

**[PRC BOARD OF MECHANICAL ENGINEERING
RESOLUTION NO. 16, S. 1998, September 30,
1998]**

**RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT NO.
8495 (THE PHILIPPINE MECHANICAL ENGINEERING ACT OF
1998)**

The following Rules and Regulations are formulated and issued pursuant to Section 43 of Article V of Republic Act No. 8495, known as the "Philippine Mechanical Engineering Act of 1998" to carry out the provisions of the said Act.

Rule I

Title, Statement of Policy and Definition of Terms

Section 1. Title. — This Resolution shall be known as the "Rules and Regulations Implementing the Philippine Mechanical Engineering Act of 1998" (RRIPMEA).

Section 2. Statement of Policy. — The Board of Mechanical Engineering concurs with and abides by the policy of the State in recognizing the importance of mechanical engineers in nation-building and development, in promoting their talents through sustainable human development and nurturing competent, virtuous, productive and well-rounded mechanical engineers whose standard of professional practice and service shall be excellent, qualitative, world-class and globally competitive through regulatory measures, programs and activities.

Section 3. Definition of Terms. — Unless otherwise provided, the following shall be understood to mean:

- a. Board* — Board of Mechanical Engineering (BME).
- b. Board Chairman* — Chairman, Board of Mechanical Engineering.
- c. Commission* — Professional Regulation Commission.
- d. Commission Chairman* — Commissioner, Professional Regulation Commission.
- e. CPE* — Continuing Professional Education.
- f. C.A. No. 294*, as amended by R.A. No. 5336 — Old Mechanical Engineering Law.
- g. CHED* — Commission on Higher Education.
- h. PME* — Professional Mechanical Engineer.
- i. RME* — Registered Mechanical Engineer.

j. CPM — Certified Plant Mechanic.

k. Integration — unification of all mechanical engineers including certified plant mechanics into one national organization of mechanical engineers to be accredited by the Board of Mechanical Engineering and the Commission without prejudice to their membership in other associations of mechanical engineers.

l. OTEC — Ocean Thermal Energy Conversion utilizing the difference in temperature of deep ocean water and surface water to generate electricity.

m. Practice of Mechanical Engineering — refers to the performance of the following:

- (1) Consultation, valuation, investigation and management service requiring mechanical engineering knowledge;
- (2) Engineering design, preparation of plans, specifications and project studies or estimates for mechanical equipment, machinery, or processes of any mechanical works, projects or plants;
- (3) Management or supervision of the erection, installation, alteration, testing and commissioning of mechanical equipment, machinery, or processes in mechanical works, projects of plants;
- (4) Management, supervision, operation, tending or maintenance of any mechanical equipment, machinery or processes in mechanical work, projects or plants;
- (5) Management or supervision of the manufacture, sale, supply or distribution of mechanical equipment, parts or components;
- (6) Teaching of mechanical engineering professional subjects in government recognized and accredited engineering schools; and
- (7) Employment in government as a professional mechanical engineer, registered mechanical engineer, or certified plant mechanic if the nature and character of his work is in line with his profession, requiring professional knowledge of the science of mechanical engineering.

n. Mechanical Equipment or Machinery — includes all prime movers such as steam engines and turbines, internal combustion engines and gas engines and turbines; steam generators such as boiler; furnaces; heat exchanger such as cooling towers, kilns and dryers, coolers and heaters; materials handling equipment, such as pumps, cranes, conveyors, hoists, elevators, escalators, mechanized dumb-waters, moving ramps and walkways; heating, airconditioning, ventilating, and refrigeration equipment and machinery, including compressors and centrifugal fans, mechanical pollution abatement and environmental control system; piping system with a working pressure of not less than 70 k.p.a., fired and unfired pressure vessels, printing machine; mechanical working machines for metallic and non-metallic materials and other mechanical equipment and machinery whether installed on land, underground, or on board watercraft.

o. Mechanical processes, works, projects or plants — shall include steam plants, geothermal plants, dendro-thermal plants, nuclear plants, ocean thermal energy conservation (OTEC) plants, internal combustion plants, hydraulic plants, pumping plants, compressed gas plants, all kinds of mills, shops, factories, shipyards drydocks, heating, airconditioning, ventilating and refrigeration plants containing any mechanical equipment, machinery or process deriving power from steam, fossil fuels, wind, air, gas, water, solar heat, nuclear energy, ocean waves and tides, or other energy sources.

p. Capacity of process works, projects or plant-rated capacity in kilowatt of mechanical works, projects or plants — shall be the total kilowatt ratings of all engines, motors, boilers, turbines, or other prime movers installed for use in such works, projects or plants, whether in operation or not, and without regard to the number of capacities of the mechanical equipment, machinery or processes receiving power from or intended to be driven by such prime movers.

q. S.O. — Special Order issued by the CHED authorizing the graduation of a student.

r. Syllabi — an outline or table of specifications comprising the contents of the subjects for licensure examination prescribed in a course of study of the subjects systematically arranged according to topics and/or sub-topics from which test questions for the licensure examination shall be prepared within its scope.

Rule II Official Seal of the Board

Section 4. Official Seal of the Board. — The official seal of the Board shall be represented by a drawing of Hero's Steam Engine, 1st Century A.D., consisting of a cylindrical kettle mounted on a three-legged metal support, heated by firewood under the kettle with two tubes attached vertically inside the kettle opposite each other connected by a tube passing through a spherical metal ball which revolves on its axis emitting steam at the opposite side of the ball through small pipes.

Rule III Composition, Qualifications, Terms of Office and Meetings of the Board

Section 5. Composition of the Board. — The Board shall be composed of a Chairman and two (2) members to be appointed by the President of the Philippines from a list of three (3) recommendees for each position, chosen and ranked in the order of preference and submitted by the Commission, from a list of five (5) nominees submitted by the duly accredited association of mechanical engineers in the Philippines.

Section 6. Qualifications of Members of the Board. — A member of the Board shall, at the time of his appointment, possess the following qualifications:

(a) Natural-born citizen and resident of the Philippines for at least five (5) years;

(b) Must be at least thirty-five (35) years of age;

(c) Holder of the degree of Bachelor of Science in Mechanical Engineering or its equivalent, conferred by a school, academy, college or university in the Philippines

or abroad that is accredited by the Commission on Higher Education;

(d) A Professional Mechanical Engineer with a valid professional license and an active practitioner of such, for not less than ten (10) years prior to his appointment;

(e) Must not, for a period of three (3) years prior to appointment, be a member of the faculty of any school, academy, institute, college or university where a regular course in mechanical engineering is being taught, nor have pecuniary interest in or administrative supervision over any such institutions of learning;

(f) Must not, for a period of three (3) consecutive years prior to appointment, be connected with a review center or with any group or association where review classes or lectures in preparation for the licensure examination are offered or conducted at the time of the appointment;

(g) Has never been convicted of any offense involving moral turpitude; and

(h) Must not be a national officer of the accredited association of Mechanical Engineers of the Philippines at the time of the appointment (E.O. No. 496, s. 1991).

Section 7. Term of Office. — A member of the Board shall hold office for a term of three (3) years from the date of his appointment or until his successor shall have been duly appointed. No member shall serve more than two (2) regular terms.

Section 8. Board, a Collegial Body. — The Chairman and the members of the Board shall act as a collegial body on all matters involving the exercise of its powers and duties as well as policies laid down in R.A. No. 8495. Action on such matters shall be effective only when approved by the Commission.

Section 9. Meetings of the Board. — The Board shall hold its regular meeting once a month within the premises of the Commission or in such other places as may be agreed upon by the Board and approved by the Chairman of the Commission. A special meeting may be called by the Chairman or the two members. The Chairman shall preside over all meetings of the Board. In the absence of the Chairman, the senior member, if any, or the member designated by the Chairman shall preside.

Rule IV

Duties and Responsibilities of the Chairman, the Members and of the Board

Section 10. Duties and Functions of the Chairman. — The Chairman shall be the head of the Board and, as such, he shall equitably assign the subjects for examination to the members; designate the member or members who shall preside during the hearing or investigation of administrative cases where the issue involved concerns the practice of the profession or occupation; delegate the hearing or investigation of administrative cases filed before the Board to the legal or hearing officers of the Commission except where the issue strictly concerns the practice of the profession and to assign members who shall undertake the visitorial functions of the Board. He shall be responsible for the assignment of other duties and responsibilities to the members as well as the supervision and management of their work. The Chairman shall be the spokesperson of the Board in the Commission and in other offices and agencies of the government in all that pertains to and concerns the functions of the Board. He may delegate such function to any of the members.

Section 11. Enforcement and Implementation of R.A. No. 8495 Including the Rules and Regulations Promulgated Thereunder. — The Board shall, in the exercise of its powers and performance of its duties, functions and responsibilities, be assisted and supported by the Commission through its offices, divisions, sections and/or units in the enforcement and implementation of the provisions of R.A. 8495 including the Rules and Regulations adopted by the Board and, whenever appropriate, the Commission shall request for the Board the assistance of duly constituted law enforcement officers to enforce the penal provisions of said Act.

Section 12. Action on Documents and Other Papers by the Board. — The Board shall act on all papers, communications, certificates, cases or other documents only within the premises of the Commission except when written permission is secured from the Chairman of the Commission.

Section 13. Decisions, Orders or Resolutions and Other Issuances of the Board. — In the promulgation of decisions or judgments and the issuance of orders or resolutions which are not interlocutory in an administrative case and in the implementation of the provisions of R.A. 8495 which are not self-executing, the Board shall meet en banc to deliberate and decide on such matters. The presence of a quorum shall be sufficient to deliberate and act upon the matters above-mentioned and a majority vote shall be required for the validity of the Act. The presence of two (2) members shall constitute a quorum and the vote of two (2) members shall constitute a majority vote.

Any action of the Board meeting en banc on any matter, except decisions or judgments in or those which are involved in or have arisen from an administrative case, shall be valid and enforceable only if approved by the Commission.

Resolutions or other issuances of the Board whose purpose is to enforce or implement R.A. No. 8495 or which regulate the public must be published in the Official Gazette for their effectivity.

Section 14. Official Business with the Commission. — In all official businesses/meetings with the Commission, either upon call or by its request, the Board shall be represented by its chairman or in his absence by the senior member, if any, or by the member designated.

Section 15. Interpretation of the Provisions of R.A. No. 8495 and the Rules and Regulations Promulgated Thereunder. — The Board may, at first instance, resolve issues or questions arising from the implementation of the provisions of R.A. No. 8495 in the form of opinions issued by the Board through its Chairman. It may also issue opinions on questions arising from the implementation of its Rules and Regulations as well as the Code of Ethics for Mechanical Engineers.

Section 16. Records of the Board; Removal of Such Papers, etc. — All records of the Board including applications for examination, examination papers and results, minutes of deliberation, administrative cases shall be kept by the Commission. No papers, communications, certificates, records of cases and other documents shall be removed from the premises of the Commission unless expressly authorized in writing by the Chairman of the Commission.