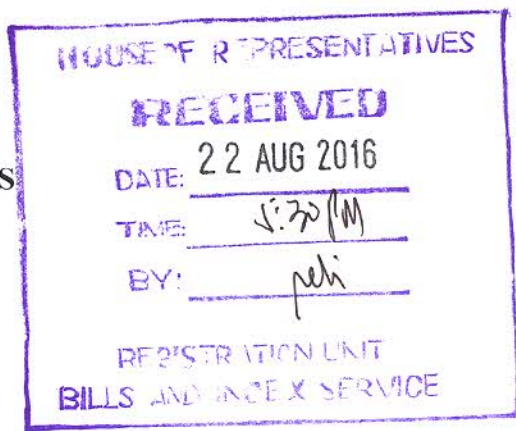


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3176



Introduced by **REP. EVELINA G. ESCUDERO**

EXPLANATORY NOTE

Some forty years ago, 1955, Congress enacted R.A. 1378, otherwise known as the Plumbing Law, which regulates the trade of master plumbers. High School graduates with five years plumbing experience used to dominate the trade. With the advent of high rise buildings their numbers are dwindling but sustaining. Master Plumbers with engineering expertise are coming about. Since then the law has become outmoded with provisions that do not harmonize with the times: To date the practice of plumbing is still considered a trade, although the act of plumbing works has become more complex with the emergence and expansion of all types of buildings design and construction, coupled by the trend of urbanization, the proliferation of urban centers, and the subsequent complexity of architectural and engineering works these all the more spell out the demand for plumbing engineer.

The burgeoning plumbing industry dramatizes the need for the participation of Plumbing Engineers with good academic background in engineering to cope up with the new technology required. The time has come, after two scores to upgrade the plumbing profession. R.A. 1378 must give way to a new law for Plumbing Engineers. Plumbing Engineering must be accorded professional acceptance and recognition.

Section 1 (B), Item (15) of R.A. 6511, An Act Amending Republic Act 465, An Act to Standardize the Examination and Registration Fees charged by the National Examining *Boards*, and the other purposes, provide and lists down the Profession of Plumbing Engineers as a preparation for the regulation of the profession. For this reason, registered engineers who are holders of Master Plumbers Certificate have responded to the call of the times and bonded themselves together under one roof, the Philippine Institute of Plumbing Engineers (PIPE). Their move was backed up by colleges and universities who recognized the importance of plumbing engineering by offering it as a distinct course. Congress has to come up with the law to elevate the plumbing trade to one of professional engineering and in the interest of public welfare.

Approval of this bill is urgently requested.


EVELINA G. ESCUDERO

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HOUSE BILL NO. 3176

Introduced by **REP. EVELINA G. ESCUDERO**

AN ACT
REGULATING THE PRACTICE OF PLUMBING ENGINEERING IN THE
PHILIPPINES, APPROPRIATING FUNDS THEREFOR AND PROVIDING PENALTIES
FOR VIOLATION THEREOF

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

ARTICLE I
TITLE, OBJECTIVE AND DEFINITION OF TERMS

SECTION 1. Short Title. – This Act shall be known as the “Plumbing Engineering Act”.

SEC. 2. Declaration of Policy. – The State recognizes the importance of plumbing engineering in nation-building and development. Pursuant thereto, it shall encourage the establishment of a pool of dynamic, responsive and innovative plumbing professionals who are committed to the pursuit of excellence and the ethical practice of the plumbing profession, and the use of modern technologies to achieve social upliftment and the improvement of the quality of life. Thus, the State shall develop and nurture competent and globally competitive plumbing professionals who shall conform to the highest standards of excellence.

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

(a) Master plumber refers to a person who is a holder of a valid Certificate of Registration or professional license and professional identification card as master plumber;

(b) Practice of plumbing engineering refers to the professional and organized act of applying scientific principle and technique for the design, installation, and operation of plumbing systems involving hot and cold water supply, installation of fixtures, sanitary drainage, vent system, storm drainage, gas piping, swimming pools, water feature, fire protection system, irrigation system, private water system and private sewerage disposal system within or adjacent to any buildings and other structures. It shall embrace services to the following activities:

(1) Consultations, designing, preparation of plans, specifications, estimates, erection, installation, and supervision of plumbing works, including the inspection and acceptance of materials used therein;

(2) Extension, addition, alteration, and modification of all piping for fixtures, equipment, appliances, and appurtenances in connection with any of the above scope; and

(3) Engagement in the teaching or transfer of knowledge and technology of plumbing engineering in any institution of learning, particularly on subjects included in the licensure examinations; and

(c) Plumbing engineer refers to a person who is a holder of a valid Certificate of Registration or professional license and professional identification card issued by the Professional Regulatory Board of Plumbing Engineering and the Professional Regulation Commission (PRC) and who is legally qualified to practice plumbing engineering in the Philippines pursuant to this Act.

ARTICLE II PROFESSIONAL REGULATORY BOARD OF PLUMBING ENGINEERING

SEC. 4. Creation and Composition of the Professional Regulatory Board of Plumbing Engineering. – There is hereby created a Professional Regulatory Board of Plumbing Engineering, hereinafter called the Board, which shall be under the administrative control and supervision of the PRC. The Board shall be composed of a Chairperson and two (2) members to be appointed by the President of the Republic of the Philippines from among those recommended by the PRC from the three (3) nominees of the duly accredited professional organization (APO) of plumbing engineers.

SEC. 5. Qualifications of the Members of the Board. – At the time of their respective appointments, the members of the Board, including the Chairperson, must:

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

(b) Be at least thirty-five (35) years of age;

(c) Be of proven integrity and high moral values;

(d) Not have been convicted on final judgment by any court for any offense involving moral turpitude;

(e) Be a Plumbing Engineer holding a valid Certificate of Registration and a valid professional license as Plumbing Engineer having a degree of Bachelor of Science in Engineering, and an active practitioner in Plumbing Engineering for not less than ten (10) years prior to appointment;

(f) Not be a member of the faculty of any school, academy, institute, college, or university where a regular course in Plumbing Engineering is being taught, nor have pecuniary interest in or administrative supervision over any such institution of learning; and

(g) Not be connected with a review center or with any group or any association where review classes or lectures in preparation for the licensure examination are offered or conducted, for a period of at least three (3) consecutive years prior to appointment.

SEC. 6. Term of Office of the Members of the Board. – The Chairperson and members of the Board shall hold office for a term of three (3) years from the date of appointment. Of the

members of the Board first appointed under this Act, one (1) member shall be appointed and hold office for three (3) years, one (1) member for two (2) years, and one (1) member for one (1) year.

The Chairperson or members of the Board may be reappointed for another term but shall in no case serve continuously for more than six (6) years. Any vacancy occurring in the membership of the Board within the term of a member shall be filled for the unexpired portion of the term only. Each member of the Board shall take an oath of office prior to the official performance of duties.

SEC. 7. Compensation and Allowances of the Members of the Board. – The Chairperson and members of the Board shall receive compensation and allowances comparable with the compensation and allowances being received by the Chairpersons and members of existing regulatory boards in the PRC and as may be provided for in the General Appropriations Act.

SEC. 8. Powers and Duties of the Board. – The Board shall exercise the following specific powers, functions, duties and responsibilities:

(a) Supervise and regulate the examination, registration, licensure, and the practice of plumbing engineering;

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

(c) Prepare the examination questions in accordance with Section 14 hereof and supervise, check, and rate the licensure examination papers;

(d) Prescribe, amend, or revise the requirements and subjects in the licensure examination for plumbing engineers and their relative weights, subject to the approval of the PRC;

(e) Administer oaths to successful examinees entering the practice of plumbing engineering in the Philippines;

(f) Issue, suspend, or revoke the license for the practice of plumbing engineering or to reissue the same;

(g) Issue special permits to foreign plumbing engineers for specific duration of time;

(h) Adopt an official seal of the Board;

(i) Look into the conditions affecting the practice of the plumbing engineering profession and, whenever necessary, adopt such measures as may be deemed proper for the enhancement of the profession and the maintenance of high professional, technical, and ethical standards of the profession;

(j) Prescribe and adopt a set of ethical and technical standards for the practice of plumbing engineering in the Philippines and cause these to be published and disseminated;

(k) Investigate, hear and try administrative cases involving violations of this Act, its implementing rules and regulations, the sets of ethical and technical standards and, for the purpose, issue subpoena ad testificandum and subpoena duces tecum to secure the appearances of witnesses and the production of documents in connection therewith;

(l) Submit an annual report on the action on all applications for licensure; the names of all persons licensed or certified; actions involving suspension, revocation, or denial of license;

recommendations for reciprocity; receipt and disbursement of any monies; and other matters that may be required by law from the PRC after the close of each fiscal year;

(m) Ensure, in coordination with the Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA), that all educational institutions offering plumbing engineering program comply with the policies, standards and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library and facilities;

(n) Coordinate with the PRC, CHED, and TESDA in prescribing, amending and revising the curriculum of the related course;

(o) Prescribe guidelines and criteria for the Continuing Professional Development (CPD) program for plumbing engineers as a condition for the renewal of their professional licenses; and

(p) Perform such other functions and duties as may be necessary for the effective implementation of this Act.

SEC. 9. Supervision of the Board, Custodian of its Records, Secretariat and Support Services. – The Board shall be under the administrative supervision of the PRC. All records of the Board, including the application for examination, examination papers and results, minutes of deliberation, administrative cases, and other investigations involving plumbing engineers shall be kept by the PRC.

The PRC shall designate the Secretary of the Board and shall provide the secretariat with the necessary support services to implement the provisions of this Act.

SEC. 10. Removal of a Member of the Board. – The President may remove any member of the Board, upon the recommendation of the PRC, on the following grounds:

(a) Neglect of duty or incompetence;

(b) Violation or tolerance of the violation of this Act or the Code of Ethics or Technical Standards for Plumbing Engineers; and

(c) Final judgment of a crime involving moral turpitude.

Members shall be given due notice and hearing where the right to be heard and to defend themselves, assisted by a counsel, shall be respected in a proper administrative investigation the PRC shall conduct.

SEC. 11. Annual Report. – The Board shall, at the close of each calendar year, submit an annual report to the President of the Philippines through the PRC, giving detailed account of its recommendation for the adoption of measures that will upgrade and improve the conditions affecting the practice of plumbing engineering in the Philippines.

ARTICLE III EXAMINATION, REGISTRATION, AND LICENSE

SEC. 12. Licensure Examination Required. – All applicants for registration as plumbing engineers shall be required to undergo and pass a written examination as hereinafter provided.

SEC. 13. Qualifications of Applicants for Plumbing Engineering Examination. – The applicant for the plumbing engineering examination shall, on the day of the examination, possess the following qualifications:

- (a) Be at least twenty-one (21) years of age;
- (b) Be a citizen of the Philippines or of a foreign country that upholds the reciprocal practice of plumbing engineering therein by Philippine nationals;
- (c) Be of good moral character; and
- (d) Be a holder of a Bachelor of Science degree in Plumbing Engineering.

SEC. 14. Scope of Examination. – The applicant for registration as plumbing engineer shall be examined in the following subjects:

(a) General Engineering and Mathematics	20%
(b) Plumbing Code	20%
(c) Plumbing Design	40%
(d) Practical Problems and Installation	<u>20%</u>
	100%

The subjects and their syllabi may be amended by the Board to conform to technological changes brought about by the continuing trends in the profession.

SEC. 15. Suspension or Revocation. – The Board may suspend or revoke a Certificate of Registration obtained through misrepresentation in the application for examination.

SEC. 16. Examination Fees. – Every applicant admitted to take the plumbing engineering examinations shall pay such fees as may be prescribed by the PRC.

SEC. 17. Schedule of Examination. – Examinations for candidates for plumbing engineering shall be given by the Board twice a year in Metro Manila, and in such other places as may be deemed appropriate by the Board. The dates of the examinations shall be fixed by the Board.

SEC. 18. Admission to Examination. – The Board, with the approval of the PRC, shall promulgate such rules and regulations as may be necessary to implement or carry out the provisions of this Act, especially those relating to the scope of examinations for plumbing engineering, proper conduct of the examinations, custody and correction of examination papers, and registration of plumbing engineers. The Board shall have control and jurisdiction over examination papers, from the preparation, printing and distribution to examinees, during the review of test scores up to the time the list of successful examinees is released for publication in newspapers of general circulation in the country.

SEC. 19. Rating in the Board Examination. – To pass the board examination for Plumbing Engineers, an examinee must obtain a weighted general average of seventy percent (70%), with no grade lower than fifty percent (50%).

SEC. 20. Reexamination. – An applicant who fails to pass the examination for the third time shall be allowed to take another examination only after the lapse of one (1) year.

SEC. 21. Report of Ratings. – The Board shall submit to the PRC the ratings obtained by each examinee not later than the twentieth (20th) day after the examination, unless extended for a just cause. Upon the release of the results of the examination, the Board shall send by mail the rating received by each examinee at the latter's given address, using the self-addressed mailing envelope submitted during the examination.

SEC. 22. Oath. – All successful plumbing engineering examinees and all those who have qualified for registration without examination shall be required to take the Oath of Profession

before the Board or any person authorized by the PRC to administer oaths before the examinee can be registered and issued a Certificate of Registration and professional identification card. The oath taking shall be a prerequisite to the practice of the profession as a Plumbing Engineer.

SEC. 23. Issuance of Certificates of Registration and Professional License. – The effectivity of the registration of plumbing engineers commences on the date the registrant's name is entered in the roll of registrants or licenses for the profession. Every registrant who has satisfactorily met all the requirements specified in this Act, upon payment of the registration fee, shall be issued a Certificate of Registration as a Plumbing Engineer.

The Certificate of Registration shall show the full name of the registrant and a serial number, signed by the Chairperson and members of the Board, and stamped with the official seal, evidencing that the person named therein is entitled to practice the profession with all the rights and privileges appurtenant thereto. The Certificate of Registration shall remain in full force and effect until withdrawn, suspended, or revoked.

A professional license signed by the Chairperson and bearing the registration number, the date of issuance and the month of expiry or renewability shall likewise be issued to every registrant who has paid the registration fees for three (3) consecutive years and has complied with the requirements of the CPD, unless exempted therefrom. This license shall serve as evidence that the licensee can lawfully practice the profession until the expiration of its validity.

SEC. 24. Seal of Plumbing Engineer. – All licensed plumbing engineers may obtain a personal seal of a design prescribed by the Board bearing the registrant's name, the certificate number and the legend "Plumbing Engineer". Plans, specifications, reports, and other professional documents prepared by or executed under the immediate supervision of and issued by a licensee shall be stamped on every sheet with the seal when filed with government authorities or when submitted or used professionally.

It shall be unlawful for anyone to use the seal on any document when the registrant's name has been delisted from the roster of plumbing engineers, or after the validity of the professional license has expired. The seal or stamp can be used again only after the registrant is reinstated to the practice of the profession and reissued a new professional license.

SEC. 25. Refusal to Issue Certificates. – The Board shall not issue a Certificate of Registration to any person convicted by the court of any criminal offense involving moral turpitude, or to any person guilty of immoral or dishonorable conduct, or to any person of unsound mind. In the event of refusal to issue certificates for any reason, the Board shall give the applicant a written statement setting forth the reasons for such action, which statement shall be incorporated in the records of the Board.

SEC. 26. Grounds for Revocation. – The Board shall have the power, upon proper notice and hearing, to revoke or suspend any Certificate of Registration of any registrant who:

- (a) Has been convicted of a crime involving moral turpitude;
- (b) Has been found guilty of dishonorable conduct;
- (c) Has been found of being unsound mind;
- (d) Has been found guilty of gross negligence or incompetence, or unprofessional or dishonorable conduct; and
- (e) Has been found guilty of any violation of this Act, the rules and regulations and other policies of the Board, and the Code of Professional Ethics.

The decision of the Board may be appealed to the Chairperson of the PRC, whose decision shall be final.

Any person, firm, association, or corporation may file charges against a certified licensed plumbing engineer in accordance with the provisions of this section in writing, sworn to, and filed with the Secretary of the Board. The Board may investigate or take cognizance of acts and practices constituting cause for the suspension or revocation of the Certificate of Registration by proper resolution or order.

SEC. 27. Reissue of Revoked Certificates and Replacement of Lost Certificates. – A person may apply to the Board for reinstatement of a license or certificate at any time after one (1) year from the date of revocation of the license or certificate. The application shall be in writing and shall conform with the requirements provided by the Board. No license or certificate shall be reissued unless the Board is satisfied that good cause exists to warrant such reinstatement. A new Certificate of Registration to replace any certificate that has been lost, destroyed, or mutilated may be issued subject to the rules of the Board.

SEC. 28. Exemption from Examination and Registration of Foreigners. – (a) Examination and registration shall not be required of foreign plumbing engineers employed as technical consultants by the Philippine government or by private firms subject to the certification of pertinent professional society that no qualified Filipino professional is available, subject to the following conditions:

(1) That the foreign professionals are legally qualified to practice their profession in their own country in which the requirements and qualifications for obtaining a license or Certificate of Registration are not lower than those specified in this Act;

(2) That the scope of work to be performed by foreign professionals shall be limited only to the particular work for which they were contracted;

(3) That prior commencing to work, the foreign professionals shall secure a special permit from the PRC;

(4) That foreign professionals shall not engage in private practice on their own account;

(5) That for every foreign professional contracted pursuant to this section, one (1) Filipino understudy who is registered under the provisions of this Act shall be employed by the private firm utilizing the services of such foreign professional for at least the duration of the latter's tenure with said firm; and

(6) That the exemption herein granted shall be good only for six (6) months, renewable for another six (6) months at the discretion of the Board. In case a foreign professional ceases to be employed in accordance with this section and engages in an occupation requiring registration as plumbing engineer, the foreigner must be registered under the provisions of this Act.

(b) No registration with the Board shall be required of engineering students, apprentices and other persons employed or acting as subordinates of, or undergoing training under a person holding a valid Certificate of Registration and a valid professional license under this Act.

ARTICLE IV
PRACTICE OF PLUMBING ENGINEERING

SEC. 29. Practice of Plumbing Engineering. – Except as may be provided in this Act, no person shall use the title “Registered Plumbing Engineer”, or display or use any title, sign, card, advertisement, or other device to indicate such person practices or offers to practice plumbing engineering unless the person shall have received from the Board a Certificate of Registration and issued a professional identification card by the PRC and the Board.

The activities enumerated in Section 3 describing the coverage of the practice of plumbing engineering shall not be construed as excluding any other work requiring plumbing engineering knowledge and application.

No firm, partnership, corporation or association may be licensed and registered as such for the practice of plumbing engineering, but duly licensed and registered plumbing engineers may form partnerships among themselves or with other licensed and registered engineers and architects and use the title “Plumbing Engineers”, “Engineers”, or “Engineers and Architects” in their partnership names.

SEC. 30. Prohibited Acts. – The following acts shall be prohibited:

(a) Practice or offer to practice plumbing engineering in the Philippines without having previously obtained a Certificate of Registration and a professional license from the Professional Regulatory Board of Plumbing Engineering;

(b) Use or attempt to use the Certificate of Registration, professional license or seal of another;

(c) Submission of fraudulent evidence of any kind to the Board or to any member thereof to obtain a Certificate of Registration and professional license;

(d) Fraudulent impersonation of any registrant of like or different name;

(e) Attempt to use a revoked or suspended Certificate of Registration or an expired professional license;

(f) Use, in connection with the person’s name, or otherwise assume or advertise any title or description tending to convey the impression that such person is a plumbing engineer or master plumber without holding a valid certificate or a valid license; and

(g) Sign a document involving plumbing design, plan, technical specification, valuation, and the like on behalf of a plumbing engineer.

SEC. 31. Roster of Plumbing Engineers. – The PRC shall keep a roster of all duly licensed and registered plumbing engineers, stating their names, registration numbers, and places of business. The PRC shall regularly update such roster and make it available to the public.

SEC. 32. Submission of Designs, Specifications and Reports. – Any proposal, design, specification, working drawing, program, or report to be submitted to any government agency, national or local, including government owned or -controlled corporations, shall not be processed or approved if such proposal, design, specification, drawing, and similar documents have not been signed by a registered plumbing engineer, with the seal and registration number affixed thereto.

SEC. 33. Foreign Reciprocity. – No foreign engineer shall be admitted to take the board examination, be given a Certificate of Registration, or be entitled to any of the rights and privileges under this Act unless the country of which the person is a subject or citizen specifically permits Filipino engineers to practice within its territorial limits on the same basis as the subjects or citizens of that country.

SEC. 34. License Number and Privilege Tax Receipt. – The plumbing engineer shall be required to indicate the Certificate of Registration, the professional identification card number, the date of issuance, and the duration of validity, including the privilege tax receipt (PTR) on the documents the plumbing engineer signs, uses, or issues in connection with the practice of the profession.

SEC. 35. Integration of the Plumbing Professional Organizations. – The plumbing professional organizations shall be integrated into one (1) national organization which shall be recognized by the Board as the one and only integrated and accredited association of plumbing engineers. A plumbing engineer, upon registration with the Board as such, shall ipso facto become a member of the integrated national organization. Those who have been registered with the Board but are not members of the said organization at the time of the effectivity of this Act shall be allowed to register as members of the said integrated organization within three (3) years after the effectivity of this Act. Membership in the integrated organization shall not be a bar to membership in other associations of the engineering profession.

SEC. 36. Continuing Professional Development (CPD). – The CPD guidelines shall be prescribed and promulgated by the Board subject to the approval of the PRC, after consultation with the integrated and accredited plumbing engineering associations, other associations of the plumbing engineering profession, and other concerned sectors. The Board shall incorporate in the said guidelines the creation of a CPD council that shall be composed of officers coming from the Board, the PRC, the APO, and other concerned sectors. It shall be vested with the functions, duties and responsibilities to implement the guidelines and shall have the juridical 16 personality that is distinct and separate from and independent of the Board, the PRC and the APO.

ARTICLE V GENERAL PROVISIONS

SEC. 37. Penalties. – In addition to the administrative sanctions, a person found to have violated any of the provisions of this Act shall, upon conviction, be penalized by a fine of not less than fifty thousand pesos (P50,000.00) nor more than two hundred thousand pesos (P200,000.00) or imprisonment of not more than six (6) years, or both, at the discretion of the court.

If the offender is a corporation, partnership, or juridical person, the penalty shall be imposed on the officers responsible for permitting or causing a violation of the provision of this Act.

SEC. 38. Enforcement. – The Board shall be assisted by the PRC in carrying out the provisions of this Act and its implementing rules and regulations and other policies. The lawyers of the PRC shall act as prosecutors against illegal practitioners and other violators of this Act and its rules. The duly constituted authorities of the government shall likewise assist the Board and the PRC in enforcing the provisions of this Act and its rules.

SEC. 39. Implementing Rules and Regulations. – Subject to the approval of the PRC, the Board shall, not later than the ninetieth (90th) day after the effectivity of this Act, adopt and

promulgate such rules and regulations including the Code of Ethics and Code of Technical Standards for Plumbing Engineers for the effective implementation of the provisions of this Act.

SEC. 40. Funding Provisions. – The Chairperson of the PRC shall include in the PRC's program the implementation of this Act, the funding of which shall be included in the General Appropriations Act.

SEC. 41. Transitory Provisions. – (a) All registered master plumbers holding valid certificates of registration and professional license issued under Republic Act No. 1378 shall register within three (3) years from the effectivity of this Act, and be issued new certificates of registration and new professional license as plumbing engineers under this Act to replace their original ones. Their serial numbers shall be provided by the PRC.

(a) A licensed Sanitary Engineer with a valid Certificate of Registration may register as a Plumbing Engineer within three (3) years from the effectivity of this Act and upon approval of the Board.

(b) A graduate of Bachelor of Science in Architecture, Civil Engineering, Mechanical Engineering, Electrical Engineering, Sanitary Engineering, Agricultural Engineering, and Geodetic Engineering may take the board examination not later than the seventh year from the promulgation of this Act.

As soon as a course leading to a Bachelor's degree in Plumbing Engineering is implemented by the CHED, the Board shall make the said course a requirement for taking the licensure examination.

ARTICLE VI FINAL PROVISIONS

SEC. 42. Separability Clause. – If any section or provision of this Act is declared unconstitutional or invalid, the remaining sections or provisions not affected shall remain in full force and effect.

SEC. 43. Repealing Clause. – Republic Act No. 1378 is hereby repealed. All laws, decrees, orders, rules and regulations, ordinances, and other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 44. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,