



HOUSE OF REPRESENTATIVES

H. No. 5014

BY REPRESENTATIVES YU, SALVACION, MANALO, CORTUNA, DELA CRUZ,
NOEL, PICHAY, APOSTOL, PAQUIZ, PADILLA, LOBREGAT,
DEL ROSARIO (A.G.), PIAMONTE AND ABELLANOSA, PER COMMITTEE
REPORT NO. 428

AN ACT REGULATING THE PRACTICE OF METALLURGICAL
ENGINEERING IN THE PHILIPPINES, REPEALING FOR THE
PURPOSE PRESIDENTIAL DECREE NO. 1536, OTHERWISE
KNOWN AS THE "METALLURGICAL ENGINEERING LAW OF
THE PHILIPPINES"

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

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ARTICLE I

2

TITLE, STATEMENT OF POLICY, DEFINITION OF TERMS AND

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SCOPE OF PRACTICE

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SECTION 1. *Short Title.* – This Act shall be known as the

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"Metallurgical Engineering Act".

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SEC. 2. *Statement of Policy.* – The State recognizes the role of

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metallurgical engineers in nation-building and development. Thus, the State

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shall endeavor to develop and nurture competent, ethical and globally

1 competitive metallurgical engineers whose standards of professional practice
2 and service shall conform to the highest standards of excellence.

3 SEC. 3. *Objectives.* – This Act shall govern the following:

4 (a) Examination, registration and licensure of metallurgical engineers;

5 (b) Supervision, control and regulation of the practice of metallurgical
6 engineering;

7 (c) Development and upgrading of the curriculum of the metallurgical
8 engineering profession;

9 (d) Development of the professional competence of metallurgical
10 engineers through continuing professional education; and

11 (e) Integration of the metallurgical engineering profession.

12 SEC. 4. *Definition of Terms.* – As used in this Act:

13 (a) *Practice of metallurgical engineering* refers to the offering or
14 rendering of services of any of the specialized branches of metallurgy for a fee,
15 salary or other reward or compensation, paid directly or through another
16 person or persons, or even without such reward or compensation. The term
17 shall be synonymous with the term “rendering metallurgical engineering
18 services”.

19 (b) *Metallurgical engineering* refers to the profession which embraces
20 the scientific, engineering, environmental and economic aspects of:

21 (1) *Mineral processing and extractive metallurgy.* – Preparation,
22 separation, extraction and purification of ores, metals and mineral products by
23 physical and chemical methods such as ore dressing, pyrometallurgical
24 processes such as roasting and smelting, hydrometallurgical processes such as
25 leaching, electrometallurgical processes such as electric smelting and
26 electrolysis and other similar processes;

27 (2) *Adaptive and physical metallurgy.* – Processes which pertain to
28 the adaptation and application of metals such as melting, casting, forging,

1 rolling, extrusion, welding and other metal working and finishing operations.
2 These include unit operations relating to the control of microstructure of metals
3 and their alloys such as heat treatment and surface hardening, quality control in
4 allowing operations to meet specification of metal alloys and metallographic
5 studies. These also apply to powder, mechanical, nuclear and vacuum
6 metallurgy; and

7 (3) *Fuel technology.* – Fuel preparation processes such as washing,
8 flotation and heavy media separation including carbonization, gasification and
9 cooking operations.

10 (c) *Metallurgical plant* refers to any facility involved in processes
11 which include the following:

12 (1) Preparation, separation, and concentration of minerals, coal and
13 metallurgical fuels;

14 (2) Extraction of metals through hydrometallurgical, pyrometallurgical
15 and electrometallurgical processes; and

16 (3) Adaptation and application of metals such as melting, casting,
17 forging, rolling, extrusion, powder metallurgy, heat treatment, welding and
18 other metal working and finishing operations.

19 (d) *Metallurgical engineer* refers to a person who holds a valid
20 certificate of registration and professional identification card issued by the
21 Board of Metallurgical Engineering and the Professional Regulation
22 Commission (PRC).

23 SEC. 5. *Scope of Practice.* – Metallurgical engineering service shall
24 embrace the following similar services in relation to metallurgical plants:

25 (a) Consultation, valuation and management services requiring
26 metallurgical engineering skills and knowledge;

27 (b) Engineering design, preparation of plans, specifications and project
28 studies or estimates for metallurgical equipment and processes;

1 (c) Management or supervision of the testing and commissioning of
2 metallurgical plants;

3 (d) Management, supervision, operation and auditing of metallurgical
4 plants;

5 (e) Teaching of metallurgical engineering subjects in government-
6 recognized universities, colleges and schools;

7 (f) Employment in government as a metallurgical engineer if the nature
8 and character of the work requires professional knowledge of metallurgical
9 engineering;

10 (g) Metallurgical investigation and testing of mineral and metal
11 products;

12 (h) Training of metallurgical plant operating personnel;

13 (i) Research and development;

14 (j) Participation in the preparation of environmental studies for
15 metallurgical projects and monitoring under the Environmental Impact
16 Assessment (EIA) system;

17 (k) Teaching of metallurgical engineering subjects in any academic
18 program leading to a professional degree, including refresher and review
19 courses; and

20 (l) Other metallurgical work or service which, in the assessment and
21 opinion of the Board, constitutes the practice of metallurgical engineering.

22 ARTICLE II

23 CREATION OF THE PROFESSIONAL REGULATORY BOARD 24 OF METALLURGICAL ENGINEERING

25 SEC. 6. *Creation of the Professional Regulatory Board of*
26 *Metallurgical Engineering.* – There is hereby created a Professional
27 Regulatory Board of Metallurgical Engineering, hereinafter called the Board,
28 under the administrative control and supervision of the PRC, hereinafter called

1 the Commission, to be composed of a Chairperson and two (2) members to be
2 appointed by the President of the Philippines from a list of three (3)
3 recommendees for each position, chosen and ranked in the order of preference,
4 and submitted by the Commission from a list of five (5) nominees submitted by
5 the duly accredited professional organization of metallurgical engineers in the
6 Philippines. The Board shall be organized not later than six (6) months from
7 the effectivity of this Act.

8 *SEC. 7. Powers and Duties of the Board.* – The Board shall have the
9 following powers and duties:

10 (a) Supervise and regulate the practice of metallurgical engineering
11 profession;

12 (b) Determine and evaluate the qualifications of the applicants for
13 registration;

14 (c) Prescribe the subjects in the licensure examination, determine the
15 syllabi of the subjects and their relative weights, construct the test questions in
16 the examinations, score and rate the examination papers, and submit the
17 examination results to the Commission;

18 (d) Issue, together with the Commission, certificates of registration and
19 professional identification cards to applicants who have passed the licensure
20 examinations for registered metallurgical engineers;

21 (e) Issue temporary/special permits to foreign metallurgical engineers
22 to practice the profession;

23 (f) Inquire into the conditions affecting the practice of the profession,
24 and adopt measures for the enhancement and maintenance of high professional,
25 ethical and technical standards. Pursuant thereto, the Board may inspect
26 establishments where metallurgical engineers practice their profession such as
27 factories, plants, offices and the like, in order to determine and enforce

1 compliance with the provisions of this Act, and issue certificates of compliance
2 for the purpose;

3 (g) Inspect the facilities, faculty, equipment and other aspects directly
4 related to the metallurgical engineering program of educational institutions in
5 coordination with the Commission on Higher Education (CHED);

6 (h) Adopt a Code of Ethics and a Code of Professional and Technical
7 Standards for the practice of the metallurgical engineering profession;

8 (i) Investigate, in accordance with the rules on administrative
9 investigation promulgated by the Commission, violations of this Act and its
10 implementing rules and regulations (IRR), the Code of Ethics and the Code of
11 Professional and Technical Standards for Metallurgical Engineers,
12 administrative policies, orders and issuances promulgated by the Board;

13 (j) Issue *subpoena ad testificandum* and *subpoena duces tecum* to
14 secure the attendance of witnesses or the production of documents in
15 connection with administrative cases before the Board;

16 (k) Hear and decide administrative cases filed against metallurgical
17 engineers and firms employing metallurgical engineers. The hearing shall be
18 presided by the Chairperson or a member of the Board with the assistance of
19 an attorney of the Commission. The decision of the Board may be appealed to
20 the Commission and to the court within fifteen (15) days from notice,
21 otherwise the decision shall become final and executory;

22 (l) Administer oaths in connection with the performance of its
23 functions;

24 (m) Adopt an official seal and prescribe the seal of the metallurgical
25 engineering profession;

26 (n) Submit an annual report on the proceedings and accomplishments
27 during the year and/or recommendations of the Board to the Commission thirty
28 (30) days after the close of each calendar year;

1 (o) Prosecute or institute criminal action against any violator of this
2 Act and/or rules and regulations of the Board;

3 (p) Prescribe guidelines and criteria for the Continuing Professional
4 Education (CPE) program for metallurgical engineers in consultation with the
5 integrated and accredited professional organization (APO) of metallurgical
6 engineers;

7 (q) Perform regulatory, administrative and quasi-legislative functions
8 as mandated under Republic Act No. 8981, otherwise known as the "PRC
9 Modernization Act of 2000", and such other functions as may be necessary in
10 order to implement the provisions of this Act; and

11 (r) Promulgate the IRR necessary to carry out the provisions of this
12 Act.

13 SEC. 8. *Qualifications of the Chairperson and Members of the Board.*

14 -- The Chairperson and members of the Board, at the time of their
15 appointment, must be:

16 (a) A citizen and a resident of the Philippines;

17 (b) A holder of a bachelor's degree in metallurgical engineering as
18 conferred by an engineering school of good standing, recognized and
19 accredited by the government;

20 (c) A registered metallurgical engineer with a valid certificate of
21 registration and professional identification card and an active practitioner for
22 not less than ten (10) continuous years prior to the appointment;

23 (d) A person who does not have any direct or indirect pecuniary
24 interest in any university, college, school or institution conferring an academic
25 degree necessary for the admission to the practice of metallurgical engineering,
26 or in any institution where review classes in preparation for the licensure
27 examinations for metallurgical engineers are being officially offered or

1 conducted; and not be a member of the faculty or of the administration thereof
2 prior to appointment to the Board; and

3 (e) A member of the APO of metallurgical engineers but not a trustee
4 or officer thereof.

5 SEC. 9. *Term of Office.* – The Chairperson and the members of the
6 Board shall hold office for a term of three (3) years from the date of
7 appointment or until their successors shall have been appointed and duly
8 qualified. They may be reappointed for another term of three (3) years
9 immediately after the expiration of their term but in no case shall the whole
10 term exceed six (6) years. Interim vacancies shall be filled up for the
11 unexpired portion of the term only. The Chairperson and the members of the
12 Board shall take the proper oath prior to their assumption of office.

13 SEC. 10. *Compensation of the Board.* – The Chairperson and the
14 members of the Board shall receive compensation and allowances comparable
15 to that being received by the Chairpersons and the members of other
16 professional regulatory boards under the Commission, as provided for in the
17 General Appropriations Act.

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

24 SEC. 12. *Grounds for Removal or Suspension of the Chairperson and*
25 *Members of the Board.* – The President of the Philippines, upon the
26 recommendation of the Commission, after due process and administrative
27 investigation conducted by the Commission, may remove or suspend the
28 Chairperson or a member of the Board on any of the following grounds:

1 (a) Gross neglect, incompetence or dishonesty in the discharge of their
2 duties;

3 (b) Violation of any of the causes/grounds and the prohibited acts
4 provided in this Act, and the offenses in the Revised Penal Code, the
5 Anti-Graft and Corrupt Practices Act and other laws; or

6 (c) Manipulation or rigging of the licensure examination results for
7 metallurgical engineering, disclosure of secret and confidential information on
8 the examination questions prior to the conduct thereof, or tampering of grades.

9 SEC. 13. *Annual Report.* – The Board shall submit an annual report to
10 the Commission after the close of each calendar year giving a detailed account
11 of Board proceedings during the year and embodying such recommendations
12 as the Board may desire to take.

13 ARTICLE III

14 LICENSURE EXAMINATION AND REGISTRATION

15 SEC. 14. *Passing of Licensure Examination Requirement.* – Except as
16 otherwise specifically allowed under this Act, applicants for registration for the
17 practice of metallurgical engineering shall be required to pass a licensure
18 examination as provided for in this Act.

19 SEC. 15. *Holding of Examination.* – Examination of candidates
20 applying for registration as metallurgical engineers shall be given at least once
21 a year in such places and dates as the Commission may designate in
22 accordance with the provisions of Republic Act No. 8981, otherwise known as
23 the “PRC Modernization Act of 2000”.

24 SEC. 16. *Scope of Examination.* – Unless modified by the Board and
25 approved by the Commission, the licensure examination shall cover the
26 following subjects:

27 (a) Mineral Processing, Extractive Metallurgy, Assaying and
28 Chemistry;

1 (b) Physical and Applied Metallurgy;

2 (c) Fuel Technology and Refractory Science;

3 (d) Engineering Management, Law and Ethics;

4 (e) Applied Mathematics and Mechanics; and

5 (f) Any other pertinent subject as the Board may deem necessary to
6 test the applicant's ability and knowledge to ensure safety, economy,
7 proficiency and environmental compliance in the design, construction,
8 installation, maintenance, operation, organization and management of
9 metallurgical plants: *Provided*, That the relative weight of (a) and (b) subjects
10 shall not be less than thirty percent (30%) each. The Board, subject to the
11 approval of the Commission, may amend or revise the subjects, their syllabi,
12 passing average, and the system and procedure in the licensure examinations
13 for the practice of metallurgical engineering and the corresponding weight
14 pursuant to the implementing rules and regulations issued for this purpose. The
15 said subjects and their syllabi may be amended by the Board so as to conform
16 to technological changes brought about by continuing trends in the profession.

17 *SEC. 17. Qualifications of an Applicant for Metallurgical Engineer.*

18 – An Applicant for the licensure examination for metallurgical engineers shall
19 establish to the satisfaction of the Board that the following qualifications are
20 met:

21 (a) A citizen of the Philippines or a foreign citizen whose country has a
22 reciprocity agreement with the Philippines;

23 (b) Of good moral character;

24 (c) A holder of a degree of Bachelor of Science in Metallurgical
25 Engineering, Metallurgy or related engineering degree majoring in
26 Metallurgical Engineering or Metallurgy from a university, college, school,
27 academy or institute duly constituted and recognized as such by the
28 government; and

1 (d) Must not have been convicted by a court of law of a crime
2 involving moral turpitude.

3 SEC. 18. *Examination Fees.* – An applicant admitted to take the
4 metallurgical engineering examination shall pay such fees as may be prescribed
5 by the Commission before one shall be allowed to take the examination.

6 SEC. 19. *Rating in the Licensure Examination.* – To pass the licensure
7 examination for metallurgical engineering, a candidate must obtain a general
8 weighted average of not less than seventy percent (70%) and a rating of not
9 less than fifty percent (50%) in any examination subject.

10 SEC. 20. *Report of Ratings.* – The Board shall, within fifteen (15)
11 days from the last day of examinations, report the rating of the examinees to
12 the Commission.

13 SEC. 21. *Exemption from Examination.* – A person may be registered
14 as a metallurgical engineer and be given a license to practice as metallurgical
15 engineer without examination, when the person:

16 (a) Had been conferred a degree of Bachelor of Science in
17 Metallurgical Engineering before the enactment of Presidential Decree No.
18 1536, the “Metallurgical Engineering Law of the Philippines” in June 1978 and,
19 on the date of approval of this Act, had an accumulated experience of fifteen
20 (15) years in any of the allied services in the metallurgical field as defined in
21 Section 4 of this Act: *Provided*, That the said experience is certified by the
22 applicant’s employer/s and approved by the Board; or

23 (b) Had been conferred a doctorate degree in Metallurgy, Metallurgical
24 Engineering or in related fields: *Provided*, That the applicant is a holder of a
25 degree of Bachelor of Science in Metallurgical Engineering, Metallurgy or
26 related engineering degree, with specialization in Metallurgical Engineering or
27 Metallurgy. An applicant for exemption from examination shall submit to the
28 Board of Metallurgical Engineering the following:

1 (1) Diploma or transcript of records which must be authenticated; and

2 (2) A metallurgical engineering report/doctoral thesis which shall serve
3 as a basis for the Board to determine whether or not to exempt the applicant
4 from taking the licensure examination.

5 *SEC. 22. Qualifications of an Applicant for Metallurgical Plant*
6 *Foreman.* – An applicant for a certificate of registration without examination
7 as metallurgical plant foreman, shall, prior to admission for certification,
8 establish to the satisfaction of the Board that the following qualifications are
9 met:

10 (a) A citizen of the Philippines;

11 (b) Of good reputation and moral character; and

12 (c) At least a high school graduate with at least ten (10) years
13 experience in any metallurgical plant as defined in Section 4 of this Act, and as
14 certified by the applicant's present employer, or a graduate of any engineering
15 degree with at least five (5) years experience in any metallurgical plant as
16 defined in Section 4 of this Act, and as certified by the applicant's present
17 employer/s.

18 The Board shall, subject to the approval of the Commission, adopt such
19 rules and regulations as may be necessary to classify metallurgical foremen to
20 such metallurgical plants as concentrators, foundries, smelters, refineries and
21 any other specific classification as may be found necessary.

22 *SEC. 23. Issuance of Certificate of Registration and Professional*
23 *Identification Card.* – A certificate of registration shall be issued to those who
24 are registered with or without licensure examination subject to payment of fees
25 prescribed by the Commission. It shall bear the signatures of the Chairperson
26 of the Commission and of the Chairperson and members of the Board, stamped
27 with the official seal of the Commission and of the Board, certifying that the
28 person named therein is entitled to all the rights and privileges of a registered

1 metallurgical engineer or metallurgical plant foreman. Until withdrawn,
2 revoked or suspended in accordance with this Act, it shall remain in full force
3 and effect. A professional identification card bearing the registration number
4 and date, its validity and expiry duly signed by the Chairperson of the
5 Commission shall likewise be issued to every registrant who has paid the
6 prescribed fees.

7 SEC. 24. *Issuance of Certificate of Specialization.* – Upon the
8 nomination of the APO of metallurgical engineers, the Board shall issue a
9 certificate of specialization to an applicant who is a registered metallurgical
10 engineer, and who has specialized knowledge, training and experience in a
11 specific field of metallurgy, and has documented expertise and competence on
12 the same.

13 SEC. 25. *Seal of a Metallurgical Engineer.* – A metallurgical
14 engineer, upon registration and payment of fees and dues to the APO, shall
15 obtain a seal of such design prescribed by the Board, bearing the registrant's
16 name, certificate number and the legend "Registered Metallurgical Engineer".
17 Designs, plans, specifications, project feasibility studies, appraisals, valuations,
18 recommendations, technical reports, proposals, and other professional
19 documents involving metallurgy, quarries, colliery works, projects or
20 installations shall be stamped on every sheet with the said seal of the registrant
21 when filed with government authorities or when submitted or used
22 professionally: *Provided*, That it shall be unlawful for anyone to stamp or seal
23 any document with the said seal after the certificate and/or professional
24 identification card shall have been revoked, cancelled or expired.

25 SEC. 26. *Fees for Registration.* – Every person issued a certificate of
26 registration shall pay to the Commission such fees as the Commission may
27 prescribe.

1 SEC. 27. *Issuance of Temporary/Special Permits.* – Temporary/special
2 permits shall be issued to the following upon proper application with the
3 Board:

4 (a) Foreign metallurgical engineers, recognized as experts in their
5 specific fields of metallurgical engineering, called in by the Republic of the
6 Philippines for consultation or for specific design, installation or project:
7 *Provided,* That their practice shall be confined to such work only;

8 (b) Foreign metallurgical engineers who have distinguished themselves
9 in their respective fields of specialization, contracted as professors or lecturers
10 on metallurgical engineering subjects by Philippine schools or colleges,
11 institutes or universities, on a direct hire or exchange basis, subject to
12 verification of credentials by the Board; or

13 (c) Foreign metallurgical engineers who are duly registered under the
14 bilateral or multilateral agreements where the Philippines is a signatory:
15 *Provided,* That all the above shall secure a temporary/special permit from the
16 Board prior to arrival in the country.

17 SEC. 28. *Refusal to Register.* – The Board shall not register any
18 successful applicant for registration with or without licensure examination who
19 has been:

20 (a) Convicted of an offense involving moral turpitude by a court of
21 competent jurisdiction;

22 (b) Found guilty of immoral or dishonorable conduct by the Board;

23 (c) Summarily adjudged guilty for violation of the General Instruction
24 to Examinees by the Board; and

25 (d) Declared of unsound mind by a court of competent jurisdiction.

26 In refusing such registration, the Board shall give the applicant a written
27 statement setting forth the reasons therefor and shall file a copy thereof in its
28 records.

1 SEC. 29. *Revocation or Suspension of the Certificate of Registration*
2 *and Professional Identification Card and Cancellation of Temporary/Special*
3 *Permit.* – The Board shall have the power, upon notice and hearing, to revoke
4 or suspend the certificate of registration and professional identification card of
5 a registered metallurgical engineer or to cancel a temporary/special permit
6 granted to a foreign metallurgical engineer for violation of any of the grounds
7 or causes provided in Section 28 of this Act, except paragraph (c) thereof, and
8 for any of the following:

9 (a) Violation of any provision of this Act, its IRR, Code of Ethics, and
10 Code of Professional and Technical Standards for the practice of metallurgical
11 engineering;

12 (b) Perpetration or use of fraud in obtaining one's certificate of
13 registration, professional identification card or temporary/special permit;

14 (c) Gross incompetence, negligence or ignorance resulting to death,
15 injury or damage;

16 (d) Any act of misrepresentation in connection with an alleged
17 performance of metallurgical engineering activities;

18 (e) Acts inimical to the metallurgical engineering profession;

19 (f) Gross immorality;

20 (g) Conviction by final judgment of any act involving moral turpitude;

21 (h) Aiding or abetting the illegal practice of a non-registered and
22 non-licensed metallurgical engineer by allowing the use of one's certificate of
23 registration, professional identification card or temporary/special permit;

24 (i) Illegal practice of the profession during the suspension from the
25 practice thereof; and

26 (j) Addiction to drugs or alcohol, impairing the ability to practice the
27 profession, or a declaration by a court of competent jurisdiction that the
28 registrant is of unsound mind. The Board shall periodically evaluate the

1 aforementioned grounds and revise, exclude or add new ones as the need
2 arises, subject to the approval by the Commission. Any person, firm or
3 association may file charges in accordance with the provision of this section
4 against any registrant. An affidavit-complaint shall be filed together with the
5 affidavits of the witnesses and other documentary evidence with the Board
6 through the Legal and Investigation Office.

7 The Board may *motu proprio* conduct an investigation which shall be
8 embodied in a formal charge to be signed by at least a majority of the members
9 of the Board. The rules on administrative investigation issued by the
10 Commission shall govern the hearing or investigation subject to applicable
11 provisions of this Act, Republic Act No. 8981, otherwise known as the “PRC
12 Modernization Act of 2000”, and the Rules of Court.

13 SEC. 30. *Reissuance of Revoked Certificate of Registration,*
14 *Replacement of Lost or Damaged Certificate of Registration, Professional*
15 *Identification Card or Temporary/Special Permit.* – The Board may, upon
16 petition, reinstate or reissue a revoked certificate of registration after two (2)
17 years from the effectivity of the period for revocation, which is the date of
18 surrender of the said certificate and/or the professional identification card if
19 still valid, to the Board and/or the Commission. The Board may not require
20 the holder thereof to take another licensure examination. The petitioner shall
21 prove to the Board that one has valid reasons to practice the profession. If the
22 Board decides to grant the petition, the Board shall issue a Board Resolution
23 which shall be subject to the approval of the Commission. A duplicate copy of
24 a lost certificate of registration, professional identification card or
25 temporary/special permit may be reissued in accordance with the rules thereon
26 and upon payment of the prescribed fee.

ARTICLE IV

PRACTICE OF METALLURGICAL ENGINEERING

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3 SEC. 31. *Who May Practice Metallurgical Engineering.* – Except as
4 may be provided in this Act, only persons properly licensed and registered may
5 practice metallurgical engineering. For purposes of this Act, no firm,
6 partnership, corporation or association may be licensed and registered as such
7 to practice metallurgical engineering, but duly licensed and registered
8 metallurgical engineers may form partnerships among themselves or with other
9 licensed and registered engineers and architects and use the title “Metallurgical
10 Engineers”, “Engineers”, or “Engineers and Architects” in their partnership or
11 corporate name.

12 No firm, partnership, corporation or association shall operate a
13 metallurgical plant without a minimum complement of licensed metallurgical
14 engineers pursuant to the rules and regulations to be used to implement this
15 purpose.

16 SEC. 32. *Vested Rights.* – All practicing metallurgical engineers who
17 are registered as metallurgical engineers at the time this Act takes effect shall
18 automatically be registered as registered metallurgical engineers.

19 SEC. 33. *Roster of Metallurgical Engineers.* – A roster showing the
20 names, registration numbers and dates of issue and expiry, current addresses,
21 and place of business of all metallurgical engineers shall be prepared and kept
22 by the Commission which shall be made available to interested parties upon
23 formal written request.

24 SEC. 34. *Foreign Reciprocity.* – No foreign metallurgical engineer
25 shall be issued a certificate of registration to practice the metallurgical
26 engineering profession or be entitled to any of the rights and privileges under
27 this Act unless the country which such foreign metallurgical engineer is a
28 subject or citizen of specifically permits Filipino metallurgical engineers to

1 practice within its territorial limits on the same basis as the subjects or citizens
2 of such foreign state or country.

3 SEC. 35. *Indication of Certificate of Registration, Professional Tax*
4 *Receipt and APO Membership.* – A licensed and registered metallurgical
5 engineer shall be required to indicate the certificate of registration number
6 issued by the PRC and the duration of its validity, the professional tax receipt
7 number and the APO membership fee receipt number on all documents such
8 engineer shall sign, use or issue in connection with the practice of the
9 profession.

10 SEC. 36. *Posting of Certificates.* – Registered metallurgical engineers
11 shall post or cause to be posted in a conspicuous place within the office or
12 place of business the certificate of registration as metallurgical engineer, and
13 shall present the same upon demand of members of the Board or law
14 enforcement officers of the national, provincial, city or municipal
15 governments.

16 SEC. 37. *Continuing Professional Development (CPD) Programs.*
17 – All registered metallurgical engineers and metallurgical plant foremen shall
18 comply with pertinent rules and regulations already prescribed by and/or as
19 may be prescribed and promulgated by the Commission and/or the Board, the
20 APO and other government agencies, pursuant to this Act and other relevant
21 laws, international treaties, agreements and/or covenants to which the
22 Philippines is a signatory and has ratified, with respect to the CPD and/or
23 other similar/related programs.

24 SEC. 38. *Integration of the Metallurgical Engineering Profession.*
25 – The metallurgical engineering profession shall be integrated into one (1)
26 national professional organization of metallurgical engineers that is duly
27 registered with the Securities and Exchange Commission (SEC).

1 The Board, subject to approval by the Commission, shall accredit the
 2 said organization as the one and only integrated and APO of metallurgical
 3 engineers. All metallurgical engineers whose names appear in the registry
 4 book of metallurgical engineers shall *ipso facto* or automatically become
 5 members thereof and shall receive all the benefits and privileges appurtenant
 6 thereto upon payment of the APO membership fees and dues. Membership in
 7 the integrated APO shall not be a bar to membership in other metallurgical
 8 engineering organizations.

9 ARTICLE V

10 PENAL AND GENERAL PROVISIONS

11 SEC. 39. *Penal Clause.* – Upon conviction, a fine of not less than ten
 12 thousand pesos (Php10,000.00) but not more than one million pesos
 13 (Php1,000,000.00) or imprisonment of not less than one (1) month but not
 14 more than five (5) years, or both, at the discretion of the courts, shall be meted
 15 on the following:

16 (a) Any person who shall practice metallurgical engineering in the
 17 Philippines, as defined in this Act, without a valid certificate of registration, a
 18 valid professional identification card or a valid temporary/special permit in
 19 accordance with the provisions of this Act, unless declared exempt from
 20 registration;

21 (b) Any person presenting or using as one's own the certificate of
 22 registration, professional identification card or temporary/special permit of
 23 another;

24 (c) Any person who shall give any false or forged evidence;

25 (d) Any person who shall impersonate any registrant of like or different
 26 name;

27 (e) Any person who shall use a revoked or suspended certificate of
 28 registration, an invalid professional identification card or an invalid

1 temporary/special permit or an expired/non-current professional identification
2 card, or an expired/cancelled temporary/special permit; or

3 (f) Any person who shall assume, use or advertise any title or
4 description tending to convey the impression that one is a metallurgical
5 engineer without having completed the academic requirements and conferred
6 the appropriate baccalaureate degree for such, or is engaged in the
7 metallurgical engineering practice without holding a valid certificate of
8 registration, a valid professional identification card or a valid
9 temporary/special permit from the Board.

10 SEC. 40. *Legal Effect on Other Professions.* -- This Act shall not
11 affect or prevent the practice of any other legally recognized profession.

12 SEC. 41. *Enforcement of this Act by the Officers of the Law.* -- The
13 Board shall be assisted by the Commission in carrying out the provisions of
14 this Act, its IRR and other policies. The lawyers of the Commission shall act
15 as the prosecutors against illegal practitioners and other violations of this Act
16 and its IRR. The duly constituted authorities of the government shall likewise
17 assist the Board and the Commission in enforcing the provisions of this Act
18 and its IRR.

19 SEC. 42. *Implementing Rules and Regulations (IRR).* -- Subject to the
20 approval of the Commission, the Board, in consultation with the APO, within
21 sixty (60) days, shall promulgate and adopt the rules and regulations to
22 implement the provisions of this Act, a Code of Ethics, and a Code of
23 Professional and Technical Standards for Metallurgical Engineers.

24 SEC. 43. *Funding Provision.* -- The Chairperson of the PRC shall
25 immediately include in the Commission's programs the implementation of this
26 Act, the funding of which shall be included in the annual General
27 Appropriations Act.

1 SEC. 44. *Transitory Provisions.* – (a) After the approval of this Act,
2 metallurgical engineers possessing valid certificates of registration issued
3 under Presidential Decree No. 1536, otherwise known as the “Metallurgical
4 Engineering Law of the Philippines”, shall register with the Board and be
5 issued certificates as registered metallurgical engineers under this Act to
6 replace their original certificates of registration, upon payment of the required
7 fees.

8 (b) The present Chairperson and members of the Board shall
9 automatically be issued certificates of registration as registered metallurgical
10 engineers. They shall continue to function in the Board until such time a new
11 Board shall be constituted pursuant to this Act.

12 SEC. 45. *Separability Clause.* – If any section or portion of this Act
13 shall be declared unconstitutional or invalid, such shall not invalidate any other
14 section of this Act.

15 SEC. 46. *Repealing Clause.* – Presidential Decree No. 1536,
16 otherwise known as the “Metallurgical Engineering Law of the Philippines” is
17 hereby repealed. All other laws, parts of laws, orders, ordinances or
18 regulations relative to the practice of metallurgical engineering which are
19 inconsistent with the provisions of this Act are hereby repealed or modified
20 accordingly.

21 SEC. 47. *Effectivity.* – This Act shall take effect fifteen (15) days after
22 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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