

[REPUBLIC ACT NO. 5197, April 27, 1968]

AN ACT REGULATING THE PRACTICE OF SUGAR TECHNOLOGY OF THE PHILIPPINES

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

ARTICLE I. Organization of Board SECTION 1. *Definitions.*—Unless otherwise specified the following terms used in this Act shall mean:

1. (a) *Sugar*—Sugar in any of its recognized commercial forms derived from sugar cane or any sugar plant, including syrups, edible and fancy molasses, and any other form of liquid sugar and their by products: bagasse, molasses, and filter cake.

(b) *Scope of the practice of sugar technology*—The agronomy of sugar cane plants; analysis, synthesis and preparation of sugar; the manufacture, processing and refining of sugar; the industrial utilization of sugar and its by products; consultation work on problems involving the processing, manufacture, refining, or industrial utilization of sugar; and the teaching of professional courses in sugar technology.

(c) *Sugar technologist*—Any person who, for fee, salary or other compensation or reward to himself or to another person, renders professional service requiring the knowledge of sugar technology.

(d) *Board*—The Board of Examiners for Sugar Technologists created by this Act.

(e) *Registration*—The authority given by the Board to practice sugar technology.

(f) *License*—The authority given by the Board to a sugar mill, refinery, or factory engaged in the processing, manufacture, or refining of sugar or its by products,

SEC. 2. *Creation and composition of the Board.*—Within thirty days after the approval of this Act, there shall be created a Board of Examiners for Sugar Technologists to be composed of a Chairman and two members who shall be appointed by the President of the Philippines, upon the recommendation of the Commissioner of Civil Service from among registered sugar technologists of recognized standing in the Philippines as may be certified by the bona fide national professional organization or association of sugar technologists in the Philippines and possessing the qualifications prescribed in Section three of this Act: Provided, That the first Board of Examiners for Sugar Technologists to be created pursuant to this

Act shall each be issued a certificate of registration as sugar technologist without prior examination in accordance with the provisions of this Act.

SEC. 3. *Qualifications of Board Members.*—Each member of the Board shall at the time of his appointment be:

1. (1) A citizen of the Philippines and a resident thereof.
- (2) At least thirty years of age.
- (3) A duly registered sugar technologist in the Philippines, who has at least ten years experience in the practice of sugar technology previous to his appointment.
- (4) Not a member of the faculty of any school, college or university where courses in sugar technology, sugar chemistry or sugar engineering, is taught, nor have pecuniary interest in such institution. The members of the first Board of Examiners for Sugar Technologists appointed under this Act shall be considered registered or licensed for the purpose hereof, and shall be issued upon payment of fifty pesos a certificate of registration in accordance with the provisions of this Act.

SEC 4. *Term of office.*—The members of the Board shall hold office for a term of three years after their respective appointments, or until their successors shall have been appointed and have duly qualified. The members of the first Board appointed under this Act shall hold office for the following terms: one member for one year, one member for two years and one member for three years. Vacancies shall be filled for the unexpired term only.

Each member of the Board shall qualify by taking the proper oath of office prior to entering upon the performance of his duties.

SEC. 5. *Removal of Board Members.*—The President of the Philippines may remove any member of the Board for continued neglect of duty or incompetency or for unprofessional or dishonorable conduct, after giving the member concerned an opportunity to defend himself in the proper administrative investigation.

SEC. 6. *Powers vested in the Board.*—The Board of Examiners for Sugar Technologists is vested with authority conformably with the provisions of this Act, to administer the provisions hereof, to issue, suspend and revoke certificates of registration, for the practice of sugar technology, and to administer oaths.

- a. (a) In carrying into effect the provisions of this Act, the Board may, under the hand of the Chairman and the seal of the Board, *subpoena* witnesses and compel their attendance, and also may require the production of books, documents, and papers, in a case involving the revocation of registration or the practice of sugar technology without registration. Any member of the Board may administer oaths or affirmations to witnesses appearing before the Board. If any person shall refuse to obey a subpoena so issued or shall refuse to testify or produce any books documents, or other papers, the Board may present a petition to the Court of First Instance, setting forth the facts and thereupon such court shall, in proper case, issue its subpoena to such person, requiring his attendance before such court and thereto testify or produce such

books, documents, or papers, as may be deemed necessary and pertinent by the Board. Any person failing or refusing to obey the *subpoena* or order of said court may be prosecuted against in the same manner as for refusal to obey other *subpoena* or order of the court.

(b) The Board shall exercise the powers conferred upon it by this Act, evaluate academic courses or practical training in sugar technology, sugar chemistry and/or sugar engineering and shall make recommendation to the Secretary of Education who shall take appropriate action thereon to improve the educational standards in sugar technology; to inspect centrifugal sugar mills, refineries, or factories, schools and other educational institutions and, in general, to study conditions affecting the practice of sugar technology in the Philippines.

(c) Unless authorized by the other Boards of Examiners concerned in the exercise of the powers vested in them by law, no sugar laboratory, centrifugal sugar mill, sugar refinery, or factory engaged in the processing, manufacture, or refining of sugar and its by products shall operate without first obtaining a license from the Board of Examiners for Sugar Technologists.

SEC. 7. *Meetings of the Board.*—The Board shall hold at least one regular executive meeting but not more than four meetings every month to act on matters before it.

SEC. 8. *Compensation of Members of the Board.*—The Members of the Board shall each receive a compensation of not exceeding fifteen pesos for each applicant examined, and twenty pesos for each applicant granted a certificate of registration without examination. The members of the Board shall also receive a *per diem* of fifty pesos for every executive meeting of the Board and actual and necessary expenses incurred in the inspection of educational institutions and sugar establishments provided in paragraph b, Section six hereof. Any sugar technologist in the employ of the Republic of the Philippines appointed as member of the Board shall also receive the compensation herein provided, as well as *per diems* for executive meetings of the Board and actual and necessary expenses for inspections of educational institutions and sugar factories. All fees shall be received by the officer designated by competent authority as collecting officer for the Civil Service Commission and such officer shall pay all authorized expenses provided by this Act to the members of the Board.

SEC. 9. *Executive Officer and Secretary of the Board.*— The Commissioner of Civil Service shall be the Executive Officer of the Board, and shall conduct the examinations given by the Board. The Secretary of the Boards of Examiners appointed under Republic Act Numbered Five hundred forty-six shall also be the Secretary of the Board of Examiners for Sugar Technologists. The Secretary shall keep an up-to-date register of sugar technologists authorized by the Board. All records and minutes of the deliberations of the Board, including examination papers, shall be kept by the Civil Service Commission under the custody of the Secretary.

SEC. 10. *Annual Report.*—The Board shall after the close of each fiscal year submit an annual report, through the Commissioner of Civil Service, to the President of the Philippines, giving detailed account of its proceedings during the year and making such recommendations as it may deem proper.