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VIOLATION ON THE PRACTICE OF SANITARY ENGINEERING BY OTHER PROFESSIONALS

PRC BOARD OF SANITARY ENGINEERING MEMORANDUM CIRCULAR NO. 2003-13, November 07, 2003

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The power to administer, implement and enforce the regulatory policies of the national government with respect to the regulation and licensing of the various professions and occupations under its jurisdiction including the enhancement and maintenance of professional and occupation standards and ethics is vested to the Professional Regulation Commission under Sec. 7 (a) of R.A. No. 8981, known as the "PRC Modernization Act of 2000";

The Professional Regulatory Board for Sanitary Engineering is under the administrative control and supervision of the Professional Regulation Commission pursuant to Sec. 7 c and (o) of R.A. No. 8981 and mandated to regulate the practice of the profession in accordance with the provisions of R.A. No. 1364, the Sanitary Engineering Act;

R.A. No. 1364 authorizes Registered Sanitary Engineers (RSE) to design water collection and distribution systems, reservoirs, drainage, sewage disposal tanks, among others stipulated in the law;

Section 3.2.2.2 of the Implementing Rules and Regulations of Presidential Decree No. 1096, otherwise known as the "National Building Code", limits the signing of the Sanitary/Plumbing Plan to Registered Sanitary Engineers and Registered Master Plumbers (RMP) or specifically the signing of the sanitary plan by Registered Sanitary Engineers;

The signing of such plans by other professionals or unregistered Sanitary Engineers or other unauthorized persons constitutes violation of R.A. No. 1364 and P.D. No. 1096 and their IRRs and/or illegal practice of Sanitary Engineering thereby, holding the violators or illegal practitioners thereof of criminally liable for imprisonment and/or fine by the regular courts;

The Professional Regulatory Board for Sanitary Engineering (PRB-BSE) is mandated to investigate violations of Art. II, Sec. 4, R.A. No. 1364 and Sec. 9 (c) of R.A. No. 8981 and the regulations thereunder as may come to the knowledge of the PRB-SE and for this purpose, issue summons, subpoena and subpoena duces tecum to secure appearance of witnesses in connection with the charges presented to the PRB-SE; to enforce the provisions of R.A. No. 1364; Sec. 20 (b) (Exemption from Registration), Art. III, Sec. 26 (Registration Required), Art. IV, and Sec. 27 (Penal Provisions), Secs. 28, 29, 30, 31 and 32, Art. V; and to institute administrative and/or criminal action against the violators thereof;

The Professional Regulation Commission is empowered by Sec. 7 (w) of R.A. No. 8981 to investigate violators of professional regulatory laws and IRRs in coordination with the Department of Justice and call or request assistance from any law enforcement agency for the same purpose.

WHEREFORE, the Board hereby issues the herein guidelines:

- Sanitary Plans shall be prepared, signed and sealed by Registered Sanitary Engineers with Valid Certificates

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of Registration as Registered Sanitary Engineer issued by the PRC and Valid/Unexpired Professional Identification Card.

- Building Officials shall approve the Sanitary Plan mentioned in (1) provided that he/she is a Registered Sanitary Engineer with Valid Certificate of Registration as Registered Sanitary engineer issued by the PRC and Valid/Unexpired Professional Identification Card.

- Building officials shall NOT approve Sanitary Plans prepared by other persons.

- The Department of Public Works and Highways, the League of Cities, the League of Municipalities, the Local Government Units, the Philippine Society of Sanitary Engineers and all other concerned parties shall disseminate this Memorandum Circular to their personnel and its entire members, respectively.

- Violators of any provisions in R.A. No. 1364, P.D. No. 1096, R.A. No. 8981 and their IRRs and non-compliance with the guidelines set forth in the herein Memorandum Circular shall be charged either administratively or criminally, or both by the concerned body.

Strict compliance with the herein Memorandum Circular is hereby enjoined.

This Memorandum Circular shall take effect immediately.

Adopted: 07 November 2003

(SGD.) FLORENCIO G. CUNANAN
Chairman

(SGD.) CORAZON DE LOS REYES ROMERO
Member

(SGD.) ANTONINO A. HORMILLOSA
Member

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