, commercial product, legal or
20 regulatory matters. For purposes of this Act, the Registered Chemist must affix his
21 signature, license number and official seal to any certification report which he/she
22 submits;
- 23 9. Sale of chemicals, chemical apparatus, or chemical equipment;
- 24 10. Supervision of the sale of chemicals, chemical apparatus, or chemical equipment; and
- 25 11. Functions related to the application of Green Chemistry, such as chemical equipment,
26 waste management, pollution control, and the like.

27 The *Board of Chemistry*, subject to approval by the Commission, may revise, exclude
28 from or add to the above-enumerated acts or activities as the need arises to conform to the
29 latest trend in the practice of the profession.

30
31 **SEC. 5. Scope of the Professional Practice of Chemical Technician.** The scope of
32 the practice of Chemical Technician shall be limited to the performance of physico-chemical
33 or biochemical analysis, chemical or biochemical synthesis, and sale of chemicals, chemical
34 apparatus, or chemical equipment, and operations of chemical stockrooms provided that such
35 activities are under the supervision of a Registered Chemist. The Chemical Technician must

1 affix his signature and license number to the report of a chemical analysis or synthesis which
2 he has performed.

4 ARTICLE II

5 PROFESSIONAL REGULATORY BOARD OF CHEMISTRY

6
7 **SEC. 6. *Composition of the Board.*** - There is hereby created a Professional
8 Regulatory Board of Chemistry, hereinafter referred to as the Board, which shall be
9 composed of a Chairperson and two (2) Members under the administrative control and
10 supervision of the Professional Regulation Commission, hereinafter referred to as the
11 Commission. They shall be appointed by the President of the Philippines from a list of three
12 (3) recommendees for each position ranked by the Commission from a list of five (5)
13 nominees for each position submitted by the accredited professional organization of
14 Chemists.

15
16 **SEC. 7. *Powers and Duties of the Board.*** - The Board shall have the following
17 powers and duties:

- 18 (a) To supervise and regulate the practice of the chemistry profession in the Philippines
19 in accordance with the provision of this Act;
- 20 (b) To determine the requirements and evaluate the qualifications of the applicants for
21 registration and renewal of license of Registered Chemists and Registered Chemical
22 Technicians;
- 23 (c) To prescribe the subjects in the licensure examination; determine the syllabi of the
24 subjects and their relative weights; construct the test questions in the examinations;
25 and submit the examination results to the Commission;
- 26 (d) To issue, together with the Commission, Certificates of Registration to persons
27 admitted to the practice of the professions of Chemistry and Chemical Analysis;
- 28 (e) To oversee the conduct of the Continuing Professional Education (CPE) program for
29 the professional Chemists and Chemical Technicians;
- 30 (f) To determine, in consultation with the APO, private industry, and relevant
31 government agencies, the requirements of chemistry laboratories, both private and
32 government, and other entities engaged in the practice of Chemistry for registration or
33 renewal of permit, and to issue, together with the Commission, the Certificate of
34 Authority to Operate to those which satisfy the said requirements;

- 1 (g) The Board may conduct on-site inspection of chemistry laboratories and other entities
2 engaged in the practice of Chemistry, and may seek the assistance of the APO in
3 order to carry out these functions;
- 4 (h) To inquire into the conditions affecting the practice of the profession and adopt
5 measures for the enhancement and maintenance of high professional, ethical and
6 technical standards.
- 7 (i) To adopt and promulgate the Code of Ethics and Code of Good Governance for the
8 practice of Chemistry;
- 9 (j) To issue *subpoena testificandum* or *subpoena duces tecum* to secure the attendance of
10 witnesses or the production of documents in connection with any administrative case
11 before the Board;
- 12 (k) To hear and decide administrative cases filed against chemists, chemical Technicians,
13 and the owners and administrators of chemical laboratories. The hearing shall be
14 presided over by the Chairperson or a Member of the Board with the assistance of an
15 attorney of the Commission. Any decision should be concurred in by a majority of
16 the Board. The decision of the Board may be appealed to the Commission within
17 fifteen (15) days from notice, otherwise such decision shall be final and executory;
- 18 (l) To administer oaths in connection with the performance of its function;
- 19 (m) To adopt the implementing rules and regulations of this Act; and
- 20 (n) To perform such other functions as may be necessary in order to implement the
21 provisions of this Act.
- 22

23 **SEC. 8. *Qualification of the Board Chairperson and Members.*** - The Chairperson
24 and Members of the Board shall have the following qualifications:

- 25 (a) A citizen and resident of the Philippines;
- 26 (b) Of good moral character and of sound mind;
- 27 (c) A holder of at least a Master of Science (MS) degree in Chemistry conferred by a
28 chemistry institution recognized by the Commission on Higher Education, or by a
29 reputable foreign university;
- 30 (d) A Registered Chemist who has been in active practice for at least ten (10) years;
- 31 (e) Not have any pecuniary interest, directly or indirectly, in any higher educational
32 institution conferring an academic degree necessary for admission to the practice of
33 chemistry or where review classes in preparation for the licensure examination are
34 being offered or conducted; nor should he be a member of the faculty or
35 administration thereof;

- 1 (f) A member in good standing of the APO;
2 (g) Not an officer or trustee of the APO; and
3 (h) Not convicted by a court of competent jurisdiction of an offense involving moral
4 turpitude.

5
6 **SEC. 9. *Term of Office.*** – The Chairperson and Member of the Board shall hold
7 office for a term of three (3) years from the date of appointment or until their successors shall
8 have qualified and shall have been appointed. They may be reappointed for another term of
9 three (3) years immediately after the expiry of their term; provided, not more than two (2)
10 terms or not more than six (6) years, whichever is longer; further the first board under this
11 Act shall hold these terms of office: The Chairperson for three (3) years, the first member
12 for two (2) years and the second member for one (1); provided furthermore, any appointee to
13 a vacancy with an unexpired period shall only serve such period. The Chairperson and the
14 Members shall duly take their oath of office.

15
16 **SEC. 10. *Compensation of the Board.*** - The Chairperson and Members of the Board
17 shall receive such compensation and allowances comparable to that being received by the
18 Chairperson and Members of other professional regulatory boards under the Commission as
19 provided for in the General Appropriations Act.

20
21 **SEC. 11. *Custodian of Records, Secretariat and Support.*** – All records of the Board,
22 including applications for examinations, examination papers and results, minutes of
23 meetings, deliberations of administrative and other investigative cases involving the Board
24 shall be kept by the Commission. The Commission shall designate the Secretary of the
25 Board and shall provide secretariat and other support services to implement the provisions of
26 this Act.

27
28 **SEC. 12. *Grounds for Suspension or Removal of the Chairperson or Member.***
29 - The President, upon the recommendation of the Commission after due process and
30 administrative investigation conducted by the Commission, may remove or suspend a
31 Chairperson or Member of the Board on any of the following grounds:

- 1 (a) Gross neglect, incompetence or dishonesty in the discharge of his/her duty;
- 2 (b) Violation of any of the causes/grounds and the prohibited acts provided in this Act
3 and the offenses in the Revised Penal Code, the Anti-Graft and Corruption Practices,
4 and other laws; and
- 5 (c) Manipulation or rigging of the licensure examination results, or disclosure of
6 examination questions prior to the conduct of the examination, or tampering of the
7 grades;

8 The Commission, in the conduct of the investigation, shall be guided by Sec. 7 (s) of
9 R.A. No. 8981, the rules on administrative investigation, and the applicable provisions of the
10 New Rules of Court.

11

12 **SEC. 13. *Annual Report and Annual Meeting.*** - The Board shall submit an annual
13 report to the Commission after the close of each fiscal year giving a detailed account of the
14 proceedings of the Board during the year and embodying such recommendations to the
15 Commission as the Board may desire to make. At least once a year, the Board shall meet
16 with the APO, representatives of departments of chemistry in higher education institutions,
17 and Commission on Higher Education (CHED) to discuss matters pertinent to the
18 professional practice of Chemistry.

19

20 **ARTICLE III**

21 **LICENSURE EXAMINATION AND REGISTRATION**

22

23 **SEC. 14. *Certificate to Practice Chemistry and Chemical Analysis.*** Unless exempt
24 from registration or not subject to the requirements of this Act, no person shall practice or
25 offer to practice as a Chemist or Chemical Technician in the Philippines, without having
26 previously obtained a Certificate of Registration from the Board and Professional
27 Identification Card.

28

29 **SEC. 15. *Requirement for Registration as Chemist and Chemical Technician.*** - All
30 applicants for registration for the practice of Chemistry and Chemical Analysis in the
31 Philippines shall be required to pass the licensure examination prescribed herein unless
32 otherwise provided in this Act.

33

34 **SEC. 16. *Qualifications of Applicant for Examination.*** - Any person applying for
35 admission to the chemistry examination must have the following qualifications:

- 1 (a) He/she is a citizen and resident of the Philippines or a foreign citizen whose
2 country/state has reciprocity with the Philippines in the practice of chemistry;
- 3 (b) He/she is of good moral character and of sound mind;
- 4 (c) He/she is a graduate of any higher educational institution with the degree of BS
5 Chemistry or an allied degree, with at least sixty (60) university units in chemistry
6 which should include all of the professional chemistry courses which are taught by
7 Registered Chemists. Provided further that the allied degree and its curriculum
8 are under the same academic supervision by CHED as the BS Chemistry program,
9 and that it is subject to evaluation by the Board of Chemistry. Graduates of reputable
10 foreign universities who have been conferred the degree of BS Chemistry, or its
11 equivalent, and whose curriculum includes all of the professional chemistry courses,
12 may apply to take the licensure examination, subject to evaluation by the Board.
- 13 (d) He/she has not been convicted of a crime or an offense involving moral
14 turpitude by a court of competent jurisdiction.
- 15

16 **SEC. 17. *Scope of Examination for Chemists.*** - The chemistry licensure examination
17 shall cover the following professional chemistry subjects: Analytical Chemistry, Organic
18 Chemistry, Biochemistry, Inorganic Chemistry, and Physical Chemistry. Provided, that the
19 relative weight of any subject shall not exceed 30% or be less than 15% of the total. The
20 Board may modify the coverage of the Board Examination as required by developments in
21 chemistry and the professional practice of chemistry. In such a case, the Board shall consult
22 with the CHED and the APO for chemistry. The Board must announce revisions in chemistry
23 subjects and topics at least two years prior to their inclusion in the Board examination.

24

25 **SEC. 18. *Qualifications for Chemical Technician*** - Any person applying for the
26 professional practice of Chemical Technician must have the following qualifications:

- 27 (a) He/she is a citizen of the Philippines, or a citizen of a foreign country which grants the
28 corresponding privilege to Filipinos;
- 29 (b) He/she is of good moral character and of sound mind; and
- 30 (c) Successfully completed at least thirty (30) units of undergraduate chemistry courses
31 from an institution duly recognized by the CHED or TESDA. The courses should
32 include both lecture and laboratory courses in the following subjects: General
33 Chemistry, Analytical Chemistry and Organic Chemistry. The applicant should
34 submit a certified true copy of his transcript.
- 35

1 **SEC. 19. *Scope of Examination for Chemical Technician***- The licensure
2 examination for Chemical Technician shall cover practical aspects of laboratory work in the
3 following chemistry subjects with equal weights: Analytical Chemistry and Organic
4 Chemistry. The Board may modify the coverage of the Board Examination as required by
5 developments in chemistry and the professional practice of Chemical Analysis. In such a
6 case, the Board shall consult with the CHED, TESDA and the APO for chemistry. The Board
7 must announce revisions in chemistry subjects and topics at least two years prior to their
8 inclusion in the Board examination.

9
10 **SEC. 20. *Holding of Examination***. - Examination of candidates desiring to practice
11 Chemistry and Chemical Analysis in the Philippines shall be given at least once each
12 calendar year on the date(s) and venue(s) prescribed by the Commission in accordance with
13 R.A. 8291.

14
15 **SEC. 21. *Examination Fees***. - Each applicant admitted to take the Chemistry
16 examination shall pay such fees as may be prescribed by the Commission before he/she is
17 allowed to take the examination.

18
19 **SEC. 22. *Ratings in the Licensure Examination***. - The Board and the Commission
20 shall issue Certificates of Registration if the examinee attains the following ratings:

- 21 (a) Examination for Chemist: the examinee must obtain a general average of at least
22 seventy percent (70%) and no rating less than fifty percent (50%) in any subject.
23 Provided however, if the examinee passes Analytical Chemistry and any of the other
24 subjects, he/she shall automatically qualify as a Chemical Technician;
25 (b) Examination for Chemical Technician: the examinee must obtain an overall average of
26 at least seventy percent (70%) and no rating less than fifty percent (50%) in any
27 subject.

28 The results of the examination shall be released within 10 working days from the last
29 day of the examination.

30
31 **SEC. 23. *Exemption from Examination for Chemists***. – Holders of a doctoral degree
32 in Chemistry from a reputable university may apply for registration as Chemist without
33 examination from the Board. They must submit a copy of their undergraduate and graduate
34 diplomas, transcripts, and cover pages of their Doctoral thesis. Provided further, that such
35 individuals must show evidence that they have been active in the practice of Chemistry. The

1 Board may require presentation of the Doctoral thesis and other evidences of competence and
2 achievement in Chemistry.

3
4 **SEC. 24. Issuance of Temporary/Special Permit.** - The Board may issue a Special
5 Permit to practice Chemistry to the following persons upon proper application with the
6 Board:

7 (a) Foreign-based chemists, recognized as experts in their specific field of chemistry,
8 called in by the Republic of the Philippines for consultation or for a specific project,
9 provided, that their practice shall be confined to such work; and

10 (b) Foreign-based chemists, who have distinguished themselves in their respective fields
11 of specialization, contracted as a professor or lecturer on chemistry subjects by
12 Philippine schools, colleges, institutes or universities on a direct hire or exchange
13 basis. The Special Permit shall indicate the period of validity, provided that such
14 period shall not exceed three (3) years. It may be renewed subject to the rules and
15 regulations of the Board. Complaints or questions regarding such individuals may be
16 directed to the Board for verification or action. Foreign chemists cannot teach
17 professional subjects, unless had been provided with a special permit granted by Board
18 of Chemistry or covered by mutual reciprocity agreement.

19
20 **SEC. 25. Professional Oath.** – All persons to be admitted as Registered Chemist and
21 Registered Chemical Technician are required to take their oath before the Board or any
22 officer authorized by the Commission prior to the issuance of their Certificate of
23 Registration.

24
25 **SEC. 26. Issuance of Certificate of Registration for Chemist and Chemical**
26 **Technician.** – A Certificate of Registration for Chemist and Chemical Technician shall be
27 issued by the Board to examinees that satisfy the requirements of the relevant licensure
28 examination subject to the payment of fees prescribed by the Commission. The Certificate of
29 Registration shall state the full name of the registrant and his registration number, and bear
30 the signature of the Chairperson of the Commission and the Chairperson and Members of the
31 Board, authenticated by the official seal of the Commission and the Board.

1 The Certificate of Registration shall remain in full force and effect unless suspended
2 or revoked under the provisions of this Act.

3
4 **SEC. 27. Issuance of Professional Identification Card for Chemist and Chemical**
5 **Technician.** – A Professional Identification for Chemist shall be issued to holders of a valid
6 Certificate of Registration for Chemist, subject to the payment of fees prescribed by the
7 Commission. A Professional Identification for Chemical Technician shall be issued to
8 holders of a valid Certificate of Registration for Chemical Technician. The Professional
9 Identification shall state the full name of the registrant and his registration number, and bear
10 the signature of the Chairpersons of the Commission and the Board, authenticated by the
11 official seal of the Commission and the Board. The Professional Identification shall be valid
12 for a period of three (3) years, subject to renewal, provided that the Certificate of
13 Registration shall not have been suspended or revoked under the provisions of this Act.

14
15 **SEC. 28. Indication of Numbers: Certificate of Registration and Professional Tax**
16 **Receipt.**- The Chemist shall be required to indicate his/her Certification of Registration (CR)
17 and Professional tax Receipt (PTR) Numbers its date and place of issuance and its expiry.

18
19 **SEC. 29. Revocation or Suspension of the Certificate of Registration and**
20 **Cancellation of Temporary/Special Permit.** - The Board shall have the power, upon notice
21 of hearing, to revoke or suspend the certificate of registration of a Registered Chemist or to
22 cancel a temporary/special permit granted to foreign chemist, for violation of any of the
23 following grounds:

- 24 (a) Any act of misrepresentation, dishonesty, unethical conduct or gross incompetence in
25 connection with the performance of chemistry services as defined in this law or any
26 act inimical to the chemistry profession;
- 27 (b) Gross immorality or commission of any act involving moral turpitude;
- 28 (c) Any person who has been convicted by final judgment of a court of competent
29 jurisdiction of any criminal offense; or
- 30 (d) Any person who has been judicially declared to be of unsound mind.

31 The Board may, for reason it may deem sufficient and upon proper petition, reissue
32 revoked Certificates of Registration or other certificates.

1 **SEC. 30. *Membership in the Accredited Professional Organization (APO).*** –
2 Registered Chemists and Chemical Technicians are required to maintain membership in the
3 APO. Membership in the APO shall not be a hindrance to membership in other associations.
4

5 **SEC.31. *Continuing Professional Education (CPE) Program.*** - The CPE program
6 guidelines for Chemistry and Chemical Analysis shall be prescribed and promulgated by the
7 Board, subject to the approval of the Commission. The Board shall create a CPE Council to
8 administer the CPE program. The CPE Council shall be composed of a Chairperson coming
9 from the Board, a member from the APO and a member from the academe.
10

11 **SEC. 32. *Roster of Chemists and Chemical Technicians.*** - The Commission shall
12 keep a roster of all registered Chemists and Chemical Technicians, stating their names,
13 registration numbers and places of business. The Commission shall regularly update such
14 roster and make it available to all interested parties.
15

16 **SEC. 33. *Seal of Registered Chemist.*** – Each registered Chemist shall, upon
17 registration, obtain a seal as prescribed by the Board with the label “Registered Chemist”
18 bearing the registrant’s name and registration number. All official documents or reports
19 which require the certification or signature of the registered Chemist shall be stamped with
20 the personal seal of the registered chemist.
21

22 **SEC. 34. *Foreign Reciprocity.*** – A foreign citizen may be allowed to take the
23 licensure examination and may be given a certificate of registration and professional
24 identification card if he/she can prove that by specific provisions of law the country or state
25 of which he/she is a citizen allows Filipino Chemist to practice his/her profession in their
26 country.
27

28 **SEC. 35. *Certificate of Authority to Operate for Firms, Corporations, and***
29 ***Government Agencies.*** - Only firms, corporations, and government agencies which hold a
30 Certificate of Authority to Operate from the Board may operate a chemical laboratory or
31 engage in the practice of Chemistry or Chemical Analysis in the Philippines; provided further
32 that such chemical practice is carried out only by registered Chemists or Chemical
33 Technicians holding valid Certificates of Registration and Professional Identification issued
34 by the Board. In case of a firm, corporation, or government agency, the person who has

1 charge of the management or administration shall be held personally liable for violations of
2 this Act.

3
4 **SEC. 36. Requirements for Certificate of Authority to Operate.** –The Board, in
5 consultation with the relevant entities and the APO, shall set the requirements for the
6 Certificate of Authority to Operate. Such requirements shall be issued as Board resolutions.

7
8 **SEC. 37. Roster of Chemical Laboratories and Related Entities.** - The Commission
9 shall keep a roster of all chemical laboratories and entities engaged in the practice of
10 chemistry, stating their names, registration numbers and places of business. The
11 Commission shall regularly update such roster.

12
13 **ARTICLE IV**
14 **GENERAL PROVISIONS**

15
16 **SEC. 38. Penal Clause for the Professional Practice of Chemistry and Chemical**
17 **Analysis.** - No person shall undertake the professional practice of Chemistry or Chemical
18 Analysis without a valid Certificate of Registration and Professional Identification. This
19 includes any person who:

- 20 (a) Practices chemistry without a valid certificate of registration and/or a valid
21 professional identification card or a valid temporary/special permit
22 (b) Attempts to use as his own the certificate, license number or seal of another person or
23 impersonate any registered Chemist or Chemical Technician;
24 (c) Abets the illegal practice of chemistry by an unregistered or unauthorized person;
25 (d) Furnishes the Board or Commission any false information or document in order to
26 secure a Certificate of Registration; or
27 (e) Impersonates a registered chemist or a holder of a special/temporary permit.

28 Upon conviction, these persons shall be sentenced to a penalty of imprisonment for a
29 period of not less than one (1) month or not more than one (1) year, or a fine of not less than
30 one hundred thousand pesos (P100,000) or not more than one million pesos (P1,000,000), or
31 both, at the discretion of the court.

32
33 **SEC. 39. Penal Clause for Chemical Laboratories and Related Firms.** - No
34 chemical laboratory or firm shall undertake activities covered by this Act without a valid
35 Certificate of Authority to Operate. The president or the highest ranking officer of the

1 corporation shall be held liable for violations of this Act. Upon conviction, these persons
2 shall be sentenced to a penalty of imprisonment for a period of not less than one (1) month or
3 more than one (1) year or a fine of not less than one hundred thousand pesos (P100,000) or
4 more than one million pesos (P1,000,000), or both, at the discretion of the court.

5
6 **SEC. 40. Reports and Other Legal Documents.** - Any document related to the
7 practice of chemistry shall not be considered as official or admissible for legal purposes
8 unless such document is signed by a registered Chemist, and registration number affixed
9 thereto. Registered Chemical Technicians who contribute to the work should also sign such
10 reports or documents, affix his registration number and official seal.

11
12 **SEC. 41. Coverage of Professional Practice.** - A duly licensed professional chemist
13 cannot be prevented from the practice of chemistry if the work is within the scope of the
14 practice of chemistry or chemical analysis. Likewise, this Act does not prevent the practice
15 of any legally recognized allied profession provided that the activity is within the scope of
16 the allied profession.

17
18 **SEC. 42. Hazard Pay and Insurance.** - Registered Chemists and Registered
19 Chemical Technicians who are exposed to chemicals as part of their regular responsibilities
20 are entitled to hazard pay and insurance commensurate to the risk involved.

21 22 **ARTICLE V. TRANSITORY PROVISIONS**

23 **SEC. 43. Term of Office of Incumbent Board.** - The incumbent Chairperson and
24 Members of the Board at the time of approval of this Act shall automatically function and
25 hold office for another two (2) years from the date of effectivity of this Act or for the
26 remaining duration of their current term, whichever is longer. The Board shall then
27 promulgate the provisions, rules and regulations for the implementation of this Act.

28
29 **SEC. 44. Vested Rights: Automatic Registration of Chemists and Chemical**
30 **Technician.** - All Chemists and Chemical Technicians who are registered under R.A. 754 at
31 the time of effectivity of this Act shall automatically be considered registered, and shall hold
32 the same registration number. The validity and period of the existing professional license
33 shall continue in force until its date of expiry.

1 **SEC. 45. *Preparation of Seal of Registered Chemist.*** – Within three (3) years of the
2 date of effectivity of this Act, all duly registered Chemists with a valid professional license
3 shall obtain an official seal prescribed by the Board with the label “Registered Chemist”
4 bearing the chemist’s name and registration number. Within three years, all official
5 documents or reports which require the certification or signature of the registered chemist
6 shall be stamped with the personal seal of the registered Chemist.

7
8 **SEC. 46. *Grace Period.***–There shall be a three (3) year grace period for all
9 individuals and institutions to comply with the provisions of this Act. For those who are
10 teaching professional chemistry subjects on the date of effectivity of this Act, there shall be a
11 threeyear grace period by which time he/she must fulfill the following requirements: (a)
12 Successfully complete at least sixty (60) units of chemistrywhich must include all of the
13 professional chemistry subjects which are taught by Registered Chemists. This may include
14 chemistry subjects taken before or after the date of effectivity of this Act; (b) Must have been
15 already teaching these subjects satisfactorily for at least three (3) years on the date of
16 effectivity of this Act; (c) Has satisfied other reasonable requirements or criteria that the
17 Board may set to demonstrate his competence to teach such subjects; and (d) Actively
18 participate in CPE for chemistry. After the three (3) year grace period, such individuals must
19 submit the certified true copies of all of their relevant transcripts for evaluation. Those who
20 are evaluated to have fulfilled the requirements shall be issued a Special Permit to teach
21 professional chemistry subjects. Such permission to teach professional chemistry subjects
22 shall be limited only to this privilege and shall not be construed as permission to practice
23 chemistry.

24 **ARTICLE VI**
25 **FINAL PROVISIONS**

26
27 **SEC. 47. *Implementing Rules and Regulations.*** – Subject to the approval of the
28 Commission, the Board shall adopt and promulgate the Implementing Rules and Regulations
29 and Code of Ethics for the Practice of Chemistry, and other resolutions necessary to carry out
30 the provisions of this Act.

31
32 **SEC. 48. *Appropriations.*** – The amount necessary for the implementation of this Act
33 shall be included in the General Appropriations Act of the year following its enactment and
34 thereafter.

1 **SEC. 49. *Separability Clause.*** - If any section of this Act shall be declared
2 unconstitutional or invalid, such shall not invalidate any other section of this Act.

3
4 **SEC. 50. *Repealing Clause.*** – Republic Act No. 754 and all other laws, parts of laws,
5 orders, ordinances, or regulations in conflict with the provisions of this Act, are hereby
6 repealed.

7
8 **SEC. 51. *Effectivity.*** – This Act shall take effect fifteen (15) days following its
9 publication in the Official Gazette or any major newspaper of general circulation.

Approved,