



HOUSE OF REPRESENTATIVES

H. No. 5016

BY REPRESENTATIVES NOEL, SALVACION, MANALO, CORTUNA, DELA CRUZ,
PICHAY, APOSTOL, PAQUIZ, PADILLA, YU, LOBREGAT, DEL ROSARIO
(A.G.) AND RODRIGUEZ (R.), PER COMMITTEE REPORT NO. 430

AN ACT REGULATING AND MODERNIZING THE PRACTICE OF
CHEMISTRY IN THE PHILIPPINES, REPEALING FOR THE
PURPOSE REPUBLIC ACT NUMBERED SEVEN HUNDRED
FIFTY-FOUR (R. A. NO. 754), OTHERWISE KNOWN AS THE
CHEMISTRY LAW OF THE PHILIPPINES

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

ARTICLE I

TITLE, POLICY AND DEFINITIONS

SECTION 1. *Title.* — This Act shall be known as the “Chemistry
Profession Act”.

SEC. 2. *Declaration of Policy.* — Chemistry is vital to public
safety, the national economy, and the protection of the environment. It
is, therefore, the policy of the State to promote, regulate and protect the
professional practice of chemistry and to ensure the continued
development and high international standards of the practice of
chemistry in the Philippines.

1 SEC. 3. *Definition of Terms.* – As used in this Act:

2 (a) *Chemistry* refers to the study, analysis, modification and
3 calculations of physico-chemical or biochemical properties of matter.
4 Chemistry includes the atomic, molecular, surface and supramolecular
5 composition and structure of matter, properties and reactions, the
6 changes which matter undergoes, the energy involved, and the
7 conditions under which such changes occur. Biochemistry, which is
8 defined as the study of the chemical compounds and processes in
9 biological organisms, is included within the scope of chemistry for
10 purposes of this Act;

11 (b) *Registered chemist* refers to any person who is engaged in
12 the professional practice of chemistry, as defined herein, who is duly
13 registered with the Board of Chemistry and the Professional Regulation
14 Commission. A registered chemist shall have the authority to undertake
15 the professional practice of chemistry;

16 (c) *Registered chemical technician* refers to any person who is
17 engaged in the work of chemical analysis, as defined herein, and who is
18 duly registered with the Board of Chemistry;

19 (d) *Chemical analysis* refers to a physico-chemical or
20 biochemical procedure which involves the following and related
21 techniques:

22 (1) Measurement of properties, such as power of hydrogen
23 (PH), oxidation-reduction potential, density, atomic or molecular
24 weight, and others;

25 (2) Use of methods, such as titration, gravimetric analysis,
26 electrochemical measurements, spectroscopy, chromatography, and
27 others;

1 (3) Determination of the atomic or molecular quantity of one or
2 more components of a substance;

3 (4) Determination of the atomic, molecular, surface or
4 supramolecular nature or structure of substance;

5 (5) Preparation of a sample for chemical analysis;

6 (6) Separation and/or purification of a mixture into its
7 components using techniques, such as distillation, crystallization,
8 density, reactivity, extraction, adsorption, size exclusion, affinity,
9 chromatography, and others;

10 (7) Calculations of physico-chemical or biochemical properties
11 or concentrations of chemicals or biochemicals;

12 (8) Computational methods applied to chemically or
13 biochemically related matters, such as molecular design, molecular
14 modelling, chemometrics, and others; and

15 (9) Other analytical methods which characterize matter at the
16 atomic, molecular or supramolecular level;

17 (e) *Chemical synthesis* refers to the preparation of a compound
18 or chemical entity from its elements or from other compounds or
19 chemical entities by one (1) or more chemical reactions. Synthesis, as
20 defined herein, refers to both chemical synthesis which may use
21 chemical catalysts, and biochemical synthesis which uses enzymes and
22 other biological compounds to promote a reaction; and

23 (f) *Chemical laboratory* refers to a facility where activities
24 described in Section 3(d) and 3(e) are performed. Such activities
25 carried out outside of a chemical laboratory, for example, a factory,
26 mobile laboratory or field analysis, shall likewise be considered a
27 chemical laboratory. The head of a chemical laboratory shall be a
28 registered chemist.

1 SEC. 4. *Scope of the Professional Practice of Chemistry.*

2 – The professional practice of chemistry covers the performance of a
3 service related to public interest, public safety, legal or regulatory
4 matters. The following and similar activities shall be the functions of
5 the registered chemists:

6 (a) Performance of a chemical analysis or chemical synthesis;

7 (b) Certification of a chemical analysis or chemical synthesis;

8 (c) Inspection of a laboratory with respect to its chemical or
9 biochemical activities;

10 (d) Certification of a laboratory with respect to its chemical or
11 biochemical activities;

12 (e) Supervision of a chemical laboratory;

13 (f) Supervision of a chemical analysis or chemical synthesis,
14 whether or not performed in a laboratory;

15 (g) Teaching, lecturing and reviewing of a professional
16 chemistry subject in the curriculum of the Bachelor of Science in
17 Chemistry degree or a subject in the chemistry licensure examination
18 given in any college, university, or training or review center, or any
19 other educational institution or certification body;

20 (h) *Consultation, investigation, or research* concerning
21 physico-chemical or biochemical matters which involve public interest,
22 public safety, laws or regulations. For these purposes, the registered
23 chemist must affix one's signature, license number and official seal to
24 any certification report submitted;

25 (i) Sale of chemicals, chemical apparatus or chemical
26 equipment;

27 (j) Supervision of the sale of chemicals, chemical apparatus or
28 chemical equipment; and

1 (k) Functions related to the management of chemicals, such as
2 chemical safety, chemical waste management, pollution control, and the
3 like.

4 The Chemistry Board, subject to the approval of the
5 Commission, may revise, exclude from or add to the above-enumerated
6 acts or activities as the need arises to conform to the latest trend in the
7 practice of the profession.

8 SEC. 5. *Scope of the Professional Practice of Chemical*
9 *Analysis.* – The scope of the professional practice of chemical analysis
10 shall be limited to the performance of physico-chemical or biochemical
11 analysis, chemical or biochemical synthesis, and sale of chemicals,
12 chemical apparatus or chemical equipment: *Provided,* That such
13 activities are under the supervision of a registered chemist. Any report
14 on chemical analysis or synthesis must be signed by and bear the license
15 number of the chemical technician who performed the analysis.

16 ARTICLE II

17 PROFESSIONAL REGULATORY BOARD OF CHEMISTRY

18 SEC. 6. *Composition of the Board.* – There is hereby created a
19 Professional Regulatory Board of Chemistry, hereinafter referred to as
20 the Board, under the administrative control and supervision of the
21 Professional Regulation Commission, hereinafter referred to as the
22 Commission, which shall be composed of a Chairperson and two (2)
23 members appointed by the President of the Philippines from a list of
24 three (3) recommendees for each position ranked by the Commission
25 from a list of five (5) nominees for each position submitted by the
26 accredited professional organization (APO) of chemists.

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

3 (a) Supervise and regulate the practice of the chemistry
4 profession in the Philippines in accordance with the provisions of this
5 Act;

6 (b) Determine the requirements and evaluate the qualifications
7 of applicants for registration and renewal of license of registered
8 chemists and registered chemical technicians;

9 (c) Prescribe the subjects in the licensure examination,
10 determine the syllabi of the subjects and their relative weights,
11 construct the test questions in the examinations and submit the
12 examination results to the Commission;

13 (d) Issue, together with the Commission, certificates of
14 registration to persons admitted to the practice of the professions of
15 chemistry and chemical analysis;

16 (e) Oversee the conduct of the Continuing Professional
17 Development (CPD) program for professional chemists and chemical
18 technicians;

19 (f) Determine, in consultation with the APO for the chemistry
20 profession, private industry and relevant government agencies, the
21 requirements of chemistry laboratories, both private and government,
22 and other entities engaged in the practice of chemistry for registration
23 or renewal of permit, and to issue, together with the Commission, the
24 certificate of authority to operate to those that satisfy the said
25 requirements;

26 (g) Conduct on-site inspection of chemistry laboratories and
27 other entities engaged in the practice of chemistry and seek the
28 assistance of the APO in order to carry out these functions;

(h) Inquire into the conditions affecting the practice of the profession and adopt measures for the enhancement and maintenance of high professional, ethical and technical standards;

(i) Adopt and promulgate the Code of Ethics and the Code of Good Governance for the practice of chemistry;

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

(k) Hear and decide administrative cases filed against chemists, chemical technicians, and the owners and administrators of chemical laboratories. The hearing shall be presided over by the Chairperson or a member of the Board with the assistance of an attorney of the Commission. Any decision shall be decided by a majority of the Board. The decision of the Board may be appealed to the Commission not later than the fifteenth (15th) day from notice; otherwise, such decision shall be final and executory;

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

(m) Adopt the implementing rules and regulations of this Act; and

(n) Perform such other functions as may be necessary in order to implement the provisions of this Act.

SEC. 8. *Qualifications of the Chairperson and Members of the Board.* – The Chairperson and members of the Board must meet the following qualifications:

(a) A citizen and resident of the Philippines;

(b) Of good moral character and of sound mind;

1 (c) A holder of at least a master's degree in Chemistry
2 conferred by a chemistry institution recognized by the Commission on
3 Higher Education (CHED) or by a reputable foreign university;

4 (d) A registered chemist who has been in active practice for at
5 least ten (10) years;

6 (e) A person who does not have any pecuniary interest, directly
7 or indirectly, in any higher educational institution conferring an
8 academic degree necessary for admission to the practice of chemistry or
9 where review classes in preparation for the licensure examination are
10 being offered or conducted, nor shall one be a member of the faculty or
11 administration thereof;

12 (f) A member in good standing of the APO;

13 (g) Not an officer or trustee of the APO; and

14 (h) Not convicted by a court of competent jurisdiction of an
15 offense involving moral turpitude.

16 SEC. 9. *Term of Office.* -- The Chairperson and members of the
17 Board shall hold office for a term of three (3) years from the date of
18 appointment or until their successors shall have been appointed. They
19 may be reappointed for another term of three (3) years immediately
20 after the expiry of their term: *Provided*, That their terms should not be
21 more than two (2) terms or not more than six (6) years, whichever is
22 longer: *Provided, further*, That the first Board under this Act shall hold
23 these terms of office: the Chairperson for three (3) years, the first
24 member for two (2) years and the second member for one (1) year:
25 *Provided, finally*, That any appointee to a vacancy with an unexpired
26 period shall only serve such period. The Chairperson and the members
27 of the Board shall duly take their oaths of office.

1 SEC. 10. *Compensation of the Board.* – The Chairperson and
2 members of the Board shall receive such compensation and allowances
3 comparable to that being received by the Chairperson and members of
4 other professional regulatory boards under the Commission as provided
5 for in the General Appropriations Act.

6 SEC. 11. *Custodian of Records, Secretariat and Support*
7 *Services.* – All records of the Board, including applications for
8 examinations, examination papers and results, minutes of meetings,
9 deliberations of administrative and other investigative cases involving
10 the Board shall be kept by the Commission. The Commission shall
11 designate the Secretary of the Board and shall provide secretariat and
12 other support services to implement the provisions of this Act.

13 SEC. 12. *Grounds for Suspension or Removal of the*
14 *Chairperson and Members of the Board.* – The President, upon the
15 recommendation of the Commission after due process and
16 administrative investigation conducted by the Commission, may remove
17 or suspend a Chairperson or member of the Board on any of the
18 following grounds:

19 (a) Gross neglect, incompetence or dishonesty in the discharge
20 of one's duty;

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

24 (c) Manipulation or rigging of the licensure examination results,
25 or disclosure of examination questions prior to the conduct of the
26 examination, or tampering of the grades. The Commission, in the
27 conduct of the investigation, shall be guided by Section 7(s) of
28 Republic Act No. 8981, otherwise known as the "PRC Modernization

1 Act of 2000", the rules on administrative investigation, and the
2 applicable provisions of the new Rules of Court.

3 SEC. 13. *Annual Report and Annual Meeting.* – The Board
4 shall submit an annual report to the Commission after the close of each
5 fiscal year, giving a detailed account of the proceedings of the Board
6 during the year and embodying such recommendations to the
7 Commission as the Board may desire to make. At least once a year, the
8 Board shall meet with the APO, representatives of departments of
9 chemistry in higher educational institutions, and the CHED to discuss
10 matters pertinent to the professional practice of chemistry.

11 ARTICLE III

12 LICENSURE EXAMINATION AND REGISTRATION

13 SEC. 14. *Certificate to Practice Chemistry and Chemical*
14 *Analysis.* – Unless exempt from registration or from the requirements
15 of this Act, no person shall practice or offer to practice as a chemist or
16 chemical technician in the Philippines, without having previously
17 obtained a certificate of registration from the Board and a professional
18 identification card.

19 SEC. 15. *Requirement for Registration as Chemist and*
20 *Chemical Technician.* – All applicants for registration for the practice
21 of chemistry and chemical analysis in the Philippines shall be required
22 to pass the licensure examination prescribed herein unless otherwise
23 provided in this Act.

24 SEC. 16. *Qualifications of an Applicant for Chemist.* – Any
25 person applying for admission to the chemistry examination must:

26 (a) Be a citizen and resident of the Philippines or a foreign
27 citizen whose country or state has reciprocity with the Philippines in the
28 practice of chemistry;

1 (b) Be of good moral character and of sound mind;

2 (c) Be a graduate of any higher educational institution and a
3 holder of a degree of Bachelor of Science (BS) in Chemistry or an
4 allied degree, the curricula of which are under the academic supervision
5 of the CHED: *Provided*, That the applicant must have earned at least
6 sixty (60) university units in chemistry which shall include all of the
7 professional chemistry courses: *Provided, further*, That the allied
8 degree and its curriculum shall have passed the evaluation of the Board.
9 Graduates of reputable foreign universities who have been conferred the
10 degree of BS Chemistry or its equivalent, and whose curriculum
11 includes all of the professional chemistry courses, may apply to take the
12 licensure examination, subject to evaluation by the Board; and

13 (d) Not have been convicted of a crime or an offense involving
14 moral turpitude by a court of competent jurisdiction.

15 SEC. 17. *Scope of Examination for Chemists.* — The Chemistry
16 licensure examination shall cover the following professional chemistry
17 subjects: Analytical Chemistry, Organic Chemistry, Biochemistry,
18 Inorganic Chemistry and Physical Chemistry: *Provided*, That the
19 relative weight of any subject shall not exceed thirty percent (30%) or
20 be less than fifteen percent (15%) of the total. The Board may modify
21 the coverage of the Board examination as required by developments in
22 chemistry and the professional practice of chemistry. In such a case, the
23 Board shall consult with the CHED and the APO for chemistry. The
24 Board must announce revisions in chemistry subjects and topics at least
25 two (2) years prior to their inclusion in the Board examination.

26 SEC. 18. *Qualifications of an Applicant for Chemical*
27 *Technician.* — To be authorized to practice the profession of chemical
28 technician, an applicant must:

1 (a) Be a citizen of the Philippines or a citizen of a foreign
2 country which grants the corresponding privilege to Filipinos;

3 (b) Be of good moral character and of sound mind; and

4 (c) Have successfully completed at least thirty (30) units of
5 undergraduate chemistry courses from an institution duly recognized by
6 the CHED or the Technical Education and Skills Development
7 Authority (TESDA). The courses should include both lecture and
8 laboratory courses in the following subjects: General Chemistry,
9 Analytical Chemistry and Organic Chemistry. A certified true copy of
10 the applicant's transcript of records must accompany the application.

11 SEC. 19. *Scope of Examination for Chemical Technician.*

12 – The licensure examination for chemical technician shall cover
13 practical aspects of laboratory work in the following chemistry subjects
14 with equal weights: Analytical Chemistry and Organic Chemistry. The
15 Board may modify the coverage of the Board examination as required
16 by developments in chemistry and the professional practice of chemical
17 analysis. In such a case, the Board shall consult with the CHED, the
18 TESDA and the APO for chemistry. The Board must announce
19 revisions in chemistry subjects and topics at least two (2) years prior to
20 their inclusion in the Board examination.

21 SEC. 20. *Holding of Examination.* – The examination of
22 candidates desiring to practice chemistry and chemical technician in the
23 Philippines shall be given at least once each calendar year on the date
24 and venue prescribed by the Commission in accordance with the "PRC
25 Modernization Act of 2000".

26 SEC. 21. *Examination Fees.* – An applicant admitted to take
27 the chemistry examination shall pay such fees as may be prescribed by
28 the Commission before being allowed to take the examination.

1 SEC. 22. *Ratings in the Licensure Examination.* – The Board
2 and the Commission shall issue certificates of registration if the
3 examinee attains the following ratings:

4 (a) Examination for Chemist: the examinee must obtain a
5 general average of at least seventy percent (70%) and no rating less
6 than fifty percent (50%) in any subject: *Provided, however,* That if the
7 examinee passes any two (2) subjects, the examinee shall automatically
8 qualify as a chemical technician; and

9 (b) Examination for Chemical Technician. the examinee must
10 obtain an overall average of at least seventy percent (70%) and no
11 rating less than fifty percent (50%) in any subject.

12 The results of the examination shall be released not later than the
13 tenth (10th) day from the last day of the examination.

14 SEC. 23. *Exemption from Examination for Chemists.* – Holders
15 of a doctoral degree in Chemistry from a reputable university may apply
16 for registration as chemists without examination from the Board. They
17 must submit a copy of their undergraduate and graduate diplomas,
18 transcripts and cover pages of their doctoral thesis: *Provided,* That
19 such individuals must show evidence that they have been active in
20 the practice of chemistry. The Board may require presentation of the
21 doctoral thesis and other evidence of competence and achievement in
22 chemistry.

23 SEC. 24. *Issuance of Temporary/Special Permit.* – The Board
24 may issue a temporary/special permit to practice chemistry to the
25 following persons upon proper application with the Board:

1 (a) Foreign-based chemists, recognized as experts in their
2 specific field of chemistry, who are invited by the Republic of the
3 Philippines for purposes of consultation or for a specific project:

4 *Provided, That their practice shall be confined to such work; and*

5 (b) Foreign-based chemists, who have distinguished themselves
6 in their respective fields of specialization, contracted as professors
7 or lecturers on chemistry subjects by Philippine schools, colleges,
8 institutes or universities on a direct hire or exchange basis. The
9 temporary/special permit shall indicate the period of validity but shall
10 not exceed three (3) years. It may be renewed subject to the rules and
11 regulations of the Board. Complaints or questions regarding such
12 individuals may be directed to the Board for verification or action.

13 SEC. 25. *Professional Oath.* – All persons to be admitted to
14 the practice as registered chemists and registered chemical technicians
15 are required to take their oath before the Board or any officer
16 authorized by the Commission prior to the issuance of their certificate
17 of registration.

18 SEC. 26. *Issuance of Certificate of Registration for Chemist and*
19 *Chemical Technician.* – A certificate of registration for a chemist and
20 a chemical technician shall be issued by the Board to examinees who
21 have passed the relevant licensure examination subject to the payment
22 of fees prescribed by the Commission. The certificate of registration
23 shall state the full name of the registrant and registration number, bear
24 the signature of the Chairperson of the Commission and the
25 Chairperson and members of the Board, and shall be authenticated by
26 the official seal of the Commission and the Board. The certificate of
27 registration shall remain in full force and effect unless suspended or
28 revoked under the provisions of this Act.

1 SEC. 27. *Issuance of Professional Identification Card for*
2 *Chemist and Chemical Technician.* – A professional identification
3 card shall be issued to holders of a valid certificate of registration as
4 chemist, subject to the payment of fees prescribed by the Commission.
5 A professional identification card for chemical technician shall be
6 issued to holders of a valid certificate of registration for chemical
7 technician. The professional identification card shall state the full name
8 of the registrant and the registration number, bear the signature of the
9 Chairpersons of the Commission and the Board, and shall be
10 authenticated by the official seal of the Commission and the Board.
11 The professional identification card shall be valid for a period of three
12 (3) years, subject to renewal: *Provided*, That the certificate of
13 registration shall not have been suspended or revoked under the
14 provisions of this Act.

15 SEC. 28. *Indication of Numbers: Certificate of Registration and*
16 *Professional Tax Receipt.* – All registered chemists shall be required
17 to indicate the Certificate of Registration (CR) Number and
18 Professional Tax Receipt (PTR) Number, their respective dates and
19 places of issuance and their expiration date on all official documents
20 they issue.

21 SEC. 29. *Revocation or Suspension of the Certificate of*
22 *Registration and Cancellation of Temporary/Special Permit.* – The
23 Board shall have the power, upon notice and hearing, to revoke or
24 suspend the certificate of registration of a registered chemist or to
25 cancel a temporary/special permit granted to a foreign chemist, based
26 on the following grounds:

1 (a) Any act of misrepresentation, dishonesty, unethical conduct
2 or gross incompetence in connection with the performance of chemistry
3 services as defined in this Act or any act inimical to the chemistry
4 profession;

5 (b) Immorality or commission of any act involving moral
6 turpitude;

7 (c) Conviction by final judgment of a court of competent
8 jurisdiction of any criminal offense; or

9 (d) Judicial declaration that the former is of unsound mind.

10 The Board may, for reason it may deem sufficient and upon
11 proper petition, reissue revoked certificates of registration or other
12 certificates.

13 SEC. 30. *Membership in the Accredited Professional*
14 *Organization (APO)*. – Registered chemists and chemical technicians
15 are required to maintain regular and associate membership,
16 respectively, in the APO. Membership in the APO shall not be a
17 hindrance to membership in other associations.

18 SEC. 31. *Continuing Professional Development (CPD)*. – The
19 CPD program guidelines for chemistry and chemical analysis shall be
20 prescribed and promulgated by the Board, subject to the approval of the
21 Commission. The Board shall create a CPD Council to administer the
22 program. The Council shall be composed of a Chairperson coming from
23 the Board, a member from the APO and a member from the academe.

24 SEC. 32. *Roster of Chemists and Chemical Technicians*. – The
25 Commission shall keep a roster of all registered chemists and chemical
26 technicians, containing their names, registration numbers and places of
27 business. The Commission shall regularly update such roster and make
28 it available to all interested parties.

1 SEC. 33. *Seal of a Registered Chemist.* – Each registered
2 chemist shall, upon registration, obtain a seal as prescribed by the
3 Board with the label “Registered Chemist” bearing the registrant’s
4 name and registration number. All official documents or reports that
5 require the certification or signature of the registered chemist shall be
6 stamped with the latter’s personal seal.

7 SEC. 34. *Foreign Reciprocity.* – No foreign chemist shall be
8 given a certificate of registration/professional license and professional
9 identification card or be entitled to any of the privileges under this Act
10 unless the country or state of which the foreign chemist is a subject or
11 citizen permits Filipino chemists to practice within its territorial limits
12 on the same basis as the subjects or citizens of said country or state.

13 SEC. 35. *Certificate of Authority to Operate for Firms,*
14 *Corporations and Government Agencies.* – Only firms, corporations
15 and government agencies, duly authorized by the Board, that hold a
16 valid certificate may operate a chemical laboratory or engage in the
17 practice of chemistry or chemical analysis in the Philippines: *Provided,*
18 That such chemical practice is carried out only by registered chemists
19 or registered chemical technicians holding valid certificates of
20 registration and professional identification cards issued by the Board.
21 The person or officer who is charged with the management or
22 administration of such firm, corporation or government agency shall be
23 held personally liable for violations of this Act.

24 SEC. 36. *Requirements for Certificate of Authority to Operate.*
25 – The Board, in consultation with the relevant entities and the APO,
26 shall set the requirements for the issuance of the certificate of authority
27 to operate a chemical laboratory or to engage in the practice of

1 chemistry or chemical analysis. Such requirements shall be issued as
2 Board resolutions.

3 SEC. 37. *Roster of Chemical Laboratories and Related Entities.*

4 – The Commission shall keep a roster of all chemical laboratories and
5 entities engaged in the practice of chemistry, including their business
6 addresses and registration numbers. The Commission shall regularly
7 update such roster.

8 ARTICLE IV

9 GENERAL PROVISIONS

10 SEC. 38. *Penal Clause for the Professional Practice of*
11 *Chemistry and Chemical Analysis.* – No person shall undertake the
12 professional practice of chemistry or chemical analysis without a valid
13 certificate of registration and professional identification card. This
14 includes any person who:

15 (a) Practices chemistry without a valid certificate of registration
16 and/or a valid professional identification card or a valid
17 temporary/special permit;

18 (b) Attempts to use the certificate, license number or seal of
19 another person or impersonate any registered chemist or chemical
20 technician;

21 (c) Abets the illegal practice of chemistry by an unregistered or
22 unauthorized person;

23 (d) Furnishes the Board or the Commission any false
24 information or document in order to secure a certificate of registration;
25 or

26 (e) Impersonates a registered chemist or a holder of a
27 temporary/special permit. Upon conviction, a violator shall be
28 sentenced with a penalty of imprisonment for a period of not less than

1 one (1) month but not more than one (1) year, or a fine of not less than
2 one hundred thousand pesos (P100,000.00) but not more than one
3 million pesos (P1,000,000.00), or both, at the discretion of the court.

4 SEC. 39. *Penal Clause for Chemical Laboratories and Related*
5 *Firms.* – No chemical laboratory or firm shall undertake activities
6 covered by this Act without a valid authority to operate the same. The
7 president or the highest ranking officer of the corporation shall be held
8 liable for violations of this Act. Upon conviction, these persons shall be
9 sentenced to a penalty of imprisonment for a period of not less than one
10 (1) month but not more than one (1) year, or a fine of not less than one
11 hundred thousand pesos (P100,000.00) but not more than one million
12 pesos (P1,000,000.00), or both, at the discretion of the court.

13 SEC. 40. *Reports and Other Legal Documents.* – Any
14 document related to the practice of chemistry shall not be considered as
15 official or admissible for legal purposes unless such document is signed
16 by a registered chemist and the chemist's registration number affixed
17 thereto. A registered chemical technician who performs a chemical
18 analysis test in conjunction with a test or task performed by a registered
19 chemist shall likewise sign such report or document and affix one's
20 registration number and official seal.

21 SEC. 41. *Coverage of Professional Practice.* – A duly licensed
22 professional chemist cannot be prevented from the practice of chemistry
23 if the work is within the scope of the practice of chemistry or chemical
24 analysis. Likewise, this Act shall not prevent the practice of any legally
25 recognized allied profession: *Provided*, That the activity is within the
26 scope of the allied profession.

ARTICLE V

TRANSITORY PROVISIONS

18 SEC. 44. *Vested Rights: Automatic Registration of Chemists*
19 *and Chemical Technicians.* – All chemists and chemical technicians
20 who are registered under Republic Act No. 754 at the time of effectivity
21 of this Act shall automatically be considered registered and shall hold
22 the same registration number. The validity and period of the existing
23 professional license shall continue in force until its date of expiry.

1 official documents or reports which require the certification or signature
2 of the registered chemist shall be stamped with the personal seal of the
3 registered chemist.

4 SEC. 46. *Grace Period.* — There shall be a three (3)-year grace
5 period for all individuals and institutions to comply with the provisions
6 of this Act. The same grace period shall be enjoyed by those who, on
7 the date of effectivity of this Act, are teaching professional chemistry
8 subjects during which time they must fulfill the following requirements:

9 (a) Completion of at least sixty (60) units of chemistry subjects
10 in an undergraduate degree course which must include all of the
11 professional chemistry subjects. This may include chemistry subjects
12 taken before or after the date of effectivity of this Act;

13 (b) Must have been already teaching these subjects satisfactorily
14 for at least three (3) years on the date of effectivity of this Act;

15 (c) Compliance with all other reasonable requirements or
16 criteria that the Board may set to demonstrate one's competence to
17 teach such subjects; and

18 (d) Active participation in CPD for chemistry. After the three
19 (3)-year grace period, such individuals must submit the certified true
20 copies of all of their relevant transcripts for evaluation. Those who are
21 evaluated to have fulfilled the requirements shall be issued a special
22 permit to teach professional chemistry subjects. However, such
23 permission to teach professional chemistry subjects shall not be
24 construed as permission to practice chemistry.

25 ARTICLE VI

26 FINAL PROVISIONS

27 SEC. 47. *Implementing Rules and Regulations (IRR).* — Subject
28 to the approval of the Commission, the Board, within sixty (60) days,

1 shall adopt and promulgate the IRR and the Code of Ethics for the
2 Practice of Chemistry, and other resolutions necessary to carry out the
3 provisions of this Act.

4 SEC. 48. *Appropriations.* – The Chairperson of the PRC shall
5 immediately include in the Commission’s programs the implementation
6 of this Act, the funding of which shall be included in the annual General
7 Appropriations Act.

8 SEC. 49. *Separability Clause.* – If any section of this Act shall
9 be declared unconstitutional or invalid, such shall not invalidate any
10 other section of this Act.

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

14 SEC. 51. *Effectivity.* – This Act shall take effect fifteen (15)
15 days after its publication in the *Official Gazette* or in a newspaper of
16 general circulation.

Approved,

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