

REGULATING THE PRACTICE OF AERONAUTICAL ENGINEERING IN THE PHILIPPINES.

PRESIDENTIAL DECREE NO. 1570, June 11, 1978

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In view of the continuous development in the field of aeronautical science and the dynamic growth of civil aviation, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. Title of the Decree. This Decree shall be known as the "Philippine Aeronautical Engineering Decree."

SEC. 2. Objectives. This Decree provides for and shall govern:

- The standardization and regulation of aeronautical engineering;
- The examination for registration of aeronautical engineers; and
- The supervision, control, and regulation of the practice of aeronautical engineering in the Philippines.

SEC. 3. Creation of the Board. There is hereby created under the Professional Regulation Commission a Board of Aeronautical Engineering, hereinafter referred to as the Board, which shall be composed of a Chairman and two members, all to be appointed by the President of the Philippines from among the registered aeronautical engineers of recognized standing in the Philippines upon recommendation of the Commission which shall exercise jurisdiction, general supervision, and administrative control over the Board in accordance with the powers vested in it under existing laws.

SEC. 4. Qualifications of Board Members. No person shall be appointed member of the Board of Aeronautical Engineering unless at the time of his appointment, he possesses the following qualifications:

- A citizen and resident of the Philippines;
- At least thirty-one years of age, and must be of good moral character;
- A holder of the degree of Bachelor of Science in Aeronautical Engineering;
- A registered aeronautical engineer under this Decree, with the exception of the first group of appointees;
- Had been in active practice of aeronautical engineering or teaching of subjects thereof for at least ten years;
- Not a member of the faculty of any university, college, institute, or school where a regular course in aeronautical engineering is taught or review classes conducted;
- Not financially interested, directly or indirectly, in any university, college, institute, or school where a regular course in aeronautical engineering is taught or review classes conducted; and
- Not an elective officer of any professional association or organization of aeronautical engineering.

SEC. 5. Term of Office. The Members of the Board shall hold office for a term of three years from and after the date of their appointment: Provided, however, that of the first appointees to the Board, one shall serve for a term of one year and shall automatically be the Chairman thereof; one for two years and shall serve as Member during the first year, then shall automatically be the Chairman in the subsequent remaining year; and one for three years and shall serve as Member for the first two years and shall then automatically be the Chairman in the third year. Thereafter, chairmanship shall be by seniority membership in the Board, serving first as Member for the first two years, then Chairman in the third year.

No Member of the Board shall serve for more than two (2) successive complete terms and, in case of vacancy by reason of death, resignation, or removal of an incumbent Member, the same shall be filled for the unexpired portion of the term of the previous incumbent. Each Member of the Board shall qualify by taking the proper oath of office before entering upon the performance of his duties.

SEC. 6. Removal of Member. Any member of the Board may, upon recommendation of the Commission be removed by the President of the Philippines by reason of neglect of duty, incompetence, commission or tolerance of irregularities in the examinations, malpractices, or unprofessional or unethical, immoral, or dishonorable conduct, after having given the opportunity to defend himself in a proper administrative investigation to be conducted by the Commission.

SEC. 7. Powers and duties of the Board. Subject to review by the Commission, the Board is vested with authority, conformably with the provisions of this Decree, to—

- Administer oaths or affirmations in connection with the performance of its functions;
 - Issue, suspend or revoke certificates of registration for the practice of aeronautical engineering for justifiable cause;
 - Study the conditions affecting the aeronautical engineering profession in the Philippines, and exercise such powers as may be necessary for the maintenance of good ethics, morality and professional standards in the practice of aeronautical engineering, and for this purpose, the Board may conduct inspection or visit to determine compliance with this Decree and the rules and regulations promulgated pursuant thereto, or as an aid in formulating, amending, or revising policies of the Board;
 - Coordinate with the Commission in prescribing, amending, or revising collegiate courses leading to the degree of Bachelor of Science in Aeronautical Engineering;
 - Determine and impose the essential requirements and facilities, including the minimum number and qualifications of the teaching personnel as well as the student-teacher ratio of universities, colleges, institutes, or schools offering courses in aeronautical engineering and for this purpose visit and inspect the same. The Board may deny admission to the licensure examinations graduates of universities, colleges, institutes, or schools found deficient of the essential and minimum requirements.
- Permits or authorization to offer or open aeronautical engineering course shall be based upon the written recommendation of the Board and the representative of the Government entity concerned with the granting of school permits or authorization.
- Recommend or adopt from time to time and whenever necessary, such measures as may be deemed proper for the advancement of the profession in keeping with the progress of the aeronautical industry;
 - Adopt and enforce a Code of Ethics for the practice of aeronautical engineering, and to have an official seal to authenticate its official documents; and

- Promulgate, subject to approval of the Commission for their effectivity, such rules and regulations as may be necessary to carry out the provisions of the Decree.

The Code of Ethics and the rules and regulations shall be published by the Board in the Official Gazette and shall take effect fifteen days after the publication.

SEC. 8. Procedure of investigation of violations. The Board shall investigate all violations of the provisions of this Decree and the rules and regulations issued thereunder as may come to its knowledge. For this purpose, the Board shall issue subpoena and subpoena duces tecum to secure the appearance of witnesses and the production of books, papers, documents, records and any or all pertinent data as may be necessary in connection with the charges presented to or any investigation pending before the Board. Any Member of the Board may administer oaths or affirmations of witnesses appearing before it.

The Board shall have the power to hold any person in contempt, directly or indirectly and impose appropriate penalties therefor.

A person guilty of misbehaviour in the presence of, or so near the Chairman or any Member of the Board as to obstruct or interrupt the proceedings before the same, including disrespect toward said officials, offensive personalities toward others, or refusal to be sworn or to answer as a witness or to subscribe an affidavit or deposition when lawfully required to do so, may be summarily adjudged in direct contempt by said officials and punished by a fine not exceeding P100.00.

The person adjudged in direct contempt by the of the Board or Member thereof may appeal to the Commission and the execution of the judgment shall be suspended pending the resolution of the appeal.

Indirect contempt shall be dealt with by the Chairman or Member of the Board in the manner prescribed by the Revised Rules of Court.

All decisions of the Board shall be made en banc. However, hearing and reception of evidence may be conducted by the hearing officer or professional regulations attorney of the Commission.

SEC. 9. Compensation of Members. Each Member of the Board shall receive a compensation of not less than fifteen pesos for each applicant who shall take the written board examinations, and ten pesos for each certificate of registration to be issued to temporary registration as provided for under Section twenty-one of this Decree.

Any registered aeronautical engineer in the service of any branch of the government of the Philippines appointed as Member of the Board shall receive the same compensation herein provided, in addition to his regular compensation in the government service. All authorized expenses of the Board, including the compensation of the Members thereof, shall be paid by the collecting and disbursing officer of the Commission out of the collection of fees and such other charges fixed under this Decree.

SEC. 10. Conduct of Examinations. The Commission and the Board shall jointly conduct the written examinations given by the Board in accordance with this Decree and the rules and regulations promulgated thereunder.

SEC. 11. Schedule of fees. The following fees shall be collected by the Board from any person dealing with it:

- a. For the filing of application for written examination

P100.00

- b. For the issuance of certificate of registration to successful examinees

50.00

c. For the issuance of certificate of registration to temporary registrants

250.00

d. For registration without examination

150.00

e. For the issuance of permit Under Section 21

30.00

f.

For the reinstatement of a revoked or suspend certificate of registration as well as the replacement of lost, destroyed or mutilated certificate of registration

25.00

SEC. 12. Annual report of the Board. The Board shall, within sixty days following the end of each fiscal year, submit to the Commission an annual report on its activities during the fiscal year just ended.

SEC. 13. Board of Examinations. Unless otherwise specifically exempted from taking the written examinations as provided for under Section twenty of this Decree, all applicants for registration for the practice of aeronautical engineering shall first undergo the required written technical examinations.

SEC. 14. Qualifications for examinations. Any person who shall apply for admission to take the written examinations for aeronautical engineers shall establish to the satisfaction of the Board that he has the following qualifications:

- At least twenty-one years of age;
- A citizen of the Philippines or of a foreign country qualified to take the examinations under existing laws;
- He must be of good moral character and reputation;
- A holder of the degree of Bachelor of Science in Aeronautical Engineering from any institution of learning recognized by the Government of the Philippines or of an equivalent course offered in any institution of learning in a foreign country, subject to the provisions of existing laws; and
- Must not have been convicted of any crime involving moral turpitude.

SEC. 15. Schedule of examinations. Written examinations of candidates desiring practice aeronautical engineering in the Philippines shall be given by the Board once a year at a date and place to be fixed by the Commission.

SEC. 16. Scope of examinations. The examinations provided in this Decree shall consist of written test which shall cover the following subjects: Mathematics, Aerodynamics; Aircraft Structures and Design; Powerplant Theory and Practice; and Air Laws and Regulations, and such other related subject as the Board may deem necessary; Provided, That in case of increase in the number of subjects, the corresponding relative weight credited for every subject shall be reduced accordingly and the relative weight that may be deducted therefrom shall be credited to the additional subject or subjects; Provided, further, That the relative weights that will be deducted shall always be divisible exactly by five.

SEC. 17. Passing average. In order that a candidate may be deemed to have passed the examinations successfully, he must have obtained a general weighted average of seventy-five per cent in all subjects, with no rating below fifty per cent in any subject. Subject to approval of the Commission, the Board shall have the power to prescribe, amend, or revise the subjects and their corresponding relative weights.

SEC. 18. Report of Ratings. Within ninety days after the last day of the examinations or on such date as may be determined by the Commission, the Board shall submit its report on the ratings obtained by each candidate to the Commissioner of the Commission for approval or other appropriate action. All ratings shall be released at least seventy days before the next examination period.

SEC. 19. Certificate of registration. All successful candidates in the written examinations shall each be issued by the Board a certificate of registration as aeronautical engineer upon payment of the required fee. The certificate of registration, to be signed by the Members of the Board and approved by the Commissioner shall bear the full name of the registrant and the serial number of the certificate, and shall be authenticated with the official seal of the Board.

The issuance of the certificate of registration by the Board under this Decree shall be evidence that the person named therein is entitled to all the rights and privileges of a registered aeronautical engineer while it remains unrevoked or unsuspended.

Before commencing the practice of aeronautical engineering, all registrants under this Decree shall be required to take professional oaths before the Board or before any person authorized to administer the same.

SEC. 20. Registration without examinations. The Board may issue certificates of registration as aeronautical engineers to the Members of the first Board and to any applicant for registration without the necessity of taking the written examinations prescribed under Section thirteen of this Decree: Provided, that

- The Members of the first Board meet all the requirements prescribed under Section four of this Decree; and
- The applicants for registration other than the Members of the first Board, in addition to the requirements prescribed under Section fourteen of this Decree, shall present evidence satisfactory to the Board showing that on the date of approval of this Decree (1) he has at least five years of active practice in aeronautical engineering; and (2) he shall indicate that he can be entrusted to perform or render professional aeronautical engineering service.

For purposes of this section, the teaching of aeronautical engineering in any recognized university, college, institute, or school shall be considered as active practice of aeronautical engineering; Provided, That the evidence thereof shall be duly certified by the Registrar of the institution of learning concerned and under oath.

SEC. 21. Temporary registration; issuance of special permits. Upon application and payment of the required fee, and subject to approval of the Commission, the following may be granted temporary certificates of registration as aeronautical engineer to practice aeronautical engineering in the Philippines;

- Aeronautical engineers from foreign countries called for consultation or for a specific design, construction or

project, whose services in the Philippines shall be limited only to such particular work, and such engineers are legally or technically qualified to practice aeronautical engineering in their own country, and

- Any person from foreign countries employed as technical officers or professors in such specialized branches of aeronautical engineering as may, in the judgment of the Commission be necessary and indispensable for the country.

Subject to approval of the Commission, the Board may issue a special permit, renewable every year, to any person specified under this section who shall file with it an application for the issuance of such permit, accompanied by evidence or other proof satisfactory to the Board showing that the applicant is competent to perform the service or activity for which said permit is sought, and that the issuance of such permits will not jeopardize the interests of any citizen of the Philippines duly registered as aeronautical engineer under this Decree: Provided, That such permit shall be subject to the rules and regulations of the Board, and may be suspended, revoked, or reissued by the Board in the manner prescribed for the suspension, revocation and reissuance of the certificate of registration.

Nothing in this Decree shall be construed to prevent aeronautical engineering students, apprentices and other persons employed or acting as subordinates of, or undergoing training under a person holding a valid certificate of registration, from performing any of the acts constituting the practice of the said profession under the instruction, control and supervision of their employer.

SEC. 22. Refusal to issue certificate. The Board may refuse to issue certificate of registration to any person convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude, or to any person guilty of unprofessional, unethical, immoral or dishonorable conduct, or to any person of unsound mind. In the event of refusal to issue a certificate the Board shall forthwith furnish the applicant a written statement setting forth its reason or reasons for such action, which statement shall be incorporated in the records of the Board.

SEC. 23. Suspension and revocation of certificate. The Board shall have the power, after proper notice, to reprimand an aeronautical engineer, suspend or revoke his certificate of registration for any of the grounds enumerated in the next preceeding section or by reason of malpractice, incompetence and gross negligence of the registered aeronautical engineer concerned, or by reason of the use or perpetration of any fraud, deceit, or false statement in obtaining such certificate of registration, or refusal to join and to remain a member of good standing of the integrated professional organization of aeronautical engineering which is accredited by the Commission.

SEC. 24. Reinstatement or replacement of certificate. After the expiration of two years from the date of revocation or suspension of a certificate of registration, the Board may, in its discretion and for reason it may deem meritorious, reinstate the validity of a revoked or suspended certificate, or issue a new one in lieu of the one previously revoked upon payment of the required fee.

SEC. 25. Seal and its use. All aeronautical engineers shall obtain official seal of a design prescribed by the Board bearing the registrant's name, the number of his registration certificate, and the words; "Aeronautical Engineer." Plans, specifications, reports and such other professional documents prepared by or executed under the immediate supervision of, and issued by an aeronautical engineer shall be stamped on every sheet thereof within the official seal when filed with government authorities, or when submitted or used professionally during the life of the registrant's certificate.

It shall be unlawful for anyone to affix his official seal on any document after his certificate of registration has expired or has been revoked or suspended, unless said certificate shall have been renewed, reissued, or reinstated.

SEC. 26. Posting certificates. The owner, manager or other person in-charge of any aircraft or of firm, co-partnership, corporation, or joint corporation operating an aircraft shall post or cause to be posted in any

conspicuous place within such station or establishment the certificate of registration of the aeronautical engineer or engineers employed in such station or establishment.

SEC. 27. Meaning of practice of aeronautical engineering. The practice of aeronautical engineering shall constitute in holding out oneself as skilled in the knowledge, science, and practice of aeronautical engineering, and as qualified to render professional services as an aeronautical engineer; or offering or rendering, or both, on a fee basis or otherwise, services such as planning, designing, analyzing, constructing, assembling, installing, altering or maintaining of aircraft structures, power plants or accessories through scientific or accepted engineering practice, or the teaching of the same in any university, college, institute, or school of learning duly recognized by the Government of the Philippines.

An aeronautical engineer shall be considered such in the practice of his profession, if the nature and character of his employment whether as an officer or employee in a private enterprise or educational institution involves decision-making requiring professional knowledge in the science of aeronautical engineering, and such employment or position requires that the holder thereof must be an aeronautical engineer; or if he holds or is appointed to a position in the aeronautical engineering occupational group in the government or in government-owned or controlled corporations, including those performing proprietary functions, where a civil service eligibility as an aeronautical engineer is a prerequisite.

SEC. 28. Unlawful practice. It shall be unlawful for:

- Any person who, without a valid certificate of registration, shall practice or offer to practice aeronautical engineering as defined herein or any aspect thereof in the Philippines; or to use the title "Aeronautical Engineer" or any word, letter, figure, or sign whatsoever, tending to convey the impression that he is an aeronautical engineer; or to advertise or indicate in any manner that he is qualified to perform the work of an aeronautical engineer; and
- Any firm, company or corporation to engage in designing, planning, construction, installation, alteration, manufacture or marketing of any aircraft and its components, accessories, instruments, equipment and supply without the certification, supervision, or guidance of an aeronautical engineer.

SEC. 29. Definitions. The following definitions, unless the context otherwise requires, shall govern in the application and construction of this Decree.

- Commission—The Professional Regulation Commission created under Presidential Decree No. 223 or subsequent decree.
- Board—The Board of Aeronautical Engineering created under Section three of this Decree;
- Aircraft—Any contrivance now known or hereafter to be used, invented, or designated for navigation of or flight in the air;
- Aeronautical engineer—is a bona fide holder of certificate of registration issued by the Board in accordance with this Decree.

SEC. 30. Enforcement of this Decree by officers of the law. It shall be the duty of all duly constituted law-enforcing officers of the National Government, or of any of its agencies or instrumentalities to enforce the provisions of this Decree and to prosecute any person violating the same.

SEC. 31. Roster of aeronautical engineers. A roster showing the names, the addresses and places of business, and the names and addresses of the employers, if they are so employed, shall be prepared by the Commission at least once a year. Copies of this roster shall be sent to the President, the Secretary of Public Works, Transportation and

Communications, the Director of Civil Aviation, the Director of Public Works, the Secretary of Public Highways, the Commissioner of Customs, any person or corporation operating and maintaining aircrafts, and such other bureaus, government entities or agencies as may be deemed necessary, and to the public upon request.

SEC. 32. Integration of Aeronautical Engineering Profession. The Commission shall adopt rules to effect the integration of aeronautical engineering under such conditions as it shall see fit in order to raise the standards of the profession and enable it to discharge its public responsibilities more effectively.

SEC. 33. Penalties for violations of this Decree. The penalty of imprisonment ranging from six months to six years and a fine ranging from two thousand pesos to six thousand pesos, or both such imprisonment and fine, in the discretion of the court, shall be imposed upon:

- Any person who shall practice aeronautical engineering in the Philippines as herein defined without holding a valid certificate of registration issued by the Board;
- Any person who shall give any false or fraudulent statement to the Board or to the Commission, or both, to obtain a certificate of registration as aeronautical engineer;
- Any person who shall assume, use, or advertise as aeronautical engineer, or append to his name, letters or words tending to convey the impression that he is a registered aeronautical engineer when in fact he is not duly registered with the Board as such.
- Any person who shall present or use as his own certificate of registration issued to another under this Decree;
- Any person who shall present or use a revoked or suspended certificate of registration as aeronautical engineer;
- Any aeronautical engineer, or any person on his behalf, who shall stamp or seal any document with his seal as such after his certificate of registration has expired or has been suspended or revoked;
- Any aeronautical engineer who shall sign his name, affix his seal, or use any other method of signature on plans, technical descriptions or other documents prepared by or under another aeronautical engineer's supervision, unless the name is prepared in such a manner as to clearly indicate the part or parts of such work actually performed by the former;
- Any person, except the aeronautical engineer incharge, who shall sign for any branch of the aeronautical work, or any function or engineering practice not actually performed by him;
- Any registered aeronautical engineer who shall refuse to surrender to the Board as suspended or revoked certificate of registration or special permit;
- Any person who shall commit or attempt to commit any fraud for the purpose of obtaining a certificate of registration as aeronautical engineer, or aid in so doing; and
- Any person who, with or without consideration, misrepresent that he can fix the results of the licensure examinations for the practice of aeronautical engineering.

SEC. 34. Separability Clause. If any provision of this Decree or any portion thereof is declared unconstitutional by any competent court, the other provisions thereof shall not be affected thereby.

SEC. 35. All laws, decrees, executive orders, rules or regulations or parts thereof in conflict with the provisions of this Decree are hereby repealed, amended or modified accordingly.

SEC. 36. Effectivity. This Decree shall take effect immediately.

Done in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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