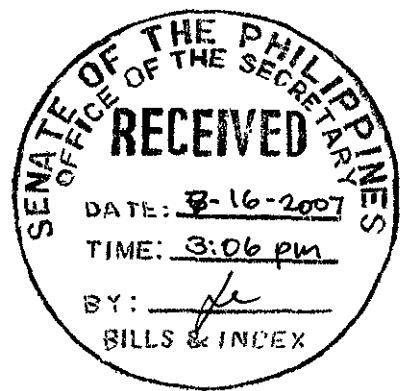


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
S. No. 1235



Introduced by **Senator Richard J. Gordon**

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, and the rise of globalization and competitiveness, 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 analyses are required in a wide variety of applications, such as environment, water, food products, pharmaceuticals, forensics, plastics and polymers, materials, and many others.

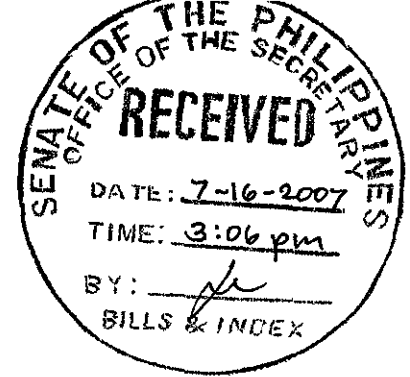
Chemistry has two very important aspects: Chemistry as a scientific and academic endeavor, and Chemistry as utilized for public safety, public interest and the national economy. In principle, the law should promote the former, but should regulate the latter.

The proposed new Chemistry Law seeks to accomplish the following:

- Update the definition of chemistry;
- Update the scope of the professional practice of Chemistry;
- Update the practice of the Chemical technician;
- Introduce measures which will make the professional practice of Chemistry more globally competitive;
- Rationalize the relationship between Chemistry and related 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 quality standards are maintained;
- Introduce a requirement for Continuing Professional Education (CPE) for the continuous training of professional chemists; and
- Bring the new law in line with the new Professional Regulation Commission (PRC) Modernization Act of 2000.


RICHARD J. GORDON
Senator

FOURTEENTH CONGRESS OF THE REPUBLIC)
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SENATE
S. No. 1235

Introduced by **Senator Richard J. Gordon**

**AN ACT PROVIDING FOR A MORE RESPONSIVE
CHEMISTRY PROFESSION, REPEALING FOR THE PURPOSE
REPUBLIC ACT NO. 754, OTHERWISE KNOWN AS
THE CHEMISTRY ACT OF 1952**

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

1 **SECTION 1. Short Title.** - This Act shall be known as the "Chemistry Act of 2007."

2 **Sec. 2. Declaration of Policy.** - The State recognizes the important role of
3 Chemistry to public safety and the national economy. It is hereby declared the policy of the
4 State to promote, regulate and protect the professional practice of Chemistry in the
5 Philippines, and to ensure the continued development and high international standard of the
6 practice of Chemistry in the Philippines.

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

9 (a) "*Chemistry.*" The study, analysis, modification and calculation of physico-chemical
10 or biochemical properties of matter. It includes the atomic, molecular, surface and
11 supramolecular composition and structure of matter, properties and reactions, the change
12 which matter undergoes, the energy involved, and the conditions under which such changes
13 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 registered
16 with the Board of Chemistry and the Professional Regulation Commission, hereinafter
17 referred to as the Commission. A Registered Chemist shall have the authority to undertake
18 the professional practice of chemistry.

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

4 (d) "*Analysis.*" Refers to any 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, molecular, surface or supramolecular nature,
11 structure, or quantity of one or more components of a substance;

12 (iv) separation and/or purification of a mixture into its components using
13 techniques, such as distillation, crystallization, density, reactivity, extraction,
14 adsorption, size exclusion, affinity, chromatography, and others;

15 (v) calculations of physico-chemical or biochemical properties or concentrations
16 of chemicals or biochemicals;

17 (vi) computational methods applied to chemically- or biochemically-related
18 matters, such as molecular design, molecular modeling, chemometrics, and
19 others; and

20 (vii) other analytical methods which characterize matter at the atomic, molecular,
21 surface or supramolecular level.

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

27 (f) "*Laboratory.*" Refers to a facility where the following or similar activities are
28 performed: physico-chemical or biochemical analysis, or chemical or biochemical synthesis.
29 Laboratories where activities described in Sections 3(d) and 3(e) are performed shall also
30 be covered by this Act. Similar activities carried out outside of a chemical laboratory are also
31 included, such as work carried out in a factory or mobile laboratory, field environment
32 analysis, and the like.

1 **Sec. 4. Scope of the Professional Practice of Chemistry.** - The professional
2 practice of chemistry covers the performance of a service related to the public interest,
3 public safety, legal or regulatory matters and which is performed for a fee, salary or other
4 compensation. The following and similar activities shall be the functions of the Registered
5 Chemist:

6 (a) Performance or certification of an analysis or synthesis;

7 (b) Inspection or certification of a laboratory with respect to its chemical or
8 biochemical activities;

9 (c) Supervision of a laboratory;

10 (d) Supervision of an analysis or synthesis, whether or not this is performed in a
11 laboratory;

12 (e) Teaching, lecturing and reviewing of a professional chemistry subject, which is
13 included in the curriculum of the Bachelor of Science in Chemistry degree or
14 constitutes a subject in the chemistry licensure examination, given in any college,
15 university, or training or review center, or any other educational institution or
16 certification body;

17 (f) Consultation, investigation, or research concerning physico-chemical or
18 biochemical matters which involve the public interest, public safety, laws or
19 regulations. For purposes of this Act, the Registered Chemist must affix his/her
20 signature, license number and official seal to any certification report which he/she
21 submits; and

22 (g) Sale, or supervision of the sale, of chemicals, chemical apparatus and chemical
23 equipment.

24 The Board, subject to approval by the Commission, may revise, exclude from or add
25 to the above-enumerated acts or activities as the need arises to conform to the latest trend
26 in the practice of the profession.

27 **Sec. 5. Scope of the Professional Practice of Chemical Technology.** - The scope
28 of the practice of Chemical Technology shall be limited to the performance of physico-
29 chemical or biochemical analysis, or chemical or biochemical synthesis, *provided* that such
30 activities are under the supervision of a Registered Chemist. The Chemical Technician must
31 affix his/her signature and license number to the report of a chemical analysis or synthesis
32 which he/she has performed.

1 **Article II**

2 **PROFESSIONAL REGULATORY BOARD OF CHEMISTRY**

3 **Sec. 6. Creation and Composition of the Board.** - There is hereby created a
4 Professional Regulatory Board of Chemistry, hereinafter referred to as the Board, under the
5 administrative control and supervision of the Commission. The board shall be composed of
6 a chairperson and two (2) members, to be appointed by the President of the Philippines
7 from a list of three (3) recommendees for each position ranked by the Commission from a
8 list of five (5) nominees for each position submitted by the accredited professional
9 organization of Chemists.

10 **Sec. 7. Qualification of the Board Chairperson and Members.** - The Chairperson
11 and Members of the Board must be:

- 12 (a) A citizen and a resident of the Philippines;
- 13 (b) Of good moral character and of sound mind;
- 14 (c) A holder of at least a Master's degree in Chemistry conferred by a chemistry
15 institution recognized by the Commission on Higher Education (CHED), or by a reputable
16 foreign university;
- 17 (d) A Registered Chemist who has been in active practice for at least five years;
- 18 (e) Not have any pecuniary interest, directly or indirectly, in any higher educational
19 institution conferring an academic degree necessary for admission to the practice of
20 chemistry or where review classes in preparation for the licensure examination are being
21 offered or conducted; nor shall be a member of the faculty or of the administration thereof at
22 the time of his appointment to the Board;
- 23 (f) A member in good standing of the Associated Professional Organization (APO);
- 24 (g) Not an officer or trustee of the APO;
- 25 (h) Not convicted by a court of competent jurisdiction of an offense involving moral
26 turpitude.

27 **Sec. 8. Term of Office.** - The Chairperson and every member of the Board shall hold
28 office for a term of three years from the date of appointment or until their successors shall
29 have qualified and shall have been appointed. They may be reappointed for another term of
30 three years immediately after the expiry of their term; provided, no member shall have more
31 than two terms nor hold office for more than six years, whichever is longer. Of those first
32 appointed under this Act, the Chairperson shall hold office for three years, the first member
33 for two years and the second member for one year; *Provided*, that appointment to any

1 vacancy shall be only for the unexpired term of the predecessor. The Chairperson and the
2 Members shall duly take their oath of office.

3 **Sec. 9. Compensation of the Board.** - The Chairperson and Members of the Board
4 shall receive such compensation and allowances comparable to that being received by the
5 chairpersons and members of other professional regulatory boards under the Commission
6 as provided for in the General Appropriations Act.

7 **Sec. 10. Powers, Functions and Duties of the Board.** - The powers, functions and
8 duties of the Board are as follows:

9 (a) To supervise and regulate the practice of the chemistry profession in the
10 Philippines in accordance with the provisions of this Act;

11 (b) To determine the requirements and evaluate the qualifications of the applicants
12 for registration and renewal of license of Registered Chemists and Registered Chemical
13 Technicians;

14 (c) To prescribe the subjects in the licensure examination; determine the syllabi of
15 the subjects and their relative weights; construct the questions; and submit the examination
16 results to the Commissioner;

17 (d) To issue, together with the Commission, Certificates of Registration to persons
18 admitted to the practice of the professions of Chemistry and Chemical Technology;

19 (e) To oversee the conduct of the Continued Professional Education (CPE) program
20 for Chemists and Chemical Technicians;

21 (f) To determine in consultation with the APO, private industry and relevant
22 government agencies, the requirements of chemistry laboratories, both private and
23 government, and other entities engaged in the practice of Chemistry for registration or
24 renewal of permit, and to issue, together with the Commission, the Certificate of Authority to
25 Operate to those which satisfy the said requirements;

26 (g) The Board may conduct on-site inspection of chemistry laboratories and other
27 entities engaged in the practice of Chemistry, and may seek the assistance of the APO in
28 carrying out these functions;

29 (h) To inquire into the conditions affecting the practice of the profession and adopt
30 measures for the enhancement and maintenance of high professional, ethical and technical
31 standards.

32 (i) In coordination with the CHED, to inspect the facilities and equipment, faculty and
33 other aspects directly related to the chemistry program of higher education institutions;

1 (j) To adopt and promulgate the Code of Ethics, Code of Good Governance, and
2 Code of Technical Standards for the practice of Chemistry;

3 (k) *To hear and decide administrative cases filed against Chemists, Chemical*
4 *Technicians, and the owners and administrators of chemical laboratories. The hearing shall*
5 *be presided over by the Chairperson or a Member of the Board with the assistance of an*
6 *attorney of the Commission. Any decision should be concurred in by a majority of the Board.*
7 *The decision of the Board may be appealed to the Commission within fifteen (15) days from*
8 *notice, otherwise such decision shall be final and executory;*

9 (l) To issue subpoena *ad testificandum* and subpoena *duces tecum* to secure the
10 attendance of witnesses or the production of documents in connection with any
11 administrative case before the Board;

12 (m) To administer oaths in connection with the performance of its functions;

13 (n) *To adopt the implementing rules and regulations of this Act; and*

14 (o) To perform such other functions as may be necessary in order to implement the
15 provisions of this Act.

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

22 **Sec. 12. Grounds for Suspension or Removal of the Chairperson and Members.**

23 - The President, upon the recommendation of the Commission after due process and
24 administrative investigation conducted by the Commission, may remove or suspend a
25 Chairperson or Member of the Board on any of the following grounds:

26 (a) Gross neglect, incompetence or dishonesty in the discharge of his/her duty;

27 (b) *Any act or omission committed in violation of this Act or constituting an offense*
28 *under the Revised Penal Code, the Anti-Graft and Corruption Practices Act, and other laws;*
29 *and*

30 (c) Manipulation or rigging of the licensure examination results, or disclosure of
31 examination questions prior to the conduct of the examination, or tampering of the grades;

1 The Commission, in the conduct of the investigation, shall be guided by Sec. 7(s) of
2 Republic Act No. 8981, the rules on administrative investigation, and the applicable
3 provisions of the Rules of Court.

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

10 ARTICLE III

11 LICENSURE EXAMINATION AND REGISTRATION

12 **Sec. 14. Certificate to Practice Chemistry and Chemical Technology.** - Unless
13 exempt from registration or not subject to the requirements of this Act, no person shall
14 practice or offer to practice as a Chemist or Chemical Technician in the Philippines, without
15 having previously obtained a Certificate of Registration from the Board and a Professional
16 Identification Card.

17 **Sec. 15. Requirement for Registration as Chemist and Chemical Technologist.** -
18 All applicants for registration for the practice of Chemistry and Chemical Technology in the
19 Philippines shall be required to pass the licensure examination prescribed herein unless
20 otherwise provided in this Act.

21 **Sec. 16. Qualifications of Applicant for Examination.** - Any person applying for
22 admission to the chemistry examination must have the following qualifications:

23 (a) He/she is a citizen and resident of the Philippines, or a foreign citizen whose
24 country/state permits Filipino chemists to practice within its territorial limits on the same
25 basis as the subjects or citizens of such country;

26 (b) He/she is mentally, emotionally and physically sound;

27 (c) He/she is a graduate of any higher educational institution with the degree of BS
28 Chemistry with at least sixty (60) university units in chemistry, which shall include all of the
29 professional chemistry courses. Graduates of reputable foreign universities who have been
30 conferred the degree of BS Chemistry, or its equivalent, and whose curriculum includes all
31 of the professional chemistry courses, may apply to take the licensure examination, subject
32 to evaluation by the Board.

1 (d) He/she has not been convicted of an offense involving moral turpitude by a court
2 of competent jurisdiction.

3 **Sec. 17. Scope of Examination for Chemists.** - The chemistry licensure
4 examination shall cover the following professional chemistry subjects: Analytical Chemistry,
5 Organic Chemistry, Biochemistry, Inorganic Chemistry and Physical Chemistry; *Provided*,
6 that the relative weight of any subject shall not exceed thirty percent (30%) of the total. The
7 Board may modify the coverage of the Board examination as required by developments in
8 Chemistry and the professional practice of Chemistry, only after consultation with the CHED
9 and the APO. The Board must announce revisions in chemistry subjects and topics at least
10 two years prior to their inclusion in the Board examination.

11 **Sec. 18. Qualifications for Chemical Technician.** - Any person applying for the
12 professional practice of Chemical Technician must have the following qualifications:

13 (a) He/she is a citizen of the Philippines or of a foreign country/state which grants the
14 corresponding privilege to Filipinos;

15 (b) He/she is of good moral character and of sound mind;

16 (c) He/she has successfully completed at least thirty (30) units of undergraduate or
17 graduate level chemistry courses from an institution duly recognized by the CHED or
18 TESDA. The courses should include both lecture and laboratory courses in General
19 Chemistry, Analytical Chemistry and Organic Chemistry. The applicant should submit a
20 certified true copy of his/her transcript.

21 **Sec. 19. Scope of Examination for Chemical Technician.** - The licensure
22 examination for Chemical Technician shall cover topics related to practical aspects of
23 laboratory work in the subjects of Analytical Chemistry and Organic Chemistry. The Board
24 may modify the coverage of the Board Examination as required by developments in
25 Chemistry and the professional practice of Chemical Technology. In such a case, the Board
26 shall consult with the CHED, TESDA, and the APO. The Board must announce revisions in
27 chemistry subjects and topics at least two years prior to their inclusion in the Board
28 examination.

29 **Sec. 20. Holding of Examination.** - Examination of candidates desiring to practice
30 Chemistry and Chemical Technology in the Philippines shall be given at least once each
31 calendar year on the date(s) and venue(s) prescribed by the Commission in accordance
32 with R.A. 8291.

1 **Sec. 21. Ratings in the Licensure Examination.** - The Board and the Commission
2 shall issue Certificates of Registration for Chemist and Chemical Technician to those who
3 obtain a general average of no less than seventy percent (70%), and rating of no less than
4 fifty percent (50%) in any examination subject. The results of the examination shall be
5 released within ten (10) working days from the last day of the examination.

6 **Sec. 22. Exemption from Examination for Chemists.** - Holders of a doctoral
7 degree in Chemistry from a reputable university may apply for registration as Chemist
8 without examination. These persons shall apply for exemption from the Board and submit a
9 copy of their undergraduate and graduate diplomas, transcripts and cover pages of their
10 Doctoral thesis; *Provided*, that if such individuals have been active in their practice of
11 Chemistry abroad, they should establish proof of such practice. The Board, in its discretion,
12 may require presentation of the Doctoral thesis and other evidence of competence and
13 achievement in Chemistry.

14 **Sec. 23. Issuance of Temporary/Special Permit.** - The Board may issue a Special
15 Permit to practice Chemistry to the following persons upon application with the Board:

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

19 (b) Foreign-based chemists who have distinguished themselves in their respective
20 fields of specialization, contracted as a professor or lecturer on chemistry subjects by a
21 Philippine school, college, institute or university on a direct hire or exchange basis. The
22 Special Permit shall indicate the period of its validity, which shall not exceed three years. It
23 may be renewed subject to the rules and regulations of the Board.

24 Complaints or questions regarding such individuals may be directed to the Board for
25 verification or action.

26 **Sec. 24. Professional Oath.** - All persons to be admitted to the practice of
27 Chemistry and Chemical Technology are required to take their oath before the Board or any
28 officer authorized by the Commission prior to the issuance of their Certificate of
29 Registration.

30 **Sec. 25. Issuance of Certificate of Registration for Chemist and Chemical**
31 **Technician.** - A Certificate of Registration for Chemist and Chemical Technician shall be
32 issued by the Board to examinees who satisfy the requirements of the relevant licensure
33 examination subject to the payment of fees prescribed by the Commission. The Certificate

1 of Registration shall state the full name of the registrant and his/her registration number, and
2 bear the signature of the Chairperson of the Commission and the Chairperson and
3 Members of the Board, authenticated by the official seal of the Commission and the Board.

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

6 **Sec. 26. Issuance of Professional Identification Card for Chemist and Chemical**
7 **Technician.** - A Professional Identification for Chemist shall be issued to holders of a valid
8 Certificate of Registration for Chemist, subject to the payment of fees prescribed by the
9 Commission. A Professional Identification for Chemical Technician shall be issued to holders
10 of a valid Certificate of Registration for Chemical Technician. The Professional Identification
11 shall state the full name of the registrant and his/her registration number, and bear the
12 signature of the Chairpersons of the Commission and the Board, authenticated by the
13 official seal of the Commission and the Board. The Professional Identification shall be valid
14 for a period of three years, subject to renewal, *provided* that the Certificate of Registration
15 shall not have been suspended or revoked under the provisions of this Act.

16 **Sec. 27. Revocation or Suspension of the Certificate of Registration and**
17 **Cancellation of Temporary/Special Permit.** - The Board shall have the power, upon notice
18 and hearing, to revoke or suspend the Certificate of Registration of a Registered Chemist or
19 to cancel a temporary/special permit granted to a foreign chemist, on any of the following
20 grounds:

21 (a) An act of misrepresentation in connection with the performance of chemistry
22 services as defined in this law or any act inimical to the chemistry profession;

23 (b) Gross immorality or commission of any act involving moral turpitude;

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

26 (d) A judicial declaration of being of unsound mind.

27 The Board may, for reasons it may deem sufficient and upon proper petition, reissue
28 revoked Certificates of Registration or other certificates.

29 **Sec. 28. Continuing Professional Education (CPE) Program.** - The CPE program
30 guidelines for Chemistry and Chemical Technology shall be prescribed and promulgated by
31 the Board, subject to the approval of the Commission. The Board shall create a CPE
32 Council to administer the CPE program. The CPE Council shall be composed of a
33 Chairperson coming from the Board, a member from the APO, and a member from the

1 academe. Compliance with the CPE requirements shall be a requirement for the renewal of
2 the Professional Identification for Chemist and Chemical Technician.

3 **Sec. 29. Membership in the Accredited Professional Organization (APO).** - A
4 Chemist or Chemical Technician duly registered with the Board shall automatically become
5 a member of the APO and shall receive the benefits of membership upon payment of the
6 required fees.

7 **Sec. 30. Roster of Chemists and Chemical Technicians.** - The Commission shall
8 keep a roster of all registered Chemists and Chemical Technicians, stating their names,
9 registration numbers and places of business. The Commission shall regularly update such
10 roster and make it available to all interested parties.

11 **Sec. 31. Seal and Title of Registered Chemist.** - Each Registered Chemist shall,
12 upon registration, obtain a seal as prescribed by the Board with the label "Registered
13 Chemist" bearing the registrant's name and registration number. All official documents or
14 reports which require the certification or signature of the Registered Chemist shall be
15 stamped with the personal seal of the Registered Chemist. Registered Chemists have the
16 right to use the title "Registered Chemist" or "RCh" in their official documents.

17 **Sec. 32. Indication of Certificate of Registration and Professional Tax Receipt.** -
18 The Registered Chemist shall be required to indicate his/her Certification of Registration
19 (CR) and Professional Tax Receipt (PTR) numbers, their date and place of issuance, and
20 expiry in all official documents or reports requiring his/her certification or signature.

21 **Sec. 33. Foreign Reciprocity.** - A foreign citizen may be allowed to take the
22 licensure examination and may be given a Certificate of Registration and Professional
23 Identification if he/she can prove that the law of the country or state of which he/she is a
24 citizen allows Filipino chemists to practice within its territorial limits on the same basis as
25 subjects or citizens of such country; *Provided*, That the requirements for the registration or
26 licensing of chemists in said country are substantially the same as those prescribed in this
27 Act.

28 **Sec. 34. 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 Technology in the Philippines; *Provided*,
32 that such practice is carried out only by Registered Chemists or Registered Chemical
33 Technicians holding valid Certificates of Registration and Professional Identification issued

1 by the Board. In case of a firm, corporation, or government agency, the person who has
2 charge of the management or administration shall be held personally liable for violations of
3 this Act.

4 **Sec. 35. Requirements for Certificate of Authority to Operate.** - The Board, in
5 consultation with relevant agencies and the APO, shall set the requirements for the
6 issuance of the Certificate of Authority to Operate. Such requirements shall be contained in
7 Board resolutions.

8 **Sec. 36. Roster of Chemical Laboratories and Related Entities.** - The
9 Commission shall keep a roster of all chemical laboratories and entities engaged in the
10 practice of chemistry, stating their names, registration numbers and places of business. The
11 Commission shall regularly update such roster.

12 **ARTICLE IV**

13 **GENERAL PROVISIONS**

14 **Sec. 37. Prohibited Acts.** - No person shall undertake the professional practice of
15 Chemistry or Chemical Technology without a valid Certificate of Registration and
16 Professional Identification. This includes any person who:

17 (a) Practices chemistry without a valid Certificate of Registration and/or valid
18 Professional Identification or a valid temporary/special permit;

19 (b) Attempts to use as his/her own the Certificate, license number or seal of another
20 Registered Chemist or Chemical Technician;

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

23 (d) Furnishes the Board or Commission any false information or document in order to
24 secure a Certificate of Registration.

25 **Sec. 38. Penal Clause for the Unauthorized Professional Practice of Chemistry**
26 **and Chemical Technology.** - Upon conviction, these persons shall be sentenced to a
27 penalty of imprisonment for a period of not less than one month or more than year or a fine
28 of not less than one hundred thousand pesos (₱100,000) or more than one million pesos
29 (₱1,000,000) or both, at the discretion of the court.

30 **Sec. 39. Penal Clause for Chemical Laboratories and Related Firms.** - No
31 chemical laboratory or firm shall undertake activities covered by this Act without a valid
32 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 the same penalty provided under Section 39 of this Act.

3 **Sec. 40. Reports and Other Legal Documents.** - Any document related to the
4 practice of Chemistry shall not be considered as official or admissible for legal purposes
5 unless such document is executed by a Registered Chemist in conformity with the
6 provisions of Sections 32 and 33 of this Act. Any Registered Chemical Technician who
7 contributes to the work shall also be required to affix his/her signature and indicate his/her
8 Certificate of Registration.

9 ARTICLE V

10 TRANSITORY PROVISIONS

11 **Sec. 41. Term of Office of Incumbent Board.** - The incumbent Chairperson and
12 Members of the Board at the time of approval of this Act shall hold such office for a period of
13 two years from the date of effectivity of this Act or for the remaining duration of their current
14 term, whichever is longer. The Board shall promulgate rules and regulations for the
15 implementation of this Act.

16 **Sec. 42. Vested Rights: Automatic Registration of Chemists and Chemical**
17 **Technicians.** - All Registered Chemists and Chemical Technologists whose registration
18 preceded the effectivity of this Act shall retain the same registration number. The validity
19 and period of their existing professional license shall continue in force until its date of expiry.

20 **Sec. 43. Preparation of Seal and Title of Registered Chemist.** - Within three years
21 from the date of effectivity of this Act:

22 (a) All duly registered Chemists with a valid professional license shall obtain an
23 official seal prescribed by the Board with the label "Registered Chemist" bearing his/her
24 name and registration number.

25 (b) All official documents or reports which require the certification or signature of the
26 Registered Chemist shall be stamped with the personal seal of the Registered Chemist;
27 *Provided that*, upon the date of effectivity of this Act, all duly registered chemists with a valid
28 professional license may use the title "Registered Chemist" or "RCh" in their official
29 documents.

30 **Sec. 44. Transitory Provisions for Lecturers of Professional Chemistry**
31 **Subjects.** - Teachers or lecturers on professional chemistry subjects who have performing
32 such functions for at least three years prior to the effectivity of this Act shall enjoy a three-
33 year grace period by which time they must fulfill the following requirements:

1 (a) Successfully complete at least sixty (60) units of chemistry in undergraduate or
2 graduate degree courses, which number of units must include all of the professional
3 chemistry subjects;

4 (b) Satisfy other reasonable requirements or criteria that the Board may set to
5 demonstrate competence to teach such subjects; and

6 (c) Actively participate in the CPE for chemistry.

7 After the three-year grace period, such individuals must submit certified true copies
8 of their relevant transcripts, a letter of endorsement from the head of the institution, and
9 proof of participation in the CPE to the Board for evaluation. Those who are evaluated to
10 have fulfilled the requirements shall be issued a Special Permit to teach professional
11 chemistry subjects. Such Special Permit shall be limited and shall not be construed as
12 permission to practice chemistry, unless such individual subsequently qualifies as a
13 Registered Chemist.

14 ARTICLE VI

15 FINAL PROVISIONS

16 **Sec. 45. *Implementing Rules and Regulations.*** - Subject to the approval of the
17 Commission, the Board shall adopt and promulgate the Implementing Rules and
18 Regulations, Code of Ethics, Code of Technical Standards, and other issuances necessary
19 to carry out the provisions of this Act.

20 **Sec. 46. *Appropriations.*** - The amount necessary for the implementation of this Act
21 shall be included in the General Appropriations Act of the year following its enactment and
22 thereafter.

23 **Sec. 47. *Effects of the Act.*** - This Act shall not affect or prevent the practice of any
24 other legally recognized profession.

25 **Sec. 48. *Separability Clause.*** - If any section of this Act shall be declared
26 unconstitutional or invalid, such shall not invalidate any other section of this Act.

27 **Sec. 49. *Repealing Clause.*** - Republic Act No. 754 and all other laws, parts of laws,
28 orders, ordinances or regulations in conflict with the provisions of this Act are hereby
29 repealed.

30 **Sec. 50. *Effectivity.*** - This Act shall take effect fifteen (15) days following its
31 publication in the Official Gazette or any major newspaper of general circulation.

32 Approved,