

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

OFFICE OF THE CLERK

8 NOV 27 P 1:20

SENATE

S. No. 2914

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Introduced by **Senator FRANCIS G. ESCUDERO**

EXPLANATORY NOTE

The Civil Engineering Law, Republic Act No. 544, which governs the practice of Civil Engineering in the Philippines, was last amended 49 years ago.

Since then, the number of registered civil engineers has grown to over 100,000 today. A new role for the civil engineer has likewise evolved in the light of the globalization and cross-boarder practice. Whereas before the civil engineer was confined to the application of technical knowledge with a boarder range of issues to deal with, the civil engineer now has to face the challenges of integrating the socio-economic and environmental issues with the technical aspects of the construction projects. The civil engineer is constantly challenged to design and build developments in a manner that is environmentally sound, socially acceptable, and globally competitive.

This bill, with its proposed amendments of the law, seeks to achieve the following objectives:

1. To attune the law to national development needs;
2. To strengthen the profession and enable civil engineers to cope with the formidable challenges brought about by globalization and cross-boarder practice;
3. To continually upgrade the level of competence of the civil engineers through:
 - a. peer recognition of specialization in civil engineering;
 - b. continuous professional development; and
 - c. the strengthening of the accredited professional organization of civil engineers;

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



FRANCIS G. ESCUDERO

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AN ACT
FURTHER AMENDING REPUBLIC ACT NO. 544, AS
AMENDED, OR THE CIVIL ENGINEERING LAW

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

1 SECTION 1. Sections 2, 4, 13, 16 and 19 of Republic Act No. 544, as
2 amended, are hereby further amended to read as follows:
3

4 "Section 2. *Definition of Terms.*

5
6 (a) The practice of civil engineering within the meaning
7 and intent of this Act shall embrace services in the form of
8 consultation, design, preparation of plans, specifications,
9 estimates, erection, installation and supervision of the
10 construction of streets, bridges, highways, railroads,
11 airports and hangars, port works, canals, river and shore
12 improvements, lighthouses, and dry docks; buildings,
13 fixed structures for irrigation, flood protection, drainage,
14 water supply and sewerage works; demolition of
15 permanent structures; and tunnels. The enumeration of
16 any work in this section shall not be construed as
17 excluding any other work requiring civil engineering
18 knowledge and application.
19

20 (b) The term "civil engineer" as used in this act shall
21 mean a person duly registered with the Board for Civil
22 Engineers in the manner as hereinafter provided.
23

24 (C) ACCREDITED PROFESSIONAL
25 ORGANIZATION OF CIVIL ENGINEERS (APOCE)
26 SHALL MEAN THE PHILIPPINE INSTITUTE OF CIVIL
27 ENGINEERS (PICE) WHICH IS THE OFFICIAL
28 NATIONAL ORGANIZATION OF ALL REGISTERED
29 CIVIL ENGINEERS IN THE PHILIPPINES AS
30 ACCREDITED BY THE PROFESSIONAL
31 REGULATION COMMISSION."
32

1 “Section 4. *Powers and duties of the Board.* – The Board of
2 Examiners of Civil Engineers is vested with authority,
3 conformable with the provisions of this Act, to administer
4 oaths, issue, suspend and revoke certificates of registration
5 for the practice of civil engineering, [issue certificates of
6 recognition to civil engineers already registered under this
7 Act for advance studies, research, and/or highly
8 specialized training in any branch of civil engineering,
9 subject to the approval of the Secretary of the Public Works
10 and Communications,] to investigate such violations of
11 this Act and the regulations, there-under as may come to
12 the knowledge of the Board and, for this purpose, issue
13 *subpoena and subpoena duces tecum* to secure appearance of
14 witnesses in connection with the charges presented to the
15 Board, to inspect at least once a year educational
16 institutions offering courses in civil engineering, civil
17 engineering works, project or corporations, established in
18 the Philippines and, for safe-guarding of life, health and
19 property, to discharge such other powers and duties as
20 may affect ethical and technological standards of the civil
21 engineering profession in the Philippines. For the purpose
22 of this act, the Director of the Public Works and/or his
23 authorized representative in the provinces and chartered
24 cities shall be *ex-officio* agents of the Board and as such
25 shall be their duty to help in the enforcement of the
26 provisions of this Act.

27
28 The Board may[, with the approval of the Secretary of
29 Public Works and Communications issue] PROMULGATE
30 such rules and regulations as may be deemed necessary to
31 carry out the provisions of this act. THE LATEST
32 EDITION OF THE CIVIL ENGINEERING CODE, THE
33 MANUAL OF PROFESSIONAL PRACTICE OF CIVIL
34 ENGINEERS AS PREPARED BY THE APOCE AND
35 APPROVED BY THE BOARD SHALL FORM PART OF
36 THE IMPLEMENTING RULES AND REGULATIONS.
37 The Board shall also adopt a code of ethics in the practice
38 of civil engineering and have an official seal to authenticate
39 its official documents.”

40
41 “SECTION 4 (A). CERTIFICATE OF SPECIALIZATION
42 – IN ORDER TO ENCOURAGE THE CONTINUING
43 PROFESSIONAL DEVELOPMENT OF REGISTERED
44 CIVIL ENGINEERS, THE ACCREDITED
45 PROFESSIONAL ORGANIZATION OF CIVIL
46 ENGINEERS (APOCE) BY THE PROFESSIONAL
47 REGULATION COMMISSION SHALL BE VESTED
48 WITH AUTHORITY CONFORMABLE WITH THE
49 PROVISIONS OF THIS ACT, TO ISSUE A
50 CERTIFICATE OF SPECIALIZATION TO A
51 REGISTERED CIVIL ENGINEER WHO HAS
52 DEMONSTRATED HIS ADVANCE KNOWLEDGE,
53 EXPERIENCE, EDUCATION, AND TRAINING IN A

1 RECOGNIZED BRANCH OF CIVIL ENGINEERING:
2 PROVIDED, THAT AT THE INITIAL EFFECTIVITY OF
3 THIS ACT, THE SPECIALIZATION OF
4 CONSTRUCTION MANAGEMENT AND
5 ENGINEERING, GEOTECHNICAL ENGINEERING,
6 STRUCTURAL ENGINEERING, TRANSPORTATION
7 ENGINEERING, AND WATER RESOURCES AND
8 HYDRAULICS ENGINEERING SHALL BE SO
9 RECOGNIZED. PROVIDED FURTHER, OTHER
10 SPECIALIZATION MAY ADDITIONALLY BE
11 RECOGNIZED BY THE APOCE. SPECIALISTS IN
12 EACH RECOGNIZED BRANCH MAY FORM A
13 SPECIALTY ORGANIZATION OF CIVIL ENGINEERS
14 (SOCE): PROVIDED FURTHER THAT THIS SOCE IS
15 AFFILIATED TO AND RECOGNIZED BY THE APOCE.
16 PROVIDED FINALLY, THERE IS ONLY ONE SOCE
17 FOR EACH RECOGNIZED BRANCH OF CIVIL
18 ENGINEERING, WITHOUT PREJUDICE TO
19 MEMBERSHIP IN OTHER VOLUNTARY
20 PROFESSIONAL ORGANIZATIONS. THE HOLDER
21 OF SUCH CERTIFICATE OF SPECIALIZATION MAY
22 USE THE SPECIALIST TITLE IN THE SIGNING OF
23 RELEVANT PLANS AND DOCUMENTS.
24

25 THE APOCE SHALL HAVE THE AUTHORITY TO
26 SUSPEND OR REVOKE A CERTIFICATE OF
27 SPECIALIZATION PREVIOUSLY ISSUED ON
28 GROUNDS OF VIOLATION OF ANY OF THE
29 PROVISION OF THIS ACT.”
30
31

32 “Section 13. *Oath of Civil Engineers.* - All successful
33 candidates in the examination shall be required to take a
34 professional oath before the Board Examiners of Civil
35 Engineers or other government officials authorized to
36 administer oaths, prior to entering upon the practice of the
37 civil engineering profession. ALL REGISTERED CIVIL
38 ENGINEERS SHALL ALSO TAKE THEIR OATH AS
39 MEMBERS OF THE ACCREDITED PROFESSIONAL
40 ORGANIZATION OF CIVIL ENGINEERS (APOCE)
41 AND SHALL COMPLY WITH ALL THEIR
42 MEMBERSHIP REQUIREMENT.”
43
44

45 “Section 16. *Refusal to Issue Certificate* - The Board of
46 Examiners for Civil Engineers shall not Issue a certificate
47 to any person convicted by a court of a competent
48 jurisdiction of any criminal offense involving moral
49 turpitude, or to any person guilty of immoral or
50 dishonorable conduct, or to any person of unsound mind.
51 THE BOARD SHALL NOT ISSUE A CERTIFICATE TO
52 ANY PERSON WHO IS NOT A MEMBER OF GOOD
53 STANDING OF THE APOCE. In the vent of a refusal to
54 issue a certificate to any person, the Board shall give to the

1 applicant a written statement setting forth its reason for
2 such action, which statement shall be incorporated in the
3 records of the Board.”
4
5

6 “Section 19. *Transitory Provisions.* As soon as this Act takes
7 effect, any person desiring to practice the profession of
8 civil engineering shall be required to obtain a certificate of
9 registration in the manner and under the conditions
10 hereinafter provided. All civil engineers duly licensed
11 under the provisions of Act Numbered Twenty-nine
12 hundred and eighty-five, as amended, at the time this Act
13 takes effect, shall be automatically registered under the
14 provisions hereof. Certificates of registration held by such
15 persons in good standing shall have the same force and
16 effect as though the same have been issued under the
17 provisions of this Act. **CERTIFICATES OF
18 SPECIALIZATION ISSUED TO REGISTERED CIVIL
19 ENGINEER BY THE BOARD OR ACCREDITED
20 PROFESSIONAL ORGANIZATION FOR CIVIL
21 ENGINEERING (APOCE) HELD BY SUCH PERSONS
22 IN GOOD STANDING SHALL HAVE THE SAME
23 FORCE AND EFFECT AS THOUGH THE SAME HAVE
24 BEEN ISSUED UNDER THE PROVISIONS OF THIS
25 ACT.”**
26
27

28 **SEC. 2.** *Repealing Clause.* – All other laws, decrees, presidential
29 issuances, proclamations, and administrative regulations inconsistent with or
30 contrary to the provisions of this Act are hereby amended, modified or
31 repealed accordingly, specifically, among others, Executive Order No. 495
32 dated 06 December 1992.
33

34 **SEC. 3.** *Separability Clause.* – In the event that any provision of
35 this Act is declared void or unconstitutional such declaration shall not affect
36 the validity of the unaffected provisions of this Act.
37

38 **SEC. 4.** *Effectivity Clause.* - This Act shall take effect fifteen (15)
39 days after its complete publication in at least two (2) newspapers of general
40 circulation.

Approved,