

[ **REPUBLIC ACT NO. 318, June 19, 1948** ]

**AN ACT TO REGULATE THE PRACTICE OF CHEMICAL ENGINEERING IN THE PHILIPPINES, AND FOR OTHER PURPOSES.**

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

**ARTICLE I.—Organization of Board**

SECTION 1. *Title of Act.*—This Act shall be known as the "Chemical Engineering Law."

SEC. 2. *Creation and Composition of Board.*— Within thirty days after approval of this Act, there shall be created a Board of Examiners for Chemical Engineers to be composed of three members possessing the qualifications prescribed in Section 4 of this Act, appointed by the Secretary of Public Works and Communications and one of whom is to be designated as chairman. The first Board of Examiners for Chemical Engineers to be created herein shall each be issued a new certificate of registration as chemical engineer in accordance with the provisions of this Act.

SEC. 3. *Powers vested in Board.*—The Board of Examiners for Chemical Engineers is vested with authority conformably with the provisions of this Act, to administer oaths, to issue, suspend or revoke certificates of registration for the practice of chemical engineering, subject to the approval of the Secretary of Public Works and Communications, to investigate violations of this Act and for this purpose it may, under the hand of its chairman and seal of the Board, *subpoena or subpoena duces tecum* witnesses and compel their attendance, to inspect industrial plants, chemical engineering schools, and to determine the complement of chemical engineers and technical personnel needed for said plants and schools as provided for in this Act and to discharge such other duties as the Board may deem necessary for the maintenance of efficient ethical and technical standards of the chemical engineering profession in the Philippines for the public well-being and safeguarding of life, health and property.

The Board shall exercise the powers conferred upon it by this Act, shall from time to time look into the conditions affecting the practice of chemical engineering in the Philippines, and whenever necessary, recommend to the Secretary of Public Works and Communications the adoption of such measures as may be deemed proper for the vigorous enforcement of this Act.

SEC. 4. *Qualifications of board members.*—The member of the Board shall, at the time of his appointment:

1. Be a citizen of the Philippines;

2. Be a holder of the degree of bachelor of science in chemical engineering conferred by a reputable and legally constituted college, institute or university;
3. Be at least thirty years of age;
4. Be a duly registered chemical engineer in the Philippines;
5. Have had at least ten years of experience in chemical engineering; and
6. Not be a member of the faculty of any school, college, or university where a regular course in chemical engineering is taught, nor have pecuniary interest in such institution.

SEC. 5. *Term of office.*—The members of the Board shall hold office for a term of one year after their appointment or until their successors will have been appointed and duly qualified. 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. 6. *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 it. The Secretary of the Board of Examiners appointed under Act Numbered Four thousand seven shall also be the Secretary of the Board. All records and minutes of the deliberations of the Board, including: examination papers, shall be kept by the Bureau of Civil Service under the direct custody of the Secretary.

SEC. 7. *Removal of board members.*—The Secretary of Public Works and Communications may remove any member of the Board for continued neglect of duty or incompetency, or for unprofessional or dishonorable conduct, after having given the member concerned an opportunity to defend himself in a proper administrative investigation.

SEC. 8. *Compensation of the board.*—The members of the board shall each receive as compensation the sum of five pesos for each applicant examined or registered without examination as chemical engineer or for each applicant granted a certificate of proficiency. A member of the Board who is at the same time a government employee shall receive the compensation provided for herein in addition to his salary. All fees shall be received by the Bureau of Civil Service, which shall pay all authorized compensation and expenditures of the Board.

SEC. 9. *Rules and regulations.*—The Board may, subject to the approval of the Secretary of Public Works and Communications and with the advice and consent of the Commissioner of Civil Service, adopt such rules and regulations as may be necessary to carry out the provisions of this Act, including fees to be charged from industrial plants inspected in accordance with this Act, from which to defray expenses of the board in connection therewith and for other purposes conformably with the provisions of this Act. Penal provisions may be included in said regulations, which may prescribe a fine of not more than two hundred pesos or imprisonment for not more than two months, or both, in the discretion of the court, for violation of such regulations.

SEC. 10. *Annual Report.*—The Secretary of the board shall submit an annual report to the Secretary of Public Works and Communications after the close of each fiscal

year giving a detailed account of the proceedings of the Board during the year and embodying such recommendations as the Board may desire to make.

## **ARTICLE II.—Registration and examination**

SEC. 11. *Inhibition from practicing chemical engineering.*—Unless exempt from registration, no person shall practice or offer to practice chemical engineering" in the Philippines as defined in this Act without having previously obtained a certificate of registration from the Board of Examiners for Chemical Engineers created under this Act.

SEC. 12. *Definition of terms.*—

- a. What constitute practice of chemical engineering: A person shall be deemed to be practicing chemical engineering or rendering chemical engineering service within the meaning and intent of this Act who shall, for a fee, salary or other reward or compensation, paid to him or through another person, or even without such reward or compensation, render or offer to render professional chemical engineering service in the form of consultation, investigation, valuation, planning, designing or preparation of specifications for or estimates of industrial plants; or undertake the supervision of construction, erection, installation, alteration or operation of industrial plants.
- b. The term industrial plant as used in this Act, shall mean any plant in which unit process and unit operation are involved.
- c. The term unit process as used in this Act, shall mean the type of chemical change which is involved in the manufacture of industrial products.
- d. The term unit operation as used in this Act, shall mean a type of physical operation by which a desired step in an industrial process is controlled or conducted.

SEC. 13. *Exemption from registration.*—Registration shall not be required of the following classes of persons upon proper application for exemption with the Board of Examiners for Chemical Engineers:

- a. Foreign chemical engineers called in by the Republic of the Philippines for consultation or for a specific design or installation, or project: *Provided*, That their practice shall be confined to such work: *And provided, further*, That said engineers are legally qualified to practice chemical engineering in their own state or country and that the requirements and qualifications for obtaining a certificate of registration in said state or country are not lower than those specified in this Act.
- b. Foreigners employed as technical officers, professors, or consultants in such special branches of chemical engineering as may, upon the recommendation of the Board and in the judgment of the Secretary of Public Works and Communications, be necessary and indispensable for the country. *Provided, however*, That they do not engage in private practice at their own account as chemical engineers.

- c. Foreigners who, on the date of the approval of this Act, had been in the actual and *bona fide* practice of chemical engineering for at least five (5) years in the Philippines as certified by the Secretary of Public Works and Communications.
- d. Foreigners who, on the date of the approval of this Act, had been in the actual and *bona fide* practice of chemical engineering in their respective countries for at least five (5) years: *Provided*, That no foreign chemical engineer shall be allowed to practice his profession in the Philippines unless the country of which he is a citizen or subject permits Filipino chemical engineers to practice their profession within its territorial limits.

SEC. 14. *Examination required.*—Except as otherwise specifically allowed under the provisions of this Act, all applicants for registration for the practice of chemical engineering shall be required to undergo an examination as provided for in this Act.

SEC. 15. *Qualifications for examination.*—In order to be admitted to the chemical engineer examination, an applicant shall establish to the satisfaction of the Board that:

1. He is a citizen of the Philippines;
2. He is at least twenty-one years of age;
3. He is of good reputation and moral character; and
4. He is a holder of the degree of bachelor of science in chemical engineering or its equivalent from a school or college recognized by the Government, the course for which covers not less than the total number of credit units equivalent to the four-year regular course in chemical engineering.

SEC. 16. *Date and scope of examination.*—Examinations for the practice of chemical engineering in the Philippines shall be given on the second Monday of January and July of each year. The examination shall cover questions relating to general inorganic, organic, analytical, and industrial chemistry, physical chemistry, applied mechanics, chemical engineering, and engineering law and ethics: *Provided*, That the relative weight of the chemical engineering subject shall not be less than forty per cent.

SEC. 17. *Report of ratings.*—The Board of Examiners for Chemical Engineers shall, within ninety days after the examination, report the ratings obtained by each candidate to the Commissioner of Civil Service, who shall with his recommendation submit such ratings to the Secretary of Public Works and Communications for approval.

SEC. 18. *Issuance of certificates.*—The Board of Examiners for Chemical Engineers shall, within one year after the approval of this Act, issue certificates of registration as chemical engineer to any applicant who on the date of the approval of this Act is:

- a. A Filipino citizen;
- b. At least 25 years of age;
- c. Of good moral character; and
- d. A holder of a certificate of registration as chemical engineer under Act Numbered Two thousand nine hundred and eighty-five, as amended; or a holder of the degree of Bachelor of Science in