



HOUSE OF REPRESENTATIVES

H. No. 5851

BY REPRESENTATIVES YU, PLAMONTE, SALVACION, ABAYA, ESCUDERO,
RODRIGUEZ (R.), RODRIGUEZ (M.), PALMONES, GONZALES (A.), TINIO,
ABAYON, MARIANO AND PADILLA, PER COMMITTEE REPORT NO. 1833

AN ACT REGULATING THE PRACTICE OF METALLURGICAL
ENGINEERING IN THE PHILIPPINES, REPEALING FOR THIS
PURPOSE PRESIDENTIAL DECREE NO. 1536, OTHERWISE
KNOWN AS THE METALLURGICAL ENGINEERING LAW OF
THE PHILIPPINES, AND FOR OTHER PURPOSES

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

1 ARTICLE I

2 TITLE, STATEMENT OF POLICY, DEFINITION OF TERMS AND

3 SCOPE OF PRACTICE

4 SECTION 1. *Title.* – This Act shall be known as the “New Metallurgical
5 Engineering Act of 2012”.

6 SEC. 2. *Statement of Policy.* – The State recognizes the importance of
7 *metallurgical engineers in nation-building and development.* Thus, the State
8 shall develop and nurture competent, virtuous, productive and well-rounded
9 metallurgical engineers whose standard of professional practice and service
10 shall be excellent, world-class and globally competitive through regulatory
11 measures, programs and activities.

1 SEC. 3. *Objectives.* – This Act shall govern but shall not be limited to:

2 (a) The examination, registration and licensure of metallurgical
3 engineers;

4 (b) The supervision, control and regulation of the practice of
5 metallurgical engineering;

6 (c) The development and upgrading of the curriculum of the
7 metallurgical engineering profession;

8 (d) The development of the professional competence of metallurgical
9 engineers through continuing professional education; and

10 (e) The integration of the metallurgical engineering profession.

11 SEC. 4. *Definition of Terms.* – As used in this Act, the following
12 terms shall be defined as follows:

13 (a) *Practice of Metallurgical Engineering* refers to the offering or
14 rendering of services of any of the specialized branches of metallurgy for a fee,
15 salary or other reward or compensation, paid directly or through another
16 person or persons, or even without such reward or compensation. The term
17 shall be synonymous with the term “rendering metallurgical engineering
18 services”.

19 (b) *Metallurgical Engineering* refers to the profession which embraces
20 the scientific, engineering, environmental and economic aspects of:

21 (1) Mineral Processing and Extractive Metallurgy. – Preparation,
22 separation, extraction and purification of ores, metals and mineral products by
23 physical and chemical method such as ore dressing, pyrometallurgical
24 processes such as roasting and smelting, hydrometallurgical processes such as
25 leaching, electrometallurgical processes such as electric smelting and
26 electrolysis and other similar processes;

27 (2) Adaptive and Physical Metallurgy. – Processes which pertain to the
28 adaptation and application of metals such as melting, casting, forging, rolling,

1 extrusion, welding and other metal working and finishing operations. These
2 include unit operations relating to the control of microstructure of metals and
3 their alloys such as heat treatment and surface hardening, quality control in
4 allowing operations to meet specification of metal alloys and metallographic
5 studies. These also apply to powder, mechanical, nuclear and vacuum
6 metallurgy; and

7 (3) Fuel Technology. – Fuel preparation processes such as washing,
8 flotation and heavy media separation including carbonization, gasification and
9 cooking operations.

10 (c) *Metallurgical Plant* refers to any facility involved in processes
11 which include, but not limited to, the following:

12 (1) Preparation, separation, concentration of minerals, coal and
13 metallurgical fuels;

14 (2) Extraction of metals such as hydrometallurgical, pyrometallurgical
15 and electrometallurgical processes; and

16 (3) Adaptation and application of metals such as melting, casting,
17 forging, rolling, extrusion, powder metallurgy, heat treatment, welding and
18 other metal working and finishing operations.

19 (d) *Metallurgical Engineer* refers to a person who holds a valid
20 certificate of registration and professional identification card issued by the
21 Board of Metallurgical Engineering and the Professional Regulation
22 Commission.

23 SEC. 5. *Scope of Practice.* – Metallurgical engineering service shall
24 embrace the following similar services in relation to metallurgical plants:

25 (a) Consultation, valuation and management services requiring
26 metallurgical engineering skills and know-how;

27 (b) Engineering design, preparation of plans, specifications and project
28 studies or estimates for metallurgical equipment and processes;

1 (c) Management or supervision of the testing and commissioning of
2 metallurgical plants;

3 (d) Management, supervision, operation and auditing of metallurgical
4 plants;

5 (e) Teaching of metallurgical engineering subjects in government-
6 recognized universities, colleges and schools;

7 (f) Employment in government as a metallurgical engineer if the nature
8 and character of the work requires professional knowledge of metallurgical
9 engineering;

10 (g) Metallurgical investigation and testing of mineral and metal
11 products;

12 (h) Training of metallurgical plant operating personnel;

13 (i) Research and development;

14 (j) Participation in the preparation of environmental studies for
15 metallurgical projects and monitoring under the Environmental Impact
16 Assessment (EIA) system;

17 (k) Teaching of metallurgical engineering subjects in any academic
18 program leading to a professional degree, including refresher and review
19 courses; and

20 (l) Other metallurgical work or service which, in the assessment and
21 opinion of the Board, constitutes the practice of metallurgical engineering.

22 ARTICLE II

23 CREATION OF THE PROFESSIONAL REGULATORY BOARD 24 OF METALLURGICAL ENGINEERING

25 SEC. 6. *Creation and Composition of the Professional Regulatory*
26 *Board of Metallurgical Engineering.* – There is hereby created a Professional
27 Regulatory Board of Metallurgical Engineering, hereinafter called the Board,
28 under the administrative control and supervision of the Professional Regulation

1 Commission, hereinafter called the Commission, to be composed of a
2 chairperson and two (2) members to be appointed by the President of the
3 Philippines from a list of three (3) recommendees for each position, chosen
4 and ranked in the order of preference and submitted by the Commission from a
5 list of five (5) nominees submitted by the duly accredited professional
6 organization of metallurgical engineers in the Philippines. The Board shall be
7 organized not later than six (6) months from the effectivity of this Act.

8 *SEC. 7. Powers and Duties of the Board.* – The Board shall have the
9 following powers and duties:

10 (a) Supervise and regulate the practice of metallurgical engineering
11 profession;

12 (b) Determine and evaluate the qualifications of the applicants for
13 registration;

14 (c) Prescribe the subjects in the licensure examinations, determine the
15 syllabi of the subjects and their relative weights, construct the test questions in
16 the examinations, score and rate the examination papers, and submit the
17 examination results to the Commission;

18 (d) Issue, together with the Commission, certificates of registration and
19 professional identification cards to applicants who have passed the licensure
20 examinations for registered metallurgical engineers;

21 (e) Issue special/temporary permits to foreign metallurgical engineers
22 to practice the profession;

23 (f) Inquire into conditions affecting the practice of the profession and
24 adopt measures for the enhancement and maintenance of high professional,
25 ethical and technical standards. Pursuant thereto, the Board may inspect
26 establishments where metallurgical engineers practice their profession such as
27 factories, plants, offices and the like in order to determine and enforce

1 compliance with the provisions of this Act and issue certificates of compliance
2 for the purpose;

3 (g) Inspect the facilities, faculty, equipment and other aspects directly
4 related to the metallurgical engineering program of educational institutions in
5 coordination with the Commission on Higher Education (CHED);

6 (h) Adopt the implementing rules and regulations (IRR) necessary for
7 carrying out the provisions of this Act;

8 (i) Adopt a Code of Ethics and a Code of Professional and Technical
9 Standards for the practice of the metallurgical engineering profession;

10 (j) Investigate, in accordance with the rules on administrative
11 investigation promulgated by the Commission, violations of this Act and its
12 IRR, the Code of Ethics and the Code of Professional and Technical Standards
13 for Metallurgical Engineers, administrative policies, orders and issuances
14 promulgated by the Board;

15 (k) Issue *subpoena duces tecum* to secure the attendance of witnesses
16 or the production of documents in connection with administrative cases before
17 the Board;

18 (l) Hear and decide administrative cases filed against metallurgical
19 engineers and firms employing metallurgical engineers. The hearing shall be
20 presided by the chairperson or a member of the Board with the assistance of an
21 attorney of the Commission. The decision of the Board may be appealed to the
22 Commission and to the court within fifteen (15) days from notice, otherwise
23 the decision shall become final and executory;

24 (m) Administer oaths in connection with the performance of its
25 functions;

26 (n) Adopt an official seal and prescribe the seal of the metallurgical
27 engineering profession;

1 (o) Submit an annual report on the proceedings and accomplishments
2 during the year and/or recommendations of the Board to the Commission thirty
3 (30) days after the close of each calendar year;

4 (p) Prosecute or institute criminal action against any violator of this
5 Act and/or rules and regulations of the Board;

6 (q) Prescribe guidelines and criteria on the Continuing Professional
7 Education (CPE) program for metallurgical engineers in consultation with the
8 integrated and accredited professional organization of metallurgical engineers;
9 and

10 (r) Perform regulatory, administrative and quasi-legislative functions
11 as mandated under Republic Act No. 8981, otherwise known as the “PRC
12 Modernization Act of 2000”, and such other functions as may be necessary in
13 order to implement the provisions of this Act.

14 SEC. 8. *Qualifications of the Chairperson and Members of the Board.*

15 – The chairperson and members of the Board, at the time of their appointment,
16 must be:

17 (a) A citizen and a resident of the Philippines;

18 (b) A holder of a bachelor’s degree in metallurgical engineering as
19 conferred by an engineering school of good standing, recognized and
20 accredited by the government;

21 (c) A registered metallurgical engineer with a valid certificate of
22 registration and professional identification card and an active practitioner for
23 not less than ten (10) continuous years prior to the appointment;

24 (d) A person who does not have any direct or indirect pecuniary
25 interest in any university, college, school or institution conferring an academic
26 degree necessary for the admission to the practice of metallurgical engineering,
27 or in any institution where review classes in preparation for the licensure

1 examinations for metallurgical engineers are being officially offered or
2 conducted; and not be a member of the faculty or of the administration thereof
3 prior to appointment to the Board; and

4 (e) A member of the accredited professional organization (APO) of
5 metallurgical engineers but not a trustee or officer thereof.

6 SEC. 9. *Term of Office.* – The chairperson and the members of the
7 Board shall hold office for a term of three (3) years from the date of
8 appointment or until their successors shall have been appointed and duly
9 qualified. They may be reappointed for another term of three (3) years
10 immediately after the expiration of their term but in no case shall the whole
11 term exceed six (6) years. Interim vacancies shall be filled for the unexpired
12 portion of the term only.

13 The chairperson and members of the Board shall take the proper oath
14 prior to the assumption of office.

15 SEC. 10. *Compensation of the Board.* – The chairperson and members
16 of the Board shall receive compensation and allowances comparable to that
17 being received by the chairperson and members of other professional
18 regulatory boards under the Commission as provided for in the General
19 Appropriations Act.

20 SEC. 11. *Custodian of Records, Secretariat and Support.* – All records
21 of the Board, including applications for examinations, examination papers and
22 results, minutes of meetings, deliberations of administrative and other
23 investigative cases involving the Board shall be kept by the Commission. The
24 Commission shall designate the secretary of the Board and shall provide
25 secretariat and other support services to implement the provisions of this Act.

1 SEC. 16. *Scope of Examination.* – Unless modified by the Board and
2 approved by the Commission, the licensure examination shall cover, but shall
3 not be limited to, the following subjects:

4 (a) Mineral Processing, Extractive Metallurgy, Assaying and
5 Chemistry;

6 (b) Physical and Applied Metallurgy;

7 (c) Fuel Technology and Refractory Science;

8 (d) Engineering Management, Law and Ethics;

9 (e) Applied Mathematics and Mechanics; and

10 (f) Any other pertinent subject as the Board may deem necessary to
11 test the applicant's ability and knowledge to ensure safety, economy,
12 proficiency and environmental compliance in the design, construction,
13 installation, maintenance, operation, organization and management of
14 metallurgical plants: *Provided*, That the relative weight of (a) and (b) subjects
15 shall not be less than thirty percent (30%) each.

16 The Board, subject to the approval of the Commission, may amend or
17 revise the subjects, their syllabi, passing average, and the system and
18 procedure in the licensure examinations for the practice of metallurgical
19 engineering and the corresponding weight pursuant to the implementing rules
20 and regulations issued for this purpose. The said subjects and their syllabi may
21 be amended by the Board so as to conform to technological changes brought
22 about by continuing trends in the profession.

23 SEC. 17. *Qualifications of Applicants for Metallurgical Engineer.* –
24 Applicants for the licensure examination for metallurgical engineers shall
25 establish to the satisfaction of the Board that they possess the following
26 qualifications:

27 (a) A citizen of the Philippines or a foreign citizen whose country has
28 reciprocity agreement with the Philippines;

1 (b) Of good moral character;

2 (c) A holder of a degree of Bachelor of Science in Metallurgical
3 Engineering, Metallurgy or related engineering degree majoring in
4 Metallurgical Engineering or Metallurgy from a university, school, college,
5 academy or institute duly constituted and recognized as such by the
6 government; and

7 (d) Must not have been convicted by a court of law of a crime
8 involving moral turpitude.

9 SEC. 18. *Examination Fees.* – Any applicant admitted to take the
10 metallurgical engineering examination shall pay such fees as may be prescribed
11 by the Commission before one shall be allowed to take the examination.

12 SEC. 19. *Rating in the Licensure Examination.* – To pass the licensure
13 examination for metallurgical engineering, a candidate must obtain a general
14 weighted average of not less than seventy percent (70%) and a rating of not
15 less than fifty percent (50%) in any examination subject.

16 SEC. 20. *Report of Ratings.* – The Board shall, within fifteen (15)
17 days from the last day of examinations, report the rating of examinees to the
18 Commission.

19 SEC. 21. *Exemption from Examination.* – A person may be registered
20 as metallurgical engineer and given a license to practice as metallurgical
21 engineer without examination, who:

22 (a) Had graduated with a degree of Bachelor of Science in
23 Metallurgical Engineering before the enactment of Presidential Decree
24 No. 1536, the “Metallurgical Engineering Law of the Philippines” in June
25 1978 and who, on the date of approval of this Act, had an accumulated fifteen
26 (15) years experience in any of the metallurgical practice as defined in Section
27 4 of this Act: *Provided*, That the said experience is certified by the applicant’s
28 employer/s and approved by the Board; or

1 (b) Had graduated with a doctorate degree in Metallurgy, Metallurgical
2 Engineering or in related fields: *Provided*, That the applicant is a graduate of
3 Bachelor of Science in Metallurgical Engineering, Metallurgy or related
4 engineering degree majoring in Metallurgical Engineering or Metallurgy.

5 An applicant for exemption from examination shall submit to the Board
6 of Metallurgical Engineering the following:

7 (1) Diploma or transcript of records; both must be authenticated; and

8 (2) A metallurgical engineering report/doctoral thesis, which shall
9 serve as a basis whether the applicant, in the opinion of the Board, deserves
10 exemption from examination.

11 SEC. 22. *Qualifications of Applicants for Metallurgical Plant*
12 *Foreman.* – Applicants for a certificate of registration without examination as
13 metallurgical plant foreman, shall, prior to admission for certification, establish
14 to the satisfaction of the Board that they possess the following qualifications:

15 (a) A citizen of the Philippines;

16 (b) *Of good reputation and moral character; and*

17 (c) At least a high school graduate with at least ten (10) years
18 experience in any metallurgical plant as defined in Section 4 of this Act and as
19 certified by applicant's present employer, or a graduate of any engineering
20 degree with at least five (5) years experience in any metallurgical plant as
21 defined in Section 4 of this Act and as certified by applicant's present
22 employer/s.

23 The Board shall, subject to the approval of the Commission, adopt
24 such rules and regulations as may be necessary to classify metallurgical
25 foremen to such metallurgical plants as concentrators, foundries, smelters,
26 refineries and any other specific classification as may be found necessary.

1 SEC. 23. *Issuance of Certificate of Registration and Professional*
2 *Identification Card.* – A certificate of registration shall be issued to those who
3 are registered with or without licensure examination subject to payment of fees
4 prescribed by the Commission. It shall bear the signatures of the chairperson
5 of the Commission and of the chairperson and members of the Board, stamped
6 with the official seal of the Commission and of the Board, certifying that the
7 person named therein is entitled to all rights and privileges of a registered
8 metallurgical engineer or metallurgical plant foreman with all the privileges
9 appurtenant thereto. Until withdrawn, revoked or suspended in accordance
10 with this Act, it shall remain in full force and effect.

11 A professional identification card bearing the registration number and
12 date, its validity and expiry duly signed by the chairperson of the Commission
13 shall likewise be issued to every registrant who has paid the prescribed fees.

14 SEC. 24. *Issuance of Certificate of Specialization.* – Upon the
15 nomination of the APO of metallurgical engineers, the Board shall issue a
16 certificate of specialization to an applicant who is a registered metallurgical
17 engineer and who has specialized knowledge, training and experience in a
18 specific field of metallurgy and has documented expertise and competence on
19 the same.

20 SEC. 25. *Seal of a Metallurgical Engineer.* – A metallurgical
21 engineer, upon registration and payment of fees and dues to the APO, shall
22 obtain a seal of such design prescribed by the Board, bearing the registrant's
23 name, certificate number and the legend "Registered Metallurgical Engineer".
24 Designs, plans, specifications, project feasibility studies, appraisals, valuations,
25 recommendations, technical reports, proposals, and other professional
26 documents involving metallurgy, quarries, coallier works, projects or
27 installations shall be stamped on every sheet with the said seal of the registrant
28 when filed with government authorities or when submitted or used

1 professionally: *Provided*, That it shall be unlawful for anyone to stamp or seal
2 any document with the said seal after the certificate and/or professional
3 identification card shall have been revoked, cancelled or expired.

4 SEC. 26. *Fees for Registration*. – Every person issued a certificate of
5 registration shall pay to the Commission such fees as the Commission may
6 prescribe.

7 SEC. 27. *Issuance of Temporary/Special Permits*. – Temporary/Special
8 permits shall be issued to the following upon proper application with the
9 Board:

10 (a) Foreign metallurgical engineers, recognized as experts in their
11 specific fields of metallurgical engineering, called in by the Republic of the
12 Philippines for consultation or for specific design, installation or project:
13 *Provided*, That their practice shall be confined to such work only;

14 (b) Foreign metallurgical engineers who have distinguished themselves
15 in their respective fields of specialization, contracted as professors or lecturers
16 on metallurgical engineering subjects by Philippine schools or colleges,
17 institutes or universities on a direct hire or exchange basis, subject to
18 verification of credentials by the Board; or

19 (c) Foreign metallurgical engineers who are duly registered under the
20 bilateral or multilateral agreements where the Philippines is a signatory:

21 *Provided*, That all the above shall secure a temporary/special permit
22 from the Board prior to arrival in the country.

23 SEC. 28. *Refusal to Register*. – The Board shall not register any
24 successful applicant for registration with or without licensure examination who
25 has been:

26 (a) Convicted of an offense involving moral turpitude by a court of
27 competent jurisdiction;

28 (b) Found guilty of immoral or dishonorable conduct by the Board;

1 (c) Summarily adjudged guilty for violation of the General Instruction
2 to Examinees by the Board; and

3 (d) Declared of unsound mind by a court of competent jurisdiction.

4 In refusing such registration, the Board shall give the applicant a written
5 statement setting forth the reasons therefor and shall file a copy thereof in its
6 records.

7 *SEC. 29. Revocation or Suspension of the Certificate of Registration*
8 *and Professional Identification Card and Cancellation of Temporary/Special*
9 *Permit.* – The Board shall have the power, upon notice and hearing, to revoke
10 or suspend the certificate of registration and professional identification card of
11 a registered metallurgical engineer or to cancel a temporary/special permit
12 granted to a foreign metallurgical engineer for violation of any of the grounds
13 or causes provided in Section 28 of this Act, except paragraph (c) thereof, and
14 for any of the following:

15 (a) Violation of a provision of this Act, its IRR, Code of Ethics and
16 Code of Professional and Technical Standards for the practice of metallurgical
17 engineering;

18 (b) Perpetration or use of fraud in obtaining one's certificate of
19 registration, professional identification card or temporary/special permit;

20 (c) Gross incompetence, negligence or ignorance resulting to death,
21 injury or damage;

22 (d) Any act of misrepresentation in connection with an alleged
23 performance of metallurgical engineering activities;

24 (e) Acts inimical to the metallurgical engineering profession;

25 (f) Gross immorality;

26 (g) Conviction by final judgment of any act involving moral turpitude;

1 (h) Aiding or abetting the illegal practice of a nonregistered and
2 nonlicensed metallurgical engineer by allowing the use of one's certificate of
3 registration, professional identification card or temporary/special permit;

4 (i) Illegal practice of the profession during the suspension from the
5 practice thereof; and

6 (j) Addiction to drugs or alcohol impairing the ability to practice the
7 profession, or a declaration by a court of competent jurisdiction that the
8 registrant is of unsound mind.

9 The Board shall periodically evaluate the aforementioned grounds and
10 revise, exclude or add new ones as the need arises subject to the approval by
11 the Commission.

12 Any person, firm or association may file charges in accordance with the
13 provision of this section against any registrant, or the Board may investigate
14 violation of any of the abovementioned causes. An affidavit-complaint shall
15 be filed together with the affidavits of witnesses and other documentary
16 evidence with the Board through the Legal and Investigation Office. The
17 Board may *motu proprio* conduct an investigation which shall be embodied in
18 a formal charge to be signed by at least a majority of the members of the
19 Board. The rules on administrative investigation issued by the Commission
20 shall govern the hearing or investigation subject to applicable provisions of
21 this Act, Republic Act No. 8981 and the Rules of Court.

22 SEC. 30. *Reissuance of Revoked Certificate of Registration,*
23 *Replacement of Lost or Damaged Certificate of Registration, Professional*
24 *Identification Card or Temporary/Special Permit.* – The Board may, upon
25 petition, reinstate or reissue a revoked certificate of registration after two (2)
26 years from the effectivity of the period for revocation, which is the date of
27 surrender of the said certificate and/or the professional identification card if
28 still valid to the Board and/or the Commission. The Board may not require the

1 holder thereof to take another licensure examination. The petitioner shall
2 prove to the Board that one has valid reasons to practice the profession. For
3 the grant of the petition, the Board shall issue a Board Resolution subject to
4 approval by the Commission.

5 Duplicate copy of lost certificate of registration, professional
6 identification card or temporary/special permit may be reissued in accordance
7 with the rules thereon and upon payment of the prescribed fee therefor.

8 ARTICLE IV

9 PRACTICE OF METALLURGICAL ENGINEERING

10 SEC. 31. *Who May Practice Metallurgical Engineering.* – Except as
11 may be provided in this Act, only persons properly licensed and registered may
12 practice metallurgical engineering. For purposes of this Act, no firm,
13 partnership, corporation or association may be licensed and registered as such
14 for the practice of metallurgical engineering, but duly licensed and registered
15 metallurgical engineers may form partnerships among themselves or with other
16 licensed and registered engineers and architects and use the title “Metallurgical
17 Engineers”, “Engineers”, or “Engineers and Architects” in their partnership
18 name.

19 No firm, partnership, corporation or association shall operate a
20 metallurgical plant without a minimum complement of licensed metallurgical
21 engineers pursuant to the IRR issued for this purpose.

22 SEC. 32. *Vested Rights.* – All practicing metallurgical engineers who
23 are registered as metallurgical engineers at the time this Act takes effect shall
24 automatically be registered under this Act as registered metallurgical
25 engineers.

26 SEC. 33. *Roster of Metallurgical Engineers.* – A roster showing the
27 names, registration numbers and dates of issue and expiry, current addresses,
28 and place of business of all metallurgical engineers shall be prepared and kept

1 by the Commission which shall be made available to interested parties upon
2 formal written request.

3 SEC. 34. *Foreign Reciprocity.* – No foreign metallurgical engineer
4 shall be issued a certificate of registration to practice the metallurgical
5 engineering profession or be entitled to any of the rights and privileges under
6 this Act unless the country of which one is a subject or citizen specifically
7 permits Filipino metallurgical engineers to practice within its territorial limits
8 on the same basis as the subjects or citizens of such foreign state or country.

9 SEC. 35. *Indication of Certificate of Registration, Professional Tax*
10 *Receipt and APO Membership.* – The metallurgical engineer shall be required
11 to indicate the certificate of registration number and the duration of validity,
12 including the professional tax receipt number and APO membership fee receipt
13 number on the documents one signs, uses or issues in connection with the
14 practice of the profession.

15 SEC. 36. *Posting of Certificates.* – Registered metallurgical engineers
16 shall post or cause to be posted in a conspicuous place within the office or
17 place of business the certificate of registration as metallurgical engineer, and
18 one shall present the same upon demand of members of the Board or
19 law enforcement officers of the national, provincial, city or municipal
20 governments.

21 SEC. 37. *Continuing Professional Education (CPE) and/or*
22 *Development Programs.* – All registered metallurgical engineers and
23 metallurgical plant foremen shall comply with pertinent rules and regulations
24 already prescribed by and/or as may be prescribed and promulgated by the
25 Commission and/or the Board, the APO and other government agencies,
26 pursuant to this Act and other relevant laws, international treaties, agreements
27 and/or covenants to which the Philippines is a signatory and has ratified, with
28 respect to CPE and/or development and/or other similar/related programs.

1 SEC. 38. *Integration of the Metallurgical Engineering Profession.* –

2 The metallurgical engineering profession shall be integrated into one (1)
3 national professional organization of metallurgical engineers that is duly
4 registered with the Securities and Exchange Commission (SEC). The Board,
5 subject to approval by the Commission, shall accredit the said organization as
6 the one and only integrated and APO of metallurgical engineers. All
7 metallurgical engineers whose names appear in the registry book of
8 metallurgical engineers shall *ipso facto* or automatically become members
9 thereof and shall receive all the benefits and privileges appurtenant thereto
10 upon payment of APO membership fees and dues.

11 Membership in the integrated APO shall not be a bar to membership in
12 other metallurgical engineering organizations.

13 ARTICLE V

14 PENAL AND GENERAL PROVISIONS

15 SEC. 39. *Penal Clause.* – The following shall, upon conviction, be
16 punished by a fine of not less than Ten thousand pesos (P10,000.00) but not
17 more than One million pesos (P1,000,000.00) or imprisonment of not less than
18 one (1) month but not more than five (5) years, or both, at the discretion of the
19 court:

20 (a) Any person who shall practice metallurgical engineering in the
21 Philippines, as defined in this Act, without a valid certificate of registration, a
22 valid professional identification card or a valid temporary/special permit in
23 accordance with the provisions of this Act, unless declared exempt from
24 registration;

25 (b) Any person presenting or using as one's own the certificate of
26 registration, professional identification card or temporary/special permit of
27 another;

28 (c) Any person who shall give any false or forged evidence;

1 (d) Any person who shall impersonate any registrant of like or different
2 name;

3 (e) Any person who shall use a revoked or suspended certificate
4 of registration, a valid professional identification card or a valid
5 temporary/special permit or an expired/noncurrent professional identification
6 card, or an expired/cancelled temporary/special permit; or

7 (f) Any person who shall assume, use or advertise any title or
8 description tending to convey the impression that one is a metallurgical
9 engineer without having completed the academic requirements and conferred
10 the appropriate baccalaureate degree for such, or is engaged in the
11 metallurgical engineering practice without holding a valid certificate
12 of registration, a valid professional identification card or a valid
13 temporary/special permit from the Board.

14 SEC. 40. *Legal Effect on Other Professions.* – This Act shall not affect
15 or prevent the practice of any other legally recognized profession.

16 SEC. 41. *Enforcement of this Act by the Officers of the Law.* – The
17 Board shall be assisted by the Commission in carrying out the provisions of
18 this Act and its IRR and other policies. The lawyers of the Commission shall
19 act as the prosecutors against illegal practitioners and other violations of this
20 Act and its IRR. The duly constituted authorities of government shall likewise
21 assist the Board and the Commission in enforcing the provisions of this Act
22 and its IRR.

23 SEC. 42. *Implementing Rules and Regulations (IRR).* – Subject to the
24 approval of the Commission, the Board, in consultation with the APO, shall
25 adopt and promulgate the IRR, the Code of Ethics, and the Code of
26 Professional and Technical Standards for Metallurgical Engineers to carry out
27 the provisions of this Act.

1 SEC. 43. *Funding Provision.* – The chairperson of the Professional
2 Regulation Commission shall immediately include in the Commission’s
3 programs the implementation of this Act, the funding of which shall be
4 included in the annual General Appropriations Act.

5 SEC. 44. *Transitory Provisions.* – (a) After the approval of this Act,
6 metallurgical engineers possessing valid certificates of registration issued
7 under Presidential Decree No. 1536, otherwise known as the “Metallurgical
8 Engineering Law of the Philippines”, shall register with the Board and be
9 issued certificates as registered metallurgical engineers under this Act to
10 replace their original certificates of registration, upon payment of the required
11 fees.

12 (b) The present chairperson and members of the Board shall
13 automatically be issued certificates of registration as registered metallurgical
14 engineers. They shall continue to function in the Board until such time as a
15 new Board shall be constituted under this Act.

16 SEC. 45. *Separability Clause.* – If any section or portion of this Act
17 shall be declared unconstitutional or invalid, such shall not invalidate any other
18 section of this Act.

19 SEC. 46. *Repealing Clause.* – Presidential Decree No. 1536 is hereby
20 repealed. All other laws, parts of law, orders, ordinances or regulations
21 relative to the practice of metallurgical engineering which are inconsistent with
22 the provisions of this Act are hereby repealed or modified accordingly.

23 SEC. 47. *Effectivity.* – This Act shall take effect fifteen (15) days after
24 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,