REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
First Regular Session

House Bill No. 5008

Introduced by REPRESENTATIVE AURELIO D. GONZALES, JR.

EXPLANATORY NOTE

Engineering has provided mankind an immeasurable wealth of technological advances that made the life of man easier and better. It allowed us to utilize technologies never seen before. However, certain techniques of engineering have also brought drastic changes to the environment, much to its detriment. Without proper knowledge on environmental engineering, the rate of its destruction continues to grow exponentially; leaving our already fragile ecosystem in a more compromised state.

With this in mind, this bill seeks to institutionalize Environmental Engineering which aims to improve the environment while keeping pace with the technological innovations brought by the ever-growing knowledge of human engineering. This is in accordance to Article II, Section 16 of the 1987 Constitution, which states that: *"The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."*

As lawmakers of the land, we are responsible in ensuring that environmental engineering shall be upheld and sustained for years to come. We owe it to the people today, and the generations that will come after them, that we must preserve what we have when we arrived or at least, give them a sustainable environment for them to use.

AURELIO D. GONZALES, JR
3rd District, Pampanga

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AN ACT
REGULATING THE PRACTICE OF ENVIRONMENTAL ENGINEERING IN THE PHILIPPINES, AND PROVIDING FUNDS THEREFOR

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

ARTICLE I
TITLE, DECLARATION OF STATE POLICY, COVERAGE, DEFINITION OF TERMS, AND SCOPE OF PRACTICE

SECTION 1. ***Short Title.*** This Act shall be known as the "Environmental Engineering Law of the Philippines".

SEC 2. ***Declaration of Policy.*** The State recognizes the importance of environmental engineers, environmental engineering technologists, and environmental engineering technicians in nation-building and development. As such, it is hereby declared the policy of the State to recognize, promote, strengthen, and regulate the practice of environmental engineering profession in the Philippines by instituting measures that will result in relevant environmental engineering profession and enhanced roles and better career prospects for environmental engineering practitioners. The State shall develop and nurture competent, productive and well-rounded environmental engineering practitioners whose standards of professional practice and service shall be excellent, world-class and globally competitive through regulatory measures, programs and activities.

SEC. 3. ***Coverage.*** This Act shall cover the following aspects of the practice of environmental engineering profession:

(a) Examination, registration and licensure of environmental engineering practitioners,
(b) Regulation, supervision, and control of the practice of environmental engineering;
(c) Development, upgrading, and updating of the curriculum of environmental engineering, environmental engineering technology, and environmental engineering technician professions, in coordination with the Commission on Higher Education (CHED) and Higher Educational Institutions (HEIs) and other stakeholders;

(d) Development and improvement of the professional competence and practice of environmental engineering practitioners through, among others, continuing professional development (CPD); and
(e) Creation of relevant positions for environmental engineers, environmental engineering technologists and environmental engineering technicians and such other positions which require the knowledge and services of environmental engineering practitioners in all levels of local government units, relevant National Government Agencies and instrumentalities, including government-owned- and- controlled corporations (GOCCs) as well as industries, private establishments, firms, corporations, and institutions.

SEC. 4. ***Definition of Terms.*** As used in this Act:

(a) *Air Pollution Control Engineering* refers to a branch of Environmental Engineering in which scientific and engineering concepts and principles are applied to control of air pollutant emissions, their generation and release from a source, their transport and transformation in and removal from the atmosphere, and their effects on human beings, materials, and ecosystems. It covers monitoring and correction of air pollution problems originating from relatively small areas, such as an industrial park impacted by one or more emission sources, to those from large areas, such as urban area impacted by a number of sources and a variety of contaminants. The overall goal is to improve ambient air quality, to promote healthy environmental quality, and to protect property and public health;
(b) *Air pollution engineering* refers to a branch of environmental engineering concerned with the control of pollutants in; their generation and release from a source, their transport and transformation in and removal from the atmosphere, and their effects on human beings, materials, and ecosystems;
(c) *Climate Change Adaptation* refers to the adjustment in natural or human systems in response to actual or expected climactic stimuli or in their effects, which moderates harm or exploits beneficial opportunities;
(d) *Disaster* refers to a serious disruption of a functioning community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources;
(e) *Disaster Mitigation* refers to the lessening or limitation of the adverse impacts of hazards and related disasters. Mitigation measures encompass engineering techniques and hazard-resistant construction as well as improved environmental policies and public awareness, land use planning, and climate change.
(f) *Disaster Risk Management* refers to the systematic process of using administrative directives, organizations, and operational skills and capacities to implement strategies, policies, and improved coping capacities in order to lessen the adverse impacts of hazards and possibility of disaster;
(g) *Disaster Risk Reduction* refers to the concept and practice of reducing disaster risks through systematic efforts and analyze and manage the casual factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events;
(h) *Environmental Engineer* refers to an environmental engineering practitioner duly registered with the Board and the Commission to practice environmental engineering as defined by this Act;
(i) *Environmental Engineering* encompasses the application of science and engineering principles to protect and improve the environment, including air, water and land resources, to provide safe water, air and land for human habitation and for other organisms and to rehabilitate polluted sites, solid waste management, environmental

impact assessment, environmental risk assessment and management, atmospheric pollution abatement; noise pollution abatement; conservation and protection of water resources; classification of water; protection of watersheds; and management of toxic and hazardous substances and radiological pollution. The ultimate goal of environmental engineering is the protection of human populations from the effects of adverse environmental factors and protection of environments, both local and global, from potentially deleterious effects of natural and human activities.

(j) *Environmental Engineering Technologist* refers to an environmental engineering practitioner duly registered with the Board and Commission whose competence lies in the application of environmental engineering technologies. Environmental engineering technologists shall be graduates of Bachelor of Science in Environmental Engineering Technology or its equivalent conferred by a school, academy, college or university in the Philippines or abroad which is recognized by the CHED. An environmental technologist shall also refer to a sanitary inspector with civil service eligibility.

(k) *Environmental Engineering Management* refers to an entire spectrum of activities covering environmental impact assessment (EIA), water quality management, ambient air quality management, climate change adaptation and mitigation, disaster risk reduction and management, and other programs and strategies to maintain safe and healthy environment and protect public health;

(l) *Environmental Engineering technician* refers to an environmental engineering practitioner duly registered with the Board and Commission whose role is to apply established methods and techniques of environmental engineering. An environmental engineering technician shall be a graduate of associate or certificate programs for environmental engineering technician offered by a school, academy, college or university in the Philippines or abroad which is recognized by the CHED. An environmental engineering technician shall also refer to a sanitary inspector;

(m) *Environmental Health and Safety Engineering* refers to the branch of Environmental Engineering in which scientific and engineering concepts and principles are applied to the examination of indoor and outdoor environmental quality and condition to identify, monitor, evaluate and eliminate control of hazards that expose people, environment or property to danger;

(n) *Environmental Impact Assessment* refers to the process that involves predicting and evaluating the likely impacts of a project including cumulative impacts on the environment during construction, commissioning, operation and abandonment. It also includes designing appropriate preventive, mitigating, and enhancement measures addressing these consequences to protect the environment and the community's welfare;

(o) *Hazardous Wastes* refers to those wastes defined and designated as hazardous wastes by Republic Act No. 6969, otherwise known as the "Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990;"

(p) *Noise pollution control engineering* refers to a branch of environmental engineering that is concerned with the control of the generation and propagation of environmental noise/ sound that impact negatively on flora and fauna.

(q) *Radioactive and Nuclear Waste Management* refers to the branch of Environmental Engineering in which the basic principles of science and engineering are applied to responsible mining, milling, processing, refining of radioactive materials, and disposal of any material that contains or is contaminated with radio nuclides at concentrations or activities greater than the clearance levels established by the Philippine Nuclear Research Institute (PNRI), and for which no use is foreseen;

(r) *Sanitary Engineer* refers to a person duly registered with the Board of Sanitary Engineering and Commission as provided in R.A. 1364, otherwise known as "Sanitary Engineering law;"

(s) *Sanitary Engineering* refers to a branch of Environmental Engineering which covers the control of all factors in man's physical environmental that adversely affect human life, health and safety. It focuses on the identification and prevention of transmission of diseases through the control of physical aspects of the environment including food, water, air, refuse, soil, insects, and vermin and also the control of domestic and personal hygiene practices. Specific activities include sanitation of establishments, institutions and public places; insect and vermin control; industrial hygiene; nuisance abatement; healthful lighting and ventilation; emergency water supply and sanitation; environmental health impact assessment; disposal of dead persons; water supply system design and management of both potable and used water and inclusive of those in buildings/ structures; food sanitation; and other engineering services related to the protection of public health and welfare;

(t) *Sanitary Inspector* refers to a person performing the duties ascribed to an environmental engineering technologist or technician in this Act;

(u) *Sanitary Utilities for Buildings* refer to the water supply distribution system, sanitary drainage system, wastewater recycling and reuse, storm drainage system, and waste treatment facility in buildings;

(v) *Sanitary Utilities in Buildings* refer to water supply system, sanitary and storm systems as well as fire protection systems in building;

(w) *Site Remediation* refers to a branch of Environmental Engineering in which scientific and engineering concepts and principles are applied to environmental quality investigation to characterize the concentrations and locations of contaminants in the soil and groundwater, conduct risk of assessment to estimate the health hazards of the contamination to humans and the ecosystem, and strategies to clean-up the site and return it to safe utilization;

(x) *Solid and Hazardous Waste Engineering and Management* refers to a branch of Environmental Engineering in which scientific and engineering concepts and principles are applied to the management of municipal solid and hazardous wastes to protect human health and the environment and the conservation of limited resources through resource recovery and recycling of waste materials. It covers research, siting, design, operation and maintenance, monitoring, evaluation, and upgrading of facilities and related support structures including the functional elements for the control of the generation, characterization, onsite storage, collection, segregation, transfer, transport, processing, and recovery, recycling, and ultimate disposal of waste materials in a manner that is in accord with the best principles of public health, economics, engineering, conservation, aesthetics, and other environmental considerations;

(y) *Toxic Substances and Hazardous Waste Management* refers to the process which involves reducing the amount of hazardous substances produced, treating hazardous wastes to reduce their toxicity, and applying sound engineering controls to reduce or eliminate exposure to these wastes;

(z) *Water Supply Engineering* refers to a branch of Environmental Engineering concerned with the scientific principles and analysis of water supply systems; development of sources of water supply; quality assessment, collection and treatment of water from sources to drinking water, municipal water works, storm waters, groundwater, surface water, rain water, seawaters desalination, filtration systems and water re-use applications; Water quality criteria and standards and their relation to public health, environment and urban water cycle; Water quality concepts and their effect on treatment process selection; operation and maintenance of water supply systems; evaluation of project alternatives on basis of chosen selection criteria for drinking water;

Water supply engineering within a watershed context to evaluate the water balance within a watershed, management of watershed environment, determine the available

water supply, the water needed for various needs in the watershed, the seasonal cycles of water movement through the watershed and development of the systems to store, treat, and convey water for various uses; Design and rehabilitate raw water abstraction, transport, treatment and distribution processes and systems; Water supply and treatment to secure water supplies for potable and domestic use; provisions of potable water supply where water is treated to minimize risk of infectious disease transmittal, risk of non-infectious illness, and create a palatable water flavor that meet various end-user needs such as domestic use;

(aa) *Water Quality Management* refers to the protection and improvement of the physical, chemical, biological, microbiological, and radiological quality of water to maintain its most beneficial use; and

(bb) *Wastewater Engineering* refers to a branch of Environmental Engineering in which the basic principles of science and engineering are applied to the problems of water pollution control. It covers wastewater characterization, analysis and determination of waste water flow rates and constituent loadings, as well as physical, chemical, and biological treatment processes, and design, wastewater treatment plant residuals management, and other issues related to wastewater treatment plant performance and wastewater disposal.

SEC. 5. ***Scope of Practice.*** The practice of environmental engineering practitioners shall include the following:

(a) Water Supply and Wastewater Engineering;
(b) Solid and Hazardous Waste Engineering;
(c) Air Quality and Noise Pollution Control Engineering;
(d) Sanitary Engineering including Sanitary Utilities for Buildings;
(e) Site Remediation;
(f) Environmental Health and Safety Engineering; and
(g) Environmental Engineering Management which covers Environmental Impact Assessment (EIA), Water Quality Management, Ambient Air Quality Management, Climate Change Adaptation and Mitigation, Disaster Risk Reduction and Management, and other programs and strategies to maintain safe and healthy environment and protect public health.

1. *Environmental Engineer* shall perform the following:
   (a) Provide consultation services on environmental engineering;
   (b) Plan, design, approve, investigate, evaluate, supervise, and monitor environmental engineering processes, facilities including sanitary utilities in buildings, and other related projects;
   (c) Develop, implement, and manage programs for waste minimization and recycling, resource recovery, cleaner production, pollution abatement and mitigation, polluted sites remediation, and other relevant environmental strategies;
   (d) Conduct research on environmental problems, including current and emerging contaminants, pollutants, and public health issues, and create and design innovative solutions;
   (e) Teach courses in the environmental engineering and allied programs and serve as resource person; and
   (f) Prepare and certify technical and environmental reports for compliance to environmental laws and regulation.
2. *Environmental Engineering Technologist* shall perform the following services under the supervision of an environmental engineer:

(a) Conduct laboratory and field works pertaining to environmental engineering projects and undertakings;
(b) Recommend the issuance of environmental and other related permits, clearances, or licenses, including discharge permits, permit to operate air pollution source and control installations, and sanitary permit; and
(c) Assist environmental engineers in the practice of the profession.

3. *Environmental Engineering Technician* shall perform the following services under the supervision of an environmental engineer and environmental engineering technologist, or both:

(a) Conduct inspection, investigation, and sampling in pollution control facilities, sanitary utilities in buildings, public places and establishments, and ambient environment (ambient air, water bodies, land);
(b) Perform well-defined functions related to the practice of environmental engineering as directed by an environmental engineer and/or environmental engineering technologist; and
(c) Prepare reports and correspondence pertaining to their activities.

ARTICLE II
BOARD OF ENVIRONMENTAL ENGINEERING

SEC. 6. ***Creation and Composition of the Board.*** There is hereby called a Professional regulatory Board of Environmental Engineering, hereinafter referred to as the Board, under the administrative supervision and control of the Professional Regulatory Commission (PRC), herein referred to as the Commission. The Board shall consist of a Chairperson and four (4) Members:

(a) The Chairperson and two (2) members shall be responsible for the environmental engineering licensure examinations, whereas, the Chairperson and the remaining fourth (4^{th}) and fifth (5^{th}) members shall be responsible for the environmental engineering technologies and environmental engineering technicians' examinations.
(b) The Chairperson and members of the Board shall be appointed by the President of the Philippines upon the recommendation of the Commission, from a list of at least three (3) nominees for each position who shall be endorsed by the duly accredited integrated professional organization (AIPO) of the environmental engineering practitioners in the Philippines.

SEC.7. ***Terms of Office.*** The Chairperson and members of the Board shall hold office for a term of three (3) years from the date of appointment, or until their successors shall have been appointed or qualified. They may, however, be reappointed for only a second term as may be recommended by the Commission and the AIPO of the environmental engineering practitioners. Each member shall qualify by taking an oath of office before entering the performance of the duties. Vacancies in the Board shall be filled by the President of the Philippines, from the list of candidates endorsed by the Commission, who were chosen and recommended from the list of nominees submitted by the AIPO of the environmental engineering practitioners, but for the unexpired term only. At the expiration of the term or removal of the Board Chairperson, the most senior of the Board member shall temporarily assume and perform the duties and functions of the Chairperson, until a permanent one is appointed by the President.

SEC. 8. ***Qualifications and Disqualifications of the Members of the Board.*** A member of the Board at the time of the appointment shall possess the following qualifications:

(a) Must be Filipino citizen and a resident of the Philippines for at least five (5) years;
(b) At least thirty-five (35) years of age of good moral character and of proven integrity in the personal and professional conduct;

(c) Holds a degree of Bachelor of Science in Environmental Engineering or Bachelor of Science in Environmental and Sanitary Engineering (BSEnSe) or Bachelor of Science in Sanitary Engineering (BSSE) from a university, school, college, academy or institute in the Philippines that is recognized by the Commission on Higher Education (CHED); *Provided,* That the Chairperson must preferably be a holder of a Master's or a doctorate degree in Environmental Engineering;
(d) A registered Environmental Engineer with a minimum of seven (7) years of relevant experience;
(e) Must neither be an official nor a faculty member, nor shall have pecuniary interest in any university, college, school or institution conferring bachelor's degree in environmental engineering for at least three (3) years prior to the appointment. A person must not be connected with a review center, or with any group or association which offers or conducts review classes or lectures in preparation for the licensure examinations, at the time of the appointment and during the incumbency as chairperson or member of the Board.
(f) Must not be an incumbent officer of the AIPO of the environmental engineering practitioners within a period of three (3) years prior to nomination; and
(g) Must not have been convicted of any offense involving moral turpitude.

SEC. 9. ***Compensation and Allowances.*** The Chairperson and members of the Board shall receive compensation and allowances comparable to those being received by the chairpersons and members of existing Boards under the Commission as provided for in the General Appropriations Act.

SEC. 10. ***Powers, Functions, and Responsibilities of the Board.*** The Board shall exercise the following powers, functions and responsibilities:
(a) To promulgate the implementing rules and regulations necessary in carrying out the provisions of this Act;
(b) To regulate the registration, licensure and the practice of environmental engineering, in accordance with the provisions of this Act;
(c) To issue the certificate of registration and professional identification cards to successful registrants;
(d) To administer oaths in accordance with the provisions of this Act;
(e) To issue special temporary permit to qualified foreign environmental engineering practitioners, who may be authorized by existing laws to practice environmental engineering in the Philippines for a specific project and duration of time only;
(f) To monitor the conditions affecting the practice of the environmental engineering profession and, whenever necessary, adopt such measures deemed proper for the enhancement of the profession and the maintenance of high professional technical and ethical standards;
(g) To hear and investigate cases airing from violations of this Act, its Implementing Rules and Regulations (IRR), Code of Ethics, administrative policies, orders and issuances promulgated by the Board. For this purpose, the Board shall issue *subpoena* and *testificandum* and/or *subpoena duces tecum* to secure the attendance of the respondents or witnesses and the production of documents relative to the investigation conducted by the Board;
(h) To hear and investigate cases filed before the Board where the issue or question strictly concerns the practice of the professions, in which case the hearing shall be presided over by at least one (1) member of the Board assisted by a Legal or Hearing Officer of the Commission;
(i) To conduct, through the Legal Officers of the Commission, summary proceeding on minor violations of this Act, its IRR, including the general instructions to examinees,

and render summary judgment thereon, which, unless appealed to the Commission, shall become final and executor after fifteen (15) days from the receipt of the decision;

(j) To suspend, revoke, reissue or reinstate the certificate of registration and professional identification card or special temporary permit for causes provided by this law;

(k) To prepare, adopt, and issue the syllabi or Tables of Specifications (TOS) of the subjects for examination, in consultation with the academe; determine and prepare the questions for the licensure examinations which shall strictly be within the scope of the syllabus or table of specifications of the subjects for examination; score and rate the examination papers and submit the results in all subjects duly signed by the members of the Board to the Commission within thirty (30) days from the last day of examination, unless extended for justifiable cause, and subject to the approval of the Commission;

(l) To prescribe and adopt a Code of Ethics for Environmental Engineers, Environmental Engineering Technologists and Environmental Engineering Technicians in consultation with the AIPO;

(m) To prescribe guidelines in the Continuing Professional Development (CPD) program and to create the CPD Council with the objective of providing and ensuring the continuous development of all environmental engineering practitioners;

(n) To adopt an official seal of the Board; and

(o) To perform other functions and duties as may be necessary to implement this Act.

The policies, resolutions, rules and regulations issued or promulgated by the Board shall be subject to review and approval of the Commission. However, the Board's decisions, resolutions and orders rendered in administrative cases shall be subject to review only if on appeal.

SEC. 11. ***Annual Report.*** The Board shall, at the end of each calendar year, submit to the Commission a detailed report of its activities and proceedings during the year embodying also such recommendations as it may deem proper to promote the policies and objectives of this Act.

SEC. 12. ***Removal of Board Members.*** The President, upon recommendation of the Commission, may remove any member of the Board on the following grounds: neglect of duty, incompetence, malpractice, tolerance of irregularities in the examinations, or for unprofessional, unethical, or dishonorable conduct, after having been given the opportunity to defend oneself in a proper administrative investigation.

ARTICLE III
LICENSURE, REGISTARTION AND PRACTICE OF ENVIRONMENTAL ENGINEERING

SEC. 13. ***Examination Requirement.*** Except as otherwise specifically provided in this Act, all applicants for registration for the practice of environmental engineering shall be required to pass a written technical examination which shall be given at such times and places as may be determined by the Commission.

SEC. 14. ***Qualifications of Applicants for the Environmental Engineers Licensure Examinations.*** An applicant for the licensure examination for environmental engineer shall establish to the satisfaction of the Board that the following qualifications are met:

(a) A citizen of the Philippines or of a foreign country which has a policy on reciprocity for practice of environmental engineering with the Philippines;

(b) Has good reputation and good moral values;

(c) Has not been convicted by the court of any offense involving moral turpitude; and

(d) Holds a Bachelor's degree in Science of Environmental Engineering from a university, college, academy or institute duly constituted and recognized by the CHED.

Subject to the evaluation of the Board, the following may be allowed to take the Environmental Engineering Board Examinations within seven (7) years upon the effectivity of this Act:

(a) A holder of a degree in ecological and environmental engineering, sanitary engineering, environmental and sanitary engineering, or sanitary and public health engineering from a recognized and legally constituted school, college, or university in the Philippines;
(b) A holder of a degree in any field of engineering plus a Master's Degree in Environmental Engineering from a recognized and legally constituted school, college or university in the Philippines; and
(c) A holder of a degree in any field of engineering from a recognized and legally constituted school, college or university in the Philippines, with at least two (2) years of environmental engineering experience.

SEC. 15. ***Qualifications of Applicants for the Environmental Engineering Technologists Licensure Examination.*** An applicant for the licensure examination for the environmental engineering technologists shall establish to the satisfaction of the Board that the following qualifications are met:

(a) A citizen of the Philippines or of a foreign country which has a policy on reciprocity for the practice of environmental engineering with the Philippines;
(b) Has a good reputation and good moral values;
(c) A graduate of Bachelor of Science in Environmental Engineering Technology;
(d) Has not been convicted by the court of any offense involving moral turpitude; and
(e) Is in good health.

SEC. 16. ***Qualifications of Applicants for the Environmental Engineering Technicians Licensure Examination.*** An applicant for the licensure examination for environmental engineering technicians shall establish to the satisfaction of the Board that the following qualifications are met:

(a) A citizen of the Philippines or of a foreign country which has a policy on reciprocity for the practice of environmental engineering with the Philippines;
(b) Has a good reputation and good moral values;
(c) Is an Associate or holds a Certificate in Environmental Engineering, or finished two years of the prescribed curriculum of BSEnE;
(d) Has not been convicted by the court of any offense involving moral turpitude; and
(e) Is in good health.

SEC. 17. ***Subjects of the Environmental Engineering Licensure Examination***. Unless modified by the Board and the Commission, the Environmental Engineering, Environmental Engineering Technologists and Environmental Engineering Technicians Licensure Examination shall cover the following subjects:

(a) Water Supply and Wastewater Engineering;
(b) Solid and Hazardous Waste Engineering;
(c) Air Quality and Noise Pollution Control Engineering;
(d) Sanitary Engineering including Sanitary Utilities for Buildings;
(e) Site Remediation;
(f) Environmental Health and Safety Engineering; and
(g) Environmental Engineering Management- covers Environmental Impact Assessment, Water Quality Management, Ambient Air Quality Management, Climate Change Adaptation and Mitigation, Disaster Risk reduction Management, and other programs and strategies to maintain safe and healthy environment and to protect public health.

The Board, subject to the approval of the Commission, may amend or revise the subjects, the syllabi, and the system and procedure in the Environmental Engineering, Environmental

Engineering technologists and Environmental Engineering Technicians Licensure Examination.

SEC. 18. ***Rating in the Licensure Examination.*** To be qualified as having passed the Environmental Engineering, Environmental Engineering Technologists and Environmental Engineering Technicians Licensure Examination, a candidate must obtain a weighted general average of at least seventy percent (70%), with no grade lower than fifty percent (50%) in any given subject. However, an examinee who obtains a weighted general average of seventy percent (70%) higher, but obtains a rating below fifty percent (50%) in any given subject, must retake the examination in the subject or subjects where the grade obtained is below fifty percent (50%).
An examinee who fails to pass the examination for the third (3^{rd}) time shall be allowed to take another examination only after the lapse of one (1) year from the last examination taken and after having completed a refresher course in government-recognized institution.

SEC. 19. ***Oath of Environmental Engineering Practitioner.*** All successful registrants, with or without examination, shall take the prescribed professional oath before any member of the Board or any authorized official of the Commission prior to entering the practice of the profession.

SEC. 20. ***Issuance of Certificates of Registration and Professional Identification Card.*** The Board and the Commission shall issue a certificate of registration to a registrant who has met all the requirements for registration under this Act. The certificate of registration shall bear the full name of the registrant, the signatures of the Chairperson of the Commission and all members of the Board, and the official seals of the Board and the Commission. The certificate of registration shall be the evidence that the person named therein is entitled to practice the environmental engineering, environmental engineering technology or environmental engineering technician profession, as the case may be, with all the privileges appurtenant thereto.

A professional identification card indicating the registration number, and dates of its issuance and expiry, duly signed by the Commission Chairperson, shall likewise be issued to a successful registrant. The professional identification card shall be renewed every three (3) years, subject to compliance with the requirements as may be prescribed by the Board and the Commission.

SEC. 21. ***Registration without Examination.*** Within the periods specified below, the Board shall issue certificates of registration and professional identification cards to the following qualified persons without examination: *Provided,* That the persons possess the following qualifications as validated by the Board:-

1. Environmental Engineers must satisfy the following requirements:
   (a) Hold a degree in ecological and environmental engineering, environmental engineering, sanitary engineering, environmental and sanitary engineering, or sanitary or public health engineering, with at least five (5) years of environmental engineering experience; or a degree in any field of engineering plus a Master's degree in Environmental Engineering from a recognized and legally constituted school, college or university in the Philippines.

   This provision may be exercised within seven (7) years after the effectivity of this Act,
2. Environmental Engineering Technologists must satisfy the following requirements:
   (a) Employed as pollution control officers or environmental management specialists or employed with a permanents status as a Sanitary Inspector or Sanitarian at the Department of Health (DOH) or other local government agencies.
   (b) With ten years (10) of experience; and
   (c) Baccalaureate degree
3. Environmental Engineering Technicians must satisfy the following requirements:

(a) Employed with a permanent status as Sanitary Inspector or Sanitarian at the Department of Health (DOH) or other local government agencies for at least ten (10) years; and
(b) With appropriate civil service eligibility.

Provided further, That qualified Environmental Engineering Practitioners shall register within two (2) years after the effectivity of this Act.

SEC. 22. ***Foreign Reciprocity.*** No foreigner shall be admitted to the licensure examination or be given a certificate of registration and professional identification card, or be entitled to any of the rights and privileges under this Act, unless the requirements for the registration or licensing ins aid foreign country or state are substantially the same as those required and contemplated by the laws of the Philippines, and that the laws of such foreign country or state specifically permits Filipino environmental engineering practitioners to practice within its territorial limits on the same basis as the subjects or citizens of such foreign country or State.

SEC. 23. ***Special Temporary Permits.*** The following are required to secure a special temporary permit from the Board, subject to the approval of the Commission:

(a) Environmental engineering practitioners from other countries called in by the government for consultation and for a specific project; or both, *Provided,* That such foreign environmental engineering practitioners are legally qualified to practice environmental engineering in their country or State.
(b) Foreign consultants specializing in the field of environmental engineering, who, in the judgment of the Board, may benefit the local practitioners through the transfer of technology: *Provided,* That such registrants shall satisfy the following conditions:
    (1) That, at the time of the engagement, no Filipino environmental engineering practitioner in the country is competent, available and willing to perform the services for which the foreigner has been hired; and
    (2) Any particular or specific engagement shall not be in excess of one (1) year, renewable at the discretion of the Board and the Commission.

SEC. 24. ***Refusal to Register.*** The Board shall not register any applicant for registration with opr without licensure examination, who suffers from any of the following disqualifications:

(a) Conviction by final judgment by a court of competent jurisdiction of any offense involving moral turpitude;
(b) Conviction by final judgment in any administrative case involving immorality or notoriously undesirable conduct;
(c) Adjudged guilty for violation of the General Instructions to Examinees by the Board;
(d) Declared to be of unsound mind by a court of competent jurisdiction; or
(e) Proven to be afflicted with addiction to substance/s impairing the ability to practice the profession through a finding to this effect by a medical or drug testing facility accredited by the government.

In case of refusal to register, the Board shall issue to the applicant a written statement setting forth the reasons for such refusal and shall file a copy thereof in its records.

SEC. 25. ***Suspension and Revocation of the Certificate of Registration and Professional identification Card or Special Temporary Permit.*** The Board shall have the power, after due notice and hearing, to suspend a member for a period of six (6) to twelve (12) months, depending on the gravity of the offense or revoke the certificate of registration and professional identification card or special temporary permit on any of the following grounds:

For Suspension:

(a) Unjustified refusal to join or to remain a member in good standing of the AIPO;

(b) Unjustified or unexplained neglect or failure to pay the annual registration fees for five (5) consecutive years; and
(c) Unjustified or unexplained non-renewal of the professional identification card for more than five (5) consecutive years.

For Revocation:

(a) Violation of any provision of this Act, its IRR, Code of Ethics and other policies and regulatory measures of the Board and the Commission, or both;
(b) Perpetration or use of fraud in obtaining the certificate of registration, professional identification card or special temporary permit;
(c) Gross incompetence, negligence, or ignorance in the practice or exercise of the profession resulting to death, injury of persons and damage to property;
(d) Aiding or abetting the illegal practice of a person who is not an environmental engineering practitioner by allowing oneself to use the certificate of registration, professional identification card or special temporary permit, among others;
(e) Practice of the profession during the suspension from the practice thereof; and
(f) Addiction to a drug or alcohol abuse impairing oneself ability to practice the profession or being declared of unsound mind by a court of competent jurisdiction.

The Board shall periodically evaluate the aforementioned grounds and revise or add new ones as the need arises, subject to approval by the Commission.

SEC. 26. ***Filing of Charges.*** The rules on administrative investigation of the Commission shall govern the filing of charges and the conduct of hearing and investigation, or both subject to applicable provisions of this Act, RA No. 8981 and the Rules of Court.

SEC. 27. ***Reissuance of Revoked Certificate of Registration, Replacement of Lost or Damaged Certificate of Registration, Professional Identification Card or Special Temporary Permit.*** Suspensions imposed against a member shall be automatically lifted upon expiration of the period indicated in the suspension order. The Board may upon petition, reinstate, reissue a revoked certificate of registration after two (2) years from the effectivity of the revocation, which is reckoned from the date of surrender of the said certificate of registration and professional identification card, or both to the Board and the Commission. The Board may not require the holder thereof to take another licensure examination. The petitioner shall prove to the Board that one has a valid reason to resume the practice of the profession. For the grant of one's petition, the Board shall issue a Board Resolution, subject to the approval by the Commission.

A duplicate copy of a lost certificate of registration, professional identification card or special temporary permit may be reissued in accordance with rules thereon and upon payment of the prescribed fee therefor.

SEC. 28. ***Use of Seal.*** All environmental engineering practitioners shall obtain a seal of such design as the Board shall authorize and direct: *Provided, however,* That the certificate of registration number issued by the Board shall be included in the design of the seal. Plans and specifications prepared by, and under the direct supervision of an environmental engineer shall be stamped with such seal during the validity of the latter's certificate of registration. It shall be unlawful to affix the seal on any document after the environmental engineer's certificate of registration shall have been renewed or re-issued.

SEC. 29. ***Display of Certificate of Registration in the Place of Practice.*** The proprietor or manager of a firm, partnership or association which employs an environmental engineer shall post or cause to be posted in a conspicuous place within the place of business of the firm, partnership or association, the certificate of registration of the environmental engineer.

SEC. 30. ***Roster of Environmental Engineering Practitioners.*** The Commission shall keep of all duly licensed and registered environmental engineers, environmental engineering technologists and environmental engineering technicians, with their names; registration numbers and places of business. The Commission shall regularly update such roster and make it available to all interested parties, upon request.

SEC. 31. ***Comprehensive Environmental Engineering Specialty Program.*** Within ninety (90) 90 days from the effectivity of this Act, the Board, in coordination with the AIPO for environmental engineering practitioners and recognized specialty organizations, is hereby mandated to formulate and develop a comprehensive environmental engineering specialty program that would upgrade the level of skills and competence of environmental engineering specialist in the country, such as the areas of Water Supply and Wastewater Engineering, Solid and Hazardous Waste Engineering, Air Quality and Noise Pollution Control Engineering, Sanitary Engineering, Site Remediation, Environmental Health & Safety Engineering, Environmental Engineering Management and such other areas as maybe determined by the Board.

SEC. 32. ***Environmental Engineering Code for Environmental Engineering Practitioners-*** The Board shall adopt and promulgate the Code of Ethics and Standards of Practice for Environmental engineers, environmental technologist, and environmental technicians prescribed and issued by the AIPO of environmental engineers.

ARTICLE IV
PENAL AND OTHER MISCELLANEOUS PROVISIONS

SEC. 33. ***Vested Rights.*** All sanitary engineers registered under RA No. 1364, otherwise known as the "Sanitary Engineering Law" shall automatically be registered under the provisions of this Act.

SEC. 33. ***Practice of Firms.*** The practice of environmental engineering is a professional service based on individual and personal qualifications, A firm, association or partnership may practice this profession Provided, That the principals of the firm, association or partnership are environmental engineers.

SEC. 35 Integration of the Environmental Engineering Professions. – The environmental engineering profession shall be integrated into one (1) national organization which shall be recognized by the Board as the one and only Accredited Integrated Professional Organization (AIPO) of the environmental engineering practitioners. Every environmental engineering practitioner shall, upon registration with the Board, ipso facto become a member of the AIPO and shall all the benefits and privileges appurtenant to their membership in the AIPO, upon payment of the required membership fees and dues.

SEC. 36. Appointment of Environmental Engineers to Relevant Positions in the Provincial, City and Municipal Governments and Establishment with Environmental Engineering Functions. Within two (2) years after the approval of this Act, all provinces, cities and municipalities may appoint an environmental engineer in their respective Provincial, City and Municipal Engineering Offices.

No person shall be appointed to the position of environmental engineer or those vested with environmental engineering functions unless the person is a citizen of the Philippines a resident of the local government unit concerned, of good moral character, and a licensed environmental engineer. The appointee must have acquired experience in the practice of the profession of environmental engineering for at least (5) years in the case of the provincial or city environmental engineer, and three (3) years in the case of municipal environmental engineer. The appointment of

an environmental engineer shall be mandatory for the provincial, city and municipal governments. The environmental engineer shall:

(a) Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures and practices in environmental engineering works in general of the local government unit concerned;
(b) Advice the governor or mayor, as the case may be, on environmental engineering matters and concerns;
(c) Administer, coordinate, supervise, and control the implementation of projects relevant to environmental engineering;
(d) Provide engineering services to the local government unit concerned, including investigation and survey, engineering designs, feasibility studies and project management;
(e) In the case of provincial environmental engineers, exercise technical supervision over all environmental engineering offices of component cities and municipalities; and
(f) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

Firms, companies, partnership or associations which are engaged in the installation, construction, manufacture, operation, or sale on environmental equipment, facilities and other environmental engineering processes, or hold environmental permits such as Environment Compliance Certificate (ECC), Water Permit, Discharge Permit, shall hire or engage the services of a least one (1) environmental engineer. Industries, establishment, institutions, waterworks, and facilities which generate, treat, discharge or dispose waste shall also be required to hire or engage the service of at least one (1) environmental engineer who shall, at the same time, perform functions of a Pollution Control/Environmental Officer.

SEC. 37. Ratio of Environmental Engineers, Environmental Engineering Technologists and Environmental Engineering Technicians per population of Local Government Units. The IRR of this Act shall set the standard ration of environmental engineers, environmental engineering technologists and environmental engineering technicians per unit of population served in every province, city, or municipality.

SEC. 38. Penal Provision. In addition to the administrative sanctions imposed under this Act, upon conviction, the penalty of imprisonment of not less than one (1) year but not more than five (5) years, or a fine of not less than One Hundred Thousand pesos (P 100,000.00) but not more than Five Hundred Thousand Pesos (P 500,000.00) or both, at the discretion of the Courts, shall upon conviction be imposed on a person who commits any of the following acts:

a. Engaging in the practice of environmental engineering in the Philippines without having been registered or without having conformed with the provisions of this Act;
b. Presenting or attempting to use as one's own the certificate of registration or professional identification card of another environmental engineer, environmental engineering technologists or environmental engineering technicians or special temporary permit of a foreign environmental engineering practitioner;
c. Submitting any false of forged evidence to the Board for the purpose of securing a certificate of registration, professional identification card or special temporary permit, or impersonating any environmental engineering practitioner;
d. Attempting to use or using a revoked or suspended certificate of registration, professional identification card or special temporary permit;

e. Using or advertising any title or description tending to convey the impression that a person is an environmental engineering practitioner even without a valid certificate of registration, professional identification card or special temporary permit; or
f. Violating any of the provisions of this Act.

In case the offender is a corporation, partnership or juridical person, the penalty of imprisonment shall be imposed on the environmental engineer jointly and solidarily with the responsible professionals, as well the officer or officers responsible for permitting or causing the violation.

SEC. 39. Enforcement of the Act by the Officers of the Law. The Board and the Commission shall implement and enforce the provisions of this Act, its IRR and whenever warranted, investigate complaints for violations of this Act, its IRR and the Code of Ethics and Standards for Environmental Engineers, Environmental Engineering Technologists and Environmental Engineering Technicians.

The National Government, any of its provincial, city or municipal government or political subdivisions, shall assist in the enforcement of the provisions of this Act. The Department of Justice shall act as legal adviser of the Board and render such legal assistance as may be necessary in carrying out the provisions of the Act.

SEC. 40. Transitory Provisions. The incumbent Chairperson and members of the Board of Sanitary Engineering shall continue to serve in such capacity for the purpose of administering the Sanitary Engineers Licensure Examination to the graduates of Bachelor of Science in Sanitary Engineering and Bachelor of Science in Environmental and Sanitary Engineering until five (5) years from the effectivity of this Act.

The Board of Environmental Engineering created under Section 6 of this Act shall be constituted not later than six (6) months from the effectivity of this Act. The Board shall administer the Environmental Engineers Licensure Examination and register environmental engineering practitioners prior to the full implementation of the qualifications prescribed for environmental engineers, environmental engineering technologists and environmental engineering technicians in Sections 14, 15 and 16 of this Act.

SEC. 41. Implementing Rules and Regulations. The Board shall, within ninety (90) days upon effectivity of this Act, formulate and issue the implementing rules and regulations (IRR) to carry out the provision of this Act.

SEC. 42. Appropriations. The Chairperson of the Commission shall immediately include on the Commission's programs the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act (GAA). The amount necessary to carry out the initial implementation of this Act shall be charged against the current year's appropriations of the Commission. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the succeeding GAA.

SEC. 43. Separability Clause – If any part or section of this Act shall be declared unconstitutional, such declarations shall not invalidate the other provisions hereof.
SEC. 44. Repealing Clause – All laws, decrees, presidential issuances, proclamations, orders, ordinances, rules and regulations, or parts thereof, in conflict with the provisions of this Act as pertains to the practice of civil engineering, are hereby amended, modified or repealed accordingly.

SEC. 45. Effectivity – This Act shall take effect fifteen (15) days after its publication on the Official Gazette or in a newspaper of general circulation.