

[REPUBLIC ACT NO. 10657, March 27, 2015]

**AN ACT REGULATING AND MODERNIZING THE PRACTICE OF
CHEMISTRY IN THE PHILIPPINES, REPEALING FOR THE
PURPOSE REPUBLIC ACT NUMBERED SEVEN HUNDRED FIFTY-
FOUR (R. A. NO. 754), OTHERWISE KNOWN AS THE CHEMISTRY
LAW OF THE PHILIPPINES**

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

ARTICLE I

TITLE, POLICY AND DEFINITIONS

SECTION 1. *Title.* – This Act shall be known as the “Chemistry Profession Act”.

SEC. 2. *Declaration of Policy.* – Chemistry is vital to public safety, the national economy, and the protection of the environment. It is, therefore, the policy of the State to promote, regulate and protect the professional practice of chemistry and to ensure the continued development and high international standards of the practice of chemistry in the Philippines.

SEC. 3. *Definition of Terms.* – As used in this Act:

(a) *Chemistry* refers to the study, analysis, modification and calculations of physico-chemical or biochemical properties of matter. Chemistry includes the atomic, molecular, surface and supramolecular composition and structure of matter, properties and reactions, the changes which matter undergoes, the energy involved, and the conditions under which such changes occur. Biochemistry, which is defined as the study of the chemical compounds and processes in biological organisms, is included within the scope of chemistry for purposes of this Act;

(b) *Registered chemist* refers to any person who is engaged in the professional practice of chemistry, as defined herein, who is duly registered with the Board of Chemistry and the Professional Regulation Commission. A registered chemist shall have the authority to undertake the professional practice of chemistry;

(c) *Registered chemical technician* refers to any person who is engaged in the work of chemical analysis, as defined herein, and who is duly registered with the Board of Chemistry;

(d) *Chemical analysis* refers to a physico-chemical or biochemical procedure which involves the following and related techniques:

(1) Measurement of properties, such as power of hydrogen (PH), oxidation-reduction potential, density, atomic or molecular weight, and others;

- (2) Use of methods, such as titration, gravimetric analysis, electrochemical measurements, spectroscopy, chromatography, and others;
 - (3) Determination of the atomic or molecular quantity of one or more components of a substance;
 - (4) Determination of the atomic, molecular, surface or supramolecular nature or structure of substance;
 - (5) Preparation of a sample for chemical analysis;
 - (6) Separation and/or purification of a mixture into its components using techniques, such as distillation, crystallization, density, reactivity, extraction, adsorption, size exclusion, affinity, chromatography, and others;
 - (7) Calculations of physico-chemical or biochemical properties or concentrations of chemicals or biochemicals;
 - (8) Computational methods applied to chemically or biochemically related matters, such as molecular design, molecular modelling, chemometrics, and others; and
 - (9) Other analytical methods which characterize matter at the atomic, molecular or supramolecular level;
- (e) *Chemical synthesis* refers to the preparation of a compound or chemical entity from its elements or from other compounds or chemical entities by one or more chemical reactions. Synthesis, as defined herein, refers to both chemical synthesis which may use chemical catalysts, and biochemical synthesis which uses enzymes and other biological compounds to promote a reaction; and
- (f) *Chemical laboratory* refers to a facility where activities described in Section 3(d) and 3(e) are performed. Such activities carried out outside of a chemical laboratory, for example, a factory, mobile laboratory or field analysis, shall likewise be considered a chemical laboratory. The head of a chemical laboratory shall be a registered chemist.

SEC. 4. *Scope of the Professional Practice of Chemistry.* – The professional practice of chemistry covers the performance of a service related to public interest, public safety, legal or regulatory matters. The following and similar activities shall be the functions of the registered chemists:

- (a) Performance of a chemical analysis or chemical synthesis;
- (b) Certification of a chemical analysis or chemical synthesis;
- (c) Inspection of a laboratory with respect to its chemical or biochemical activities;
- (d) Certification of a laboratory with respect to its chemical or biochemical activities;
- (e) Supervision of a chemical laboratory;
- (f) Supervision of a chemical analysis or chemical synthesis, whether or not performed in a laboratory;
- (g) Teaching, lecturing and reviewing of a professional chemistry subject in the curriculum of the Bachelor of Science in Chemistry degree or a subject in the

chemistry licensure examination given in any college, university, or training or review center, or any other educational institution or certification body;

(h) Consultation, investigation, or research concerning physico-chemical or biochemical matters which involve public interest, public safety, laws or regulations. For these purposes, the registered chemist must affix one's signature, license number and official seal to any certification report submitted;

(i) Sale of chemicals, chemical apparatus or chemical equipment;

(j) Supervision of the sale of chemicals, chemical apparatus, or chemical equipment; and

(k) Functions related to the management of chemicals, such as chemical safety, chemical waste management, pollution control, and the like.

The Chemistry Board, subject to the approval of the Commission, may revise, exclude from or add to the above-enumerated acts or activities as the need arises to conform to the latest trend in the practice of the profession.

SEC. 5. *Scope of the Professional Practice of Chemical Analysis.* – The scope of the professional practice of chemical analysis shall be limited to the performance of physico-chemical or biochemical analysis, chemical or biochemical synthesis, and sale of chemicals, chemical apparatus or chemical equipment: *Provided*, That such activities are under the supervision of a registered chemist. Any report on chemical analysis or synthesis must be signed by and bear the license number of the chemical technician who performed the analysis.

ARTICLE II

PROFESSIONAL REGULATORY BOARD OF CHEMISTRY

SEC. 6. *Composition of the Board.* – There is hereby created a Professional Regulatory Board of Chemistry, hereinafter referred to as the Board, under the administrative control and supervision of the Professional Regulation Commission, hereinafter referred to as the Commission, which shall be composed of a Chairperson and two (2) members appointed by the President of the Philippines from a list of three (3) recommendees for each position ranked by the Commission from a list of five (5) nominees for each position submitted by the accredited professional organization (APO) of chemists.

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

(a) Supervise and regulate the practice of the chemistry profession in the Philippines in accordance with the provisions of this Act;

(b) Determine the requirements and evaluate the qualifications of applicants for registration and renewal of license of registered chemists and registered chemical technicians;

(c) Prescribe the subjects in the licensure examination, determine the syllabi of the subjects and their relative weights, construct the test questions in the examinations and submit the examination results to the Commission;

- (d) Issue, together with the Commission, certificates of registration to persons admitted to the practice of the professions of chemistry and chemical analysis;
- (e) Oversee the conduct of the Continuing Professional Development (CPD) program for professional chemists and chemical technicians;
- (f) Determine, in consultation with the APO for the chemistry profession, private industry and relevant government agencies, the requirements of chemistry laboratories, both private and government, and other entities engaged in the practice of chemistry for registration or renewal of permit, and to issue, together with the Commission, the certificate of authority to operate to those that satisfy the said requirements;
- (g) Conduct on-site inspection of chemistry laboratories and other entities engaged in the practice of chemistry and seek the assistance of the APO in order to carry out these functions;
- (h) Inquire into the conditions affecting the practice of the profession, and adopt measures for the enhancement and maintenance of high professional, ethical and technical standards;
- (i) Adopt and promulgate the Code of Ethics and the Code of Good Governance for the practice of chemistry;
- (j) Issue subpoena *ad testificandum* and subpoena *duces tecum* to secure the attendance of witnesses or the production of documents in connection with any administrative case before the Board;
- (k) Hear and decide administrative cases filed against chemists, chemical technicians, and the owners and administrators of chemical laboratories. The hearing shall be presided over by the Chairperson or a member of the Board with the assistance of an attorney of the Commission. Any decision shall be decided by a majority of the Board. The decision of the Board may be appealed to the Commission not later than the fifteenth (15th) day from notice; otherwise, such decision shall be final and executory;
- (l) Administer oaths in connection with the performance of its functions;
- (m) Adopt the implementing rules and regulations of this Act; and
- (n) Perform such other functions as may be necessary in order to implement the provisions of this Act.

SEC. 8. *Qualifications of the Chairperson and Members of the Board.* – The Chairperson and members of the Board must meet the following qualifications:

- (a) A citizen and resident of the Philippines;
- (b) Of good moral character and of sound mind;
- (c) A holder of at least a master's degree in Chemistry conferred by a chemistry institution recognized by the Commission on Higher Education (CHED) or by a reputable foreign university;
- (d) A registered chemist who has been in active practice for at least ten (10) years;

(e) A person who does not have any pecuniary interest, directly or indirectly, in any higher educational institution conferring an academic degree necessary for admission to the practice of chemistry or where review classes in preparation for the licensure examination are being offered or conducted, nor shall one be a member of the faculty or administration thereof;

(f) A member in good standing of the APO;

(g) Not an officer or trustee of the APO; and

(h) Not convicted by a court of competent jurisdiction of an offense involving moral turpitude.

SEC. 9. *Term of Office.* – The Chairperson and members of the Board shall hold office for a term of three (3) years from the date of appointment or until their successors shall have been appointed. They may be reappointed for another term of three (3) years immediately after the expiry of their term: *Provided*, That their terms should not be more than two (2) terms or not more than six (6) years, whichever is longer: *Provided, further*, That the first Board under this Act shall hold these terms of office: the Chairperson for three (3) years, the first member for two (2) years and the second member for one (1) year: *Provided, finally*, That any appointee to a vacancy with an unexpired period shall only serve such period. The Chairperson and the members of the Board shall duly take their oaths of office.

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

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

SEC. 12. *Grounds for Suspension or Removal of the Chairperson and Members of the Board.* – The President, upon the recommendation of the Commission after due process and administrative investigation conducted by the Commission, may remove or suspend a Chairperson or member of the Board on any of the following grounds:

(a) Gross neglect, incompetence or dishonesty in the discharge of one's duty;

(b) Violation of any of the causes/grounds and the prohibited acts provided in this Act and the offenses in the Revised Penal Code, the Anti-Graft and Corrupt Practices Act, and other laws; and

(c) Manipulation or rigging of the licensure examination results, or disclosure of examination questions prior to the conduct of the examination, or tampering of the grades. The Commission, in the conduct of the investigation, shall be guided by Section 7(s) of Republic Act No. 8981, otherwise known as the "PRC Modernization Act of 2000", the rules on administrative investigation, and the applicable provisions of the new Rules of Court.