

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

OFFICE OF THE SECRETARY
10 JUL -6 11:05

SENATE
S. NO. 296

RECEIVED
[Signature]

Introduced by Senator Antonio "Sonny" F. Trillanes IV

Explanatory Note

With the fast-changing signs of the times and the advent of modern technology, the existing Sanitary Engineering Law that aims to protect public health and environment has become outdated. The scope and complexities of environment pollution have increased and the need for environmental surveillance and protection in the field of Sanitary Engineering has broadened. Thus, it is the aim of this legislation to enact a measure that will enable the Sanitary and Environmental Engineers to be more effective in dealing with today's environmental and public health problems.

This bill seeks to update and upgrade the fifty-three (53) - year old Republic Act No. 1364 to make the practice of Environmental and Sanitary Engineering more relevant to contemporary conditions and challenges.

In view of the foregoing, approval of this measure is earnestly requested.


Antonio "Sonny" F. Trillanes IV
Senator

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AN ACT
PROVIDING FOR A MORE RESPONSIVE AND COMPREHENSIVE REGULATION
FOR THE PRACTICE, LICENSING, AND REGISTRATION OF ENVIRONMENTAL
AND SANITARY ENGINEERS IN THE PHILIPPINES AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 1364 AND FOR OTHER PURPOSES

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

1 **SECTION 1. Title.-** This Act shall be known as the "Revised Environmental and
2 Sanitary Engineering Act of 2010".

4 **SEC. 2. Definition of Terms.-** As used in this Act, the following terms shall mean:

5 a. Biosolids – similar to sludge

6 b. Fixture Unit – a quantity in terms of which the load producing effects on the
7 plumbing systems of different kinds of plumbing fixtures are expressed on some arbitrarily
8 chosen scale.

9 c. Garbage – used to designate the putrescible wastes resulting from growing, handling,
10 preparation, cooking and consumption of food.

11 d. Gray Water – untreated household wastewater which has not come in contact with
12 toilet waste and includes water from bathtubs, bathroom washbasin, and washing machines and
13 laundry tubs. It shall not include wastewater from kitchen sinks or dishwashers.

14 e. Hazardous Waste – shall refer to by-products, side products, process residues, spent
15 reaction media, contaminated plant or equipment or other substances from manufacturing

1 operations' and as consumer discards of manufactured products which present unreasonable
2 risk/injury to health and safety and to the environment.

3 f. Ionizing Radiation – is the energy that propagated through space or material medium
4 in the form of waves or particle and is capable of either directly or indirectly removing electrons
5 from atoms, thereby creating ions, which are electrically charged atoms.

6 g. Non-Ionizing Radiation – includes ultraviolet radiation, visible light, microwaves,
7 electromagnetic radiation used in television, am and fm radio communications and
8 electromagnetic fields around electric power lines and appliances.

9 h. Plumber – a person who fits and repairs water and drainage pipes.

10 i. Radiation – the process in which energy in the form of rays of light, heat or waves is
11 sent out through space from atoms and molecules as they go internal change.

12 j. Reclaimed Water – water which, as a result of a tertiary treatment of domestic
13 wastewater, is made suitable for direct beneficial use, specifically excluded from this definition
14 is “gray water”.

15 k. Refuse – materials that are collected and disposed of which includes garbage,
16 rubbish, ashes, street sweepings, dead animals, and solid market and industrial wastes.

17 l. Re-use Water – gray water and/or reclaimed water put into beneficial use.

18 m. Rubbish – denotes all non-putrescible waste except ashes.

19 n. Sanitarian – person who reviews or examines critically located establishments in
20 compliance to the Sanitation Code and its implementing rules and regulations.

21 o. Environmental and Sanitary Engineer – a person duly registered with the Board of
22 Examiners for Environmental and Sanitary Engineering in the manner as herein provided.

23 p. Sanitary Engineer – a person duly registered with the Board of Sanitary and
24 Environmental Engineering under Republic Act 1364, that shall be an environmental and
25 sanitary engineer upon the enactment of this law.

26 q. Solid Waste – synonymous to refuse

1 r. Toxic Materials – any material that may have a poisonous effect on man or
2 organism.

3 s. Trash – similar to rubbish, dry solid wastes generated in office buildings.

4 t. Treated Water – water that had undergone mechanical, physical and/or chemical
5 process for the purpose of purification.

6

7 **SEC. 3. *Scope of Environmental and Sanitary Engineer.***- Under this Act,
8 Environmental and Sanitary engineering may be practiced by a person who renders or offer
9 render professional engineering services in the form of, but not limited to, the following:

10 1. Consultancy, investigation, valuation, planning, monitoring, construction,
11 installation, manufacturing, research and management of services requiring environmental and
12 sanitary engineering knowledge.

13 2. Human resources development on environmental protection and sanitation, in
14 consonance with the other engineering disciplines with other paramedical and medical sciences.

15

16 **SEC. 4. *Duties and Responsibilities.***- The functions of environmental and sanitary
17 engineer are, but not limited to, the following areas:

18 1. Public Health – a field wherein services as nosocomical engineering for the health
19 administrative authority are rendered in, but not limited to sanitation, disease prevention and
20 control, and other public health concerns using engineering methods and paramedical measures;

21 2. Water usage, conservation and protection shall include all aspects in the protection
22 and conservation of water resources, classification of water, protection of watersheds and use of
23 water;

24 3. Re-education of the populace on the production of safe water supply, water
25 purifications, water collection, conveyance, treatment and distribution;

1 4. Storm drainage and wastewater management – water management shall include, but
2 not limited to, waste minimization, sanitary sewer collection, wastewater conveyance and
3 disposal, wastewater treatment plants, sewage treatment plants, and effluent disposal, sewer
4 appurtenances, sewage; lifting stations, leachate treatment, sludge and septage disposal and
5 storm drainage management shall include, but not limited to, run-off collection, storm water
6 conveyance and disposal including storm sewer appurtenances;

7 5. Solid waste refuse management shall include, but not limited to, waste
8 minimization, storage, segregation, collection, conveyance, treatment and disposal, including
9 necessary appurtenances;

10 6. Toxic and hazardous substances and radiation – toxic and hazardous substances
11 shall involve engineering works in, but not limited to, manufacturing, processing, storage,
12 conveyance, use, treatment and disposal of products, and by-products such as heavy metals,
13 persistent organic pollutants, priority pollutants, polychlorinated biphenyls, poisons, radioactive
14 and nuclear wastes, hospital waste, institutional waste, and agricultural wastes. Radiation shall
15 include, but not limited to, non-ionic and ionic radiation effects, protection, and control;

16 7. Pollution Prevention and Control – shall involve all aspects in prevention and
17 control of noise, air, water, and land pollution;

18 8. Life and Safety – shall involve the preservation of life and protection of property
19 against hazards and injurious conditions in, but not limited to, buildings, horizontal
20 developments, air crafts, sea vessels, land crafts, industrial areas, public places and areas,
21 underground structures for public and private use, recreational places and areas. It shall include
22 construction safety management, management and operation safety, and mitigating measures.

23 9. Environmental Engineering and Planning – engineering in environmental protection
24 shall include, but not limited to, hydrology, ecology, environmental impact assessment.

1 **SEC. 6. Powers and Duties of the Board.-** The Board of Examiners for
2 Environmental and Sanitary Engineering is vested with the authority, conformable with the
3 provisions of this Act, to administer oaths, issue, suspend and revoke certificates of registration
4 for the practice of Environmental and Sanitary Engineering, issue certificates of recognition to
5 sanitary engineers already practicing prior to the effectivity of this Act for advanced studies,
6 research and/or highly specialized training in any branch of Environmental and Sanitary
7 Engineering, subject to the approval of the President, to investigate such violations of this Act
8 and the regulations thereunder as may come to the knowledge of the Board and for this purpose,
9 issue *subpoena duces tecum* to secure appearance of witnesses in connection with the charges
10 presented to the Board, to inspect, at least once a year, educational institutions offering courses
11 in Environmental and Sanitary Engineering, to discharge such other powers and duties as may
12 effect ethical and technological standards of the Sanitary Engineering profession in the
13 Philippines. For the purpose of this Act, the Secretary of Health, and/or his duly authorized
14 representatives in the provinces and chartered cities shall be *ex-officio* agents of the Board, and
15 as such it shall be their duty to help in the enforcement of the provision of this Act.

16 If any person refuse to obey any *subpoena* so issued or shall refuse to testify or
17 produce any book, document, etc., the Board may present its petition to the appropriate courts of
18 jurisdiction, setting forth the facts and thereupon such court shall, in a proper case, issue its
19 *subpoena* to such person, inquiring his appearance before such court shall, and there to testify or
20 produce such books, person papers, documents, etc., as may be deemed necessary and pertinent
21 by the Board. Any person failing or refusing to obey the *subpoena* or order of the said court, may
22 be proceeded against in the same manner as for refusal to obey any other *subpoena* or order of
23 the court.

24 The board shall exercise executive/administrative, quasi-legislative and quasi-
25 judicial powers in carrying out the specific powers, functions, duties and responsibilities:

- 1 1. Supervise and regulate the practice of the Environmental and Sanitary Engineers and
2 Sanitarians in the country;
- 3 2. Determine and evaluate the qualifications of the applicants for registration for
4 special permits;
- 5 3. Prepare the examination questions in accordance with the pertinent section of this
6 Act; prescribe the syllabi of the subjects and their relative weights for the licensure
7 examinations; formulate or adopt test questions and deposit them in a test question bank; draw
8 the test questions at random through process of computerization; and submit the examination
9 results to the Professional Regulation Commission (PRC) within the period provided for by the
10 rules of the Commission;
- 11 4. Prescribe, amend or revise the requirements for Environmental and Sanitary
12 Engineers subjects in the licensure examination for Professional Environmental and Sanitary
13 Engineers, registered Sanitarians and their relative weight, subject to the approval of the
14 Commission;
- 15 5. Register successful applicants who have passed the licensure examinations for
16 Environmental and Sanitary Engineers and Sanitarians and issue corresponding certificates of
17 registration and professional licensure;
- 18 6. Issue special permits to individual foreign Sanitary Engineer, Environmental
19 Engineers and Sanitarians for specific projects and for specific duration of time;
- 20 7. Look into the conditions affecting the practice of the Environmental and Sanitary
21 Engineering and Sanitarian profession and adopt measures for the enhancement of the
22 professions and the maintenance of high professional technical and ethical standards and conduct
23 ocular inspections of the places where registrants practice their profession to determine and
24 enforce compliance with this Act. The Board shall authorized the duly integrated and accredited
25 Environmental and Sanitary Engineering, integrated sanitarian associations to render assistance
26 in the function;

1 8. Promulgate rules and regulations including a code of ethics, administrative policies,
2 orders and issuance to carry out the provisions of this Act;

3 9. Investigate violations of the Act and the rules and regulations, code of ethics,
4 administrative policies, orders and issuance promulgated by the Board. The rules on
5 administrative investigation promulgated by the Commission shall govern such investigation;

6 10. Issue *subpoena* or *subpoena decus tecum* to secure the attendance of respondents
7 or witnesses or the production of documents at, and relative to the investigation conducted by the
8 Board;

9 11. Delegate the investigation of the case to the Chairman, a member of the Board of
10 Professional Regulations Commission (PRC) Legal Division. If the case concerns strictly the
11 practice of the profession, the investigation shall be presided by the Chairman or Member of the
12 Board with the assistance of a PRC attorney;

13 12. Render decision, order or resolution on preliminary investigation or inquiry, on
14 undocketed cases and on docketed administrative cases against examinees or registrants which
15 shall become final and executor unless appealed with the commission within fifteen (15) days
16 from receipt of the copy thereof. The decision of the commission may be appealed to the court of
17 justice in accordance with the procedure provided in the rules of court;

18 13. After due notice and hearing, cancel examination papers and/or bar any examinee
19 from the future examination; refuse or defer his registration; reprimand the registrant with stern
20 warning; suspend him from the practice of his profession; revoke his Certificate of Registration;
21 delist his name from the roll of professional Environmental and Sanitary Engineers, Registered
22 Sanitarians, for continuous non-payment of annual registration. Delisting from the roll by the
23 Board as provided herein, may be appealed initially to the Commission within fifteen (15) days
24 from receipt thereof. The decision of the Commission may be appealed to the court in
25 accordance with the procedure provided in the rules of court;

1 14. Administer oaths in connection with administrations, implementations, or
2 reinforcement of this Act;

3 15. Submit an annual report on the proceeding and accomplishments during the year,
4 and on recommendations of the Board of the Commission after the close of each fiscal year;

5 16. Prosecute or institute criminal action against any violator of the Act and/or the
6 rules and regulations of Board;

7 17. Adopt an official seal;

8 18. Coordinate with the Commission on Higher Education in prescribing, amending
9 and/or revising the courses; and,

10 19. Perform such other functions and duties as may be necessary to implement
11 effectively this Act. The policies, resolutions, rules and regulations, orders or decisions issued or
12 promulgated by the Board shall be subject to the review and approval by the Commission;
13 provided that however, the Board's decisions, resolutions or orders which are not interlocutory,
14 rendered in an administrative case, shall be subject for review only if on appeal.

15

16 **SEC. 7. *Qualifications of Board Members.***- Each member of the Board shall, at the
17 time of this appointment:

18 1. Be a natural-born Filipino citizen and resident of the Philippines for at least five (5)
19 consecutive years;

20 2. Be at least thirty-five (35) years of age and of good moral character, of proven
21 *integrity with moral values in his personal as his professional conduct;*

22 3. Be a holder of the Degree of Bachelor of Science in Sanitary Engineering (BSSE) or
23 Bachelor of Science in Environmental and Sanitary Engineering (BSENSE), for the members of
24 the Board of Sanitary and Environmental Engineering and Chairman of specialty boards, from a
25 university, school, college, academy or institute duly constituted, recognized and accredited by
26 the Philippine government;

1 4. Be registered professional Environmental and Sanitary Engineer, or sanitarian with a
2 valid certificate of registration in their respective field of practice, and a valid license duly
3 qualified to practice Environmental and Sanitary Engineering or as Sanitarian in the Philippines.

4 5. Must not be an official nor a member of the faculty of, nor have pecuniary interest
5 in, any university, college, school or institution offering bachelor's degree in Environmental and
6 Sanitary Engineering for at least three (3) years prior to this appointment, and is not connected
7 with a review center or with any group or association where review classes or lectures in
8 preparation for the licensure examinations are offered or conducted at the time of his
9 appointment.

10 6. Have practiced Environmental and Sanitary Engineering or as a Sanitarian for a
11 period of not less than ten (10) years prior to his appointment, with a sworn statement as such;
12 and, finally,

13 A person with no final conviction by the court of an offense involving moral turpitude,
14

15 **SEC. 8. Compensation or Board of Members.-** The members of the Board shall
16 receive have monthly compensation of not less fifteen thousand (P15,000) or in accordance with
17 the salaries and wages stipulated under PRC Law: *Provided,* that the Chairman shall receive a
18 monthly compensation of ten percent (10%) *more provided,* further, that such compensation shall
19 be increased or modified pursuant to the general appropriations act of the year, provided,
20 furthermore that they shall receive other benefits that may be provided for by the law.

21
22 **SEC. 9. Executive Officer of the Board.-** The Commissioner shall be the executive
23 officer of the Board and shall conduct the examination given by the Board and shall designate
24 any subordinate officer of the commission to act as secretary and a custodian of all records and
25 minute of the Board, including all examination papers, and minutes of the deliberations of the
26 board.

1 **SEC. 10. Term of Office.-** The members of the Board shall hold office for a term of
2 three (3) years from the date of appointment or until their successor shall have been appointed or
3 qualified. They may, however, be re-appointed for the second term as recommended by their
4 respective accredited professional regulation organizations. Each member shall qualify by taking
5 oath of office before entering upon the performances of his duties.

6 Vacancies in the Board shall be filled by the President from the list of candidates
7 selected by the Commissioner who were chosen from the list of nominees submitted by the
8 integrated and accredited association for the unexpired term only.

9
10 **SEC. 11. Removal of Board Members.-** Any member of the Board may be removed by
11 the President of the Philippines, upon the recommendation of the Commissioner for neglect of
12 duty, incompetence, malpractice, commission or tolerance of irregularities in the examinations,
13 or for unprofessional, unethical, or dishonorable conduct, after having been given the
14 opportunity to defend himself in administrative investigation.

15
16 **SEC. 12. Terms of Office of the Board Members.-** Upon Approval of this Act, the
17 incumbent chairman and two (2) members of the Board shall continue to serve until their terms
18 of office expire, or until their replacements have been appointed by the President, and shall have
19 been duly qualified.

20
21 **ARTICLE III**

22 **Examination and Registration**

23
24 **Sec. 13. Registration and License Required.-** A valid certificate of registration and a
25 valid professional license from the Commission are required before any person is allowed to

1 practice Environmental and Sanitary Engineering and as Sanitarian in the Philippines, except, as
2 otherwise allowed under this Act.

3

4 **SEC. 14. Examination Requirement.-** All applicants for registration for the practice of
5 Environmental and Sanitary Engineering shall be required to pass their respective technical
6 examinations as hereinafter provide, except as otherwise specifically allowed under this Act.

7

8 **SEC. 15. Holding of Examination.-** Examination of candidates desiring to practice
9 Environmental and Sanitary Engineering and Sanitarian in the Philippines shall be given in the
10 City of Manila, or any other regional centers that may be designated by the Board, beginning on
11 the last Monday of February and August of each year; *Provided*, that such days do not fall on
12 official holidays, otherwise the examination shall be held on the days immediately following the
13 set date.

14

15 **SEC. 16. Examination Fees.-** All applicants for written examinations for the
16 professional Environmental and Sanitary Engineers, Registered Sanitarian shall be subject to
17 payment of fees prescribed by the Commission; *Provided*, that ninety percent (90%) of the fees
18 is to be treated as a special fund for the programs, projects and activities of the Commission and
19 the remaining ten percent (10%) shall be set aside as trust fund for the establishment and
20 maintenance of the center for continuing education and research.

21

22 **SEC. 17. Registration Fees, License Fees, and Fines.-** All applicants for registration
23 and license to practices shall be subject to payment of registration fees, license fees, and fines, in
24 case of violation of the pertinent rules and regulations for the amounts prescribed by the Board
25 and approved by the Commission; *Provided*, that fifty percent (50%) from these collections shall
26 be set up in a separate special fund for the supervisory and regulatory functions of the Board.

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SEC. 18. Scope of Examination.- Applicants for certificates of registration as

Environmental and Sanitary Engineer, and as Sanitarian shall be examined in the following subjects:

1. Professional Environmental and Sanitary Engineer - Mathematics, including algebra, plane and spherical trigonometry, analytic, descriptive and solid geometry, differential and integral calculus, rational and applied mechanics; hydraulics; topographic surveying, design and construction of wooden, masonry, reinforced concrete, and steel structures as flumes, water towers and drainage canals; hydrology, ecology, public health engineering, environmental impact assessment, pollution prevention and control, design and construction of sewers, storm drains, water purification plants, treatment plants and planning engineering: *Provided however,* that duly registered Civil Engineers shall be exempted from taking examinations in the following subjects: (1) Mathematics, including algebra, plane and spherical trigonometry, differential and integral calculus, rational and applied mechanics; (2) hydraulics; (3) topographic and hydrographic surveying, and (4) design and construction of wooden, masonry, reinforced concrete and steel structure flumes, water towers and drainage canals;

2. Registered Sanitarian – Arithmetic; code on sanitation and its implementing rules and regulations; microbiology and parasitology and practical problems;

SEC. 19. Report of Ratings. -The Board of Examiners for Environmental and Sanitary Engineering shall, within one hundred twenty days (120) after the date of completion of the examination, report the ratings obtained by each candidate to the Civil Service Commissioner, who shall submit such ratings to the President.

1 **SEC. 20. Examination.-** An applicant who for the third time fails to pass the
2 examination for the same grade shall not be allowed to take another until at least one year has
3 elapsed after his last examination.

4
5 **SEC. 21. Issuance of Certificates of Registration and Professional License.-** The
6 President shall upon the recommendation of the Board, issue a certificate of registration upon
7 payment of the registration fess as provided in this Act to any applicant, who, in the opinion of
8 the Board and after approval by the President, has satisfactorily met all the requirements
9 specified in this Act.

10 The registration for Environmental and Sanitary Engineer or registered Sanitarian shall
11 commence from the date his name is entered in the roll of registrants or licensees, for his
12 profession, or trade. Every registrant who has satisfactorily met all the requirements specified in
13 this Act, upon payment of the registration fee, shall be issued a certificate of Environmental and
14 Sanitary Engineer or registered Sanitarian that shows the full name of the registrant, and with a
15 serial number, signed by the Commissioner and by the Chairman and all the members of the
16 Board, stamped with the official seal.

17 To practice the profession and/or Trade with all the rights and privileges appurtenant
18 thereto, the certificate shall remain in full force and effect until withdrawn, suspended, or
19 revoked in accordance with the law.

20 A professional license signed by the Commission and bearing the registration number
21 and date of issuance thereof, and the month of expiry or renewability shall likewise be issued to
22 every registrant who has paid the annual registration fees for three (3) consecutive years. This
23 license will serve as evidence that license can lawfully practice his profession until the expiration
24 of its validity.

1 **SEC. 22. *Qualification of Applicants for Environmental and Sanitary Engineering***

2 **Examinations.-** Any person applying for admission to the Environmental and Sanitary
3 Engineering, as herein provided, shall establish to the satisfaction of the Board that, on or before
4 the date of examination, he possesses the following qualifications:

5 1. He is a citizen of the Philippines;

6 2. He is of good reputation with good moral values;

7 3. He has not been finally convicted by the court of an offense involving moral
8 turpitude;

9 4. He is a holder of the degree of Bachelor of Science in Sanitary Engineering (BSSE)
10 or Bachelor of Science in Environmental and Sanitary Engineering (BSENSE) from a university,
11 college, academy or institute duly constituted, recognized and accredited by the Philippine
12 government; and

13 5. Engineers who have taken their Masteral units in Environmental and/or Public
14 Health Engineering with supplemental units which the Board may require.

15
16 **SEC. 23. *Qualification of Applicants for Registered Sanitarian.-*** Any person applying

17 for the admission to the Sanitarian examinations, as herein provided, shall establish to the
18 satisfaction of the Board that, on or before the date of the examination, he possesses the
19 following qualifications:

20 1. He is a citizen of the Philippines;

21 2. He is of good reputation with good moral values;

22 3. He has not been finally convicted by the court of an offense involving moral
23 turpitude;

24 4. He is second year student of Bachelor of Science in Sanitary, Civil, Mechanical,
25 Chemical or Electrical Engineering or second year student of Bachelor of Science in the field of
26 natural sciences;

1 5. He has at east two (2) units in basic microbiology, parasitology and environmental
2 sanitation laws; and

3 6. He has at least six (6) weeks experience as apprentice sanitarian under the
4 supervision of registered Environmental and Sanitary Engineer.

5
6 **SEC. 24. Oath.-** All successful candidates in the examination shall be required to take a
7 professional oath before the Board authorized to administer oaths, prior to entering upon the
8 practice of Environmental and Sanitary Engineering and Sanitarian profession.

9
10 **SEC. 25. Seal and Use of Seal.-** All registered Environmental and Sanitary Engineers
11 shall obtain their respective seal, of such design, as the certificate issued by the Board shall
12 authorize and direct: *Provided however*, that the serial number of the seal, plans and
13 specifications prepared by, or under the direct supervision of a registered Environmental and
14 Sanitary Engineers, shall be stamped with the seal during the life of the registrants' certificate.
15 And it shall be unlawful for anybody to stamp or seal any document with said seal after the
16 certificate the registrant named therein has expired or has been revoked, unless said certificate
17 have been renewed or reissued.

18
19 **SEC. 26. Exemption from Examination and Registration.-** Registration shall not be
20 required of foreign Sanitary engineers or experts called in by the Philippine government for
21 consultation for specific sanitary and/or Environmental Engineering services as defined under
22 this Act: *Provided*, that this practice shall be limited to such work: *And provided further*, that
23 they do not engage in private practice at their own account as Environmental and Sanitary
24 Engineers.

1 **SEC. 27. Refusal to Issue Certificates.**- The Board of Environmental and Sanitary
2 Engineers shall not issue a certificate of registration to any person convicted of any criminal
3 offense involving moral turpitude, or to any person guilty of immoral or dishonorable conduct, or
4 to any person of unsound mind. In the event of a refusal to issue a certificate to any person, the
5 Board shall give to the applicant a written statement setting forth the reasons for such action,
6 which statement shall be incorporated in the records of the Board.

7
8 **SEC. 28. Revocation of Certificates of Registration and Suspension from the**
9 **Practice of Profession.** -The Board shall have the power after due notice and hearing, to suspend
10 or revoke the certificate of registration of any registrant, for any cause mentioned in the
11 preceding section, or due to incompetence or for unprofessional or dishonorable conduct, for
12 violation of this Act, the rules and other policies of the Board and the code of professional ethics.

13 It shall be a sufficient ground for the revocation of certification issued to a person under
14 this Act, and his suspension from the practice of his profession for unprofessional or
15 dishonorable conduct, if:

16 1. Being a Professional Environmental and Sanitary Engineer, he has signed and
17 affixed his seal on any plan, design, technical reports, valuation, estimate, specification or other
18 similar document or work not prepared by him or not executed under his immediate supervision;

19 2. To be in charge of the construction, erection, installation, or alteration, or of the
20 performance of Sanitary Engineering service in connection with the manufacture, sale supply or
21 distribution of any Sanitary Engineering works, projects or plant (as cited in article one, section
22 two of this Act), either for himself or for others, unless he holds a valid certificate of registration
23 as Environmental and Sanitary Engineer.

24 3. This decision of the Board shall be final and executory unless it is appealed by the
25 respondent to the Commission within fifteen (15) days from the receipt of such decision. The

1 Board's or Commission's decision is appealable by the respondent to the court of justice in
2 accordance with the procedure under the rules of court.

3 4. Any person, firm, associations or corporation may file charges in accordance with
4 the provisions of this section against any license, or Board may, on its own initiative
5 (*motupropio*) investigate and/or take cognizance of acts and practices constituting cause for
6 suspension or revocation of the certificate of registration.

7 5. The rules and regulations of the commission on administrative investigation shall
8 govern the procedure and conduct of administrative investigation before the Board.

9 6. The respondent shall have the right to a speedy and public hearing and to confront
10 and cross-examine witnesses against him.

11

12 **SEC. 29. *Re-issuance of Revoked Certificates and Replacement of Lost Certificates.-***

13 Subject to approval of the Commission, the Board may, after the expiration of one (1) year from
14 the date a Certificate of Registration is revoked, and for reasons may deem sufficient, entertain
15 an application for a new certificate of registration from the registrant concerned. Such
16 application shall be accomplished in the same form prescribed for examination, but the Board
17 may, in its discretion, exempt the applicant from taking the requisite examination.

18 A new Certificate of Registration to replace any certificate that has been lost, destroyed
19 or mutilated be issued, subject to the rules of the Board.

20

21 **SEC. 30. *Integration of the Professional Organizations.-*** The Environmental and

22 Sanitary Engineering Professional shall be integrated into one National Organization which shall
23 be recognized by the Board as the one Integrated and Accredited Association. Every
24 Environmental and Sanitary Engineer and Registered Sanitarian upon registration with the Board
25 as such, shall *ipso facto*, become a member of their respected integrated national organization.

26 Those who have been registered with the Board but are not members of the said organization at

1 the time of the effectivity of this Act, shall be allowed to register as members of the said within
2 three (3) years after the effectivity of this Act. Membership in the integrated organization shall
3 not be barred in other associations.
4

5 **SEC. 31. *Continuing Professional Education and Development Committee.***- The
6 accredited professional organizations shall have a continuing professional development
7 committee which shall be appointed by the Board of Directors of the PSSE, by means of
8 resolution, whose members shall be represented one (1) member of the PTC, one (1) member of
9 the Academe, one (1) member from the practitioners and one (1) PRC Board of ENSE and
10 Sanitarian, to evaluate the programs, providers, and certificates of the continuing professional
11 program.
12

13 **ARTICLE IV**

14 **Sundry Provisions Relative to the Practice of Environmental and Sanitary** 15 **Engineering** 16

17 **SEC. 32. *Foreign Reciprocity.***- No Foreign Engineer shall be admitted to take a Board
18 of Examination, be given a Certificate of Registration, or be entitled to any of the rights and
19 privileges under this Act unless the country of which he is a subject or citizen specifically
20 permits Filipino Engineers to practice within its territorial limits on the same basis as the subjects
21 or citizens of such country.
22

23 **SEC. 33. *Enforcement of the Act by Officers of the Law.***- It shall be the duty of all
24 constituted officers of the law of the national government, or any provincial, city, or municipal
25 government, or of any political subdivision, to enforce the provisions of this Act and to prosecute
26 any person violating the same. The Secretary of Justice or his assistant shall act as legal advisers

1 of the Board and render such legal assistance as may be necessary in carrying out the provisions
2 of this Act.

3

4 **SEC. 34. *Field of Practice.***- The field of practice for Environmental and Sanitary
5 Engineers and registered Sanitarian shall be as follows:

6 1. A Sanitary and Environmental Engineer's field of practice includes the sole
7 authority to sign and seal sanitary plans and to practice Environmental and Sanitary Engineering
8 in its full scope as defined in this Act.

9 2. A registered Sanitarian's field of practice includes inspection of facilities for the
10 purpose of sanitation, and fields of work provided by the Department of Health (DoH).

11

12 **SEC. 35. *Prohibition in the Practice of Sanitary and Environmental Engineering.***-

13 No person shall:

14 1. Practice or offer to practice Environmental and Sanitary Engineering in the
15 Philippines without having previously obtained a Certificate of Registration and a Professional
16 License from the Board of Sanitary and Environmental Engineering as provided for in Section 15
17 hereof;

18 2. Use, or attempt to use as his own Certificate of Registration, Professional License or
19 the seal of another;

20 3. Give false or forged evidence of any kind to the Board or to any member thereof in
21 obtaining a Certificate of Registration or Professional License;

22 4. Falsely impersonate any registrant of like or different name;

23 5. Attempt to use a revoked or suspended Certificate of Registration or Professional
24 License;

1 6. Use, in connection with his name or otherwise assume, or use or advertise any title
2 or description tending to convey the impression that he is a registered Environmental and
3 Sanitary Engineer or Sanitarian without holding a valid certificate or valid license; and

4 7. Sign document involving sanitary design, plan, technical specifications, valuation
5 and the like on behalf of a Registered Engineer.

6
7 **SEC. 36. *Personnel Required.***- Except as otherwise provided in this Act, every
8 industrial plant or factory, commercial establishment, institutional building, or in any other
9 installation where persons and properties require the services of an Environmental and Sanitary
10 Engineer, a duly Registered Environmental Sanitary Engineer shall be employed for the purpose
11 to ensure safe operation and safeguard public welfare,

12
13 **SEC. 37. *Certificate of Specialty.***- Certificates of specialty shall be issued by the
14 Board, subject to the approval of the Commission, to any Environmental and Sanitary Engineers
15 who have been screened and recommended by the Integrated and Accredited Environmental and
16 Sanitary Engineering and Sanitarian Association, these are for specific fields in which the
17 applicants have specialized knowledge, training and experience and have demonstrated their
18 competence and expertise, the Board shall, subject to the approval of the Commission, and after
19 consultation with the said association prescribed and issue the necessary guidelines for the
20 issuance of these certificates.

21
22 **SEC. 38. *Practice for Firms and Corporations.***- The practice of Sanitary and
23 Environmental Engineering is a professional service admission which based on individual and
24 personal qualifications. Practice in a corporation may be allowed but individual members shall
25 be limited to restrictions of corporate practice.

1 **ARTICLE VI**

2 **Final Provisions**

3
4 **SEC. 42. *Repealing Clause.***- All laws, provisions of charters, executive orders, rules
5 and regulations or parts thereof contrary to or inconsistent with the provisions of this Act are
6 hereby repealed, amended, or modified accordingly.

7
8 **SEC. 43. *Separability Clause.***- If any part of this Act or application thereof is declared
9 unconstitutional or invalid for any reason, the same shall not affect the validity of the other
10 provisions.

11
12 **SEC. 44. *Effectivity Clause.***- This Act shall take effect thirty (30) days following its
13 full publication in the Official Gazette or newspaper of general circulation.

Approved,