

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

17th CONGRESS
First Regular Session

HOUSE BILL NO. 3565



Introduced by REP. TEDDY BRAWNER BAGUILAT

EXPLANATORY NOTE

The rapid deterioration of the environment, as a result of unplanned and often unrestrained waste disposal, has affected public safety and health. Industrialization and modernization had likewise produced substances that are now public health concerns. The scope and complexities of pollution have increased and the need for environmental preservation and protection has to be broadened. This has prompted the Sanitary Engineers to re-assess the existing Sanitary Engineering Law in order to recommend and adopt measures to carry out more efficient pollution abatement techniques to preserve the environment and to protect public health. Hence, there is an urgent need to update the Sanitary Engineering Law to enable the engineers to be more effective in dealing with today's worsening environmental and sanitation problems.

In the early years of the Sanitary Engineering profession, the practice had been fundamentally in sanitation, water supply, sanitary and storm sewerage systems, and general pollution control and industrial hygiene. In recent years, however, the professional responsibilities had greatly increased to include the following; (1) domestic and industrial wastewater treatment; (2) septage management system; (3) stream, river sanitation and water pollution control; (4) atmospheric pollution control, both indoor and outdoor environment; (5) solid waste management (with sanitary landfill design); and, (6) radioactive, toxic and hazardous material waste management.

With the increasing demand at Local Government Units (LGUs) to have a sanitary engineer that can review and approve plans relevant to emerging sanitary engineering works, such as sanitary landfill (RA9003); septage treatment plants (PD 856); and water refilling stations (PD 856) within the context of RA 1364, it is now a must that all LGUs should have a sanitary and environmental engineer.

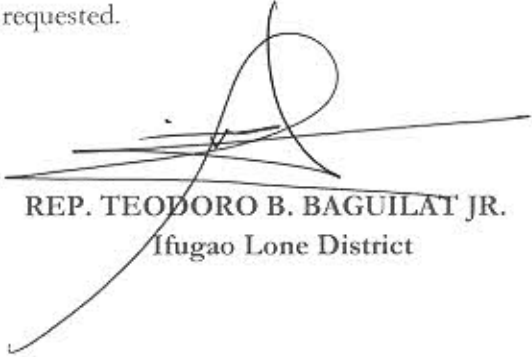
Moreover, the Commission on Higher Education (CHED) has realized the need to update the Sanitary Engineering Law, or Republic Act 1364, in order to prepare the practitioner to a globally competitive professional in the field of Sanitary and Environmental Engineering and by recognizing their specializations based on advanced knowledge, skills and experience. It is likewise noteworthy to mention, that schools and universities offering Bachelor of Science in Sanitary Engineering, have changed their curriculum title to Bachelor of Science in Environmental and Sanitary Engineering, consistent with the objective of the Commission on

Higher Education. Moreover, there are international accreditation systems that make the sanitary and environmental engineering courses comparable and competitive like the Accreditation Board for Engineering and Technologies (ABET).

In addition, it is also proposed that the Sanitary Inspectors, being an allied profession in the field of sanitary and environmental engineering, shall be upgraded to Sanitarian profession and integrated under the proposed law, in order to strengthen further the practice and implementation of the proposed sanitary and environmental engineering law and promote a ladderized approach for improving their profession.

In view of these developments, it is respectfully requested that Congress enact the new Sanitary and Environmental Law to come up with a more definitive and responsive law that will be globally acceptable and locally responsive to the needs of the people.

Approval of this measure is earnestly requested.



REP. TEODORO B. BAGUILAT JR.
Ifugao Lone District

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

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

ARTICLE 1

TITLE AND DEFINITION OF TERMS

Section 1. *Title* - this Act shall be known as the " Sanitary and Environmental Engineering Act of 2016".

Section 2. *Statement of Policy*. – The State recognizes the importance of sanitary and environmental engineers and sanitarians in nation-building and development. Thus, the State shall develop and nurture competent, virtuous, productive and well-rounded sanitary and environmental engineers and sanitarians whose standard of professional practice and service shall be excellent, world-class and globally competitive through regulatory measures, programs and activities.

Section 3 . *Objectives*. – This Act shall govern but shall not be limited to:

- (a) The examination, registration and licensure of sanitary and environmental engineers and sanitarians;
- (b) The supervision, control and regulation of the practice of sanitary and environmental engineering and sanitarian professions;
- (c) The development and upgrading of the curriculum of the sanitary and environmental engineering and sanitarian profession in conformity with the approved curriculum of the Commission on Higher Education (CHED);

- (d) The development of the professional competence and specialization of sanitary and environmental engineers and sanitarians through continuing professional education;
- (e) The integration of the sanitary and environmental engineers and sanitarian professions; and
- (f) The creation of sanitary and environmental engineer position in all provinces, cities and municipalities.

Section 4. *Definition of Terms.* - as used in this Act, shall mean;

- a. Board - Regulatory Board of Sanitary Engineering.
- b. BSEnSE - Bachelor of Science in Environmental and Sanitary Engineering
- c. BSSE - Bachelor of Science in Sanitary Engineering
- d. Chairman - shall mean the chairman of the Regulatory Board for Sanitary Engineers.
- e. CHED - Commission on Higher Education .
- f. Commission - Professional Regulation Commission.
- g. Commissioner - Chairman of the Professional Regulation Commission. .
- h. CPD - Continuing Professional Development
- i. CPE - Continuing Professional Education.
- j. DEPED - Department of Education
- k. Environmental health – a branch of public health that encompasses the assessment and control of environmental factors that can potentially affect health.
- l. Members - members of the Regulatory Board for Sanitary and Environmental Engineering
- m. PRC – Professional Regulation Commission
- n. R.A 1364 - An Act Regulating the Practice of Sanitary Engineering in the Philippines also known as the Sanitary Engineering Law.
- o. Sanitarian – the revised title of a Sanitary Inspector who is a person duly registered with the Board of Examiners for Sanitary and Environmental Engineers as provided in this Act.
- p. Sanitary Engineer - a person duly registered with the Board of Examiners for Sanitary Engineers as provided in R.A. 1364.
- q. Sanitary and Environmental Engineer -a person duly registered with the board of examiners for sanitary and environmental engineering in the manner provided in this Act.

- r. Sanitary Inspector- the previous title of a Sanitarian whose work is to inspect public places and establishments to ensure that they are complying with sanitation standards.
- s. Specialist - as used in this Act shall mean a registered Sanitary and Environmental Engineer who is certified by the accredited professional organization of PRC on Sanitary and Environmental Engineering to have demonstrated his advanced knowledge, skills and experience, in a recognized specialization of Sanitary and Environmental Engineering, and who is the recipient of a certificate of specialization set forth in section ___ of this Act.
- t. SOSEE - as used in this Act shall mean the Specialists Organization of Sanitary and Environmental Engineering. The SOSEE shall be recognized and be given a status as an affiliate organization by the accredited Professional Organization of PRC.

Section 5. *Scope of Professional Practice*

5.1 *Sanitary and Environmental Engineer.* A person shall be deemed to be practicing Sanitary and Environmental Engineering within the meaning and intent of this Act when a person renders, or offers to render professional services in the form of, but not limited to the following:

- a. Consultation, valuation, investigation, studies, researches, surveys, reports and management services requiring sanitary and environmental engineering knowledge;
- b. Engineering design; supervision; direction; teaching; preparation of plans, specifications and projects studies; estimates; monitoring; operation; and maintenance of any environmental and sanitary engineering systems, processes, works, projects or plants;
- c. Research and laboratory works pertaining to sanitary and environmental engineering;
- d. Human resources development in the field of sanitary and environmental engineering to include other paramedical and medical sciences;
- e. Specialized services as provided by Sec ___ of this Act.

5.2 *Sanitarian.* Under supervision of a registered sanitary and environmental engineer, Sanitarians shall enforce sanitation regulations and provides education and consultative services for environmental health programs under the jurisdiction of the local health authority. Authorizes or denies permits, licenses, or rights to operate certain businesses and makes on-site inspections at industrial, commercial, residential, and public locations to determine conformity with the applicable local/national codes, laws, and regulations pertaining to public health. Specifically, sanitarians shall perform the following activities:

- a. Inspects and evaluates premises and establishments having public health significance such as food service establishments, schools, public swimming pools, bathing beaches, dwellings, work places, child care facilities, campgrounds, mobile home parks, waste disposal facilities, private and public water supplies, sewage disposal systems, and sites of alleged public health nuisances.

- b. Recommends approval of licenses and/or permits for facilities and sites that are in substantial compliance with applicable regulations as determined through an on-site inspection or evaluation.
- c. Interprets and enforces regulations and/or recommends changes to help assure compliance with applicable standards, codes, ordinances and statutes.
- d. Investigates complaints, prepares report findings and corrective action directives and provides appropriate follow-up assessments. Collects samples and specimens for laboratory analysis when appropriate.
- e. Supports the epidemiological team in conducting water and sanitation-related illness investigations.
- f. Reviews plans and standard operating procedures for all new food service facility construction to ensure compliance with local or national regulations. Responds to the needs of food service establishments during emergencies. Uses technical expertise and established policies and procedures to provide guidance.
- g. Assists the general public with their questions and complaints regarding sanitation, waste disposal and environmental health matters. Educates and provides professional advice on the prevention and resolution of problem matters based on approved policies and procedures.
- h. Works with various national regulatory agencies such as: Department of Agriculture, Department of Health, Department of Environmental and Natural Resources and others to jointly resolve environmental and public health problems.
- j. Prepares reports and correspondence pertaining to their activities.

Section 6. *Specializations in Sanitary and Environmental Engineering.* The following specializations are recognized by this Act:

- a. Public Health Engineering covers the control of all the factors in man's physical environment that adversely affect human health. 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; drinking-water quality management; food sanitation; and other engineering services related to the protection of public health and welfare.
- b. Environmental Engineering covers environmental management; solid waste management; environmental impact assessment; environmental risk assessment and management; atmospheric pollution abatement; noise pollution abatement; land and air pollution abatement; lake, river and seawater pollution abatement; conservation and protection of water resources; classification of water; protection of watersheds; toxic and hazardous substances, and radiological pollution management; remediation of contaminated soil and groundwater; and clean up and spills remediation.

- c. Water Supply Engineering includes water resource engineering, engineering design of water supply systems; water treatment and purification; water safety planning, water harvesting and recycling systems.
- d. Wastewater Engineering covers sewage collection, treatment and disposal; sewerage and storm drainage systems; septage management systems; sanitation safety planning; wastewater reuse and recycling systems.
- e. Plumbing engineering covers engineering design of plumbing systems for water and wastewater in buildings, swimming pools, and other structures.
- f. Fire protection engineering covers hydraulic analysis and engineering design of water supply and fire hydrants; fire suppression and extinguishing systems.

Article II

BOARD OF SANITARY AND ENVIRONMENTAL ENGINEERING

Section 6. *Creation and Composition of the Board.* - There is hereby created a Board of Sanitary and Environmental Engineering, which shall consist of;

- a. The Board of Sanitary and Environmental Engineering shall consist of a chairman and three (3) members. Three (3) Board members, consisting of the Chairman and two (2) other Board members shall be responsible for the sanitary and environmental engineering licensure examinations and the fourth member shall be responsible for the sanitarian licensure examinations.
- b. The aforementioned Board members for purposes of this Law shall be hereinafter referred to as the "Board". They shall be appointed by the President of the Philippines upon the recommendation of the chairman of the Professional Regulation Commission, from a list of five (5) nominees for the Board of the Sanitary and Environmental Engineering. All nominees shall be endorsed by the duly accredited professional organization of the Sanitary and Environmental Engineers and Sanitarians in the Philippines.

Section 7. *Qualifications of the Members of the Board* - A member of the Board shall, at the time of his appointment, possess the following qualifications:

7.1 Environmental and Sanitary Engineer:

- a. Must be a Filipino citizen and resident of the Philippines for at least 5 years.
- b. At least forty (40) years of age, and of good moral character, of proven integrity with moral values in his personal and professional conduct.
- c. Holder of the degree of Bachelor of Science in Sanitary Engineering (BSSE) or Bachelor of Science in Environmental and Sanitary Engineering (BSEnSE), from a university, school, college, academy or institute in the Philippines that is accredited by the Commission on Higher Education (CHED);
- d. A registered Sanitary Engineer or a registered Sanitary and Environmental Engineer with a valid professional license. The Board member to be designated for the licensure

examination for Sanitarians shall be a registered Sanitary Engineer or a registered Sanitary and Environmental Engineer.

- e. Must not be an official nor a faculty member of, nor have pecuniary interest in, any university college, school or institution conferring bachelor's degree in environmental and sanitary engineering, for at least three (3) years prior to this appointment. He must not be connected with a review center, or with any group or association wherein review classes or lectures in preparation for the licensure examinations are offered or conducted, at the time of his appointment. He must not be an incumbent officer of the accredited sanitary environmental engineering association or organization;
- f. Have practiced in environmental and sanitary engineering for a period of not less than ten (10) years prior to his appointment; and
- g. Have not been convicted of any offense involving moral turpitude;

Section 8. *Term of Office.* - A member of the board shall hold office for a term of three (3) years from the date of appointment, or until their successor shall have been appointed or qualified. They may, however, be reappointed for the second term as recommended by their respective accredited professional organization. Each member shall qualify by taking oath of office before entering the performance of his duties. Vacancies in the Board shall be filled by the President of the Philippines, from the list of candidates endorsed by the Commissioner, who were chosen and recommended from the list of nominees submitted by the accredited professional organization, but for the unexpired term only. At the expiration of the term of the Board Chairman, the most senior of the Board member shall temporarily assume and perform the duties and functions of the Chairman, until a permanent Chairman is appointed by the President of the Philippines.

Section 9. *Compensation and Allowances of the Board Members.* The members of the Board shall receive a monthly compensation in accordance with the salaries and wages stipulated under the PRC Law, provided, that the Chairman of the Regulatory Board shall receive a monthly compensation of ten percent (10%) more. Provided, further, that such compensations shall be increased or modified pursuant to the General Appropriations Act of the year. Provided, furthermore, that they shall receive other benefits that may be provided by the Law.

Section 10. *Supervision of the Board, Custodian of its Records, Secretariat and Support Services.* - The Board shall be under the administrative supervision of the Commission. All records of the Board, including examination papers, minutes of deliberation, records of administrative cases and investigations and examination results shall be for control and disposition of the Commission. The Commission shall designate the secretary of the Board and shall provide secretariat and other support services to implement the implementation of this Act.

Section 11. *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 practice of the environmental and sanitary engineering profession and sanitarians, in accordance with the provisions of this Act;

- c. To supervise the registration, licensure and practice of registered environmental and sanitary engineers and sanitarians in the Philippines;
- d. To issue the certificate of registration to successful examinees and to registered sanitary engineers already practicing prior to the effectivity of this Act and to sanitarians who have been accredited by the appropriate government agency prior to the effectivity of this Act.
- e. To administer oaths.
- f. To issue a Special Permit, subject to the approval of the Commission, to qualified foreign environmental and sanitary engineers, who may be authorized by the existing laws to practice environmental and sanitary engineering in the Philippines, for a specific project and for a specific duration of time.
- g. To monitor the conditions affecting the practice of the environmental and sanitary engineering and sanitarian professions, and, whenever necessary, adopt such measures as may be deemed proper for the enhancement of the professions and the maintenance of a high professional technical and ethical standard.
- h. To hear and investigate cases arising from violations of this Act, the rules and regulations, code of ethics, administrative policies, orders and issuances promulgated by the Board. For this purpose, the Board shall issue *subpoena* and/ or *subpoena duces tecum*, to secure the attendance of the respondents or witnesses or the production of documents at and relative to the investigation conducted by the Board.
- i. To hear or investigate cases filed before the Board where the issue or question involves strictly concerns the practice of the profession or occupation, in which case shall be presided over by at least one (1) member of the Board concerned assisted by a Legal or Hearing Officer of the Commission;
- j. To conduct, through the Legal Officers of the Commission, summary proceedings on minor violations of environmental and sanitary engineering laws, violations of the rules and regulations issued by the Board to implement the said law, including violations of the general instructions to examinees committed by examinees, and render summary judgment thereon, which shall, unless appealed to the Commission, become final and executory, fifteen (15) days from the receipt of notice of judgment or decision;
- k. To suspend, revoke or reissue, reinstate certificate of registration, specialization or licenses for causes provided by this law;
- l. To prepare, adopt and issue the syllabi or tables of specifications of the subjects for examinations, 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 with the name and signature of the Board member concerned appearing thereon, 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 by the Commission for justifiable cause/ s; and subject to the approval by the Commission, determine the appropriate passing general average rating in an examination if not provided for in the law regulating the profession;

- m. To prescribe and/or adopt a Code of Ethical and Professional Standards for the practice of the environmental and sanitary engineering and sanitarian professions.
- n. To adopt reference codes and standards as guide for the environmental and sanitary engineering and sanitarian profession practitioners;
- o. 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 the registered professionals brought about by modernization and technological advancement, in order to maintain the highest standards and quality in the practice of his profession, and to make the professional globally competitive, in promoting the general welfare of the public;
- p. To adopt an official seal of the Board; and
- q. Perform other functions and duties as may be necessary to implement this Act effectively. Discharge other related duties and functions as may be deemed necessary for the upgrading, development and growth of the environmental and sanitary engineering and sanitarian education in the Philippines.

Section 12. *Annual Report.* - The Board shall prepare an accomplishment report of its programs, projects and activities to be submitted to the Commission, and make appropriate recommendations on issues or problems affecting the environmental and sanitary engineering and sanitarian professions.

Section 13. *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 himself in a proper administrative investigation.

Article III

EXAMINATION AND REGISTRATION

Section 14. *Examination Requirement.* - All applicants for registration for the practice of environmental and sanitary engineering and sanitarians shall be required to pass a written technical examination as hereinafter provided, except as otherwise specifically provided in this Act.

Section 15. *Holding of Examination.* - Examination of candidates desiring to practice environmental and sanitary engineering and sanitarian professions in the Philippines shall be given at the City of Manila, or any other regional centers that may designated by the Commission beginning the last Monday of February and September of each year, provided that such dates do not fall on official holidays, otherwise, the examination shall be held on the days next following.

Section 16. *Examinations Fees* - All applicants for written examinations for the environmental and sanitary engineers and sanitarians shall be subject to payment of fees prescribed by the Commission; *Provided*, That ninety percent (90%) of the fees is to be treated as a special fund for the programs, projects and activities of the Commission, and the remaining ten percent (10) shall

be set aside as trust fund for the establishment and maintenance of the center for continuing professional development (CPD) and research.

Section 17. *Qualifications of applicants for Environmental and Sanitary Engineering Examinations.* - Any person applying for admission to the environmental and sanitary engineering shall establish to the satisfaction of the Board that, on or before the date of the examination, he possesses the following qualifications:

- a. He is a natural born citizen of the Philippines
- b. He is at least twenty one (21) years of age
- c. He is of good reputation with good moral values;
- d. He has not been convicted by the court of an offense involving moral turpitude;
- e. He is a holder of a degree of Bachelor of Science in Sanitary Engineering or Bachelor of Science in Environmental and Sanitary Engineering from a university, college, academy or institute, duly constituted, recognized and accredited by the Philippine Government.

Section 18. *Qualifications of applicants for Sanitarian.* - Any person applying for admission to the Sanitarian examinations as herein provided, shall establish to the satisfaction of the Board that, on or before the date of examination, he possesses the following qualifications:

- a. He is a natural born citizen of the Philippines.
- b. He is at least twenty one (21) years of age.
- c. He is of good reputation with good moral values;
- d. Has completed at least 6 weeks of pre-service training for sanitary Inspectors at one of the regional training centers of the Department of Health or other government agencies.
- e. He is a graduate of any public health, environmental science, or environmental management course or a fourth year student in environmental or sanitary engineering, civil or in any field of medical science.
- f. He has not been convicted by the court of an offense involving moral turpitude;
- g. Must be in good health.

Section 19. *Registration fees, license fees, certification fees and fines* - All applicants for registration, certification and license to practice shall be subject to payment of registration fees, license fees, and fines, as prescribed by the Commission.

Section 20 . *Subjects of examinations for Sanitary and Environmental Engineer:* Unless modified by the Board and approved by the Commission, the licensure examination shall cover, but shall not be limited to, the following subjects: Sanitary Science as Applied to Buildings; Civil Engineering ; Public Health Engineering; Environmental Engineering ; Wastewater Engineering; and Water Supply Engineering .

The Board, subject to the approval of the Commission, may amend or revise the subjects, their syllabi, passing average, and the system and procedure in the licensure examinations for the practice of environmental and sanitary engineering and the corresponding weight pursuant to the implementing rules and regulations (IRR) issued for this purpose. The said subjects and their syllabi may be amended by the Board so as to conform to technological changes brought about by continuing trends in the profession.

Section 21. *Subjects of Examinations for Sanitarians:* the scope of examination shall cover the basic principles on the following public health subjects in order to prepare the sanitarians to perform his or her duties such as: assisting in the implementation and carrying out of the public

health engineering programs, gathering and recording of data, inspecting, monitoring and preparation of reports on the following: Water Supply Sanitation; Excreta and Sewage Disposal; Refuse Storage, Collection and Disposal; Control of Rodents and Insects; Food Sanitation; Community Sanitary Survey and Biostatics; Industrial Hygiene; School Sanitation; Public Swimming Pools and Public Bathing Places; Public Conveyances; Emergency Sanitation; and Air Pollution.

The Board, subject to the approval of the Commission, may amend or revise the subjects, their syllabi, passing average, and the system and procedure in the licensure examinations for the practice of sanitarian profession and the corresponding weight pursuant to the IRR issued for this purpose. The said subjects and their syllabi may be amended by the Board so as to conform to technological changes brought about by continuing trends in the profession.

Section 22. *Report of Rating.* - The Board shall submit to the Commission the ratings obtained by each candidate within fifteen (15) days after the examinations, unless extended for a just cause.

Section 23. *Re-examination.* - An applicant who fails to pass the examination for three consecutive times shall only be allowed to take another examination after a lapse of one year.

Section 24. *Issuance of Certificates of Registration and License.* Upon payment of the Registration Fee as established by the Commission, and after taking his oath as a new registered professional, the Board shall issue a Certificate of Registration to any applicant who has met the requirements prescribed in this Act.

The Certificate of Registration shall indicate the full name of the registrant, signed by all members of the Board and the Commission, and affixed with the official seal of the Commission. The issuance of a Certificate of Registration by the Board to a registrant is an evidence that the person named therein is entitled to all the privileges of a registered and licensed sanitary and environmental engineer or registered sanitarian.

A professional license bearing the registration number, date of issuance, expiry date and duly signed by the Chairperson of the Commission, shall likewise be issued to every registrant, provided that the professional fees shall have been paid. No person shall practice sanitary and environmental engineering and sanitarian in the Philippines unless such person shall have secured a license to practice these professions in the manner herein provided. A licensee is entitled to practice the profession with all the privileges appurtenant thereto until the expiration of the validity of his license.

Section 25. *Exemption from Examination and Registration.* Registration shall not be required for foreign sanitary and environmental engineers, sanitarians, or experts, called in by the Philippine Government for consultation, or for specific sanitary and environmental engineering, and sanitarian services as defined under this Act, *Provided*, that this practice shall be limited to such work; *And provided, further*, that they do not engage in private practice at their own account as sanitary and environmental engineers and sanitarians, and that, they shall secure a special permit as required under Section of this Act.

Section 26. *Oath* - All successful candidates in the examination shall be required to take a professional oath before the Board prior to entering the practice of Sanitary and Environmental Engineering and the Sanitarian Professions.

Section 27. *Seal of a Professional Environmental and Sanitary Engineer* - All registered Environmental and Sanitary Engineers shall obtain their respective seal, of such design, as the Board shall authorize and direct. The serial number of the seal shall be stamped on the design, plans and specifications prepared by the sanitary and environmental engineer during the validity of the registrant's certificate. It shall be unlawful for anybody to stamp or seal any document with the said seal after the certificate of registration has expired, or has been revoked, unless, said certificate has been renewed or reissued.

Section 28. *Revocation of Certificates of Registration, and Suspension from the Practice of Profession*. - The Board, through the Professional Regulation Commission (PRC), shall have the power to suspend or revoke the certificate of registration of any registrant, for any violation of this Act and/or the Code of Professional Ethics. This decision shall be final and executory unless it is appealed by the respondent to the commission within fifteen (15) days from the receipt of such decision. The decision may be appealed by the respondent to the courts of justice in accordance with the procedure set forth under the rules of court.

Any person, firm, association or corporation may file a complaint with the Professional Regulation Commission against any licensee, or the Board may, on its own initiative investigate and/ or take cognizance of the acts and practices constituting cause for the suspension or revocation of the certificate of registration of the respondent.

The rules and regulations of the Commission on administrative investigation shall govern the procedure on the conduct of the administrative investigation.

Section 29. *Re-issuance of Revoked Certificates and Replacement of Lost Certificates*. Subject to the approval of the Commission, the Board may, after the expiration of two (2) years from the date the Certificate of Registration has been revoked, or for reasons that may deem proper, entertain an application for a new certificate of registration from the registrant upon payment of the required fees. The application shall be accomplished in the same form prescribed for examination, but the Board may, in its discretion, exempt the applicant from taking the requisite examination. A new Certificate of Registration to replace a certificate that has been lost, destroyed or mutilated shall be issued after having complied with the PRC requirements and upon payment of the required fee.

Section 30. *Renewal of License*. - The professional license shall serve as evidence that the licensee can lawfully practice his profession until the expiration of its validity. However, license can only be secured upon payment of renewal fee corresponding to three (3) consecutive years.

Section 31. *Roster of Sanitary and Environmental Engineers and Sanitarians*. - The Commission shall keep a roster of all duly licensed and registered sanitary and environmental and sanitarians, stating their names; registration numbers and places of business. The Commission shall regularly update such roster and make it available to all interested parties.

Section 32. *Special Permits*. - The following are required to secure a Special Permit from the Board subject to the approval of the Commission.

- a. Sanitary and environmental engineers and sanitarians from other countries called in by the government for consultation and/or for a specific project not requiring more than three (3) months period: *Provided*, That such engineers or sanitarians are legally qualified to practice sanitary and environmental engineering or sanitation work in their country or state.

- b. Foreign consultant specializing in field of sanitary and environmental engineering, who, through the judgment of the Board, may benefit the local practitioners through the transfer of technology, maybe issued a special permit: *Provided*, That such engagements shall satisfy the following conditions;
- c. That, at the time of engagement, no sanitary and environmental engineer in the country is competent, available and willing to perform the services for which the foreigner has been hired.
- d. The foreigner must have been in the prior employ of the engaging firm, or its foreign business partner, outside of the country for a period of not less than one (1) year immediately preceding the date of engagement;
- e. Any particular or specific engagement shall not be in excess of six (6) months but may be renewed once, if necessary, except when such engagement is for a newly established firm in which case the period of engagement may be for a longer period but not to exceed a total term of one (1) year.

Section 33. *Continuing Professional Development* - The program shall be in accordance with the Standardized Guidelines and Procedures for the Implementation of the Continuing Professional Development and or Education (CPO/E) for all professionals as established by the Commission. The number of credit units required under the guidelines for CPD programs, activities or sources shall be the basis for the renewal of the certificate of registration for the registered environmental and sanitary engineers and sanitarians.

Section 34. *Issuance of Certificate Of Specialization*. In order to encourage the continuing professional development of registered Environmental and Sanitary Engineers, the PSSE which is the accredited professional organization of Environmental and Sanitary Engineers shall be vested with authority conformable with the provisions of this Act, to issue, suspend, and revoke a certificate of specialization to a registered Environmental and Sanitary Engineer who has demonstrated his advanced knowledge, experience, education, and training in a recognized branch of Environmental and Engineering pursuant to Sec__ of this Act: provided, that at the initial effectivity of this Act, the specializations of public health engineering, water supply engineering, wastewater engineering, environmental engineering, plumbing engineering, and fire protection shall be so recognized, Provided further, other specializations may additionally be recognized by the PSSE.

Only specialists in each recognized branch of specialization may form a Specialty Organization of Environmental and Sanitary Engineering (SOESE): Provided that this SOESE is affiliated to and recognized by the PSSE: Provided further, there is only one SOESE for each recognized branch of Environmental and Sanitary Engineering, without prejudice to membership in other voluntary professional organizations. The holder of such certificate of specialization may use the specialist title in the signing of relevant plans and documents.

The Sanitarian profession shall also develop its specializations based on their functions and shall be recognized by the accredited professional organization.

Sec. 35. *Specialist Identification Card* - Individual specialist identification card shall be issued by PSSE to all registered Sanitary and Environmental Engineers and Sanitarians with certificate

of specialization and renewed in accordance with the accredited professional organization's requirements for renewal.

ARTICLE IV

MISCELLANEOUS PROVISIONS RELATIVE TO THE PRACTICE OF SANITARY AND ENVIRONMENTAL ENGINEERING

Section 36. *Enforcement of the Act by Officers of the Law.* The Professional Regulation Commission shall be the enforcement agency of the Board. As such, the Commission shall implement the provisions of this Act, enforce its implementing rules and regulations, and conduct investigation on complaints and violations of the Code of Ethics of the profession.

The National Government, or any provincial, city or municipal government or of any of its political subdivision, shall enforce the provisions of this Act and to prosecute any person violating the same. 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 this Act.

Section 37. *Practice for Firms* - The practice of sanitary and environmental engineering is a professional service based on individual and personal qualifications. A firm, association, or partnership can practice this profession provided the principals of the Firm, Association or Partnership are registered and licensed sanitary and environmental engineers.

Section 38. *Sanitary and Environmental Engineer in all provincial, city and municipal governments.* Within two years of the approval of this Act, all provinces, cities and municipalities shall appoint a sanitary and environmental engineer in the Provincial, City or Municipal Engineering Office.

No person shall be appointed for that position unless he is a citizen of the Philippines, a resident of the local government unit concerned, of good moral character, and a licensed sanitary and environmental engineer. He must have acquired experience in the practice of his profession for at least five (5) years in the case of the provincial or city sanitary and environmental engineer, and three (3) years in the case of the municipal sanitary and environmental engineer. The appointment of a sanitary and environmental engineer shall be mandatory for the provincial, city and municipal governments. The sanitary and environmental engineer shall:

- a. Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures and practices in sanitary and environmental engineering works in general of the local government unit concerned;
- b. Advise the governor or mayor, as the case may be, on sanitary and environmental engineering matters;
- c. Administer, coordinate, supervise, and control the implementation of projects relevant to sanitary and 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 the provincial sanitary and environmental engineer, exercise technical supervision over all 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

Section 39. *Ratio of sanitary and environmental engineer and sanitarian per population of LGUs.* The IRR of this Act shall define the standard ratio of sanitary and environmental engineer and sanitarian per population served in every province, city or municipality.

Section 40. *Foreign Reciprocity.* No Foreign Engineer shall be admitted to take a Board Examinations, or be given a Certificate of Registration, or be entitled to any of the rights and privileges under this Act, unless the Country from which he is a subject or citizen, specifically permits Filipino Sanitary and Environmental Engineers and Sanitarians to practice within its territorial limits, on the same basis as the subjects or citizens of such country.

Article V

TRANSITORY PROVISIONS

Section 41. *Transitory provisions for incumbent Members of the Board.* - the incumbent Board Chairman and the two (2) incumbent members of the Board of Sanitary Engineering shall serve as Chairman and members respectively without the need of new appointments upon the effectivity of this Act, and shall organize the Board within six (6) months without the need of new appointments upon the effectivity of this Act, but the Board member responsible for the licensure examination for the Sanitarian profession shall be appointed by the President of the Philippines, following the requirements and qualifications stipulated in Section ___ of this Act.

Section 42. *Integration and Accreditation of Sanitary and Environmental Engineers and Sanitarian Association* - An integrated association of sanitary and environmental engineers and sanitarians shall be created and accredited by the Board and the Commission. All persons whose names now appear in the roll of registered sanitary and environmental engineers and sanitarians under the custody of the Board and the Commission, or those who may hereafter be included therein upon registration and payment of the required fees shall automatically become members of the integrated and accredited association. The registered sanitary and environmental engineers and registered sanitarians shall receive the benefits and privileges appurtenant to their membership in the duly integrated and accredited association, only upon payment of the required fees.

Section 43. *Registration without examination:* Within two (2) years after the effectivity of this Act, the Board shall issue certificates of registration and professional licenses to the following professionals without taking the examination, provided they possess the following qualifications:

- a. ***Sanitary and Environmental Engineer.*** He must be a registered and licensed sanitary engineer.
- b. ***Sanitarian.*** He must be employed with permanent status as a Sanitary Inspector or Sanitarian at the Department of Health and/ or other local government agencies for at least 10 years and must possess civil service eligibility.

Section. 44. *New Certificates of Registration and Professional Licenses.* Sanitary Engineers with valid certificates of registration under Republic Act No. 1364 shall register within

two (2) years from the effectivity of this Act and be issued new certificates of registration and new licenses as registered Sanitary and Environmental Engineers with the same registration numbers as their old ones to replace their original certificates and licenses.

Section 45. *Sanitary and Environmental Engineering Code of the Philippines.* - Ninety days (90) after the effectivity of this Act, and upon the recommendation of the Board of Sanitary and Environmental Engineering, the President of the Philippines shall organize a committee to prepare the Sanitary and Environmental Engineering Code of the Philippines to effect and carry out the objectives of this Act.

Article VI

PENAL AND CONCLUDING PROVISIONS

Section 46. *Penalties.* - In addition to the administrative sanctions imposed under this Act, any person who violates any of the provisions of this Act and its rules and regulations, shall, be penalized by a fine of not less than Fifty Thousand Pesos (P50,000) nor more than Five Hundred Thousand Pesos (P500,000.00), or imprisonment of not less than nine (9) months nor more than five (5) years, or both fine and imprisonment at the discretion of the Court.

Section 47. *Implementing Rules and Regulations.* - The Board shall, within six (6) months, formulate and issue the implementing rules and regulations (IRR) to carry out the provisions of this Act.

Section 48. *Funding Provisions.* - Such sums as may be necessary to carry out provisions of this Act shall be included in the General Appropriation Act of the year following its enactment into law and thereafter.

Section 49. *Separability Clause.* - If any provision of this Act or the application thereof is declared unconstitutional or invalid for any reason, the same shall not affect the validity of the other provisions.

Section 50. *Repealing Clause* - The Sanitary Engineering Law (R.A. 1364) and other laws enacted for the practice of the Sanitarians shall be repealed.

Section 51. *Effectivity Clause.* - This Act shall take effect fifteen (15) days following its full publication in the Official Gazette or newspaper of general circulation in the Philippines, whichever is earlier.

Approved,