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REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
A. Francisco Gold Condominium II, EDSA cor. Mapagmahal St.,
Diliman, Quezon City

April 17, 2007

MEMORANDUM CIRCULAR

NO. 2007-46

TO : ALL PROVINCIAL GOVERNORS, CITY MAYORS,
MUNICIPAL MAYORS, DILG REGIONAL DIRECTORS,
AND OTHERS CONCERNED

SUBJECT : IMPLEMENTATION OF REPUBLIC ACT NO. 8495
OTHERWISE KNOWN AS THE "PHILIPPINE MECHANICAL
ENGINEERING ACT OF 1998"

1.0 Prefatory Statement

It is a declared policy that the State recognizes the importance of mechanical engineers in nation building and development. Thus, the State shall develop and nurture competent, virtuous, productive and well-rounded mechanical engineers toward excellent professional practice and service.

Republic Act No. 8495 otherwise known as "An Act Regulating the Practice of Mechanical Engineering in the Philippines" was enacted to promote and strengthen the licensing and regulation of the professional practice of mechanical engineering in the country. This is being done basically to regulate professionals responsible in the preparation of plans, designs, investigations, valuation, technical reports, specifications, project studies or estimates or other related mechanical engineering activities.

At the local level, mechanical engineers play a very vital role in the management and maintenance of LGL owned equipment, in building maintenance, in the conduct of technical safety inspection of factories, machineries, mechanical plants and in the design and preparation of plans, specifications and project study in all mechanical works, projects or plants.

To ensure effective and efficient delivery of services it is therefore, imperative that personnel hired to manage mechanical-related operations are professional or registered mechanical engineers pursuant to RA 8495.

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2.0 Purpose

This Memorandum Circular is issued to provide guidance to ensure compliance to certain provisions of RA 8495.

3.0 Coverage

This issuance shall cover all provinces, cities and municipalities nationwide.

4.0 Definition of Terms

Under RA 8495, the following terms shall mean, as follows:

1. Professional Mechanical Engineer - A person holding a valid professional license and an active practitioner in the field of mechanical engineering;
2. Registered Mechanical Engineer - A person holding a valid Certificate of Registration as Mechanical Engineer license and an active practitioner in the field of mechanical engineering;
3. Certified Plant Mechanic - A person holding a valid Certificate of License as Plant Mechanic;
4. Practice of Mechanical Engineering - A person shall be deemed to be practicing mechanical engineering or rendering mechanical engineering service within the meaning and intent of this Act when he performs the following:
 - a) Consultation, valuation, investigation and management services requiring mechanical engineering knowledge;
 - b) Engineering design, preparation of plans, specifications and project studies or estimates for mechanical equipment, machinery, or process of any mechanical works, projects or plants;
 - c) Management or supervision of the erection, installation, alteration, testing and commissioning of mechanical equipment, machinery, or processes in mechanical works, projects or plants;
 - d) Management, supervision, operation, tending or maintenance of any mechanical equipment, machinery or processes in mechanical works, projects or plants;
 - e) Management or supervision of the manufacture, sale, supply or distribution of mechanical equipment, parts or components;
 - f) Teaching of mechanical engineering professional subjects in government recognized and accredited engineering schools; and
 - g) 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.

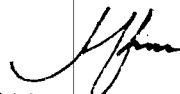
5. Mechanical Equipment or machinery – includes all prime movers such as steam engines and turbines, internal combustion engines and gas engines and turbines; steam generators such as boiler, furnaces; heat exchanger such as cooling towers, kilns and dryers, coolers and heaters; materials handling equipment, such as pumps, cranes, conveyors, hoists, elevators, escalators, mechanized dumb-waiters, moving ramps and walkways; heating, air conditioning, 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 kpa., 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.


5.0 Guidelines in Implementing Certain Provisions of RA 8495

- 5.1 The Local Government Units shall ensure that Professional Mechanical and /or Registered Mechanical Engineer are supervising the management and operation of all mechanized equipments/machineries in their respective areas of jurisdiction.
- 5.2 The Provincial, City and Municipal Sanggunians are encouraged to enact an ordinance prescribing certain fees as professional tax incorporating a provision of said Law in securing clearance as one of the requirements in the issuance of business and building permits for private companies/establishments.
- 5.3 Local Government Units through their PRC-accredited mechanical engineers or certified plant mechanic shall assist the Professional Regulation Commission (PRC) in the conduct of periodic inspection and monitoring of private and public use of mechanized equipment or plants to ensure compliance to RA 8495.
- 5.4 Article IV, Sections 33-35 of said Law prescribe the following in the practice of profession both at the local units or in the private sector:
 - A Professional Mechanical Engineer shall be responsible in the preparation of plans, designs, investigations, valuation, technical reports, specifications, project studies or estimates.
 - A Professional Mechanical Engineer or Registered Mechanical Engineer with a Master's degree in Mechanical Engineering are only authorized to teach professional subjects in mechanical engineering course.

- A Professional Mechanical Engineer or Registered Mechanical Engineer shall take charge the construction, erection, installation, alteration, or of the performance of a mechanical engineering service in connection with the manufacture, sale, supply or distribution of any mechanical works, project or plant.
- A Professional Mechanical Engineer or Registered Mechanical Engineer, shall be responsible in the operation, tending, or maintenance of any mechanical works, project, plant of 100 kilo watt (kw), or more but not more than 300 kw,.
- A Professional Mechanical Engineer or Registered Mechanical Engineer shall be responsible in the operation, tending, or maintenance of any mechanical equipment, machinery or process for any mechanical works, projects or plans of 300 kw or above but not more than 2000kw ; and
- A Professional Mechanical Engineer shall be responsible in the operation, tending or maintenance of any mechanical equipment, machinery process for any mechanical works, projects or plans of over 2000 kw. .

For the information and guidance of all concerned.



RONALDO V. PUNO
Secretary 



Republic of the Philippines
DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT

IN REPLYING, PLS CITE:
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