

**GUIDELINES IN IMPLEMENTING THE MEMORANDUM OF AGREEMENT (MOA) FOR THE
CREATION OF THE ASEAN MONITORING COMMITTEE ON ENGINEERING SERVICES OF THE
PHILIPPINES (AMCESP) PURSUANT TO THE ASEAN MUTUAL RECOGNITION ARRANGEMENT
(MRA) ON ENGINEERING SERVICES
IRR (MRA)-07-2013-01**

WHEREAS, the Philippines is one of the signatories to the ASEAN Mutual Recognition Arrangement (MRA) on Engineering Services;

WHEREAS, the ASEAN MRA on Engineering Services provides the framework for liberalization towards mutual professional recognition and borderless practice of Professional Engineers (PEs) within the ASEAN region;

WHEREAS, the signed ASEAN MRA on Engineering Services requires the creation of a Monitoring Committee in each of the participating ASEAN Member State (AMS) to implement the provisions thereof;

WHEREAS, the Monitoring Committee is bound to develop, process and maintain an ASEAN Chartered Professional Engineer Register (ACPER) to facilitate the mobility of Professional Engineers (PEs) for cross-border practice within the ASEAN region;

WHEREAS, the Professional Regulation Commission (PRC) is mandated to implement, administer and enforce the regulatory policies of the State with respect to the regulation, monitoring and licensing of the various professions and occupations under its jurisdiction, and to conduct and administer the licensure examinations of the various Professional Regulatory Boards (PRBs);

WHEREAS, the Commission on Higher Education (CHED) is mandated to formulate state policies on quality education such as education of high-level professionals through the regulation and supervision of institutions of higher education, both public and private, which implement degree-granting programs;

WHEREAS, the Philippine Technological Council (PTC) is the association that represents the Accredited Professional Organizations (APOs) in the engineering fields and is mandated by its constitution and by-laws to serve as the single clearing house for collaborative efforts between the technological professional organizations and government agencies in the regulation and enforcement of laws on professional practice, and in the furtherance of technological advancement;

WHEREAS, given these mandates of the two (2) government agencies and one (1) chartered private association, the parties have decided to constitute the ASEAN Monitoring Committee on Engineering Services of the Philippines (AMCESP) in accordance with the provisions of the ASEAN MRA on Engineering Services and to delineate their functions, as component members thereof;

NOW, THEREFORE, for and in consideration of the foregoing premises and their mutual covenants, the parties hereto have agreed and bound themselves to create the ASEAN Monitoring Committee on Engineering Services of the Philippines (AMCESP), and to do and perform its designated duties/responsibilities, pursuant to the following guidelines:



SECTION 1. DEFINITION OF TERMS

1. **ASEAN Chartered Professional Engineer (ACPE)** – is a Professional Engineer (PE) holding the nationality of an ASEAN Member State (AMS) who has complied with the qualifications and professional experience requirements set forth in the ASEAN MRA on Engineering Services and whose name has been placed on the ASEAN Chartered Professional Engineer Register (ACPER) of his Country of Origin.

Filipino ASEAN Chartered Professional Engineer (FACPE) - a title accorded to a Filipino Professional Engineer (FPE) whose name has been entered in the Philippine ASEAN Chartered Professional Engineer Register (PACPER), upon satisfaction of all the requirements for registration under the Philippine Assessment Statement for ASEAN Chartered Professional Engineer.

2. **ASEAN Chartered Professional Engineer Register (ACPER)** - a registry of ASEAN Chartered Professional Engineers (ACPEs) and Registered Foreign Professional Engineers (RFPEs) which is developed, processed and maintained by the respective Monitoring Committee of each participating ASEAN Member State (AMS).

Philippine ASEAN Chartered Professional Engineer Register (PACPER) - a registry of Filipino ASEAN Chartered Professional Engineers (FACPEs) and Registered Foreign Professional Engineers (RFPEs) which is developed, processed and maintained by the ASEAN Monitoring Committee on Engineering Services of the Philippines (AMCESP).

3. **ASEAN Coordinating Committee on Services (ASEAN CCS)** – the official ASEAN body looking after the policies and issues in trade in services. It is the negotiating forum mandated to progressively liberalize services within the ASEAN region.
4. **ASEAN Federation of Engineering Organizations (AFEO)** – a non-governmental body consisting of the various engineering institutions and organizations of the ASEAN Member States (AMSs) responsible for establishing and developing an ASEAN baseline standard for the engineering professions, with the view of facilitating the mobility of the Professional Engineers (PEs) within the ASEAN region.
5. **ASEAN Monitoring Committee on Engineering Services of the Philippines (AMCESP)** – the independent authorized body responsible for assessing, evaluating and certifying the applicant's compliance with the requirements for registration as a Filipino ASEAN Chartered Professional Engineer (FACPE); for registering an ASEAN Chartered Professional Engineer (ACPE) from other ASEAN Member States (AMSs) to work in the Philippines as a Registered Foreign Professional Engineer (RFPE); and for developing, processing and maintaining the Philippine ASEAN Chartered Professional Engineer Register (PACPER).
6. **ASEAN Monitoring Committee on Engineering Services of the Philippines Secretariat (AMCESP Secretariat)** – composed of at least two (2) representatives from the Professional Regulation Commission (PRC), Commission on Higher Education (CHED) and Philippine Technological Council (PTC) responsible for the documentation of all incidents relating to the operation of the ASEAN Monitoring Committee on Engineering Services of the Philippines (AMCESP).

7. **Continuing Professional Education/Continuing Professional Development (CPE/CPD)** – the inculcation, assimilation and acquisition of knowledge, skills and proficiency that raise and enhance the professional’s technical skills and competence.
8. **Country of Origin** – refers to the ASEAN Member State (AMS) where the Professional Engineer (PE) has an existing license to practice engineering.
9. **Host Country** - refers to the ASEAN Member State (AMS) where an ASEAN Chartered Professional Engineer (ACPE) practices engineering as a Registered Foreign Professional Engineer (RFPE).
10. **Panel of Experts** – composed of representatives from the Professional Regulation Commission (PRC), Commission on Higher Education (CHED) and Philippine Technological Council (PTC) that will pass upon the qualifications of an applicant for registration as a Filipino ASEAN Chartered Professional Engineer (FACPE).
11. **Professional Engineer (PE)** - refers to a natural person who holds the nationality of an ASEAN Member State (AMS) and is assessed by the Professional Regulatory Authority (PRA) therein, as being technically, morally, and legally qualified to undertake independent professional engineering practice and is registered and licensed for such practice.

Filipino Professional Engineer (FPE) - refers to a Filipino natural person who has been assessed by the Professional Regulation Commission, through the appropriate Professional Regulatory Board of Engineering, as being technically, morally and legally qualified to undertake independent professional engineering practice and is registered and licensed for such practice.

12. **Professional Regulatory Authority (PRA)** - refers to the Professional Regulation Commission (PRC).
13. **Registered Foreign Professional Engineer (RFPE)** - refers to an ASEAN Chartered Professional Engineer (ACPE) from other participating ASEAN Member State (AMS) who has successfully applied to and is authorized by the Professional Regulation Commission (PRC) to work, not in independent practice, but in collaboration with one or more Filipino Professional Engineer/s (FPE/s), subject to the applicable domestic professional regulatory laws.

SECTION 2. COVERAGE

This Guidelines shall apply to the following regulated engineering professions:

Aeronautical Engineering	Geodetic Engineering
Agricultural Engineering	Mechanical Engineering
Civil Engineering	Metallurgical Engineering
Chemical Engineering	Mining Engineering
Electrical Engineering	Naval Architecture and Marine Engineering
Electronics Engineering	Sanitary Engineering



Other professional activities not specifically within the defined scope of practice by the professional regulatory laws of the aforementioned twelve (12) engineering professions shall be referred to the AMCESP for determination whether the activity may be divided or broken down so as to qualify the same under the existing regimes.

SECTION 3. COMPOSITION OF THE ASEAN MONITORING COMMITTEE ON ENGINEERING SERVICES OF THE PHILIPPINES (AMCESP)

The AMCESP shall be composed of the following members, each having one (1) voting right:

1. PRC Chairperson or authorized representative;
2. Professional Regulatory Board of Engineering (two (2) members);
3. CHED Chairperson or authorized representative; and
4. PTC President or authorized representative.

The PRC shall hold permanent chairmanship of the AMCESP.

SECTION 4. FUNCTIONS OF THE ASEAN MONITORING COMMITTEE ON ENGINEERING SERVICES OF THE PHILIPPINES (AMCESP)

1. Principal Functions:

- a) To assess and certify the qualifications and professional experiences of an FPE applying for registration as FACPE. In assessing compliance with the qualifications for registration as FACPE, the AMCESP shall adhere to the criteria and procedures laid down in the ASEAN MRA on Engineering Services, Philippine Assessment Statement for ASEAN Chartered Professional Engineer and this Implementing Guidelines. For this purpose, the AMCESP shall constitute a Panel of Experts to pass upon the qualifications of an applicant for registration as FACPE;
- b) To develop, process and maintain the PACPER; and
- c) To register an ACPE from other participating AMSs to work as an RFPE, not in independent practice, but in collaboration with one or more FPE/s, subject to the pertinent provisions of Republic Act No. 8981 (PRC Modernization Act of 2000) and the applicable professional regulatory law.

2. Other Related Functions:

- a) To ensure that an FPE applying for registration as FACPE provides evidence of compliance with the CPE/CPD policy of the Philippines at a satisfactory level;
- b) To ensure that an ACPE registered by the ACPECC applies for the renewal of his/her registration and submits evidence of compliance with the CPE/CPD policy of the Philippines at a satisfactory level;
- c) To monitor, assess and document the professional practice of a FACPE and RFPE to ensure compliance with the ASEAN MRA on Engineering Services;
- d) To ensure the implementation and execution of any amendment of all or any part of the ASEAN MRA on Engineering Services, as directed by the ACPECC;



- e) To withdraw and delist from the PACPER any FACPE for any violation of the conditions of his/her ACPE registration;
- f) To participate, as authorized, in meetings and other fora relative to the implementation of the ASEAN MRA on Engineering Services;
- g) To regularly prepare national reports on the status of the PACPER and the results of meetings on the implementation of the ASEAN MRA on Engineering Services, which shall be furnished all members of the AMCESP;
- h) To constitute such other bodies that will undertake the activities relevant to the ASEAN MRA on Engineering Services; and
- i) To perform such other functions as may be required to be undertaken in the implementation of the ASEAN MRA on Engineering Services.

SECTION 5. REGISTRATION CRITERIA AND PROCEDURES

A. Filipino ASEAN Chartered Professional Engineer (FACPE)

1. An FPE who meets the following qualifications and professional experiences is eligible for registration as a FACPE:
 - a. has completed a recognized engineering program or its equivalent in a university or school accredited by CHED;
 - b. possesses a current and valid professional registration or licensing certificate to practice engineering in the Philippines issued by the PRC;
 - c. has gained experience of not less than seven (7) years of active and practical engineering experience;
 - d. has spent at least two (2) years in responsible charge of significant engineering works, within the seven (7) years of professional engineering experience under item (c) hereof;
 - e. has complied with the CPE/CPD program/policy of the Philippines at a satisfactory level;
 - f. has not been charged or convicted of any serious violation of technical, professional and ethical standards, local and international, for the practice of engineering or of any crime involving moral turpitude; and
 - g. has confirmed signature on the statement of compliance with codes of ethics.
2. Applications for registration as FACPE shall be submitted to the AMCESP Secretariat which shall check the completeness of the documents submitted. Applicants whose documentary submissions are found to be incomplete shall be advised accordingly.
3. Applications with complete documentations shall be subsequently endorsed to the appropriate Professional Regulatory Board of Engineering for initial assessment. Professional Process Interview may be conducted by the concerned PRB of Engineering for this purpose. The concerned PRB of Engineering shall prepare a report of its findings to be submitted to AMCESP for reference.



4. All applications determined by the appropriate PRB of Engineering as complete and eligible shall be endorsed to the AMCESP for further evaluation.
 - PRC shall check the applicant's currency of registration and CPE compliance. PRC shall also verify any moral, ethical, legal issues and impediments to his/her application;
 - CHED shall check the applicant's educational qualifications such as the completion of the required educational degree which is approved and recognized by CHED;
 - PTC shall, in coordination with the appropriate Accredited Professional Organization (APO), establish and endorse that the applicant is a member in good standing of said APO.
5. The AMCESP shall create and convene the Panel of Experts which shall assess and evaluate the qualifications and practical experiences of the applicant. The **Panel of Experts** shall be composed of engineering professional representatives from the PRC, CHED and PTC. The PRC representative shall be the chairman of the Panel of Experts.
 - The PRC representative shall ensure that the applicant possesses the ethical, moral and professional qualifications for registration on the basis of his/her records at the PRC. The PRC shall be represented by the chairman or member of the appropriate Professional Regulatory Board of Engineering.
 - The CHED representative shall review the documents of the applicant to establish substantial equivalence of the engineering programs taken by the applicant to that of the prescribed and recognized engineering programs of the Philippines.
 - The PTC representative shall take charge of assessing and evaluating the qualifications and practical experiences of the applicant. The PTC representative shall be an expert in the field of practice in which the qualifications and professional experiences of the applicant are being assessed and evaluated. The PTC representative shall be a bona fide member in good standing of the appropriate APO, who shall be selected from the list endorsed by said APO.
6. Applications which are approved by the AMCESP, upon recommendation of the Panel of Experts, shall be subsequently endorsed to the PRC for the issuance of the ACPE Certificate of Registration to the applicant.
7. The successful applicant shall be registered in the ACPER and will be accorded the title of an ACPE on a Conferment.



B. Registered Foreign Professional Engineer (RFPE)

An ACPE from other participating AMSs who intends to provide professional engineering services in the Philippines may apply for registration as an RFPE and shall be entitled to work, not in independent practice, but in collaboration with one or more FPE/s, within such area of competence as may be recognized and approved by the PRC.

1. Applications for registration as an RFPE shall be submitted to the AMCESP Secretariat. The application shall be accompanied by a sworn undertaking of the applicant to be bound:
 - by the local and international codes of professional conduct in accordance with the policy on ethics and conduct established and enforced by the Country of Origin; and
 - by the prevailing laws and regulations of the Philippines.
2. For the issuance of the Special Temporary Permit (STP), the pertinent provisions of the PRC Resolution on the STP shall apply, in relation to Republic Act No. 8981 (PRC Modernization Act of 2000), the applicable professional regulatory law of Engineering and its implementing rules and regulations.
3. Upon recommendation of the appropriate PRB of Engineering and approval by the PRC, the corresponding Special Temporary Permit (STP) shall be issued, subject to the payment of the prescribed fees.
4. The applicant shall be registered as an RFPE.

Section 6. FEES

AMCESP shall establish and periodically review fees for the application, registration and renewal of registration. Initially, the following shall be applied:

- Upon the filing of application for registration as ACPE, a non-refundable processing fee of **Two Thousand Pesos** (Php 2,000.00) shall be paid. Upon approval of the application, a registration fee of **Five Thousand Pesos** (Php 5,000.00) shall be paid.
- Upon filing of the application for the Special Temporary Permit (STP), a non-refundable processing fee of **Three Thousand Pesos** (Php 3,000.00) shall be paid. Upon approval of the application, a permit fee of **Eight Thousand Pesos** (Php 8,000.00) shall be paid.
- Renewal fee for ACPE registration shall be **Five Thousand Pesos** (Php 5,000.00).

All fees collected hereunder shall be treated as a Special Fund, the custodian of which shall be the PRC.

Section 7. MONITORING AND AUDIT OF ACPE AND RFPE

The AMCESP, through the appropriate PRB of Engineering, shall be responsible for monitoring the professional practice of a FACPE and RFPE to ensure their compliance with the ASEAN MRA on Engineering Services and Philippine Assessment Statement for ASEAN Chartered Professional Engineer. AMCESP may withdraw and delist from the PACPER any FACPE or RFPE for non-compliance with the terms and conditions of his/her registration. AMCESP shall refer cases of withdrawal and delisting from the PACPER of any FACPE or RFPE to the PRC for possible suspension or cancellation of the PRC License of the FACPE or the STP of the RFPE, subject to notice and hearing requirements.

PRC may, motu proprio or upon valid complaint, suspend or cancel the PRC License or STP on other grounds provided in the applicable professional regulatory law or PRC Resolution on the matter.

AMCESP shall promptly notify the ACPECC Secretariat in writing when an RFPE has contravened any provisions of the ASEAN MRA on Engineering Services, or when a PE who is also an ACPE is no longer qualified to undertake independent professional engineering practice in the Country of Origin or has not complied with the CPE/CPD policy of the Country of Origin at a satisfactory level or has seriously violated technical, professional or ethical standards either in the Country of Origin or in the Philippines whereby such violations have led to deregistration/delisting or suspension from practice.

Section 8. RENEWAL OF THE ASEAN CHARTERED PROFESSIONAL ENGINEER (ACPE) CERTIFICATE OF REGISTRATION AND THE SPECIAL TEMPORARY PERMIT

The AMCESP shall ensure that a FACPE applies for the renewal of his/her local license and ACPE registration every three (3) years. Applications for renewal of the ACPE Certificates of Registration shall be filed with the AMCESP Secretariat within thirty (30) days prior to the expiration of the ACPE Certificate of Registration previously issued.

STPs shall be issued on a per project basis, subject to extension, as the case may be.

Section 9. ASEAN ENGINEERS UNDER THE ASEAN FEDERATION OF ENGINEERING ORGANIZATIONS (AFEEO)

All engineers registered in the existing ASEAN Engineering Registry-Philippines shall be deemed registered in the ACPER; provided, that they comply with the criteria and procedures set out by AMCESP and the qualifications in Article 3.1 of the ASEAN MRA on Engineering Services as provided in Section 4 (b) of the Memorandum of Agreement.

Section 10. BUDGETARY REQUIREMENTS

The initial funding requirements for this Implementing Guidelines shall be separately borne by the PRC, CHED and PTC. Thereafter, future budgetary requirements needed for the operation of the AMCESP shall be drawn from the Special Fund created pursuant to this Implementing Guidelines.

Section 11. AMENDMENTS

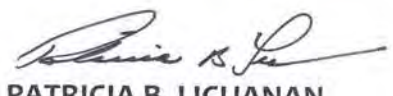
This Implementing Guidelines may be amended by the parties as the need arises in order to conform to the requirements of the ASEAN MRA on Engineering Services. Any request for the amendment of all or any part of this Guidelines may be made at the instance of any party thereto. Any such amendment agreed to shall be reduced in writing and shall come into force and effect on such date as may be determined by all the parties concerned.

Section 12. EFFECTIVITY

This Implementing Guidelines shall take effect immediately upon its full and complete publication in the Official Gazette or in any newspaper of general circulation.

Done in the City of Manila this 1st day of July, 2013.


TERESITA R. MANZALA
Chairperson
Professional Regulation Commission


PATRICIA B. LICUANAN
Chairperson
Commission on Higher Education


FEDERICO A. MONSADA
President
Philippine Technological Council

O-CH/PRB-AER/PRB-AGE/PRB-CHE/PRB-OCE/PNS-DEE/PRB-LCE/PRB-OGE/PRB-MEE/PRB-OME/PRB-MIN/PRB-NAM//PRB-SAN/D-IAD
TRM/EBF/ACR/OVB/ASE/FCL/SIM/BOM/LAC/AM/COC/RAQ/C/PLLPV/LTB

