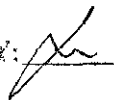




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SENATE
Senate Bill No. 2770

RECEIVED BY: 

Introduced by **SENATOR PANFILO M. LACSON**

EXPLANATORY NOTE

The Civil Engineering Law, Republic Act No. 544, which governs the practice of civil engineering in the Philippines, was last amended 55 years ago.

Since then, the number of registered civil engineers has grown to over 90,000 today. A new role for the civil engineer has likewise evolved in the light of globalization and cross-border practice. Whereas before the civil engineer was confined to the application of technical knowledge and skills in the successful implementation and completion of projects, the civil engineer is now confronted with a broader range of issues to deal with. The civil engineer now has to face the challenges of integrating the socio-economic and environmental issues with the technical aspects of the construction projects. The civil engineer is constantly challenged to design and build developments in a manner that is environmentally sound, socially acceptable, and globally competitive.

This Bill, therefore, seeks to achieve the following objectives:

1. To attune the law to the needs for national development;
2. To strengthen the profession and enable the civil engineers to cope with the formidable challenges brought about by globalization and cross-border practice;
3. To continually upgrade the level of competence of the civil engineers through:
 - a. peer recognition of specialization in civil engineering,
 - b. continuing professional development, and
 - c. strengthening of the accredited professional organization of civil engineers;
4. To define more clearly the practice of civil engineering in the Philippines by foreign nationals;
5. To promote the growth of the consulting sector by making it cognizant of the international philosophy of multi-disciplinary consultancy services;
6. To remove a provision that makes contracting of multi-disciplinary consultancy services unnecessarily difficult, complicated and impracticable and which now adversely affects the infrastructure of the government to the extent that work and payment to contracted parties on projects are suspended; and
7. To make the law better serve and safeguard public interest by establishing a clear, precise and practicable delineation of professional and corporate contractual accountability in the civil engineering practice.

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


PANFILO M. LACSON
Senator

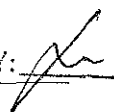
FIFTEENTH CONGRESS OF THE REPUBLIC }
OF THE PHILIPPINES }
First Regular Session }



Senate
Office of the Secretary

'11 MAR 31 P5:05

SENATE
Senate Bill No. 2770

RECEIVED BY: 

Introduced by **SENATOR PANFILO M. LACSON**

**AN ACT
PROFESSIONALIZING THE PRACTICE OF CIVIL ENGINEERING IN THE
PHILIPPINES,
REPEALING FOR THIS PURPOSE REPUBLIC ACT NUMBER FIVE HUNDRED AND
FORTY-FOUR (RA No. 544), AS AMENDED, AND FOR OTHER PURPOSES**

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

Article I

TITLE OF THE ACT AND DEFINITION OF TERMS

Section 1. Title of Act – This Act shall be known as the “Civil Engineering Law of 2011.”

Sec. 2. Definition of Terms – As used in this act, the following terms shall be defined as follows:

(a) **Civil Engineering** is the science or profession in which knowledge of the mathematical and physical sciences gained by study and practice is applied with judgment to utilize natural and man-made resources and forces in the planning, design, management, construction, and maintenance of buildings, structures, facilities, and utilities in their totality, for the progressive well-being and use of mankind, enhancing the environment, community living, industry, and transportation, taking into consideration such aspects as functionality, efficiency, economy, safety, and environmental quality.

(b) **Civil Engineer** as used in this Act shall mean a person duly registered with the Board of Civil Engineering in the manner as hereinafter provided.

(c) **General Practice of Civil Engineering** within the meaning and intent of this Act shall embrace services such as, but not limited to consultation, planning, design, preparation, signing, sealing of plans, specifications, estimates, erection, installation, demolition and

supervision of construction/demolition of civil engineering structures and facilities including their components, sites and environs such as, but not limited to, streets, bridges, highways, and railroads; airports and hangars; port works, canals, river and shore improvements, lighthouses, and dry docks; buildings, towers, signboards, billboards, chimneys, silos, containment structures and solid waste disposal sites; fixed structures for irrigation, flood protection, drainage, water supply and sewerage works; and tunnels. The enumeration of any work in this section shall not be construed as excluding any other work requiring civil engineering knowledge and application.

(d) Scope of the practice of civil engineering encompasses the provision of professional services in connection with services of civil engineering structures and facilities and may include, but are not limited to:

- (1) Technical, economic and financial feasibility studies, project promotional services, planning and designing;
- (2) Pre-design services such as, but not limited to, consultation, consultancy, giving written advice and directions, evaluations, surveys, investigations, quantity surveys, appraisals and adjustments, environmental impact assessment and studies, schematic design, and design development;
- (3) Preparation, signing, sealing of plans, specifications, calculations, bill of materials, cost estimates, tender documents, invitation for bids/proposals, instructions to bidders/offerors, general conditions, special conditions, and contract documents;
- (4) Construction and project management, giving general management, administration, supervision, coordination and responsible direction of the planning, designing, construction, reconstruction, erection, alteration, conversion, enlargement or demolition, renovation of civil engineering structures and facilities, including all their components, sites and environs, intended for private or public use;
- (5) Planning, lay-outing and utilization of spaces within and surrounding such civil engineering structures and facilities including their sites, interiors, spaces, utilities systems, equipment, and fixtures;

(6) Programming, administration, construction arbitration, conservation and restoration;

(7) All works which relate to the scientific and orderly coordination of all works and branches of the work, systems and processes necessary for the production of complete civil engineering structures and facilities, whether for public or private use, in order to enhance and safeguard life, health and property and the promotion and enrichment of the quality of life; and

(8) All other works, projects and activities which require the professional competence of a civil engineer, including teaching of professional civil engineering subjects and civil engineering computer-aided design and computer-aided mapping.

(e) The term **“Board”** as used in this act shall mean the Board of Civil Engineering.

(f) The term **“Commission”** as used in this act shall mean the Professional Regulation Commission of the Philippines.

(g) The term **“accredited professional organization of civil engineers”** as used in this Act shall mean the Philippine Institute of Civil Engineers (PICE) which is the official national organization of all registered Civil Engineers in the Philippines as accredited by the Professional Regulation Commission.

(h) The term **“Specialist”** as used in this act shall mean a registered Civil Engineer who is certified by the PICE to have demonstrated his advanced knowledge, experience, education, and training in a recognized specialization of Civil Engineering, and who is the recipient of a certificate of specialization set forth in section 24 of this act.

(i) The term **“Specialty Organization of Civil Engineering (SOCE)”** as used in this Act shall mean the organization of PICE-certified specialists in the specialization of Civil Engineering. The SOCE shall be recognized by the PICE and shall be given a status as an affiliate organization of the PICE.

(j) **“Civil Engineer-of-Record”** is the Civil Engineer registered under this Act, and qualified under the implementing rules and regulations hereof, who is the signatory and sealer to the plans and building permits, specifications, calculations and others that form part of the

contract documents for a project or component of a project, and who is therefore professionally responsible and liable for the design for that project or component of that project.

(k) **“Civil Engineer In-charge of Construction”** is the Civil Engineer registered under this Act, and qualified under the implementing rules and regulations hereof, who is the signatory and sealer to the building permit of a project or component of a project and who is therefore professionally responsible and liable for the construction management and supervision of the project or component of that project.

(l) **“Civil Engineer Prime Professional”** is the Civil Engineer registered under this Act, and qualified under the implementing rules and regulations hereof, who is responsible for the overall integration, coordination, and successful conduct of all of the processes who is engaged in the project from inception to completion.

(m) **“Continuing Professional Development (CPD)”** refers to a sustaining and progressive learning process that maintains, enhances, or increases the knowledge and continuing ability of Civil Engineers.

Article II

BOARD OF CIVIL ENGINEERING

Sec. 3. Composition Of The Board – Within three (3) months after the approval of this Act, there shall be created a Board of Civil Engineering, a collegial body under the administrative supervision by the Commission to be composed of a chairman and four members who shall be appointed by the President of the Philippines, upon the endorsement of the Commission, who shall select from the list of at least three (3) nominees for each position as submitted by the PICE. The chairman shall be appointed by the President of the Philippines from among the members of the Board, and shall serve as chairman until the expiration of his/her term. Except for the first chairman, only members of the Board that have served for at least one (1) year as member of the Board shall be qualified to be appointed as chairman.

Sec. 4. Terms Of Office of Board Members – The members of the Board shall hold office for a term of three (3) years after appointment or until their successors shall have been appointed and shall have duly qualified. The first members of the Board appointed under this

Act shall hold office for the following terms: the chairman for three (3) years; two (2) members for two (2) years; and two (2) members for one (1) year. Each member of the Board shall qualify by taking the proper oath of office before performing his/her duties. Any member of the Board may be removed by the President of the Philippines for neglect of duty, incompetence, malpractice, unprofessional, unethical, immoral, or dishonorable conduct, after having been given opportunity to defend himself in a proper administrative investigation by the Commission: Provided, that during the process of investigation the President of the Philippines shall have the power to suspend such member under investigation and shall appoint a temporary member in his place. Vacancies in the Board shall be filled for the unexpired term only. No member of the Board may be appointed to more than two (2) consecutive terms.

Sec. 5. Powers And Duties of the Board – The Board, subject to the administrative supervision by the Commission, is vested with authority conformable with the provisions of this Act, to administer oaths, issue, suspend, revoke or reinstate certificates of registration and professional identification card for the practice of Civil Engineering, to issue and revoke special temporary permits, to investigate such violations of this Act and the regulations, thereunder as may come to the knowledge of the Board, and, for this purpose, issue *subpoena* and *subpoena duces tecum* to secure appearance of witnesses in connection with the charges presented to the Board, to inspect educational institutions offering courses in civil engineering, civil engineering works, projects or corporations, established in the Philippines and, for safeguarding of life, health and property, to discharge such other powers and duties as may affect ethical and technological standards of the Civil Engineering profession in the Philippines.

Sec. 6. Promulgation Of Implementing Rules And Regulations – The Board shall promulgate such rules and regulations to carry out the provisions of this Act. The latest edition of the Civil Engineering Code and the latest edition of the Manual of Professional Practice for Civil Engineers as prepared by the PICE and approved by the Board, shall form part of the implementing rules and regulations. The PICE shall prepare a code of ethics in the practice of Civil Engineering, which shall also be part of the implementing rules and regulations upon approval by the Board. The Board shall also adopt an official seal to authenticate its official documents.

Sec. 7. Qualifications of Board Members – Each member of the Board shall, at the time of his appointment:

- (a) Be a citizen and resident of the Philippines;
- (b) Be at least thirty (30) years of age and of good moral character;
- (c) Be a holder of a bachelor's degree in Civil Engineering from a recognized and legally constituted school, institute, college, or university;
- (d) Be a Civil Engineer duly qualified to practice Civil Engineering in the Philippines;
- (e) Has practiced Civil Engineering, with a certificate as such, for a period of not less than ten (10) years prior to his appointment. At least five (5) years of such practice must be as either Civil Engineer-of-Record, Civil Engineer In-charge of Construction, or Civil Engineer Prime Professional;
- (f) Not be a member of the faculty of any school, institute, college, or university where Civil Engineering course is taught, nor have a pecuniary interest in such institutions;
- (g) Be an active member in good standing of the PICE.

Sec. 8. Compensation Of The Board - The members of the Board shall each receive as compensation the sum comparable to, and in like manner with, the compensation received by like members of other existing professional regulatory boards under the Commission. A Civil Engineer in the service of the government of the Republic of the Philippines appointed as member of the Board shall receive the compensation as herein provided, in addition to any compensation received in such service.

Sec. 9. Annual Report – The Board shall, at the end of each fiscal year, submit to the Commission a detailed report of its activities and proceedings during the period covered by the fiscal year ended.

ARTICLE III

EXAMINATION, REGISTRATION AND CERTIFICATION

Sec. 10. Examination Requirement – All applicants for registration for the practice of Civil Engineering shall be required to pass a technical examination as hereinafter provided.

Sec. 11. Holding Of Examination – Examination of candidates for the practice of Civil Engineering in the Philippines shall be conducted at such places and on such dates determined, fixed, and announced by the Commission in accordance with the laws, rules, and regulations governing the conduct of licensure examinations for all existing professional regulatory boards under the Commission.

Sec. 12. Subjects Of Examination – Applicants for registration for the practice of Civil Engineering shall be examined, in the discretion of the Board, on the following subjects:

(a) General Civil Engineering including, but not limited to project planning, designs and management, manual of practice, codes and regulations, economics, environmental impact assessment; materials testing and inspection, surveying, highway and railroad surveying; plane, topographic and hydrographic surveying, and advanced surveying; numerical methods for computer application; mathematics such as algebra, plane and spherical trigonometry, analytic, descriptive and solid geometry, differential and integral calculus, and rational and applied mechanics.

(b) Construction management and engineering including, but not limited to contracts, environment, cost estimates, unit cost development, construction schedule, manpower and equipment scheduling and control, material control, pert-cpm, bar chart schedule, project monitoring, s-curve, network analysis, time scheduling, project activities, project cost, project control, quality assurance, bidding, tender documents, specifications, construction supervision.

(c) Transportation engineering including, but not limited to theory and practice of transportation engineering, transportation and traffic engineering studies, planning, design and construction of highways including pedestrian facilities, railways, ports and harbors, and airports.

(d) Structural engineering including, but not limited to theory of structures, properties of materials, lateral load analysis, earthquake engineering, wind engineering, functional planning, floor plans, elevations, sections, utilities, design of wooden, reinforced concrete, steel, and composite buildings, bridges, towers, walls, foundations, silos, and masonry structures.

(e) Geotechnical engineering including, but not limited to soil composition, classification of soils, compaction of soils, flow of water in soils, permeability, seepage, flow nets, effective

stress, compressibility of soil, shear strengths of soil, lateral earth pressure, soil bearing capacity, slope stability, solid waste disposal systems and ground improvement.

(f) Water resources and hydraulics engineering including, but not limited to hydrology, hydraulics, design of piers, ports, wharves, aqueducts, reservoirs, spillways, open channels, pressure conduits, navigation canals and locks, sanitary engineering works, water supply system, dikes, dams, and irrigation and drainage canals, hydropower.

Sec. 13. Qualifications For Examination – Any person applying for admission to the Civil Engineering examination as herein provided shall, prior to the date of the examination, establish to the satisfaction of the Board that he/she has the following qualifications:

- (a) Be at least twenty-one (21) years of age;
- (b) Be a citizen of the Philippines;
- (c) Be of good reputation and moral character; and
- (d) Be a holder of a bachelor's degree in civil engineering from a recognized and legally constituted school, institute, college, or university

Sec. 14. Oath Of Civil Engineers – All successful candidates in the examination shall be required to take a professional oath before the Board or other government officials authorized by the Commission to administer oaths, prior to issuance of the certificate of registration.

Sec. 15. Certificate Of Registration – Individual certificates of registration shall be issued by the Board and the Commission to all successful candidates in the examinations and who have taken the professional oath, subject to payment of required fees prescribed by the Commission. The certificate shall be the authority to practice, but may be suspended or revoked by the Board and the Commission for just cause as may be provided by law after due notice and hearing.

Sec. 16. Membership In The PICE – All registered Civil Engineers shall automatically become members of the Philippine Institute of Civil Engineers (PICE), which is the accredited professional organization of civil engineers, and shall comply with all the membership requirements therein.

Sec. 17. Professional Identification Card – Individual professional identification cards shall be issued by the Commission to all registered Civil Engineers, each card to bear the name

and picture of the registrant, registration number, date of issuance of card, expiry date of card, and signature of the chairman of the Commission. No professional identification card shall be issued to the new registrant unless he/she presents a certificate of active membership in good standing issued by the PICE. The same certificate shall be required before the Board and the Commission shall renew the professional card of a registered Civil Engineer.

Sec. 18. Indication of Certificate of Registration/Professional Identification Card and Professional Tax Receipt – The Civil Engineer shall be required to indicate his/her Certificate of Registration and Professional Identification Card, its date of issuance and the duration of validity, including the professional tax receipt number, on the plans and documents he/she signs, uses or issues in connection with the practice of his/her profession.

Sec. 19. Seal And Use Of Seal – All Civil Engineers shall obtain a seal of such design as the Board shall authorize and direct: Provided, however, That the serial number of the certificate issued by the Board shall be included in the design of the seal. Plans and specifications prepared by, or under the direct supervision of a Civil Engineer shall be stamped with said seal during the life of the registrant's certificate, and it shall be unlawful for any one to stamp or seal any documents with said seal after the certificate of the registrant named thereon has expired or has been suspended or has been revoked, unless said certificate shall have been renewed or re-issued. Plans, drawings, specifications, and other contract documents duly signed and sealed, as instruments of professional service, shall remain the intellectual property of the Civil Engineer, whether the object for which they are made is executed or not. It shall be unlawful for any person without the written consent of the Civil Engineer author of such signed and sealed documents to duplicate or to make copies of said documents for use in the repetition of said object or for other projects. Civil Engineers shall incorporate the text of the preceding two (2) sentences in full and in prominent location in all written instruments of professional service.

SEC. 20. Refusal to Issue Certificate – The Board shall not issue a certificate of registration to any person convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude, or to any person guilty of immoral or dishonorable conduct, or to any person of unsound mind. The Board shall not issue a certificate to any person who has not taken

the oath of Civil Engineers. In the event of a refusal to issue a certificate to any person, the Board shall give to the applicant a written statement setting forth its reason for such action, which statement shall be incorporated in the records of the Board.

Sec. 21. Suspension And Revocation Of Certificates And Cancellation Of Professional Identification Cards – Subject to the approval of the Commission, the Board shall have the power, after due notice and hearing allowing the registrant the opportunity to defend himself/herself in a proper administrative investigation by the Board, to suspend or revoke the certificate of registration for any cause mentioned in the preceding section, to suspend or revoke the certificate due to the registrant's malpractice, unprofessional, unethical, immoral, dishonorable conduct or non-membership in good standing in PICE for three (3) consecutive years. When the certificate of registration is suspended or revoked, the professional identification card shall be ordered cancelled by the chairman of the Commission.

Sec. 22. Re-Issue And Replacement Of Certificates And Professional Identification Cards – The Board may, after the expiration of one (1) year from the date a certificate of registration is revoked and for reasons it may deem sufficient, entertain an application for a new certificate of registration from the registrant concerned. Such 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. The corresponding application for professional identification card shall be accomplished in the same form prescribed for renewal.

Sec. 23. Continuing Professional Development (CPD) – All registered Civil Engineers shall maintain a program of professional development to promote public interest and to safeguard life, health, and property. The PICE shall have the responsibility of developing a continuing professional development program for Civil Engineers. Other entities or organizations may become CPD providers upon accreditation by PICE and the Board.

Sec. 24. Certificate Of Specialization – In order to encourage the continuing professional development of registered Civil Engineers, the PICE which is the accredited professional organization of Civil 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 Civil Engineer who has demonstrated his advanced knowledge, experience, education, and

training in a recognized branch of Civil Engineering: provided, that at the initial effectivity of this Act, the specializations of construction management and engineering, geotechnical engineering, structural engineering, transportation engineering, and water resources and hydraulics engineering shall be so recognized, Provided further, other specializations may additionally be recognized by the PICE. Only specialists in each recognized branch of specialization may form a Specialty Organization of Civil Engineering (SOCE): Provided that this SOCE is affiliated to and recognized by the PICE: Provided further, there is only one SOCE for each recognized branch of Civil 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

Sec. 25. Specialist Identification Card – Individual specialist identification card shall be issued by PICE to all registered Civil Engineer with certificate of specialization and renewed in accordance with PICE requirements for renewal.

Sec. 26. Transitory Provisions – Upon the effectivity of this Act, all Civil Engineers duly registered under the provisions of Republic Act 544, as amended, shall automatically retain their registered status as if they are registered under the provisions hereof. Certificates of registration held by such persons in good standing shall have the same force and effect as though the same have been issued under the same provisions of this Act. Certificates of recognition for advanced studies, research, or highly specialized training in any specialized branch of Civil Engineering issued to registered Civil Engineers under Republic Act 544 shall be replaced by equivalent certificates of specialization by the PICE. Likewise, Certificates of Specialization previously issued by PICE shall have the same force and effect as though the same have been issued under the same provision of this Act.

Article IV

MISCELLANEOUS PROVISIONS

Sec. 27. Preparation Of Plans And Supervision Of Construction By Registered Civil Engineer – It shall be unlawful for any person to order or otherwise cause the construction,

reconstruction, or alteration of any building or structure intended for public gathering or assembly such as theaters, cinematographs, stadia, churches or structures of like nature, and any other engineering structures mentioned in Section 2 of this Act unless the designs, plans, and specifications of same have been prepared under the responsible charge of and signed and sealed by a registered Civil Engineer, and unless the construction, reconstruction and/or alteration thereof are executed under the responsible charge and direct supervision of a registered civil engineer. Plans and designs of structures must be approved as provided by law or ordinance of a municipality, city or province where the said structure is to be constructed.

Sec. 28. Individual And Personal Qualifications – The practice of Civil Engineering is a professional service, admission to which must be determined upon individual, personal qualifications.

Sec. 29. Partnerships And Corporations Engaged In Civil Engineering And Multi-Disciplinary Consultancy – A sole proprietorship, partnership or corporation may engage in providing consultancy services as defined in the National Economic Development Authority (NEDA) guidelines for engagement of consultants in the field of Civil Engineering: Provided that such an entity is owned and controlled by duly registered Civil Engineers and provided that such sole proprietorship, partnership, or corporation has been issued a certificate of registration by the Board. A sole proprietorship, partnership or corporation engaged in providing consultancy services in the field of Civil Engineering may further offer and engage in providing multi-disciplinary consultancy services provided that such professions are closely related to or allied with Civil Engineering or incidental and indispensable to the practice thereof. Individual members of such sole proprietorships, partnerships, or corporations shall be responsible for their own respective professional acts.

Sec. 30. Practice Of Profession By Foreign Nationals – All foreign nationals, including former Filipino citizens desiring to practice the profession of Civil Engineering in the Philippines and are authorized by law to practice Civil Engineering in the Philippines, shall apply for a special temporary permit from the Board subject to approval of the Commission, in accordance with the provisions of section 7(j) of Republic Act No. 8981. Except for cases where the foreign national has already been issued a special temporary permit, the agencies,

organizations, or individuals, whether public or private, who secure the services of a foreign national authorized by law to practice Civil Engineering in the Philippines shall be responsible for securing a special temporary permit from the Board, subject to approval of the Commission. No working permit, temporary or permanent visa shall be issued by any government agency to any foreign national intending to practice Civil Engineering in the Philippines without complying with these provisions.

A foreign Civil Engineer or any person not authorized to practice Civil Engineering in the Philippines, or a foreign Civil Engineer authorized to practice Civil Engineering in the Philippines but has not been issued a special temporary permit from the Board, who shall stay in the country and perform any of the activities mentioned in Section 2 of this Act or any other activity analogous thereto, shall be deemed engaged in the unauthorized practice of Civil Engineering.

Sec. 31. Roster Of Civil Engineers – A roster showing the names and places of business of all registered Civil Engineers shall be periodically prepared by the Commission through the Board. Copies of this roster shall be placed on file with the PICE and furnished to such government entities or agencies and municipal, city and provincial authorities as may be deemed necessary and to the public upon request.

Article V

ENFORCEMENT OF ACT AND PENAL PROVISIONS

Sec. 32. Enforcement Of The Act By Officers Of The Law – It shall be the duty of all duly constituted law officers of the national, provincial, city and municipal governments, or any political subdivisions thereof, to enforce the provisions of this Act and to prosecute any person violating the same.

Sec. 33. Registration Required – No person, sole proprietorship, partnership or corporation shall practice or offer to practice Civil Engineering, or engage or offer to engage in providing Civil Engineering consultancy services in the Philippines without having obtained the proper certificate of registration from the Board

Sec. 34. Requirement for A Written Service Agreement, Appointment or Employment Contract – Any person or entity whether private or public, Filipino or foreign, who shall entice, compel, coerce, require, or otherwise cause a duly registered Civil Engineer to perform or undertake any Civil Engineering work or professional service without first executing a written service agreement, appointment or employment contract shall be deemed guilty of violation of this Act.

Sec. 35. Positions In Government Requiring The Services Of A Civil Engineer – Within six (6) months from the effectivity of this Act, all existing and proposed positions in the local and national government offices, whether appointive, career, permanent, temporary, or contractual and primarily requiring the services of Civil Engineers whether or not using that designation shall be filled only by registered Civil Engineers who are members in good standing of the PICE.

Sec. 36. Penal Provisions – Any person who shall practice or offer to practice Civil Engineering in the Philippines without being registered in accordance with the provisions of this Act or any person presenting or attempting to use as his/her own the certificate of registration/professional identification card of a registered Civil Engineer, or any person who shall give any false or forged evidence of any kind to the Board, or any person who shall impersonate any registered Civil Engineer of different name, or any person who shall attempt to use a revoked or suspended certificate of registration/professional identification card, or any person who shall use in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he/she is a Civil Engineer, without holding a valid certificate of registration, or any head of a government agency or officer of a private firm or institution who fails to secure a special temporary permit from the Board subject to approval of the Commission prior to engaging the services of a foreign national to practice Civil Engineering under the employ or engagement by the agency, firm or institution, unless such foreign national has already been issued a special temporary permit, or foreign nationals who engage in the practice of Civil Engineering in the Philippines without the benefit of a special temporary permit, or any person, partnership, or officers of corporation who shall violate Section 31 or any of the provisions of this Act and its implementing rules and regulations, shall be guilty

of a misdemeanor and shall, upon conviction, be sentenced to a fine of not less than one hundred thousand pesos (P100,000) nor more than one million pesos (P1,000,000), or to suffer imprisonment for a period of not less than six months nor more than three years, or both, at the discretion of the court. Foreign nationals who engage in the practice of Civil Engineering in the Philippines without the benefit of a special temporary permit shall also be subject to deportation.

Sec. 37. Repeal – All laws, parts of laws, orders, ordinances, or regulations in conflict with the provisions of this Act are hereby repealed. No laws of other allied professions shall limit the scope of the practice of Civil Engineering nor shall exclude the Civil Engineer from practicing his/her profession as defined in this Act: Provided, that he/she does not designate himself/herself as such as other professional. Nothing in this Act would likewise limit the other professionals from practicing their own respective professions: Provided, that such professional does not designate himself/herself as a Civil Engineer.

Sec. 38. Separability Clause – If any part or section of this Act shall be declared unconstitutional, such declarations shall not invalidate the other provisions hereof.

Sec. 39. Effectivity – This Act shall take effect upon its approval.

Approved,