

AN ACT TO REGULATE THE PRACTICE OF CHEMISTRY IN THE PHILIPPINES, AND FOR OTHER PURPOSES.

REPUBLIC ACT NO. 754, June 18, 1952

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

ARTICLE I.—Organization of Board

SECTION 1. Definitions.—Unless otherwise specified the following terms used in this Act shall mean;

- Chemistry.—Chemistry may be defined as the science which studies the properties of matter; the changes in composition which substances undergo; the energy involved in; and the conditions necessary for the transformation of matter.

Scope of Chemistry.—The analysis, synthesis, preparation, and manufacture of chemical, biochemical and mineral Products and materials; the sale of chemicals, chemical apparatus, and chemical equipment; consultation work on problems related to change of matter, and/or to chemical or physico-chemical process or processes.

- Chemist.—Any person, who for fee, salary or other compensation or reward to himself or to another person renders professional service requiring the use and application of chemical knowledge, and/or chemical or physico-chemical processes.

- Board.—The Board of Examiners for Chemists created by this Act.

- Registration.—The authority given a chemist to practice chemistry.

SEC. 2. Creation and composition of the Board.—Within thirty days after the approval of this Act, there shall be created a Board of Examiners for Chemists, to be composed of a Chairman and two members who shall be appointed by the President of the Philippines, upon the recommendation of the Commissioner of Civil Service from among registered chemists of recognized standing in the Philippines as may be certified by the bona fide national professional organization or association of chemists in the Philippines and possessing the qualifications prescribed in section four of this Act: Provided, That the first Board of Examiners for Chemists to be created pursuant to this Act shall each be issued a certificate of registration as chemist without prior examination in accordance with the provisions of this Act.

SEC. 3. Powers vested in the Board.—The Board of Examiners for Chemists is vested with authority conformably with the provisions of this Act, to administer the provisions thereof, to issue, suspend and revoke certificates of registration for the practice of chemistry and to administer oaths.

- In carrying into effect the provisions of this Act, the Board, may, under the hand of its Chairman and the seal of the Board, subpoena witnesses and compel their attendance, and also may require the production of books, documents, and papers, in a case involving the revocation of registration or the practice without registration. Any member of the Board may administer oaths or affirmations to witnesses appearing before the Board. If any person shall refuse to obey a subpoena so issued or shall refuse to testify or produce any book, document, or other paper,

the Board may present a petition to the Court of First Instance, setting forth the facts, and thereupon such court shall, in a proper case, issue its subpoena to such person, requiring his attendance before such court and thereto testify or produce such books, documents, or papers, as may be deemed necessary and pertinent by the Board. Any person failing or refusing to obey the subpoena or order of said court may be proceeded against in the same manner as for refusal to obey other subpoena or order of the court.

- The Board shall exercise the powers conferred upon it by this Act, shall study the conditions affecting the practice of chemistry, in all parts of the Philippines, as well as courses in chemistry leading to Baccalaureate degrees, and shall make recommendations to the Commissioner of Civil Service who shall take appropriate action thereon, calculated to improve the ethical and educational standards in the practice of chemistry.

- Unless authorized by the other Boards of Examiners concerned in the exercise of the powers vested in them by law, no chemical laboratory or factory using chemical or physico-chemical process or processes shall operate without obtaining a license from the Board of Examiners for Chemists.

SEC. 4. Qualifications of Board members.—Each member of the Board shall at the time of his appointment be:

- A citizen of the Philippines and resident thereof.

- At least thirty years of age.

- A duly registered chemist in the Philippines, who has at least ten years experience along chemical work previous to his appointment.

- Not a member of the faculty of any school, college or university where a regular course in chemistry is taught, nor have pecuniary interest in such institution. The members of the first Board of Examiners for Chemists appointed under this Act, shall be considered registered or licensed for the purpose thereof, and shall be issued upon Payment of ten pesos a certificate of registration in accordance with the provisions of this Act.

SEC. 5. Term of office.—The members of the Board shall hold office for a term of three years after their appointment or until their successors shall have been appointed and have duly qualified. The members of the first Board appointed under this Act shall hold office for the following terms: One member for one year, one member for two years and one member for three years. Vacancies shall be filled for the unexpired term only. Each member of the Board shall qualify by taking the proper oath of office prior to entering upon the performance of his duties.

SEC. 6. Executive Officer and Secretary of the Board.— The Commissioner of Civil Service shall be the executive officer of the Board, shall conduct the examination given by the Board. The Secretary of the Boards of Examiners appointed under Republic Act Numbered Five hundred forty-six shall also be the Secretary of the Board of Examiners for Chemists. All records and minutes of the deliberations of the Board, including examination papers, shall be kept by the Bureau of Civil Service under the direct custody of the Secretary.

SEC. 7. Removal of Board members.—The President of the Philippines may remove any member of the Board for continuous neglect of duty or incompetency or for unprofessional or dishonorable conduct, after having given the member concerned an opportunity to defend himself in the proper administrative investigation.

SEC. 8. Compensation of Board.—The members of the Board shall each receive a compensation of not exceeding ten pesos for each applicant examined and five pesos for each applicant granted a certificate of registration as chemist without examination. Any chemist in the service of the Republic of the Philippines appointed as member of the Board shall also receive the compensation herein provided. All fees shall be received by the officer designated by competent authority as collecting officer for the Bureau of Civil Service, and such officer shall pay all authorized expenses of the Board, including the compensation provided for by this Act for the members of the

Board.

SEC. 9. Annual report.—The Board shall submit an annual report to the President of the Philippines after the close of each fiscal year, giving detailed account of its proceedings during the year and making such recommendations as it may deem proper.

ARTICLE II.—Registration and Examination

SEC. 10. Inhibition against the practice of chemistry.— Unless exempt from registration, or not subject to the requirements of this Act as provided in section twenty-four hereof, no person shall practice or offer to practice as a chemist in the Philippines, without having previously obtained a certificate of registration from the Board.

SEC. 11. Exemption from registration.—Registration shall not be required of the following classes of persons:

- Chemists from other countries called in for consultations or for a project not requiring more than six months' residence in the Philippines in any twelve months' period: Provided, That such chemists are legally qualified to practice chemistry in their own state or country in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this Act.
- Foreigners employed as technical officers, professors or consultants in such special branches of chemistry as may, in the judgment of the President of the Philippines, be necessary and indispensable for the country: Provided, however, That they are internationally recognized experts and that they do not engage in private practice.

SEC. 12. Examination required.—Except as otherwise specifically allowed under the provisions of this Act, all applicants for registration as chemists shall be required to undergo an examination as provided in this Act.

SEC. 13. Qualifications for examination.—Any person applying for examination and for a certificate, shall, prior to admission to examination, establish to the satisfaction of the Board that:

- He is at least twenty-one years of age and a citizen of the Philippines.
- He is of good reputation and moral character.
- He has graduated in chemistry from a school, college or university recognized by the Government after completing a resident collegiate course leading to the degree of Bachelor of Science in Chemistry, of not less than four years, or its equivalent Bachelor's degree with at least sixty university units in chemistry. Two and a half years of practical experience in chemistry may be considered a sufficient equivalent for every year of college education.

Applicants below twenty-one years of age may be allowed to take the examination, but the certificate of registration shall be withheld until the candidate has reached the age of twenty-one years.

SEC. 14. Holding of examination.—Examination shall be given twice a year and on such working days and place as the Board may fix with the approval of the Commissioner of Civil Service. Written or printed notice of such examinations shall be published in newspapers and copies mailed to each candidate who has filed his name and address with the Secretary of the Board, at least thirty days prior to the date of the first day of examination.

SEC. 15. Scope of examination.—The examination shall cover the following minimum requirements:

- General chemistry
- Analytical chemistry

- Industrial chemistry
- Allied subjects
- Specialization.—Choice of any branch of chemistry from an advance standpoint, either applied, analytical, or theoretical.

It shall be the duty of the Board to prepare the program of examination to be submitted to the President of the Philippines through the Commissioner of Civil Service for approval and to publish the same as approved at least six months before the date of the examination wherein it is to be used. Any alteration or amendment that the Board may later wish to introduce in said program shall also be approved by the President of the Philippines and published at least six months before the date of the examination.

SEC. 16. Rules and regulations.—The, Board shall, with the approval of the President of the Philippines and with the advice and consent of the Commissioner of Civil Service, adopt rules and regulations governing the examination and standards to be attained in them, and shall promulgate such rules and regulations as may be necessary to carry the provisions of this Act into effect.

SEC. 17. Report of rating.—The Board shall, within one hundred twenty days after the date of the completion of the examination, report the ratings obtained by each candidate to the Commissioner of Civil Service, who shall submit such ratings with his recommendations, to the President for approval.

SEC. 18. Issuance of certificates.—Upon payment of the registration fee as provided in this Act, the Board shall issue a certificate of registration as chemist to any applicant, who, in the opinion of the Board and after approval by the President of the Philippines has satisfactorily met all the requirements specified in this Act.

Within three years after the approval of this Act, the Board shall, upon application, issue a certificate of registration as chemist without examination to persons who have been graduated in chemistry or its equivalent and have been in the practice as such graduate for at least five years, prior to the enactment of this Law.

A certificate of "Chemical Technician" may, in the discretion of the Board, be issued upon application to those who are not holders of the degree of Bachelor of Science in Chemistry or its equivalent, but have been practicing chemistry for five years or more prior to filing of application.

All certificates of registration issued under this Act, shall show the full name of the registrants; shall have serial numbers; shall be signed by all the members of the Board; shall be attested by the Secretary of the Board; and shall be authenticated by the official seal of the Board.

SEC. 19. Fee for examination and registration.—Every applicant for examination shall pay an application fee of thirty-five pesos and every applicant for registration shall pay a registration fee of ten pesos: Provided, That applicants for registration without examination as chemists shall pay a fee of fifty pesos, and as chemical technicians, thirty pesos each.

SEC. 20. Suspension and revocation of certificate.—The Board shall have the power, upon proper notice and hearing, to suspend or revoke any certificate of registration of any registrant for the use or perpetration of any fraud or deceit in obtaining a certificate of registration, or for gross negligence or incompetency, or for unprofessional or dishonorable conduct.

SEC. 21. Reissue of revoked certificate and replacement of lost certificate.—After the expiration of one year from the date of revocation of a certificate of registration, and after the payment of the required fee, the Board may, for reasons it may deem sufficient, entertain an application for a new certificate of registration from a person whose certificate has been revoked.

A new certificate of registration to replace a certificate lost, destroyed, or mutilated may be issued, subject to the rules of the Board and upon payment of a fee of ten pesos.

ARTICLE III.—Sundry provisions, relative to the practice of chemistry

SEC. 22. Penal provisions.—Any person who shall practice or offer to practice chemistry in the Philippines without being registered or exempted from registration in accordance with the provisions of this Act, or any person presenting or attempting to use as his own, the certificate of registration of another, or any person who shall give any false or fraudulent evidence of any kind to the Board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any registrant of like or different name, or any person who shall attempt to use a revoked or suspended certificate of registration, or any person who shall in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is a chemist without holding a valid certificate of registration, or any person who shall violate any provision of this Act, or any person or corporate body who shall violate the rules and regulations of the Board or orders promulgated by it duly approved by the President of the Philippines upon the recommendation of the Commissioner of Civil Service for the purpose of carrying out the provisions of this Act, shall upon conviction, be sentenced to a fine of not less than one hundred pesos nor more than one thousand pesos or to suffer imprisonment for a period of not exceeding three months or both, in the discretion of the court.

SEC. 23. Application to firms or corporations.—A firm or co-partnership, or corporation, or an association, may engage in the practice of chemistry in the Philippines, provided only that such practice is carried on by chemists holding valid certificates of registration issued by the Board.

In case of a firm, co-partnership, corporation, association, society or company, the manager, administrator or the person who has charge of the management or administration of the business shall be held personally liable for the violation of this Act.

SEC. 24. Act not affecting other professions.—Any person who has passed the corresponding Board examination for the practice of a profession already regulated by existing law, shall not be subject to the provisions of this Act if in the practice thereof he has to perform work or services regulated by this Act.

ARTICLE IV.—Final provisions

SEC. 25. Reciprocity requirements.—No foreign chemist shall be admitted to examination, or be given a certificate of registration or be entitled to any of the rights and privileges under this Act, unless the country or state of which he is a subject or citizen permits Filipino chemists to practice within its territorial limits on the same basis as the subjects or citizens of said country or State.

SEC. 26. All laws, parts of laws, orders, ordinances; or regulations in conflict with the provisions of this Act, are hereby repealed.

SEC. 27. This Act shall take effect upon its approval.

Approved, June 18, 1952.

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