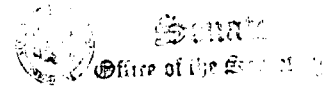


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



24 FEB 20 P2 :59

SENATE

S. No. 2559

RECEIVED BY

Introduced by Senator Francis G. Escudero

**AN ACT
REGULATING THE PRACTICE OF PLUMBING ENGINEERING IN THE
PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 1378,
OTHERWISE KNOWN AS THE "PLUMBING LAW"**

EXPLANATORY NOTE

Whilst hidden beneath the concrete slabs of modern edifices, plumbing systems are critical in maintaining public health, sanitation, and safety of our modern-day society. As such, it is necessary that plumbing design and installation be undertaken by people with adequate academic and technical background in accordance with generally-accepted engineering standards and practices.

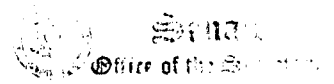
Almost seven (7) decades ago in 1955, Congress enacted Republic Act No. 1378, otherwise known as the Plumbing Law, which regulates the trade of master plumbers, in time when high school graduates with five (5) years plumbing experience dominate the trade. Unfortunately, the law regulating the profession have remained the same despite the significant developments in plumbing system particularly in terms of materials used and technologies applied. One striking proof of this obsolescence rests on how the prevailing law still considers plumbing a "trade" in this day and age of high-rise buildings and rapid urbanization.

This bill seeks to modernize the regulation of plumbing engineering to tap the burgeoning plumbing industry and the increasing demand for skilled plumbing engineers. It seeks to repeal the outdated Plumbing Law, recognize plumbing Engineering as a distinct and specialized field of engineering, and adopt globally-accepted industry standard and practices. Ultimately, this proposed measure seeks to train competent and globally-competitive plumbing engineers that can contribute to the advancement of their chosen field and development of the Filipino nation.

Approval of this bill is urgently requested.

FRANCIS G. ESCUDERO

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OTHERWISE KNOWN AS THE "PLUMBING LAW"

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

ARTICLE I

PRELIMINARY PROVISIONS

1
2
3 Section 1. *Title.* – This Act shall be known as the "Philippine Plumbing
4 Engineering Act".

5 Sec. 2. *Declaration of Policy.* – The State hereby recognizes the importance of
6 plumbing engineering in maintaining public health, sanitation, and safety. Towards
7 this end, and in recognition of the need to train and develop competent and globally-
8 competitive professionals, the State shall implement regulatory measures, programs
9 and activities which shall promote the sustained development of a reservoir of
10 plumbing professionals whose competence has been determined by honest and
11 credible board examinations, maintain internationally-recognized standards of
12 professional service and practice, and foster professional growth and career
13 advancement in the field of plumbing engineering.

14 Sec. 3. *Definition of Terms.* – For the purposes of this Act, the following terms
15 are hereby defined as follows:

1 (a) *Master Plumber* refers to a person who holding a valid certificate of
2 registration or professional license and professional identification card as master
3 plumber;

4 (b) *Practice of Plumbing Engineering* refers to the professional and organized
5 act of applying scientific principle and technique for the design, estimate, installation
6 and operation of plumbing systems involving hot and cold-water supply installation to
7 fixtures, sanitary drainage, vent system, storm drainage, gas piping, swimming pools,
8 water feature, fire protection system, irrigation system, water refilling stations, private
9 water system, private sewage disposal system within or adjacent to any buildings and
10 other structures. It shall also include, but not be limited to, the following services and
11 activities:

12 (1) Consultation, design and preparation of plans, specifications and
13 estimates; and erection, installation and supervision of plumbing works
14 including the inspection and acceptance of materials used therein;

15 (2) Extension, aiteration and modifications of ali piping for fixtures,
16 equipment, appliance, and appurtenance in connection with any of the above
17 scope;

18 (3) Engagement in the transfer of the knowledge and technology of
19 plumbing engineering in any institution of learning; and

20 (4) Appointment in any regular, job order, or contract-of-service position
21 in any government agency or instrumentality that requires professional
22 knowledge in plumbing engineering:

23 *Provided*, That the enumeration of services and activities in this subsection shall
24 not be construed to exclude any other work requiring plumbing knowledge and
25 application; and

26 (c) *Plumbing Engineer* refers to a person holding a valid certificate of
27 registration or professional license and professional identification card issued by the
28 Board of Plumbing Engineering and the Professional Regulation Commission and who

1 is legally qualified to practice plumbing engineering in the Philippines pursuant to this
2 Act.

3 **ARTICLE II**
4 **BOARD OF PLUMBING ENGINEERING**

5 *Sec. 4. Regulatory Board of Plumbing Engineering.* – The Board of Examiners
6 for Master Plumbers created pursuant to Republic Act No. 1378, is hereby
7 reconstituted as the Board of Plumbing Engineering, hereinafter referred to as the
8 Board, to be composed of a Chairperson and two (2) Members to be appointed by the
9 President of the Philippines from a list of three (3) recommendees for each position,
10 chosen, ranked in the order of preference, and submitted by the Professional
11 Regulation Commission, hereinafter referred to as the Commission, from the list of
12 five (5) nominees for each position submitted by the Accredited Integrated
13 Professional Organization of Plumbing Engineers.

14 *Sec. 5. Qualifications of Chairperson and Members of the Board.* – The
15 Chairperson and Members of the Board shall, at the time of their respective
16 appointments, possess the following qualifications:

17 (a) Natural born citizen and resident of the Philippines;

18 (b) Must be at least forty (40) years of age;

19 (c) Must hold a degree of Bachelor of Science in Plumbing Engineering or its
20 equivalent, conferred by a school, academy, college or university in the Philippines or
21 abroad that is duly recognized by the Commission on Higher Education (CHED);

22 (d) A Professional Plumbing Engineer with a valid certificate of registration and
23 professional license and an active practitioner as such, for not less than ten (10) years
24 prior to his appointment;

25 (e) Must not, for a period of three (3) consecutive years prior to appointment,
26 be a member of the faculty of any school, academy, institute, college or university
27 where a regular course in Plumbing Engineering is being taught, nor have pecuniary
28 interest in or administrative supervision over any such institution of learning;

1 (f) Must not, for a period of three (3) consecutive years prior to appointment,
2 be connected with a review center or with any group or association where review
3 classes or lectures in preparation for the board examination are offered or conducted
4 at the time of appointment; and

5 (g) Must be of proven integrity and high moral values and must not have been
6 convicted of any offense involving moral turpitude.

7 **Sec. 6. Term of Office.** – The Chairperson and Members of the Board shall hold
8 office for a term of three (3) years from the date of their respective appointments:
9 *Provided,* That the Chairperson and Members of the Board may be re-appointed for
10 another term but in no case shall they serve continuously for more than six (6) years.

11 Each member of the Board shall take his oath of office prior to the official
12 performance of his duties.

13 In case of any vacancy in the membership of the Board by reason of death,
14 disability, resignation, or removal from office, the President shall appoint a successor
15 to serve the unexpired portion of the term of the respective member, without prejudice
16 to reappointment for a maximum of two (2) terms.

17 **Sec. 7. Powers and Duties of the Board.** – The Board shall exercise the following
18 specific powers, functions, duties and responsibilities:

19 (a) To promulgate and adopt, subject to review and approval of the
20 Commission, such rules and regulations necessary for carrying out the provisions of
21 this Act;

22 (b) To supervise the examination, registration, licensure and practice of
23 Plumbing Engineering in the Philippines, including, but not limited to, the following
24 activities:

25 (1) Determination and evaluation of the qualifications of registration
26 applicants;

27 (2) Preparation of the examination questions; and

1 (3) Preparation, adoption, issuance or revision of the subjects, their
2 syllabi, passing average, and the system and procedure in the board
3 examinations for the practice of plumbing engineering and the corresponding
4 weights, subject to the approval of the Commission;

5 (c) To administer oaths in connection with the successful examinees entering
6 the practice of Plumbing Engineering;

7 (d) To issue, suspend, revoke or reinstate certificates of registration after
8 compliance with the requirements or observance of due process, as the case may be;

9 (e) To issue, cancel, suspend or reinstate professional license or cancel special
10 permit to practice plumbing engineering, for causes provided by law and upon
11 compliance with due process requirements;

12 (f) To adopt an official seal of the Board;

13 (g) To look into the conditions affecting the practice of the professions and
14 adopt, whenever necessary, such measures as may be deemed proper for the
15 enhancement and maintenance of high professional and ethical standards of the
16 professions;

17 (h) To ensure, in coordination with the Commission on Higher Education
18 (CHED) and Technical Education and Skills Development Authority (TESDA), the
19 compliance of all higher education institutions offering Plumbing Engineering programs
20 or related courses with the relevant policies, standards and guidelines (PSGs);

21 (i) To coordinate with the Commission, CHED and TESDA in the formulation or
22 revision of relevant programs;

23 (j) To prescribe and/or adopt a Code of Ethics and a Code of Technical
24 Standards for the practice of the Plumbing Engineering professions;

25 (k) To investigate, hear and try administrative cases involving violations of this
26 Act, its implementing rules and regulations, the Code of Ethics and Technical
27 Standards and for the purpose, to issue *subpoena* and *subpoena duces tecum* to

1 secure the appearance of witnesses and the production of documents in connection
2 therewith;

3 (l) To prescribe guidelines for the Continuing Professional Development
4 program for plumbing engineers as a condition for the renewal of their professional
5 licenses;

6 (m) To approve, issue, limit or revoke temporary special permit to practice
7 Plumbing Engineering;

8 (n) To submit annual report to the President of the Philippines through the
9 Commission in accordance with Section (11) of this Act; and

10 (o) To discharge such other duties and functions as may be deemed necessary
11 for the enhancement of the Plumbing Engineering professions and the upgrading,
12 development and growth of Plumbing Engineering education in the Philippines.

13 *Sec. 8. Compensation of the Chairperson and Members of the Board.* – The
14 Chairperson and Members of the Board shall receive compensation and allowances
15 comparable to the compensation and allowances received by the chairpersons and
16 members of existing regulatory boards of the Commission and as may be provided for
17 in the General Appropriations Act.

18 *Sec. 9. Supervision of the Board, Custodian of Records, Secretariat and Support*
19 *Services.* – The Board shall be under the general supervision of the Commission. All
20 records of the Board, including application for examination, examination papers and
21 results, minutes of deliberation, administrative cases, and other investigative cases
22 involving the profession shall be kept by the Commission. The Commission shall
23 designate the secretary of the Board and shall provide the Secretariat and other
24 support services to implement the provisions of this Act.

25 *Sec. 10. Removal of the Chairperson and Members of the Board.* – The
26 President may, upon the recommendation of the Commission and after the observance
27 of due process, remove the Chairperson or any Member of the Board on the following
28 grounds:

1 **Sec. 13. *Qualifications of Applicant for Plumbing Engineering Examination.*** –
2 Every applicant for Plumbing Engineer examination shall establish the following:

3 (a) That he or she is a citizen of the Philippines or a foreign state which has
4 reciprocity with the Philippines in the practice of plumbing engineering;

5 (b) That he or she is of good moral character and has not been convicted of
6 any offense involving moral turpitude; and

7 (c) That he/she is a graduate of Bachelor of Science in Plumbing Engineering
8 offered by an educational institution duly recognized by the CHED: *Provided*, That
9 within five (5) years following the effectivity of this Act, graduates of Bachelor of
10 Science in Architecture, Civil Engineering, Mechanical engineering, Electrical
11 Engineering, Sanitary Engineering, Agricultural Engineering, and Geodetic Engineering
12 may be qualified to take the plumbing engineer examinations.

13 **Sec. 14. *Fraudulent Application.*** – The Board may suspend or revoke a
14 Certificate of Registration obtained through fraudulent acts or misrepresentation made
15 during the application for examination.

16 **Sec. 15. *Scope of Examinations.*** – The examination for Plumbing Engineering
17 shall cover the following subject matter:

18 (a) General Engineering and Mathematics;

19 (b) Plumbing Code;

20 (c) Plumbing Design; and

21 (d) Practical Problems and Installation:

22 *Provided*, That duly-licensed engineers may be exempted from taking General
23 Engineering and Mathematics, at the option of the applicant: *Provided, further*, that
24 the manner of removing of any failed grade in the examination shall be determined
25 by the Board: *Provided, finally*, That the subjects and their syllabi may be amended

1 by the Board to conform to the changes in internationally-accepted standards and
2 practices in the plumbing engineering profession.

3 **Sec. 16. *Rating in the Board Examination.*** – To pass the board examination for
4 Plumbing Engineers, a candidate must obtain a general weighted average of seventy
5 percent (70%) with no grade lower than fifty percent (50%) in any given subject.

6 **Sec. 17. *Report of Ratings.*** – The Board shall submit to the Commission the
7 rating obtained by each candidate within twenty (20) calendar days after the
8 examination, unless extended for just cause. Upon the release of the results of the
9 examination, the Board shall send by mail the rating received by each examinee at
10 the later's given address using the self-addressed mailing envelope submitted during
11 the examination.

12 **Sec. 18. *Re-examination.*** – An applicant who fails to pass the examination for
13 the third time shall be allowed to take another examination only after the lapse of one
14 year.

15 **Sec. 19. *Oath.*** – All successful candidates in the examinations and all those
16 who have qualified for registration without an examination as provided under Section
17 32(c) of this Act shall be required to take an oath of profession before the Board or
18 any person authorized by the Commission to administer oaths, prior to entering into
19 the practice of the Plumbing Engineering profession.

20 **Sec. 20. *Certificate of Registration and Professional License.*** – A certificate of
21 registration as plumbing engineer shall be issued to every registrant who has
22 satisfactorily met all the requirements specified in this Act, subject to payment of
23 registration fees.

24 The Certificate of Registration of a Professional Plumbing Engineer shall bear
25 the full name of the registrant and a serial number signed Chairman of the Board and
26 its member attested by the Secretary of the Commission and stamped with the official
27 seal of the Board indicating that the person named therein is a registered Plumbing
28 Engineer and is entitled to practice the profession with all the rights and privileges

1 appurtenant thereto. The certificate of registration shall remain in full force and effect
2 until withdrawn, suspended, or revoked.

3 A professional license bearing the registration number, date of issuance, expiry
4 date and duly signed by the Chairman of the Board, shall likewise be issued to every
5 registrant, upon payment of the professional fees. A license is entitled to practice the
6 profession with all the privileges appurtenant thereto until the expiration of the validity
7 of his license.

8 **Sec. 21. *Seal and Use of Seal of Plumbing Engineer.*** – All licensed plumbing
9 engineers shall, upon registration, obtain a seal of such design as may be prescribed
10 by the Board. Plans, specifications, reports, and other professional documents
11 prepared by, executed under the immediate supervision of, and issued by a licensee,
12 shall be stamped on every sheet with the seal when filed with government authorities
13 or when submitted or used professionally. Plans and documents duly signed, stamped
14 or sealed as instruments of service are the property and documents of the Plumbing
15 Engineer.

16 **Sec. 22. *Exemption from Registration Requirements.*** – Registration shall not be
17 required from any of the following persons:

18 a) Foreign plumbing engineers employed as technical consultants by the
19 Philippine government or by private firms, subject to the following conditions:

20 (1) That no qualified Filipino is available for the work or undertaking that
21 the foreign professional is being hired or commissioned for, as certified by the
22 Accredited Integrated Professional Organization of Plumbing Engineers;

23 (2) That the foreign professional concerned is legally qualified to practice
24 their profession in his or her country in which the requirements and
25 qualifications for obtaining a license or certificate of registration are not lower
26 than those specified in this Act;

1 (3) That the scope of work to be performed by foreign professional
2 concerned shall be limited only to the particular work for which he or she was
3 contracted;

4 (4) That prior commencing to work, the foreign professional concerned
5 shall secure a special permit to practice plumbing engineering in the Philippines;

6 (5) That foreign professional shall not engage in private practice on their
7 own account:

8 (6) That for every foreign professional contracted pursuant to this
9 section, a duly registered Filipino plumbing engineer shall be employed by the
10 government agency or private firm concerned: *Provided*, That the Filipino
11 plumbing engineer concerned shall remain employed for at least the duration
12 of the contract of the foreign professional; and

13 (7) That the exemption herein granted shall be valid for six (6) months,
14 renewable for another six (6) months subject to the approval of the Board:
15 *Provided*, That in the event that the original employment or service contract
16 involving a foreign professional has been completed or terminated, the foreign
17 professional concerned and his or her new contracting government agency or
18 private firm shall likewise satisfy the conditions and requirements as stipulated
19 under this Act;

20 (b) Foreign plumbing engineers who have distinguished themselves in their
21 respective fields of specification, contracted on a direct hire or exchange basis as
22 professors or lecturers for plumbing engineering subjects by higher education
23 institutions duly-recognized by CHED, subject to verification of credentials by the
24 Board; or

25 (c) Engineering students, apprentices and other persons employed or acting as
26 subordinates of, or undergoing training under persons holding a valid certificate of
27 registration and license under this Act.

1 *Sec. 25. Roster of Plumbing Engineers.* – The Commission shall maintain a
2 roster of duly licensed and registered plumbing engineers, stating their names,
3 registration numbers, and places of business or employment. The Commission shall
4 regularly update such roster and make the same available to the public.

5 *Sec. 26. Foreign Reciprocity.* – No foreign plumbing engineer shall be
6 authorized to take the board examination, given a certificate of registration, issued a
7 temporary license to practice plumbing engineering, engage in covered activities and
8 services, or be entitled to any of the rights and privileges under this act of unless the
9 country of which he is a subject or citizen specifically permits Filipino Plumbing
10 Engineers to practice within its territorial limits on the same basis as the subjects or
11 citizens or such foreign state or country.

12 *Sec. 27. License Number and Privilege Tax Receipt.* – The plumbing engineer
13 shall be required to indicate the certificate of registration, professional identification
14 card number, date of issuance and the duration of validity, including the privilege tax
15 receipt number on the documents the plumbing engineer signs, uses or issues in
16 connection with the practice of the plumbing engineering.

17 *Sec. 28. Integration and Accreditation of the Plumbing Professional*
18 *Organizations.* – The Plumbing professional organizations shall be integrated into one
19 national organization, which shall be created and accredited by the Board of Plumbing
20 Engineering and the Professional Regulation Commission. The Accredited and
21 Integrated Professional Organization (AIPO) shall promulgate such rules and
22 regulations including Code of Ethics and Code of Technical Standards for Plumbing
23 Engineers for the effective implementations of the provision of this Act.

24 *Sec. 29. Grounds for Suspension and Revocation of License, Cancellation of*
25 *Temporary / Special Permit.* – The Board shall have the power, upon due notice and
26 hearing, to revoke or suspend the license of a Plumbing Engineer, or to cancel a
27 temporary / special permit for any cause specified in the proceeding section, including
28 but not limited to:

1 (a) The use or perpetration of any fraud deceit in obtaining a certificate of
2 registration;

3 (b) For incompetence, negligence, or for abatement of the illegal practice of
4 Plumbing Engineering;

5 (c) Violation of the provisions of this Act, its implementing rules and regulations
6 and/or violation of the policies of the Board on the Code of Ethics for Plumbing
7 Engineers:

8 *Provided, however,* That such action of the Board shall, be subject to appeal to
9 the Commission, within fifteen (15) days from written notice.

10 **ARTICLE V**
11 **PENAL PROVISIONS**

12 **Sec. 30. Prohibited Acts.** – The following acts shall be prohibited: (a) No person
13 shall perform any of the following acts:

14 (1) Submit fraudulent evidence of any kind to the Board or to any
15 member thereof to obtain a certificate of registration of professional license;

16 (2) Use the title of "Registered Plumbing Engineer", or make use of any
17 means to display, advertise or otherwise convey the impression that such
18 person is a plumbing engineer without holding a valid certificate or license to
19 practice plumbing engineering;

20 (3) Practice or offer to practice plumbing engineering in the Philippines
21 without a valid certificate of registration and professional license, or
22 temporary/special permit from the Board of Plumbing Engineering;

23 (4) Stamp or seal any document with the seal of a plumbing engineer
24 after his or her professional license has expired or lost its validity, unless he
25 has been reinstated at the practice and/or unless his license has been renewed;

1 (5) Sign his or her name, affix his or her seal or use any other method
2 of signature on plans, specifications or other documents made by or under
3 supervision of another plumbing engineer, unless the same is made in such
4 manner as to clearly indicate the part of such work that the plumbing engineer
5 concerned has actually performed; or

6 (6) Sign for any branch of work or any function of Plumbing Engineering
7 practice that he or she has not actually performed, unless he or she is the
8 Plumbing Engineer in-charge for all plans, specifications and other documents
9 issued under his seal or authorized signature.

10 (b) No officer or employee of any government agency or instrumentality,
11 including government-owned or -controlled corporations, state universities and
12 colleges, and local government units, shall perform the following acts:

13 (1) Accept or endorse any plumbing proposal, design, specifications,
14 working drawing, program, or report which have not been prepared and
15 submitted in full accord with the provisions of this Act; or

16 (2) Approve or cause any payment for any work, the plans and
17 documents of which have not been prepared, signed and sealed by a duly
18 licensed Plumbing Engineer with the seal and registration number affixed
19 thereto.

20 **Sec. 31. *Penalty.*** – In addition to the administrative sanctions that may be
21 imposed under this Act, any person or firm, partnership or association violating any
22 provisions of this Act, and its rules and regulations shall, upon conviction, be penalized
23 by a fine of not less than One Hundred Thousand Pesos (Php 100,000.00) nor more
24 than Five Hundred Thousand Pesos (Php 500,000.00), or imprisonment of not less
25 than six (6) months, nor more than three (3) years, or both, at the discretion of the
26 Court.

1 **ARTICLE VI**
2 **FINAL PROVISIONS**

3 **Sec. 32. *Transitory Provisions.*** – (a) The existing Board of Master Plumbing
4 shall continue to function in the interim until time as the new Board shall be duly
5 reconstituted pursuant to this Act. The Commission shall grant automatic registration
6 as plumbing engineers to the first Chairperson and Members of the Board upon its
7 reconstitution;

8 (b) Examination for Master Plumber shall cease to be conducted upon effectivity
9 of this Act;

10 (c) Certificate of Registration shall be issued by the Board for all registered
11 master plumbers holding valid certificates of registration and professional licenses
12 issued pursuant to Republic Act No. 1378, who shall file application for registration as
13 plumbing engineers within three (3) years from the effectivity of this Act. The Board
14 shall issue new certificates of registration, professional license, and serial numbers to
15 such applicants, and shall cause the inclusion of their names in the roster of registered
16 plumbing engineers in accordance with Section 25 of this Act;

17 (d) Within five (5) years after the effectivity of this Act, graduates of Bachelor
18 of Science in Architecture, Civil Engineering, Mechanical Engineering, Electrical
19 Engineering, Sanitary Engineering, Agricultural Engineering, and Geodetic Engineering
20 may take the board examination for plumbing engineer. Upon the formulation and
21 implementation of the PSGs for the plumbing engineering program by the CHED, the
22 Board shall include the completion of such program as a requirement for taking the
23 board examination for plumbing engineer.

24 **Sec. 33. *Implementing Rules and Regulations.*** – Within sixty (60) days after
25 the effectivity of this Act, the Board adopt and promulgate such rules and regulations,
26 including the Code of Ethics for Plumbing Engineers, to carry out the provisions of this
27 Act, subject to the approval of the Commission.

1 Sec. 34. *Funding.* – The amount necessary for the immediate implementation
2 of this Act shall be sourced from existing appropriations of the Board of Examiners for
3 Master Plumbers; thereafter, such amount necessary to effectively implement the
4 provisions of this Act shall be included in the annual General Appropriations Act. In
5 addition, the Board is hereby authorized to utilize fifty percent (50%) of the fees
6 derived from its examination, registration and licensing activities to defray its
7 administrative and other operational expenses, including the enhancement of the
8 Plumbing Engineering profession.

9 Sec. 35. *Separability Clause.* – If any provision or part hereof is declared
10 unconstitutional, the remainder of this Act or any provision not affected thereby shall
11 remain in full force and effect.

12 Sec. 36. *Repealing Clause.* – Republic Act No. 1378 is hereby repealed. All other
13 laws, decrees, National Codes, executive orders, letter of instructions and other
14 administrative issuances and parts thereof which are inconsistent with the provisions
15 of this Act are hereby modified, suspended or repealed accordingly.

16 Sec. 37. *Effectivity.* – This Act shall take effect fifteen (15) days following its
17 publication in the Official Gazette or in two (2) newspaper of general circulation.

Approved,