

Presidential Decree No. 1536

Regulating the Practice of the Metallurgical Engineering Profession in the Philippines and Providing for the Licensing and Registration of Metallurgical Engineers

WHEREAS, while other professions are protected from the influx of foreign practitioners, metallurgical engineers have been left to complete on their own ways with foreign metallurgical engineers and non-metallurgical engineers practicing metallurgical tasks;

WHEREAS, there is a need to regulate the practice of the metallurgical engineering profession in the country and to protect the metal industry from unscrupulous practitioners; and

WHEREAS, in order to give justice to the men who have pioneered in this profession and to enhance the development of our metal industry, it is now high time for the government to create the Board of Metallurgical Engineering which will be responsible for the promotion, development and implementation of the rules and regulations of the discipline in order to sustain the need of the fastest growing industries in the Philippines, today, the metal industry;

NOW, THEREFORE, I FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby order and Decree:

Article I

Section 1. *Title of Decree.*- This Decree shall be known as the "Metallurgical Engineering Law of the Philippines."

Section 2. *Creation and Composition of the Board.*- Within thirty days from the effectivity of this Decree, there shall be created a Board of Metallurgical Engineering, hereinafter referred to as the "Board", to be composed of three members, all of whom shall be appointed by the President of the Philippines upon recommendation of the Professional Regulation Commission from among those duly accredited professional organizations involved in minerals and metals processing or studies. One of the appointed members of the Board shall be designated as Chairman.

Section 3. *Powers Vested in the Board.*- The Board is hereby empowered to administer oaths; to issue, suspend and revoke certificates of registration for the practice of metallurgical engineering ; to investigate violations of this Decree and for this purpose it may, under the hand of its chairman and seal of the Board, subpoena witnesses and compel their attendance; to inspect metallurgical plants; to look into the conditions affecting the teaching and practice of metallurgical engineering in the Philippines; to recommend the adoption of such rules and regulations and other measures as may be deemed proper for the enforcement of this Decree; and to discharge such other duties as the Board may deem necessary for the maintenance of ethical and technical standards of the metallurgical profession.

Section 4. *Qualifications of Board Members.*- Each member of the Board shall at the time of his appointment:

- (1) Be a citizen of the Philippines;
- (2) Be a holder of at least the degree of Bachelor of Science in Metallurgical Engineering or Metallurgy with at least five years experience in metallurgical practice as defined in Section 12 of this Decree after graduation, or a holder of the degree of Doctor of Science of Philosophy in Metallurgical or Mineral Engineering or Metallurgy with at least two years experience in metallurgical work;
- (3) Be registered and legally qualified to practice metallurgical engineering in the Philippines, except for the members of the first Board who shall automatically be registered under the provisions of this Decree; and
- (4) Not be a member of the faculty of any school, college or university, where degrees in metallurgy, metallurgical engineering or mining engineering are granted, nor has pecuniary interests in such institution at least two years before his appointment as member of the Board.
- (5) Must be recommended by a bona fide professional mineral or metal organization of the Philippines.

Section 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 duly qualified. The members of the first Board appointed under this Decree shall hold office for the following terms:

One member,(who shall be the Chairman of the Board) for one year, one member for two years and one member for three years. The Chairmanship of the Board for any year shall be held by the member of his last tenure year as member of the Board. In case of death, incapacity or removal for cause of any member, a

new member shall be appointed by the President of the Philippines, and shall serve the un expired portion of the term of his predecessor.

Section 6. *Executive Officer and Secretary of the Board*- The Professional Regulation commission shall designate an executive officer of the Board who shall conduct the examination given by it. The Secretary of the Professional Regulation Commission shall also be the Secretary of the Board. All records and minutes of the deliberation of the Board, including examination papers, shall be kept by the Professional Regulation Commission under the direct custody of the Secretary.

Section 7. *Removal of Board Members*.- The President may remove any member of the Board for continued neglect of duty or incompetency, or for unethical or immoral conduct, after having given the member concerned an opportunity to defend himself in a proper administrative investigation.

Section 8. *Compensation of the Board*.- The members of the Board shall receive compensation at the current rate of the other Boards of Engineering. A member of the Board who is, at the same time, a government employee shall receive the compensation herein provided in addition to his salary. All fees shall be received by the Professional Regulation Commission which shall pay all authorized compensation and expenditures of the Board.

Section 9. *Rules and Regulations*.- The Board may, subject to the approval of the Professional Regulation Commission, adopt such rules and regulations as may be necessary to carry out the provisions of this Decree.

Section 10. *Submission of Annual Report*.- The Board shall submit an annual report to the President of the Philippines through the Commissioner of the Professional Regulation Commission after the close of each calendar year, giving a detailed account of its proceedings during the year and making such recommendation as it may deem proper.

Article II

REGISTRATION AND EXAMINATION

Section 11. *Inhibition from practising Metallurgical Engineering Profession*.- Unless exempt from registration, no person shall practise or offer to practise metallurgy or metallurgical engineering in the Philippines as defined in this Decree, without having previously obtained a certificate of registration as Metallurgical Engineer from the Board of Metallurgical Engineering from the Board of Metallurgical Engineering created under this Decree; and in the case of foreigners, unless the country of which he is a citizen permits Filipino metallurgical engineers to practise their profession within their territorial limits.

Section 12. *Definition of Terms*.-

- (a) A person shall be deemed to be practising metallurgical engineering within the meaning and intent of this Decree who shall, for a fee, salary or other reward or compensation, paid to him or through another person, or even without such reward or compensation, render or offer to render professional service in metallurgy or metallurgical engineering in the form of consultation, investigation, valuation, planning, designing or supervision of operation.
- (b) The term metallurgy or metallurgical engineering as used in this Decree, shall mean the teaching and practice of the science and technology of preparing minerals and metals from ores by separating them from mechanical mixture and chemical combination and/or finally processing them for use. Metallurgy or metallurgical engineering embraces:
 - 1. *Mineral Processing and Extractive Metallurgy*. – The scientific, engineering and economic aspects of the preparation, separation, extraction and purification of ores, metals and mineral products by physical and chemical method such as ore dressing, pyrometallurgical processes such as roasting, and smelting, hydrometallurgical processes such as leaching, electro-metallurgical processes such as electric smelting and electrolysis and other similar processes.
 - 2. *Physical Metallurgy*. - Processes specifically relating to the control of microstructure of metals and its alloys such as heat treatment and surface hardening; quality control in allowing operations to meet specification of metal alloys; and metallographic studies. These apply to powder, mechanical, nuclear and vacuum metallurgy.
 - 3. *Fuel Technology*. ∅ Fuel preparation processes such as washing, flotation, heavy media separation including carbonization, gasification and coking operations.

Section 13. *Exemption from Registration*.- Registration shall not be required of the following classes of persons upon proper application for exemption with the Board of Metallurgical Engineering:

- (a) Foreign consultants, engineers and technicians called in by the Republic of the Philippines for consultation or for specific assignment or project.
- (b) Foreign consultants, engineers and technicians employed by private firms for which the pertinent professional society certifies that no qualified Filipino is available, in which case the Board may, in its

discretion, allow them to practise without registration: *Provided*, That the private firm shows justification for the need of said consultants, engineers and technicians to the satisfaction of the Board: *Provided, further*, That the period of employment shall be for one (1) year extendable for another year but not to exceed three (3) years for any one individual. Employment of foreigners under paragraphs (a) & (b) of this section shall be subject to the following conditions:

1. That the applicant is of good reputation and moral character;
 2. That the applicant's curriculum vitae and detailed description of his assignment shall be submitted to the Board together with his application for exemption;
 3. That the applicant will not engage in private practice on his own account;
 4. That for every applicant one Filipino understudy who is registered under the provisions of this Decree shall be employed by the private firm utilizing the services of such applicants for at least the duration of the foreign expert's tenure with said firm; and
 5. That the applicant is legally qualified to practise his profession in his own state or country and that the country of which he is a citizen or subject permits Filipino metallurgical engineers and metallurgists to practise their profession within its territorial limits.
- (c) Engineering students, apprentices and other persons employed or acting as subordinates of/or undergoing training under a person holding a valid certificate of registration under this Decree.

Section 14. *Examination Required.*- Except as otherwise specifically allowed under the provision of this Decree, applicants for registration for the practice of metallurgical engineering shall be required to undergo an examination as provided for in this Decree.

Section 15. *Qualification for Examination.*- In order to be admitted to the metallurgical engineering examination, an applicant shall establish to the satisfaction of the Board that:

- (1) He is a citizen of the Philippines or if a foreigner, his country must accord reciprocity with the Philippines;
- (2) He is at least twenty-one years of age;
- (3) He is of good reputation and moral character; and
- (4) He is graduated from a school, college, university or institute recognized by the government with at least:
 - (a) Bachelor of Science in Metallurgical Engineering or Metallurgy or its equivalent, the course for which covers not less than the total number of credit units equivalent to the regular course in metallurgical engineering; or (b) Bachelor of Science in Mining Engineering or Chemical Engineering and in addition has had at least five years experience in any or all of metallurgical engineering practice as defined in Section 12 of this Decree; or
 - (b) Bachelor of Science in any other engineering disciplines and in addition has had at least 10 years experience in any or all of the metallurgy or metallurgical engineering practice as defined in Section 12 of this Decree: *Provided*, That the said experience is certified by the applicant's employer and approved by the Board: *Provided, further*, That said other engineering professions shall give the same privilege to graduates of metallurgy or metallurgical engineering.

Section 16. *Exemption from Examination.*- A person may be registered as metallurgical engineer and given a license to practice as metallurgical engineer without examination, who, on the date of approval of this Decree:

- (a) Had graduated from a school, college or university recognized by the government with a degree of Bachelor of Science in Metallurgy or Metallurgical Engineering, and has had at least five (5) years experience in any or all of the metallurgical practice as defined in Section 12 of this Decree after graduation; or
- (b) Had graduated with a degree of Master of Science in Metallurgy or Metallurgical Engineering or its equivalent and has had at least two (2) years experience in any or all of the metallurgical practice as defined in Section 12 of this Decree; or
- (c) Had graduated with a degree of Doctor of Philosophy in Metallurgy, Metallurgical Engineering or Doctor of Science in Metallurgy, Metallurgical Engineering; or
- (d) Had graduated from a school, college, university or institute recognized by the government with a Bachelor of Science in Mining or Chemical Engineering; and has had at least ten (10) years experience in any metallurgical practice as defined in Section 12 of this Decree after his graduation; or
- (e) Had graduated with a degree of Bachelor of Science in any other engineering discipline and in addition has had at least 15 years experience in any metallurgical practice as defined in Section 12 of this Decree after his graduation; or
- (f) Are foreign metallurgists or metallurgical engineers, who had been in the actual and bona fide practice or metallurgy or metallurgical engineering for at least five consecutive years in the Philippines as approved by the Board; *Provided*, That no foreign metallurgical engineer or metallurgist shall be allowed to practice his profession in the Philippines unless the country of which he is citizen or subject permits Filipino metallurgical engineers or metallurgists to practise their profession within its territorial limits; and *Provided, further*, That the required experience mentioned above is certified by the

applicant's employer and approved by the Board. All applicants for exemption from examination shall submit to the Board of Metallurgical Engineering the ff:

1. Diploma or transcript of records or Board Registration Certificate Number.
2. A metallurgical engineering report which shall serve as a basis whether applicant, in the opinion of the Board, deserves exemption from examination. All applications for registration without examination shall be filed within two (2) years from the date of effectivity of this Decree, except for those who graduated with a Doctorate degree who may apply at anytime.

Section 17. *Qualifications of Applicants for Metallurgical Plant Foreman.*- Any person applying for a certificate of registration without examination as Metallurgical Plant Foreman, shall, prior to his admission for certification, establish to the satisfaction of the Board that:

1. He is a citizen of the Philippines;
2. He is of good reputation and moral character;
3. He has at least ten years experience in any metallurgical works as defined in Section 12 of this Decree and as certified by applicant's present employer.

The Board shall, subject to the approval of the Professional Regulation Commission, adopt such rules and regulations as may be necessary to classify metallurgical foremen to such metallurgical plants as a concentrators, foundries, smelters, refineries and any other specific classifications as may be found necessary.

Section 18. *Date and Scope of Examination.*- Examinations for the practice of Metallurgical Engineering in the Philippines shall be given on the second Monday of February and August of each year. Unless modified by the Board and approved by the Commission, the examination shall cover questions relating to:

1. Mineral Processing, Physical Metallurgy, Assaying and Chemistry;
2. Extractive and Applied Metallurgy;
3. Fuel Technology, Foundry, and Refractory Science;
4. Engineering Management, Law and Ethics;
5. Applied Mathematics and Mechanics and any other pertinent subjects as the Board may deem necessary to test the applicant's ability and knowledge to insure safety, economy and proficiency in the design, construction, installation, maintenance, operation, organization and management of metallurgical plants: *Provided*, That the relative weight of 1 and 2 subjects shall not be less than thirty percent each.

Section 19. *Report of Rating.*- The Board of Metallurgical Engineering shall, within ninety days after the examination, report the rating obtained by each candidate to the Commissioner of the Professional Regulation Commission.

Section 20. *Issuance of Certificate.*- The Board of Metallurgical Engineers shall issue certificates of registration to:

- a. Examinees who have successfully passed the board examinations for metallurgical engineers and have complied with the requirements of the rules and regulations prescribed by the Board;
- b. Persons who have applied for registration without examination and who possess the qualifications listed in Section 16 of this Decree, and have complied with the requirements of the rules and regulations prescribed by the Board; and
- c. Applicants for Metallurgical Plant Foreman as approved by the Board. All certificates of registration shall state the full name of the registrant, shall have a serial number and shall be signed by all members of the Board, the Commissioner of PRC, and shall be attested to by the Official seal of the Board: *Provided*, That the issuance of certificate of registration by the Board to a registrant shall be evidence that the person named therein is entitled to all rights and privileges of a Registered Metallurgical Engineer or Metallurgical Plant Foreman while said certificate remains un revoked or suspended.

Section 21. *Fees for Examination and Registration.*- Every applicant for the Metallurgical Engineer licensure examination shall pay one hundred and fifty pesos as examination fee; one hundred pesos as registration fee for every registrant after passing the examination; and ten pesos as annual registration fee. Registrants without examination shall pay one hundred and fifty pesos plus the registration fees herein prescribed.

Section 22. *Reprimand, Suspension and Revocation of Certificate.*- The Board shall have the power to reprimand any registrant, or suspend or revoke his certificate of registration for any cause specified in this section, or for the use or perpetuation of any fraud or deceit in obtaining said certificate, or for gross negligence or incompetency, or for unprofessional, dishonorable or immoral conduct, after giving him proper notice and hearing. It shall be sufficient for the revocation of a certificate issued under this Decree that he has:

1. Signed any metallurgical report, design, or work not prepared by him nor executed under his direct and immediate supervision; or
2. Represented himself as having taken charge of, undertaken or supervised the metallurgical work in an area or of a project without actually having done so. Any person or persons, firm, associates or corporation may file charges in accordance with the provisions of this Section against any registrant or the Board itself may motu proprio investigate and take cognizance of acts and practices constituting sufficient cause or suspension or revocation of the certificate or registration by proper order or resolution. Such charges shall be in writing and shall be sworn to by the person making them and filed with the Secretary of the Board.

Section 23. *Reissue of Revoked Certificates and Replacement of Lost Certificates.*- The Board may, after the expiration of one (1) year from the date of revocation of a certificate of registration, for reasons it may be deemed sufficient, entertain an application for a new certificate of registration from a person whose certificate has been revoked, in the same manner as application for an original certificate and in doing so it may, in its discretion, exempt the applicant from the necessity of undergoing another examination. Issuance of certificate of registration to replace any certificate lost, destroyed or mutilated shall be subject to the rules of the Board and a charge at current rate shall be made for such issuance.

Article III SUNDRY PROVISIONS RELATIVE TO THE PRACTICE OF METALLURGICAL ENGINEERING

Section 24. *Prohibitions in the Practice of Metallurgical Engineering.*- A person who shall practice metallurgical engineering in the Philippines as defined, without a certificate of registration issued in accordance with the provisions of this Decree, or without having been declared exempt, or any person presenting or using as his own a certificate of registration of another, or any person who shall give any false or forged evidence, or any person who shall impersonate any registrant of like or different name, or any person who shall use a revoked or suspended certificate of registration, or any person who shall assume, use or advertise any title or description tending to convey the impression that he is a metallurgist or metallurgical engineer or is engaged in metallurgical work without holding a valid certificate of registration from the Board, or any person who shall commit misdemeanor, shall upon conviction, be sentenced to a fine of not less than three thousand pesos nor more than five thousand pesos, or to suffer imprisonment for a period of not less than one month nor more than six months, or both, in the discretion of the court.

Section 25. *Practice of Firms and Corporations.*- A firm, co-partnership, company, corporation or association can practise metallurgical engineering in the Philippines, provided that such practice is carried out by metallurgical engineers holding valid certificates of registration issued by the Board and in the regular employ of said firm, copartnership, company, corporation or association.

Section 26. *Posting of Certificates.*- Registered metallurgical engineers shall post or cause to be posted in a conspicuous place within his office or place of business his certificate of registration as metallurgical engineer; he shall present the same upon demand of members of the Board, or law-enforcing officers of the national, provincial, city, or municipal governments.

Section 27. *Roster of Metallurgical Engineers.*- A roster showing the names and places of business of all registered metallurgical engineers shall be prepared by the Secretary of the Board annually, commencing one year from the date this Decree becomes effective. Copies of this roster may be released to any government agency or to the public upon request.

Article IV FINAL PROVISIONS

Section 28. *Appropriation.*- The sum of ten thousand pesos, not otherwise appropriated, is hereby authorized to be appropriated to be disbursed by the Professional Regulation Commission in accordance with the provisions of this Decree. All sums collected in accordance with this Decree shall be paid into the National Treasury as part of the general funds thereof: Provided, That during the first twelve months from effectivity of this Decree any portion of this sum collected may be used for purposes of this Decree to cover disbursements in excess of the amount appropriated herein.

Section 29. *Separability Clause.*- If any section or sections of this Decree are declared unconstitutional or invalid, this shall not invalidate any other section hereof.

Section 30. *Repealing Clause.*- All laws, decrees, orders, rules and regulations or parts thereof which are in conflict with the provisions of this Decree, including parts of Act Numbered Twenty-Nine Hundred and

Eighty-Five, as amended, as pertain to the practice of metallurgy, are hereby repealed or modified accordingly.

Section 31. *Effectivity Clause.*Ñ 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.

The Board of Metallurgical Engineering Rules and Regulations

Pursuant to Sec. 9 of Presidential Decree No. 1536, the following Rules and Regulations are hereby adopted by the Board of Metallurgical Engineering with the view to effectively implement P.D. 1536 regulating the practice of the Metallurgical Engineering Profession in the Philippines and providing for the registration, examination and licensing of metallurgical engineers.

Article I GENERAL PROVISIONS

Section 1. *Definition of Terms*- In the application and interpretation of Presidential Decree No. 1536 and these rules and regulations, the Board of Metallurgical Engineering shall be guided by the following definition of terms:

- a) *Metallurgical Engineering or Metallurgy* is the science and technology of ores and metals. It includes the process of producing metals by extracting them from their ores, refining or purifying them, and working them mechanically or otherwise adapting them to use. It also includes the study of the chemical and physical properties of the metals and of their structure, both atomic and crystalline, the principles of their combination to form alloys, the means of improving or enhancing their properties for particular applications, and the relationship between their properties, structures and uses. It includes the thermal and mechanical processing of metals as raw materials of manufacture, but not of the design and manufacture of the multitude of things made of metals, except with regard to the manner in which these are affected by the metallic properties and structures.
- b) *Metallurgical Engineering Profession* is the teaching and the practice of the science and technology of metallurgical engineering which embraces:
 - 1) Mineral Processing and Extractive Metallurgy, the scientific, engineering, and economic aspects of the preparation, separation, extraction and purification of ores, metals and minerals products by physical and chemical methods such as ore dressing; pyrometallurgical processes such as roasting and smelting; hydro-metallurgical processes such as leaching; and electro-metallurgical processes such as electric-smelting and electrolysis and other similar processes.
 - 2) Physical Metallurgy, the processes specifically relating to the control of microstructure of metals and their alloys such as heat treatment and surface hardening; specifications of metal alloys; and metallographic studies. These apply to powder, mechanical, nuclear and vacuum metallurgy.
 - 3) Fuel Technology, the fuel preparation processes such as washing flotation, heavy media separation including carbonization, gasification and cooking operations as applied to metallurgical processes.
- c) *Metallurgical Engineering Practice or Metallurgical Practice*, as used in these rules, means the act of rendering, or of offering to render professional service in metallurgical engineering in the form of consultation, investigation, evaluation, planning, designing, or supervision of operation of metallurgical plants for a fee, salary or other reward or compensation, paid directly or indirectly, or even without such reward, compensation, fee or salary.
- d) *Metallurgical Work* refers to the preparation of metals for use by separating them chemically and mechanically from their ores, refining them, processing them to the proper size and shape and adapting them to use.
- e) *Metallurgical Plants*, as used in these rules, consist of establishments or factories engaged in ore treatment, and extraction of metals (smelting and refining), production of primary metal products, casting, forging, rolling, extrusion, powder metallurgy, heat treatment and metalworking and finishing operations.
- f) The "Secretary of the Professional Regulations Commission," referred to in Section 6, P.D. 1536 means the Secretary of the Board or such other officer designated by the Professional Regulation Commission.
- g) The "duly accredited professional organization," referred to in Sec. 2, the "bona fide professional mineral or metal organization" referred to Sec. 4 (5) and the "pertinent professional society" referred to in Sec. 13(b) of P.D. No. 1526, shall be the national association of metallurgical Engineers, duly accredited to, and registered with, the Professional Regulation Commission, pursuant to Article IX of the Rules and Regulations governing the Regulation and Practice of Professionals, as amended.
- h) Nothing in these rules and regulations and related provisions shall be construed to inhibit the performance of acts constituting practice of chemistry, chemical engineering, medical technology or pharmacy, if the rendition of such acts or services is incidental to, or in furtherance of the practice of chemistry, chemical engineering, medical technology, or pharmacy professions.

Section 2. *Who May Practice.*- No person shall practice or offer to practice metallurgical engineering in the Philippines without having been previously registered, or exempted from registration, as a metallurgical engineer under P.D. No. 1536.

Section 3. *Reciprocity Defined.*- Reciprocity as used in P.D. 1536 and these rules means that the country of a foreign applicant for registration permits Filipino metallurgical engineers to practice their profession in the said foreign country on the same basis as, and with the same privileges accorded to, subjects or citizens of the foreign state or country.

Section 4. *Proof of Reciprocity.*- A foreigner, who applies for registration as metallurgical engineer, or for authority to practice metallurgical engineering in the Philippines, or for exemption from registration, shall submit; (a) a copy of the pertinent law, rules and regulations of his country, duly authenticated and proved by any of the means sanctioned by Philippine law, rules or jurisprudence, or (b) an official or properly authenticated opinion of the Ministry of Justice of the foreign country (or its equivalent) addressed to the Professional Regulation Commission containing an exposition of the laws upon which the opinion or statement is based, or (c) any other competent documentary evidence, confirmed by the Philippine Ministry of Foreign Affairs showing that his country's existing laws, rules and regulations permit citizens of the Philippines to practice metallurgical engineering in said foreign country on the same basis as, with the same privileges accorded to, and under the same rules and regulations governing the subjects or citizens of the foreign state or country.

Section 5. *Proceedings Against Board Members.*- The mode and procedure for the investigation of the chairman or a member of the Board for neglect of duty, incompetence, unethical or immoral conduct or any other unlawful cause for removal, shall be in accordance with Article VII of the Rules and Regulations Governing the Regulation and Practice of professions, as amended.

Section 6. *Proceedings Against Registered Metallurgical Engineers.*- Administrative proceedings against any metallurgical engineer for the use or perpetuation of any fraud or deceit in obtaining a certificate of registration, or for gross negligence or incompetence, or for unprofessional, dishonorable or immoral conduct, or for any other lawful cause shall be in accordance with Articles IV, V and VI of the Rules and Regulations Governing the Regulation and Practice of Professionals, as amended.

Section 7. The terms "Commission" and "Board" when used in these rules, means the Professional Regulation Commission and the Board of Metallurgical Engineering, respectively.

Article II REQUIREMENTS FOR REGISTRATION

Section 1. *Licensure Examination Required.*- All applicants for registration for the practice of metallurgical engineering shall be required to take and pass the licensure examination for metallurgical engineers conducted jointly the Professional Regulation Commission and Board of Metallurgical Engineering, unless exempt from the examination under Section 16 of P.D. 1536.

Section 2. *Proof of Qualification.*- The application for registration shall be supported by evidence showing that the applicant possesses all the qualifications prescribed by Section 15 of P.D. 1536. He shall submit a copy of the diploma conferred upon him or the transcript of his scholastic record showing completion of the prescribed curriculum, leading to the degree of Bachelor of Science in Metallurgical Engineering or Metallurgy or its equivalent. An applicant with the degree of Bachelor of Science in Mining Engineering or Chemical Engineering, shall submit, in addition to the copy of his diploma or the transcript of his scholastic record, a certificate showing that he acquired at least five (5) years experience in metallurgical engineering practice. An applicant with the degree of Bachelor of Science in any other engineering discipline shall submit, in addition to the copy of his diploma or the transcript of his scholastic record, a certificate showing that he acquired at least ten years experience in metallurgical engineering practice. The certificate of experience shall be under oath and in the form prescribed by the Board. It shall be issued and signed by the applicant's employer or employers from whom the experience was acquired. In case the applicant is a foreigner, he must also submit evidence of reciprocity as prescribed in Section 3 and 4, Article I of these Rules.

Section 3. *Other Requirements.*- Every applicant shall also submit: (a) a copy of his birth certificate or in lieu thereof, a copy of his baptismal certificate or the affidavit of two disinterested persons, together with the certification of the local civil registrar of the loss or dislocation of the baptismal records of the applicant and (b) four copies of a 2" x 2" photograph of his face, unretouched and taken not more than three months, prior to the filing of his application.

Section 4. *Experience Required for Registration.*- The "experience in any or all of the metallurgical engineering Practice" referred to in Sec. 15 (4b) and (4c) and Sec. 16, means experience in actual metallurgical operations, acquired after the date of conferment of the applicant's baccalaureate degree and prior to June 11, 1978, the date of effectivity of P.D. 1536.

Section 5. *Underage Applicants.*- An applicant who is less than 21 years of age, may be allowed to take the licensure examination, but he shall not be registered, should he pass the same, until he shall have reached the age of 21 years.

Section 6. *Exemption from Examination.*- An applicant for registration, who shall establish to the satisfaction of the Board that he possessed on June 11, 1978, the qualifications for exemption prescribed by Section 16 of P.D. 1536 shall be exempt from taking the licensure examination for metallurgical engineers.

Section 7. *Proof of Qualification of those Exempt from Examination.*- The application for registration shall be supported by: (a) a copy of the diploma conferred upon him or the transcript of his scholastic record or the registration number issued to him by the Commission, (b) a metallurgical engineering report authored by the applicant as part of his actual practice in metallurgical engineering, (c) a certificate of experience in metallurgical engineering practice of the number of years prescribed by Section 16 of P.D. 1536, and (d) two copies of a 2" x 2" photograph of applicant's face, un retouched and taken not more than three months prior to the filing of his application. In case of a foreign metallurgist or metallurgical engineer, he shall in addition, submit proof of reciprocity.

**Article III
REGISTRATION OF METALLURGICAL
PLANT FOREMAN**

Section 1. An applicant for registration as metallurgical plant foreman, who establishes to the satisfaction of the Board the qualifications prescribed by Section 17 of P.D. 1536 shall be issued the corresponding certificate of registration. The special skill in which the applicant obtained all of his metallurgical experience shall be indicated in the certificate of registration, as follows:

- Metallurgical Plan Foreman (Beneficiation)
- Metallurgical Plant Foreman (Foundry Works)
- Metallurgical Plant Foreman (Smelting)
- Metallurgical Plant Foreman (Refining)
- Metallurgical Plant Foreman (Testing & Quality Control)
- Metallurgical Plant Foreman (Metal forming)
- Metallurgical Plant Foreman (Metal Treatment)

Section 2. *Proof of Qualifications for Registration.*- An applicant for registration as metallurgical plant foreman shall submit a certification under oath by his present employer that he has at least ten years experience in any metallurgical works as defined in Article I, Section 1 (d) of these Rules.

**Article IV
METALLURGICAL ENGINEERING
LICENSURE EXAMINATION**

Section 1. *Date of Examination.*- The metallurgical engineering licensure examination shall be given on the dates specified in the schedule of licensure examinations set by the Professional Regulation Commission.

Section 2. *Scope of Examination.*- The licensure examination shall be in English and shall consist of written test covering the following subjects:

Subject Relative

Weight

1. Mineral Processing, Extractive Metallurgy,
Assaying and Chemistry30%
2. Physical and Applied Metallurgy 30%
3. Applied Mathematics, Mechanics, and Design,
Construction, Installation, Maintenance and
Operation of Metallurgical Plants15%
4. Fuel Technology, Foundry, and Refractory
Science15%
5. Engineering Management, Law and Ethics 10%

Section 3. *Ratings in the Examination.*- In order to pass the licensure examination, an examinee must obtain a weighted general average rating of seventy five percent, with no rating below fifty percent in any subject. Any examinee who fails to obtain the passing grade of 75% but obtained 75% in Mineral Processing, Extractive Metallurgy, Assaying and Chemistry, and in Physical and Applied Metallurgy, may be allowed to take a removal examination in the subjects where he failed, within one (1) year from the date of the release of the results of the examination, and if the examinee still fails to obtain the passing grade of 75%, he has to take the complete examination. Any examinee who fails to obtain the passing grade of 75% and obtains less than 75% in either of the major subjects, shall take the complete examination.

Article V SUNDRY PROVISIONS

Section 1. *The Certificate of Registration.*- The certificate of registration shall state the full name of the registrant and his serial number, shall be signed by all the members of the Board and the Chairman of the Professional Regulation Commission and shall be attested by the official seal of the Commission.

Section 2. The certificate of registration shall be evidence that the person named therein is entitled to all the rights and privileges of a registered metallurgical engineer or a registered metallurgical plant foreman, as the case may be, unless the certificate is revoked or suspended, after due notice and hearing.

Section 3. *Fees for Examination and Registration.*-

1. Every applicant for examination and registration as metallurgical Engineer shall pay P150.00 as examination fee; P100.00 as registration fee, and P10.00 as annual registration fee.
2. Every applicant for registration as metallurgical Engineer without examination shall pay P150.00 as application fee; P100.00 as registration fee; and P10.00 as annual registration fee.
3. Every applicant for Metallurgical Plant Foreman shall pay one half of the fees specified in the foregoing paragraph 2.

Section 4. *Personnel Required in Metallurgical Plants.*- Every metallurgical work, project, and/or processing operation shall have not less than the following complement of resident metallurgical engineers and/or metallurgical plant foreman duly registered under P.D. No. 1536:

1. Ten (10) persons but not more than twenty-five (25) persons for the entire operation directly engaged in metallurgical operation, a registered foreman is required;
2. Over twenty-five (25) persons but not more than fifty (50) persons for the entire operation directly engaged in metallurgical operations, one registered metallurgical engineer and one registered foreman are required;
3. Ten (10) persons but not more than twenty-five (25) persons per shift directly engaged in metallurgical operations, one registered metallurgical plant foreman per shift and one registered metallurgical engineer for the entire operation;
4. Over twenty-five (25) persons per shift but not more than fifty (50) persons directly engaged in metallurgical operations shall require a registered foreman and registered metallurgical engineer for each shift: Provided, that all persons acting a superintendent or its equivalent and the metallurgical engineer, shall be registered metallurgical engineers; Provided, further, that for every fifty (50) persons in excess of the first fifty (50) persons per shift shall require one (1) additional registered metallurgical foreman and one (1) additional registered metallurgical engineer per shift. The implementation of this rule shall be subject to the availability of registered metallurgical engineers and metallurgical plant foreman, as determined by the Board.

Section 5. *Roster of Metallurgical Engineer.*- There shall be roster of metallurgical engineers showing the name, the place of practice, the address and the residence of every registered metallurgical engineer or persons holding a certificate of registration as metallurgical engineer, and another roster for every person holding a certificate of registration as metallurgical plant foreman. In order to keep the rosters up to date, every registered metallurgical engineer and metallurgical plant foreman will report to the Board every change in the place of his practice, his business address, or his residence, and the name or names of the persons who are authorized to receive notices, communications, and other papers from the Commission or the Board

Article VI EFFECTIVITY

Section 1. *Effectivity*- These rules and regulations, when approved by the Professional Regulation Commission, shall take effect fifteen (15) days following the date of its publication in the Official Gazette. Adopted by the Board of Metallurgical Engineering at Metropolitan Manila, Philippines, this 4th day of June, 1980.

(Sgd.) JONES R. CASTRO
Acting Chairman

(Sgd.) ANTONIO M. OSTREA
Acting Member

(Sgd.) ANTONIO V. ARIZABAL
Acting Member

Approved and promulgated as the rules and regulations of the board of metallurgical engineering, this 22nd day of August, 1980.

(Sgd.) ERIC C. NUBLA
Commissioner

(Sgd.) NUMERIANO TANOPO, JR.
Associate Commissioner

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