

Board of Sanitary Engineering
Republic Act No. 1364
An Act to Regulate the Practice of Sanitary Engineering
in the Philippines

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

Article I
TITLE OF ACT AND DEFINITION OF TERMS

Section 1. *Title of Act.*- This Act shall be known as the "Sanitary Engineering Law."

Section 2. *Definition of Terms.*- The practice of sanitary engineering within the meaning and intent of this Act shall embrace the following activities:

- a. Sanitary surveys, reports, design, direction, management, consultation, and investigation of:
 1. Water purification plants, water collection and distribution systems, reservoirs, drainage and sewer systems, sewage treatment plants, malaria control structures, sewage disposal tanks, and other structures for public health and welfare.
 2. Projects relating to stream pollution, insect and vermin control or eradication, rural and camp sanitation, and milk and food sanitation.
 3. Systems for the prevention of atmospheric pollution or the control of indoor air, especially the air of working spaces in industrial establishments (industrial hygiene engineering).
- b. Professional research and laboratory work supporting the activities listed in subsection (a).
- c. The term "sanitary engineer" as used in this Act shall mean a person duly registered with the Board of Examiners for Sanitary Engineers₂ in the manner as hereinafter provided.

Article II
BOARD OF EXAMINERS FOR
SANITARY ENGINEERS₂

Section 3. *Composition of Board.*- Within thirty days from the effectivity of this Act there shall be created a Board of Examiners for Sanitary Engineers₂, hereinafter referred to as the Board, to be composed of a chairman and two members who shall be appointed by the President of the Philippines upon the recommendation of the Commission of Civil Service₃ from among such persons of recognized standing in their profession as may be certified as having practiced at least five years, and academically and morally fully qualified by their respective bona fide sanitary engineering associations. The members of the Board shall hold office for a term of three 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: one member for one year; one member for two years; and one member for three years. Each member of the Board shall qualify by taking the proper oath of office before entering upon the performance of his duties. Any member of the Board may be removed by the President 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: *Provided*, That during the process of investigation, the President 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.

Section 4. *Powers and Duties of the Board.*- The Board of Examiners for Sanitary Engineers₄ is vested with authority, conformable with the provisions of this Act, to administer oaths, issue, suspend and revoke certificates of registration for the practice of sanitary engineering, issue certificates of recognition to sanitary engineers already practicing prior to the effectivity of this Act for advanced studies, research and/or highly specialized training in any branch of sanitary engineering subject to the approval of the President, 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 duces tecum* to secure appearance of witnesses in connection with the charges presented to the Board, to inspect, at least once a year, educational institutions offering courses in sanitary engineering, to discharge such other powers and duties as may affect ethical and technological standards of the sanitary engineering profession in the Philippines. For the purpose of this Act, the Secretary of Health, and/or his duly authorized representatives in the provinces and chartered cities shall be *ex officio* agents of the Board, and as such it shall be their duty to help in the enforcement of the provisions of this Act. If any person shall refuse to obey any *subpoena* so issued or shall refuse to testify or produce any book document, etc., the Board may present its petition to the Court of First Instance, setting forth the facts and thereupon such court shall, in a proper case, issue its *subpoena* to such person, requiring his appearance before such court, and there to testify or produce such books, papers, documents, etc., as may be deemed necessary and pertinent by

the Board. Any person failing or refusing to obey the *subpoena* or order of the said court, may be proceeded against in the same manner as for refusal to obey any other *subpoena* or order of the court.

Section 5. *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 years of age and of good moral character;
- c. Be a graduate of sanitary engineering or a registered civil engineer who has taken major subjects in sanitary engineering from a recognized and legally constituted school, institute, college or university and/or a registered Civil Engineer who has passed the Civil Service examination for Senior Sanitary Engineer;
- d. Be a registered sanitary engineer duly qualified to practice sanitary engineering in the Philippines and have practised sanitary engineering, with a certificate as such, for a period of not less than five years prior to his appointment;
- e. Not be a member of the faculty of any school, institution, college or university where sanitary engineering course is taught nor have a pecuniary interest in such institution;
- f. No former members of the faculty of any school, institution, college or university where sanitary engineering is taught can become a member of the Board, unless he had stopped teaching for at least three consecutive years prior to his appointment.

Section 6. *Registration and Examination Fees.*- The Board of Examiners shall charge for each application for examination, the sum of thirty-five pesos and for each certificate of registration, ten pesos.

Section 7. *Compensation of Board Members.*- The members of the Board shall each receive as compensation, the sum of five pesos for each applicant examined. A sanitary engineer in the service of the Government of the Philippines, appointed as member of the Board shall receive the compensation as herein provided in addition to his salary in the Government. All authorized expenses of the Board shall be paid by the Bureau of Civil Service.⁵ The Board, including the compensation provided for hereinafter, shall be paid by the collecting and disbursing office of the Bureau of Civil Service,⁶ out of such appropriation, as may be made for the purpose.

Section 8. *Executive Officer of the Board.*⁷-

Section 9. *Annual Report.*- The Board shall submit an annual report to the President⁸ after the close of each fiscal year, giving a detailed account of its proceedings during the year and making such recommendations as may be deemed proper.

Section 10. *Roster of Sanitary Engineers.*- A roster showing names and place of business and permanent home addresses of all professional sanitary engineers, shall be prepared by the Commissioner of Civil Service⁹ during the month of July of every year, commencing one year after the date this Act becomes effective. Copies of this roster shall be mailed to each person so registered and placed on file with the President^{*}; and copies thereof, shall be furnished to all Department Heads, to the mayors of all chartered cities, to the Director of Public Works, to the Collector of Customs, to such other bureaus, or government agencies and provincial and municipal authorities as may be deemed necessary, and to the public upon request.

Article III EXAMINATION FOR REGISTRATION

Section 11. *Examination Requirement.*- All applicants for registration for the practice of sanitary engineering, shall be required to pass a technical examination as hereinafter provided.

Section 12. *Holding of Examination.*- Examination of candidates desiring to practice sanitary engineering in the Philippines shall be given in the City of Manila, beginning the last Monday of January and August of each year, provided that such days do not fall on official holidays, otherwise the examination shall be held on the days next following.

Section 13. *Subjects of Examination.*- Applicants for certificates of registration as sanitary engineers shall be examined in the following subjects: Mathematics, including algebra, plane and spherical trigonometry, analytics, descriptive and solid geometry, differential and integral calculus, rational and applied mechanics; hydraulics, topographic and hydrographic surveying; design and construction of wooden, masonry, reinforced concrete, and steel structures as flumes, water towers and drainage canals; hydrology; water and sewage analysis; microbiology and bacteriology; design and construction of sewers, storm drains, water purification plants, sewage treatment plants and plumbing: *Provided, however,* That duly registered civil engineers shall be exempted from taking examinations in the following subjects: (1) Mathematics, including algebra, plane calculus, rational and applied mechanics; (2) hydraulics; (3) topographic and hydrographic surveying; and (4)

design and construction of wooden, masonry, reinforced concrete and steel structures as flumes, water towers and drainage canals.

Section 14. *Report of Ratings.*- The Board of Examiners for Sanitary Engineering¹⁰ shall, within one hundred and twenty days after the date of completion of the examination, report the rating obtained by each candidate to the Commissioner of Civil Service,¹¹ who shall submit such ratings to the President.

Section 15. *Reexamination.*- An applicant who for the third time fails to pass the examination for the same grade shall not be allowed to take another until at least one year has elapsed after his last examination.

Section 16. *Issuance of Certificates.*- The President¹² shall, upon the recommendation of the Board, issue a certificate of registration upon payment of the registration fee as provided in this Act to any applicant, who, in the opinion of the Board and after approval by the President, has satisfactorily met all the requirements specified in this Act. All certificates of registration shall show the full name of the registrant, shall have a serial number, and shall be signed by all the members of the Board, the President and the Commissioner of Civil Service¹³ and shall be attested by the official seal of the same Board. The issuance of a certificate of registration by the Board to a registrant shall be evidence that the person named therein is entitled to all the rights and privileges of a registered sanitary engineer, while said certificate remains unrevoked and unsuspended, unless the same is revoked or suspended.

Section 17. *Qualifications for Examination.*- Any person applying for admission to the sanitary engineering examination as herein provided, shall, prior to the date of the examination, establish to the satisfaction of the Board that he has the following qualifications:

- a. Be at least twenty-one years of age;
- b. Be a citizen of the Philippines;
- c. Be of good reputation and moral character; and,
- d. Be a graduate of a four-year course in sanitary engineering or BSCE having taken major subjects in sanitary engineering from a school, institute, college or university recognized by the Government or the State wherein it is established.

Section 18. *Oath of Sanitary Engineers.*- All successful candidates shall be required to take a professional oath before the Board of Examiners for Sanitary Engineers¹⁴ or other Government officials authorized to administer oaths, prior to entering upon the practice of the sanitary engineering profession.

Section 19. *Seal and Use of Seal.*- All registered sanitary 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 registered sanitary engineer shall be stamped with the seal during the life of the registrants' certificate, and it shall be unlawful for any one to stamp or seal any document with said seal after the certificate of the registrant named therein has expired or has been revoked, unless said certificate shall have been renewed or reissued.

Section 20. *Exemption from Registration.*- Registration shall not be required of the following persons:

- a. Officers or enlisted men of the United States and Philippine Armed Forces and civilian employees of the Government of the United States stationed in the Philippines while rendering sanitary engineering services for the United States and/or Philippines.
- b. Foreign sanitary engineers or experts called in by the Philippine Government for consultation for specific sanitary engineering 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 engineers.

Section 21. *Refusal to Issue Certificate.*- The Board of Examiners for Sanitary Engineers¹⁶ shall not issue a certificate 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. 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.

Section 22. *Suspension and Revocation of Certificates.* - Subject to the approval of the President, the Board shall have the power after due notice and hearing, to suspend or revoke the certificate of registration for any cause mentioned in the preceding section.

Section 23. *Re-issue and Replacement of Certificates.*- The Board may, after the expiration of one 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.

Section 24. *Transitory Provisions.*- Within one year, or as soon as this Act takes effect, any person desiring to practice the profession of sanitary engineering shall be required only to obtain a certificate of registration in the manner and under the condition herein provided:

1. All graduates of sanitary engineering or civil engineers who have taken major subjects in sanitary engineering who have taken major subjects in sanitary engineering from a recognized and legally constituted school, institute, college or university, with at least two years experience as sanitary engineers; all civil engineers in the employ of the Philippine Government or in private practice in the Philippines who have at least five years experience in sanitary engineering services and civil engineers with no less than ten years continuous practice as master plumbers, prior to the approval of this Act; and,\
2. All civil engineers who have passed the Assistant Sanitary Engineer or Senior Sanitary Engineer Civil Service examinations and have been practising sanitary engineering for at least two years prior to the approval of this Act.

Article IV

ENFORCEMENT OF ACT AND PENAL PROVISIONS

Section 25. *Enforcement of the Act and 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 subdivision thereof, to enforce the provisions of this Act and to prosecute any person violating the same.

Section 26. *Registration Required.*- Unless exempted from registration, no person shall practice or offer to practice sanitary engineering in the Philippines without having obtain the proper certificate of registration from the Board of Examiners for Sanitary Engineers.¹⁷

Section 27. *Penal Provisions.*- Any person who shall practice or offer to practice sanitary 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 own the certificate of registration of a registered sanitary 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 registrant sanitary engineer of different name, or any person who shall attempt to use a revoked or suspended certificate of registration, 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 is a sanitary engineer, without holding a valid certificate of registration, or any person who shall violate any of the provisions of this Act, shall be guilty of a misdemeanor and shall, upon conviction, be sentenced to a fine of not less than five hundred pesos nor more than two thousand pesos, or to suffer imprisonment for a period of not less than six months nor more than one year, or both, in the discretion of the court.

Article V

MISCELLANEOUS PROVISIONS

Section 28. *Field of Action Authorized for Sanitary Engineering; Prohibitions.*- It shall be unlawful for any person, unless exempted from registration under section twenty of this Act:

- a. To be in responsible charge of the preparation of plans, designs, investigations, valuations, technical reports, specification or estimates, or to be in performance of other sanitary engineering service, either for himself or for others, unless he holds a valid certificate of registration as sanitary engineer.
- b. To be in responsible charge of the construction, erection, installation or alteration, or of the performance of sanitary engineering service in connection with the manufacture, sale supply or distribution of any sanitary engineering works, projects or plant (as cited in article one, section two of this Act), either for himself or for others, unless he holds a valid certificate of registration as sanitary engineer.

Section 29. *Preparation of Plans and Supervision of Construction by Registered Sanitary Engineers Required.*- It shall be unlawful for any person or firm to order or otherwise cause the construction, erection, installation or alteration of any sanitary engineering equipment, machinery or process for any sanitary engineering work, project or plant, the cost of which exceeds five thousand pesos, unless the design, plans, layouts, and/or specifications have been prepared under the responsible charge of, signed and sealed by a registered sanitary engineer, and/or alteration thereof are executed under the responsible charge and direct supervision of a registered sanitary engineer.

Section 30. *Firms and Corporations Engaged in Sanitary Engineering Practice.*- A firm, partnership, corporation or association may engage in the practice of sanitary engineering in the Philippines: *Provided*, That such practice is carried out under the supervision of a sanitary engineer or sanitary engineers holding valid certificates issued by the Board. No firm, partnership, corporation or association, using the name of a person or persons as in the name of firm, shall advertise as sanitary engineers unless said person or persons are registered sanitary engineers.

Section 31. *Collection of Professional Fees.*- It shall be unlawful for any unregistered person to collect a fee for services rendered except as an employee collecting a fee as representative of a registered sanitary engineer.

Section 32. *Reciprocity Requirements.*- No person who is not a citizen of the Philippines at the time he applies to take examination shall be allowed to take it unless he can prove in the manner provided by the Rules of Court that, by specific provision of law, the country of which he is a citizen, subject, or national either admits citizens of the Philippines to the practice of the same profession without restriction or allows them to practice it after an examination on terms of strict and absolute equality with citizens, subjects, or nationals of the country concerned, including the unconditional recognition of degrees issued by institutions of learning duly recognized for the purpose by the Government of the Philippines: *Provided*, That if he is not a citizen of the Philippines after December eight, nineteen hundred and forty one, his active practice in that profession, either in the Philippines or in the state or country where he was practising his profession, shall not have been interrupted for a period of two years or more prior to July four, nineteen hundred and forty-six, and that the country or state from which he comes allows the citizens of the Philippines by specific provisions of law, to practice the same profession without restrictions or on terms of strict and absolute equality with citizens, subjects or national of the country or state concerned.

Section 33. *Act Not Affecting Other Provisions and/or Trades.*- This Act shall not be construed to affect or prevent the practice of any other legally recognized profession, and/or trade nor shall it be construed to diminish the fields of practice already embraced by civil engineers duly registered under the Civil Engineering Law, Republic Act Numbered Five hundred and forty four, or of those by duly licensed master plumbers under existing law.

Section 34. *Construction of Act.*- If any part or section of this Act shall be declared unconstitutional, such declaration shall not invalidate the other provisions hereof.

Section 35. *Effectivity.*- This Act shall take effect upon its approval. Approved, June 18, 1955.