



Republic of the Philippines
Professional Regulation Commission
Manila
BOARD OF CHEMICAL ENGINEERING

Resolution No. 13
Series of 2004

THE IMPLEMENTING RULES AND REGULATIONS (IRR) OF REPUBLIC ACT NO. 9297, AN ACT REGULATING THE PRACTICE OF CHEMICAL ENGINEERING AND REPEALING FOR THIS PURPOSE REPUBLIC ACT NUMBERED THREE HUNDRED EIGHTEEN (R.A. No. 318), OTHERWISE KNOWN AS "THE CHEMICAL ENGINEERING LAW"

Pursuant to Section 6 (h) and (i), Article II and Section 36, Article V of Republic Act No. 9297, known as "The Chemical Engineering Law of 2004", the Board of Chemical Engineering with the approval of the Professional Regulation Commission, hereby adopts and promulgates the following Rules and Regulations to carry out the provisions thereof.

Rule I

TITLE, STATEMENT OF POLICY, AND DEFINITION OF TERMS

Section 1. Title - This Resolution shall be known as the "**IMPLEMENTING RULES AND REGULATIONS OF THE CHEMICAL ENGINEERING LAW OF 2004**", hereinafter-cited as the "**IRR OF R. A. No. 9297**".

Section 2. Statement of Policy - The IRR of R. A. No. 9297 shall be interpreted, construed, and carried out in the light of the Statement of Policy of Republic Act No. 9297, which states as follows:

It is hereby declared the policy of the State to supervise and regulate the practice of chemical engineering vital to national development, upgrade chemical engineering education in order to ensure that our chemical engineers are at par with the best in the world, and to reserve the practice of such profession to Filipino citizens.

Section 3. Definition of Terms - Unless otherwise provided, the following terms shall be understood to mean:

- a. *Board* - Board of Chemical Engineering as created by R. A. No. 9297.
- b. *Board Chairman* - Chairman, Board of Chemical Engineering.

- c. *Certificate of Recognition* - a document issued by the Board of Chemical Engineering in recognition for advance studies and researches and accomplishments in chemical engineering.
- d. *Commission* - Professional Regulation Commission (PRC).
- e. *Commission Chairperson* - Chairperson, Professional Regulation Commission.
- f. *CHED* - Commission on Higher Education.
- g. *Chemical engineer* - a natural person who is a duly registered and who is a holder of a valid Certificate of Registration and Professional Identification Card issued by the Board of Chemical Engineering and the Professional Regulation Commission
- h. *Chemical engineering practice* - the rendering or offering of professional chemical engineering service for a fee, salary, reward or compensation, paid to him or through another person, or even without such reward or compensation. The term shall be synonymous with the term "rendering chemical engineering service."
- i. *CPE* - Continuing Professional Education.
- j. *Industrial plant* - any plant in which a unit process and/or operation are involved, including the related pollution control and abatement processes or operations. This shall include all types of manufacture of industrial or consumer products and goods, as well as industrial or chemical waste treatment facilities.
- k. *Integrated and Accredited Professional Organization* - the integrated national organization of chemical engineers duly accredited by the Board and the Commission.
- l. *Professional chemical engineering subjects* - any of the following and similar chemical engineering topics: chemical engineering thermodynamics; chemical engineering calculations; physical and chemical principles; industrial processes; momentum transfer; heat transfer; mass transfer; industrial waste management and control; process equipment and plant design; and biochemical engineering and bio-engineering.
- m. *R. A. No. 8981* - "The PRC Modernization Act of 2000".

2  
12/11

- n. *Special Permit* - issued to practitioners who have secured a Certificate of Recognition and who have applied for permit to practice in their specialty field of endeavor in chemical engineering. The special permit is not to be construed as a grant of a chemical engineering license but only as a temporary permit to do service in his/her specialty field of endeavor.
- o. *Unit process* - the chemical change which is involved in the manufacture of industrial or consumer products or the treatment of industrial or chemical wastes.
- p. *Unit operation* - the physical operation by which a desired step in an industrial process is conducted or controlled. This includes, but is not limited to: storage of gases, liquids, solids, heat transfer, evaporation; mass transfer, i.e. distillation, absorption, adsorption, drying, humidification, extraction, leaching, mixing and dispersion; separation, i.e., filtration, screening, molecular sieving and coalescing.

Rule II

BOARD OF CHEMICAL ENGINEERING

- Section 4. Creation of the Board of Chemical Engineering** - R. A. No. 9297 mandates the creation of the Board of Chemical Engineering and empowers the Board to supervise and regulate the practice of the chemical engineering profession in the Philippines under the administrative control and supervision of the Commission.
- Section 5. Composition of the Board** - The Board of Chemical Engineering shall be composed of a Chairman and two (2) Members who shall be appointed by the President of the Philippines from among those recommended by the Commission from the nominees of the duly accredited and integrated national association of Chemical Engineers in the Philippines.
- Section 6. Powers and Duties of the Board** - The specific powers of the Board are as defined in R. A. No. 9297. In addition thereto, the powers, functions and responsibilities of the various professional regulatory boards as defined in R. A. No. 8981 shall apply.
- (a) Supervise and regulate the practice of the chemical engineering profession;
 - (b) Determine and evaluate the qualifications of the applicants for registration;
 - (c) Prescribe the subjects in the licensure examination; determine the syllabi of the subjects and their relative weights; construct the test questions in the examination; score and rate the examination papers; and submit the results to the Commission;

- (d) Issue together with the Commission, Certificates of Registration and Professional Identification Card to applicants who have passed the licensure examinations for registered chemical engineers;
- (e) Issue special permits to persons admitted to the practice of the profession and Certificate of Recognition for advance studies and researches and accomplishments in the profession that contribute to its enrichment;
- (f) Inquire into the conditions affecting the practice of the profession and adopt measures for the enhancement and maintenance of a high professional, ethical and technical standard. Pursuant thereto, the Board may inspect establishments where chemical engineers practice their profession, such as factories, plants, offices and the like in order to determine and enforce compliance with the provisions of R. A. No. 9297 and issue Certificates of Compliance;
- (g) In coordination with the Commission on Higher Education (CHED), inspect the facilities, faculty, equipment and other aspects directly related to chemical engineering program of the educational institutions;
- (h) Adopt rules and regulations for the practice of the chemical engineering;
- (i) Adopt a Code of Ethics, and a Code of Technical Standards for the practice of chemical engineering;
- (j) Investigate, in accordance with the rules on administrative investigation promulgated by the Commission, violations of R. A. No. 9297 and this implementing rules and regulations, the Code of Ethics and the Code of Technical Standards for chemical engineers, administrative policies, orders and issuances promulgated by the Board;
- (k) Issue *subpoena* and *subpoena duces tecum* to secure the attendance of witnesses or the production of documents in connection with any administrative case before the Board;
- (l) Hear and decide administrative cases filed against chemical engineers and firms employing chemical engineers. The hearing shall be prescribed by the Chairman or a Member of the Board with the assistance of an Attorney of the Commission. Any decision shall be concurred in by at least a majority of the Board. Decisions of the Board may be appealed to the Commission within fifteen (15) days from notice, otherwise such decisions shall become final and executory;
- (m) Administer oaths in connection with the performance of its functions;



4

- (n) Adopt an official seal and prescribe the seal of the chemical engineering profession;
- (o) Submit an annual report on the proceedings and accomplishments during the year and/or recommendations of the Board to the Commission thirty (30) days after the close of each calendar year;
- (p) Prosecute or institute criminal action against any violator of R. A. No. 9297 and/or rules and regulations of the Board;
- (q) Prescribe guidelines and criteria on the Continuing Professional Education (CPE) program for chemical engineers in consultation with the integrated and accredited chemical engineering organizations; and
- (r) Perform such other functions as may be necessary in order to implement the provisions of R. A. No. 9297.

Section 7. Qualifications of Chairman and Members of the Board - Nominees for appointment as Chairman and Members of the Board shall, at the time of their appointment, have the following qualifications.

- a. A natural born Filipino citizen and resident of the Philippines;
- b. At least a holder of a bachelor's degree in chemical engineering or its equivalent, as conferred by an engineering school of good standing, recognized and accredited by the Government;
- c. A registered chemical engineer who has been in active practice for at least ten (10) years;
- d. A member of good standing of the integrated and duly accredited national chemical engineering profession; and
- e. A person who does not have any pecuniary interest, directly or indirectly, in any university, college, school or institution conferring an academic degree necessary for admission to the practice of chemical engineering or where review classes in preparation for the licensure examination are being offered or conducted; nor shall he be a member of the faculty or of the administration thereof at the time of his appointment to the Board.

Section 8. Term of Office - The Chairman and the Members of the Board shall have a term of three (3) years only, with reappointment. Vacancies shall be filled for the unexpired term only. The Chairman and Members shall qualify by taking the proper oath prior to assumption of office. The incumbent Chairman and Members shall serve for the remainder of their term until a new composition of the Board shall have been constituted.

5 

Section 9. Compensation of the Board - The Chairman and Members of the Board shall receive such compensation or honorarium as may be prescribed by the rules and regulations of the Commission and other pertinent laws such as the General Appropriations Act.

Section 10. Seal of the Board of Chemical Engineering – The Official Seal of the Board of Chemical Engineering is presented as a circular emblem. The emblem symbolizes the sphere of practice in which the Profession is involved in and of the field it evolves around. This emblem embodies - within its blue colored border that follows the circular form - the official title of the "Board of Chemical Engineering" in appropriately bold text. At the base of the emblem are the words "Professional Regulation Commission" presented in a ribbon form. This element is so positioned to represent the partnership role that the Commission has with the Board, while at the same time signifying honor, integrity and professionalism.

The central form of the emblem presents a montage of symbols representing the different facets of the Profession:

- *An image of an industrial plant to significantly highlight the profession's focus on all unit processes and unit operation transformations in all manufacturing endeavors*
- *A gear to associate the profession with technology and the industry;*
- *An atom to signify the basic unit of science;*
- *A laboratory decanter and flask to associate it with chemical research, experimentation and industrial transformations;*
- *A flame that can also be viewed as an "open book" to identify the profession with knowledge and with the need for continuing education for chemical engineering professionals.*

At the base of the blue colored circular border is the word "Philippines" to clearly indicate that the chemical engineering profession is practiced in the country and stands for the good and welfare of this nation and its people.

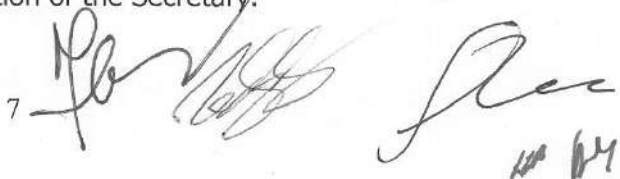
Section 11. Administrative Control and Supervision - The powers, functions and responsibilities of the Commission relative to its administrative control and supervision of the Board are as defined in the IRR of R. A. No. 8981 in a way that shall not diminish the regulatory powers, functions and responsibilities granted to the Board of Chemical Engineering to promulgate professional, occupational and ethical standards as well as to administer, implement and enforce the provisions of R. A. No. 9297.

6 

- a) To administer, implement and enforce the regulatory policies of the national government, with respect to the regulation and licensing of the chemical engineering profession including the enhancement and maintenance of professional and occupational standards and ethics through programs for continuing professional development, among others, and the enforcement of the rules and regulations relative thereto.
- b) To review, revise and approve resolutions, embodying policies promulgated by the Board in the exercise of its powers and functions or in implementing the provisions of R. A. No. 9297 and other official actions on non-ministerial matters within the respective jurisdiction of the Board.
- c) To establish and maintain a high standard of admission to the practice of the chemical engineering profession; to adopt measures to preserve the integrity and inviolability of licensure examinations; appoint supervisors and room watchers from among the employees of the government and/or private individuals with baccalaureate degrees who have been trained by the Commission for the purpose; to impose the penalty of suspension or prohibition from taking licensure examinations upon any examinee charged and found guilty of violating the rules and regulations governing the conduct of licensure examinations.
- d) To admit successful examinees to the practice of the profession; to cause the entry of names of the successful examinees to the practice of the profession in its registry book and computerized database; to issue certificates of registration/professional license; to ministerially issue professional identification card.
- e) To have custody of all records of the Board, including examination papers, minutes of deliberation, records of administrative cases and investigations and examination results for control and disposition.
- f) To perform such other administrative functions and duties as provided for in R. A. No. 8981 and R. A. No. 9297.

Section 12. Removal/Suspension of the Chairman and Members – The Chairman or any Member of the Board may be suspended or removed by the Commission for neglect of duty, incompetence, commission or tolerance of irregularities in the licensure examination, malpractice or unprofessional or unethical conduct, after due notice and hearing where his right to be heard, to defend himself and to be assisted by counsel shall be respected.

Section 13. Custody of Records, Secretariat and Support Services - The Board shall have a Secretary, appointed by the Commission, who shall record the minutes of its meetings and perform such other functions as the Board may require. The Commission shall provide for the compensation of the Secretary.

7 
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All records of the Board, including applications for examination, and administrative and other investigative cases conducted by the Board shall be under the custody of the Commission.

The Commission shall provide the secretariat and other support services to implement the provisions of R. A. No. 9297.

Section 14. Annual Report – The Board shall submit an annual report to the Commission after the close of each fiscal year giving a detailed account of the proceedings of the Board during the year and embodying such recommendations to the Commission as the Board may desire to make. The Secretary of the Board shall prepare the annual report for the consideration and approval of the Board.

Rule III

LICENSURE EXAMINATION FOR CHEMICAL ENGINEERS

Section 15. Examination Required - All persons desiring to register as Chemical Engineers and to practice the profession must pass the licensure examinations for the practice of Chemical Engineering in the Philippines.

Section 16. Qualifications for Examination - Any person applying for admission to the chemical engineering examination shall establish to the satisfaction of the Board and the Commission that he/she possesses the following qualifications:

- (a) That he/she is a citizen of the Philippines;
- (b) That he/she is of good moral character;
- (c) That he/she is a graduate of a school, institute, college or university recognized by the Government and has been conferred the degree of Bachelor of Science in Chemical Engineering or its equivalent;
- (d) That he/she has not been convicted of an offense involving moral turpitude by a court of competent jurisdiction.

A Filipino citizen who graduated from a foreign educational institution shall be required, before his application is accepted, to submit an endorsement from the CHED.

Section 17. Application - The applicant for examination shall file an application form duly accomplished together with the authentic or authenticated copies of the documents required by the Commission.

8 

The following documents, in forms as maybe required by the Commission, shall be submitted in support of the verified application for examination:

- (1) Certificate of Live Birth in NSO security paper
- (2) Marriage Contract or Certificate of Marriage, if applicant is a married female, in NSO security paper
- (3) Baccalaureate Transcript of Records with date of graduation and special order, if applicable
- (4) College Diploma with indication therein of date of graduation and Special Order No. unless it is not required
- (5) Certification of Good Moral Character issued by a Chemical Engineer in good standing
- (6) National Bureau of Investigation clearance
- (7) Other documents that may be required

Section 18. Examination Fees – Every applicant admitted to take the chemical engineering examination shall pay such fees as may be prescribed by the Commission before he or she is allowed to take the examination.

Section 19. Venues and Dates of Examination - Examination of candidates desiring to practice chemical engineering shall be given twice each year on the dates and venues prescribed by the Commission. The examination shall be conducted by the Board. The dates, time and venues of the licensure examinations for Chemical Engineers shall, as far as practicable, be published by the Commission in a newspaper of general circulation and/or in broadcast media.

Section 20. Examination Program - The Board shall issue a program for every scheduled examination not later than forty-five (45) days before the first day thereof, which shall contain the following:

- (a) Name of licensure examination,
- (b) Subjects for examination indicating their respective percentage weights, time, dates and places of examination;
- (c) Instructions to examinees, and
- (d) Names and signatures of the Chairman and the Secretary, Professional Regulatory Boards.



Section 21. Examination Syllabi - The Board shall prepare, adopt, and issue the syllabi and shall prescribe the subjects for examinations in consultation with CHED, the academe and the accredited professional organization.

The Board shall construct the test questions in the examination; score and rate the examination papers; and submit the results to the Commission. The Board shall amend/change the subjects and the syllabi, as maybe warranted from time to time, after proper consultations with all agencies concerned.

Section 22. Scope of Examination - The licensure examinations for Chemical Engineers shall cover, but shall not be limited to, the following subjects with their corresponding percentage weights:

- 1.) Chemical Engineering - 40%
- 2.) Physical and Chemical Principles - 30%
- 3.) General Engineering - 30%

The Board is empowered to determine the syllabi of the subjects and their relative weights but in no case shall the relative weight of Chemical Engineering be less than forty per centum (40%)

Section 23. Rating - To pass the licensure examinations for Chemical Engineers, an examinee must obtain a general average of no less than seventy *per centum* (70%) and a rating of no less than fifty *per centum* (50%) in any examination subject. The Board shall complete the correction of examination papers within twenty (20) days from the last day of examination. The Commission shall report the rating of examinees not more than thirty (30) days after Board has completed the correction of examination papers.

Rule IV

REGISTRATION AND ISSUANCE OF CERTIFICATE OF REGISTRATION AND PROFESSIONAL IDENTIFICATION CARD

Section 24. Vested Rights. Automatic Registration of Chemical Engineers - All chemical engineers who are registered at the time R. A. No. 9297 takes effect shall automatically be registered.

Section 25. Certificate of Registration - Every Certificate of Registration shall state the full name of the registrant and his registration number, and shall be signed by the Chairman and Members of the Board and the Chairperson of the Commission and authenticated by the official seal of the Commission and of the Board indicating that the person named therein is entitled to the practice of the profession with all the privileges appurtenant thereto. The said certification of registration shall remain in full force and effect until suspended or revoked in accordance with R. A. No. 9297.



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Section 26. Professional Identification Card - A professional identification card bearing the signature, number, and date of issuance, expiry date, duly signed by the Chairperson of the Commission shall likewise be issued to every registrant who has paid the prescribed fees of annual registration for another and every after three (3) years.

Section 27. Registration of Successful Examinees – The Commission, on recommendation of the Board shall issue a Certificate of Registration and Professional Identification Card after payment of the prescribed fees to each person who has passed the chemical engineering licensure examination given by the Board. The Commission and the Board can exercise its right to suspend or defer registration of a successful examinee pending compliance with deficiency in requirements and/or the reason for such deferment.

As soon as the cause/s for the deferment of registration as Chemical Engineer of the successful examinee has been removed, the examinee shall be allowed to register.

Section 28. Replacement of Certificate of Registration, Professional Identification Card and Certificate of Compliance - After the submission of required affidavits and evidences and compliance with the prescribed guidelines and procedures of the Commission, and upon payment of the prescribed fees, a new Certificate of Registration, Professional Identification Card or Certificate of Compliance may be issued to replace any lost, burned, destroyed or mutilated certificate or card.

Section 29. Promulgation of Rules and Regulations Governing the Practice of Foreign Chemical Engineers - With assistance from the Commission, the Board shall promulgate Rules and Regulations providing for the procedures for the registration of foreign chemical engineers without examination and issuance of certificate of registration and professional identification card through reciprocity as well as the issuance of special temporary permits to foreign chemical engineer.

Rule V

PRACTICE OF CHEMICAL ENGINEERING

Section 30. Scope of Practice - Professional chemical engineering service shall embrace the following similar services in relation to industrial plants:

- (1) Consultation requiring chemical engineering knowledge, skill and proficiency;
- (2) Investigation;
- (3) Estimation and/or valuation;

11 
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- (4) Planning;
- (5) Preparation of feasibility studies;
- (6) Designing;
- (7) Preparation of specifications;
- (8) Supervision of installation;
- (9) Operation, including quality management; but excluding chemical analysis and operation of the chemical laboratory;
- (10) Research and development.

The teaching, lecturing and reviewing of professional chemical engineering subjects shall also be considered a professional chemical engineering service as detailed in Rule VI of this IRR of R. A. No. 9297.

The chemical engineer conceptualizes, develops, designs, improves and applies safe, healthy, ethical and economic ways of utilizing materials and energy in unit processes and operations for the benefit of society and environment through the application of chemical engineering subjects and the knowledge of natural and physical science, mathematics, information technology and other general education subjects.

Section 31. Who may practice Chemical Engineering - Except as may be provided in R. A. No. 9297, only persons properly licensed and registered may practice chemical engineering. No firm, partnership, corporation or association may be licensed and registered as such for the practice of the chemical engineering, but duly licensed and registered chemical engineers may form partnership among themselves or with other licensed and registered engineers and architects and use the title "Chemical Engineers," "Engineers," and "Engineers and Architects" in their partnership name.

Section 32. Foreign Chemical Engineering Practitioners in Industry Practice - Upon proper application with the Board, without Registration as provided for in Sec. 22, Art. II of R. A. No. 9297, special permits to practice shall be issued to foreign chemical engineers, recognized as experts in their specific fields of chemical engineering, particularly those called in by the Republic of the Philippines for consultation or for a specific design, installation or project, provided that their practice shall be confined to such work, and subject to guidelines to be issued by the Board and the Commission to implement the intent of such provision.

The provisions of Sec. 7(j) and (l) and Sec. 16 of R. A. No. 8981 as well as the PRC Guidelines on the issuance of temporary/special permits to foreign chemical engineers shall be applicably supplementary to this Rule.



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Section 33. Roster of Chemical Engineers - The Commission shall keep a roster of all duly licensed and registered chemical engineers, 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 34. Indication of License Number and Privilege Tax Receipt Payment - The chemical engineer shall be required to indicate his Certificate of Registration, Professional Identification Card (PIC) number, date of issuance and the duration of the validity, including the Professional Tax Receipt (PTR) number which the City/Municipal Treasurer shall issue upon presentation of his/her current PIC on the document he/she signs, uses or issues in connection with the practice of his/her profession.

Rule VI

TEACHING AND LECTURING ENGAGEMENTS IN CHEMICAL ENGINEERING

Section 35. The teaching, lecturing and reviewing of professional chemical engineering subjects in the curriculum of the Bachelor of Science in Chemical Engineering or a subject in Chemical Engineering licensure examination given in any school, college, university or any other educational institution shall also be considered a professional chemical engineering service.

Section 36. Professional chemical engineering subjects are those defined in R. A. No. 9297 and as maybe prescribed by the Board from time to time.

Section 37. Upon proper application and subject to verification of credentials of foreign chemical engineers who have distinguished themselves in their respective fields of specialization, contracted as professors or lecturers in chemical engineering subjects by Philippine schools, or colleges, institutes or universities on a direct hire or exchange basis maybe given special permits by the Board to teach professional chemical engineering, subject to guidelines to be issued by the Board and other applicable laws, provided that the teaching shall be confined to the applicant's field of specialization.

Section 38. Filipino teachers, lecturers, or reviewers, with Masters or doctoral degree in chemical engineering or its equivalent, who are not yet registered and licensed Chemical Engineers but who were engaged in any such activities at the time of the effectivity of R. A. No. 9297 may be allowed to teach, lecture, or review professional chemical engineering subjects in the curriculum of the Bachelor of Science in Chemical Engineering degree, or a subject in the Chemical Engineering Licensure Examination, given in any school, college or university, or any other educational institution, by the Board subject to approval by the Commission for a period of one (1) year from the effectivity of this "IRR of R. A. No. 9297" unless otherwise renewed or extended, in accordance with the requirements and procedures on the approval thereof in the Resolution that the Board shall issue and promulgate, subject to approval by the Commission.

Rule VII

DESIGNS AND SPECIFICATIONS FOR INDUSTRIAL PLANTS

- Section 39.** Any proposal, design, specifications, working drawings or plan for an industrial plant or any part thereof submitted to any government agency, national, or local, including government-owned or controlled corporations, shall not be processed or approved, nor shall such plant be issued any permit, license, franchise, authorization or certification, unless such proposal, design, specification, working drawing or plan is signed by a chemical engineer, with his seal and registration number affixed thereto.
- Section 40.** Plans, specifications, reports and other professional documents prepared by or executed under the supervision of and issued by the registrant shall be stamped on every sheet with the chemical engineer's professional seal when filed with Government authorities or when submitted or used professionally.
- Section 41.** All government institutions, particularly the Department of Interior and Local Government, Department of Public Works and Highways, Department of Environment and Natural Resources, Department of Trade and Industry, Department of Science and Technology and agencies such as the provincial, city and municipal governments, the Board of Investment and the Bureau of Foods and Drug Administration, among others, and other relevant and concerned agencies shall all be made cognizant of the mandates of R. A. No. 9297 and be asked to actively implement the provisions of Section 29, Article IV of R. A. No. 9297.

Rule VIII

COMPLIANCE OF INDUSTRIAL PLANTS AND EDUCATIONAL INSTITUTIONS

- Section 42.** All industrial plants, as defined in R.A. No. 9297, must hire the services of a chemical engineer. The Board shall issue a Certificate of Compliance to industrial plants that have complied with the provisions of R. A. No. 9297. The Board may deputize and authorize agents to inspect and monitor compliance of the industrial plant.
- Section 43.** The Board shall inquire into the conditions affecting the practice of the profession and adopt measures for the enhancements and maintenance of a high professional, ethical, and technical standard. Pursuant thereto, the Board or its duly authorized representative may inspect establishments such as factories, plants, offices, and the like, in order to determine and enforce compliance with the provisions of R.A. No. 9297.
- Section 44.** In coordination with the Commission on Higher Education (CHED), the Board or its authorized representative may inspect the facilities, faculty, equipment and other aspects directly related to the chemical engineering program of educational institutions.

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Section 45. The Board shall issue guidelines that shall govern the compliance of industrial plants, inspection and monitoring, issuance of Certificate of Compliance, and other relevant acts. A Code of Technical Standards shall also be issued by the Board to guide implementation of this Rule.

Rule IX

CODE OF ETHICS FOR CHEMICAL ENGINEERS AND CONTINUING PROFESSIONAL EDUCATION (CPE)

Section 46. Code of Ethics for the Practice of Chemical Engineering -The Board, in consultation with the integrated and accredited national organization of Chemical Engineers, shall adopt and promulgate a Code of Ethics for Chemical Engineers.

Section 47. Continuing Professional Education -The Board shall prescribe guidelines and criteria on the Continuing Professional Education (CPE) program for chemical engineers in consultation with the integrated and accredited national organization of chemical engineers.

Rule X

ADOPTION AND USE OF SEAL BY CHEMICAL ENGINEERS

Section 48. Seal of Chemical Engineers - Subject to guidelines on administrative procedure and control, to be issued by the Board in consultation with the integrated and accredited national organization of chemical engineers, each chemical engineer shall obtain a seal as prescribed by the Board bearing the registrant's name, registration number and the legend "Registered Chemical Engineer."

The seal shall consist of two concentric circles and the symbol of a manufacturing plant inside the smaller circle. This seal is patterned after that of the accredited professional organization.

The seal specimen together with specimen signature cards, authenticated copies of valid Certificate of Registration and Professional Identification Card and valid PTR for the year shall be submitted to the Board through the integrated and accredited national organization of chemical engineers for authentication and registration.



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Section 49. Affixing Seal by the Chemical Engineer - Every registered Chemical Engineer shall clearly and legibly affix his seal on all plans, specifications, and other contract documents prepared by or under his or her direction or supervision. The Chemical Engineer shall likewise indicate his Certificate of Registration number, date issued and professional tax receipt (PTR) number, place and date issued by the City/Municipal Treasurer on documents which he signs, affixes his seal, and issues in connection with the practice of his profession.

Rule XI

INTEGRATED AND ACCREDITED NATIONAL ORGANIZATION OF CHEMICAL ENGINEERS

Section 50. Membership in the Integrated and Accredited National Organization of Chemical Engineers - There shall be an integrated national organization of chemical engineers duly accredited by the Board and the Commission. A chemical engineer duly registered with the Board shall automatically become a member of the accredited organization, and shall receive the benefits appurtenant thereto upon payment of the required fees and dues. Membership in the integrated and accredited national organization shall not be a bar to membership in other associations of chemical engineers.

Section 51. Officially Accredited Professional Organization - The Philippine Institute of Chemical Engineers, Inc. is the existing integrated and accredited national organization of registered chemical engineers, duly accredited by the Board subject to approval by the Commission and registered with the Securities and Exchange Commission (SEC) as a non-profit, non-stock corporation governed by its Articles of Incorporation and By-laws.

Section 51.1 A chemical engineer duly registered with the PRC shall automatically become a member of the PICHE and shall receive the benefits and privileges provided for and described in its by-laws upon payment of required fees and dues. The PICHE shall keep an updated official registry of its bonafide members indicating membership and annual dues official receipt number.

Section 51.2 Bonafide members of the PICHE practicing the chemical engineering profession shall be required to provide their official PICHE membership number and receipt (PTR) on official documents prepared by them for purposes of obtaining government regulatory permits and licenses.



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Section 51.3 The functions, duties and responsibilities of the PICHE as the integrated and accredited organization of registered chemical engineers shall be the following:

- a) Nominations to the vacancy of positions to the Board of Chemical Engineering;
- b) Pursuing a program for continuing professional education;
- c) Endorsement of the practice of foreign nationals to be issued temporary/special permit;
- d) Monitoring compliance and endorsing to/or filing a complaint with the Board and/or Commission for violation of the R. A. No. 9297, this IRR, Code of Ethics, Standards of Professional Practice and other policies of the Board and of the Commission and with other agencies for violation of other relevant laws, regulations and the like; and
- e) Some other functions, duties and responsibility as may be prescribed by the Board of Chemical Engineering from time to time.

Rule XII

PROHIBITIONS IN THE PRACTICE OF CHEMICAL ENGINEERING

Section 52. - No person shall practice chemical engineering or render chemical engineering service without a valid certificate of registration and a valid professional identification card. Any person who shall commit the following acts shall be guilty of misdemeanor:

- (a) Practice chemical engineering or render chemical engineering services, or pass himself off or advertise as a chemical engineer without valid certificate of registration or when such has been suspended or revoked;
- (b) Attempt to use as his own certificate or seal of another person or impersonate any registered chemical engineer; or
- (c) Furnish the Board or Commission any false information or document in order to secure the Certificate of Registration.

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Rule XIII

MISCELLANEOUS PROVISIONS

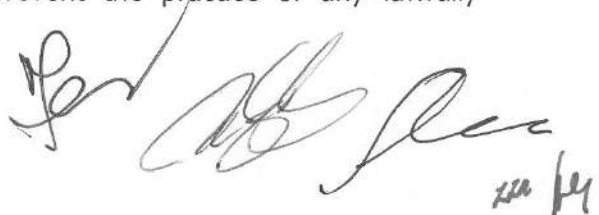
Section 53. Foreign Reciprocity - No foreign chemical engineer shall be granted any of the right or privilege under R. A. No. 9297 unless the country of which he is a subject or citizen grants the same or similar rights or privileges to Filipino chemical engineers.

A foreign citizen, whether he studied in the Philippines or not, who desires to take the licensure examination for Chemical Engineers through reciprocity shall initiate the establishment of reciprocity between his country/state and the Philippines by presenting/submitting a letter or any document signed and under official seal by the appropriate official of his country/state requesting the Chairman of the Board of Chemical Engineering to allow the foreign applicant to take the licensure examination of the Board that by express provision of the law of his country/state, Filipino citizens shall be allowed to take the licensure examination for Chemical Engineers and to register as Chemical Engineer in his country/state on terms of strict and absolute equality with the citizens or subjects of said country or state including the unconditional recognition of prerequisite degrees issued by institutions of higher learning duly recognized or established by the Government of the Republic of the Philippines attaching/appending thereto an authentic or authenticated official copy of said law officially translated in the English language.

If the letter/document and the copy of the law submitted by the applicant is satisfactorily to the Board, the foreign applicant shall be allowed to take the licensure examination for Chemical Engineers by requiring him to file an application to take the licensure examination and by submitting the following documents that shall accompany the application:

- (1) The original or certified copy of any official document issued by the Bureau of Immigration and Deportation allowing the applicant to enter and reside the Philippines;
- (2) Present his passport for examination and for photocopying of pertinent information about the applicant;
- (3) Original or authenticated copy of transcript of records or equivalent document of the course for licensure examination issued by the institution of higher learning where he studied, duly authorized or accredited by his country/state; and'
- (4) Other documents which may be required to be submitted by the Board.

Section 54. Act Not Affecting Other Professions - R. A. No. 9297 shall not be construed to affect or prevent the practice of any lawfully recognized profession.

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Rule XIV

ADMINISTRATIVE PROCEEDINGS

Section 55. Grounds for the Suspension and Revocation of Certificates-

The Board may, after due notice and hearing, suspend or revoke the certificate of registration of a Chemical Engineer or cancel any special permit issued for the practice Chemical Engineering in the Philippines for any of the following grounds:

- (a) Any act of misrepresentation in connection with an alleged performance of chemical engineering services;
- (b) Acts inimical to the chemical engineering profession; and
- (c) Gross immorality or commission of any act involving moral turpitude.

Certificates of Compliance maybe suspended or revoked for non-compliance with the provisions of R. A. No. 9297.

Section 56. Reissuance of Revoked Certificate of Registration or Revoked Certificate of Compliance-

The Board may, for reasons it may deem sufficient and upon proper petition, reissue a revoked certificate of registration or revoked certificate of compliance upon payment of the prescribed fees. The petition for reissuance or reinstatement may be filed after at least two (2) years from the date of the surrender of the revoked certificates.

Section 57. Interpretation of the Provision of R. A. No. 9297, this Implementing Rules and Regulations, Code of Ethics and Code of Technical Standards Issued by the Board -

At first instance, the Board may resolve any issue arising from the implementation of the provisions of R. A. No. 9297 in the form of opinions issued by the Board through its Chairman. It may also issue opinions on questions arising from the implementation of the Rules and Regulations of R. A. No. 9297, the Code of Ethics or the Code of Technical Standards for Chemical Engineers. The Board may request the Commission, through its Chairperson, to elevate difficult questions of law to the Department of Justice for legal opinion.

Section 58. Administrative Investigation -

The Board shall investigate, in accordance with the rules on administrative investigation promulgated by the Commission, violations of R. A. No. 9297 and this implementing rules and regulations, the Code of Ethics and the Code of Technical Standards for chemical engineers, administrative policies, orders and issuances promulgated by the Board. The Board shall prosecute or institute criminal action against any violator of R. A. No. 9297 and/or rules and regulations of the Board.

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Section 58.1 The Board shall hear and decide administrative cases filed against chemical engineers and firms employing chemical engineers. Any decision shall be concurred in by at least a majority of the Board. Decisions of the Board may be appealed to the Commission within fifteen (15) days from notice; otherwise such decision shall become final and executory.

Section 58.2 The hearing shall be presided by the Chairman or a Member of the Board assisted by the legal or hearing officers of the Commission. The Board may delegate the hearing or investigation of such cases to the legal and hearing officers of the Commission except when it is on technical matters or where the issue involved strictly concerns the practice of the profession in which case the hearing or investigation shall be presided by at least one (1) Member of the Board assisted by a hearing or legal officer of the Commission.

Section 59. Exemption from Examination and Registration - Upon proper application for exemption with the Board, examination shall not be required of the foreign engineers who are allowed to practice chemical engineering in the Philippines as provided for in this IRR of R. A. No. 9297. They shall be required to register for the purpose of securing a Special Permit to practice.

Rule XV

ENFORCEMENT AND PENALTIES

Section 60. Enforcement Assistance to the Board - The Board shall be assisted by the Commission in carrying out the provisions of R. A. No. 9297 and this implementing rules and regulations and other policies. The lawyers of the Commission shall act as prosecutors against illegal practitioners and other violators of RA 9297 and this rules. The duly constituted authorities of the government shall likewise assist the Board and the Commission in enforcing the provisions of R. A. No. 9297 and this rules.

Section 61. Penal Clause - Any person who shall violate any of the provisions of R. A. No. 9297 shall be guilty of misdemeanor and shall, upon conviction, be sentenced to a fine of not less than Ten Thousand Pesos (P10, 000.00) nor more than One Million Pesos (P1, 000,000.00) or imprisonment for a period of not less than six (6) months nor more than five (5) years or both at the discretion of the court.

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Rule XVI

SEPARABILITY AND REPEALING CLAUSES AND EFFECTIVITY

Section 62. Separability Clause - If any section or provision of this IRR of R. A. No. 9297 may be declared unconstitutional or invalid, such shall not affect or invalidate any other section or provision thereof.

Section 63. Repealing Clause - Any provisions of the rules, regulations, codes, orders, resolutions, measures, and other policies or parts thereof issued and promulgated pursuant to Republic Act No 318, P. D. No. 223 (as amended), R. A. No. 8981, and other laws which are inconsistent with R. A. No. 9297 are hereby repealed, superseded, or amended accordingly.

Section 64. Effectivity - This IRR of R. A. No. 9297 shall take effect after thirty (30) days following its full and complete publication in the Official Gazette or in a major newspaper of general circulation.

Done in the City of Manila, Philippines, this 17th day of November, 2004


RODRIGO C. ONG
Member


LAURO D. GUEVARA
Chairman


FRANCISCO A. ARELLANO
Member

ATTESTED:

CARLOS G. ALMELOR
Secretary
Professional Regulatory Boards

APPROVED:


AVELINA A. DE LA REA
Commissioner


ALCESTIS M. GUIANG
Chairperson


LEONOR TRIPÓN-ROSERO
Commissioner