

MC # ¹⁶ ~~15~~, s. 1969

MEMORANDUM CIRCULAR

TO : THE CHIEF, ENGINEERING DEPARTMENT
ALL REGIONAL AND PROVINCIAL IRRIGATION
ENGINEERS, IRRIGATION SUPERINTENDENTS AND
OFFICERS-IN-CHARGE OF IRRIGATION SYSTEMS
This Agency

SUBJECT : An Opinion of the Honorable Secretary of Justice
as requested by the Board of Examiners for Civil
Engineers as to Whether or Not the Civil Engineers
in the National Irrigation Administration Who Were
Actually Appointed as Surveyors and Who Are Actually
Performing Surveying and Preparation of Topographic,
Hydrographic and Economic Maps Are Within the Pro-
hibition of Section 13(d) of R.A. 4374 Otherwise
Known as the Geodetic Engineering Law

Quoted hereunder for your information and guidance is an Opinion
of the Secretary of Justice which is self-explanatory:

"Republic of the Philippines
DEPARTMENT OF JUSTICE
M a n i l a

4th Indorsement
December 10, 1968

Respectfully returned, thru the Executive Secretary,
Malacañang, Manila, to the Board of Examiners for Civil
Engineers, Civil Service Commission, Manila, concurring in
the views of the said Board that the civil engineers in the
National Irrigation Administration appointed as surveyors
may continue performing surveying and preparation of topo-
graphic, hydrographic and economic maps relative to the cons-
truction of irrigation systems without violating Section 13(d)
of Republic Act 4374, otherwise known as the Geodetic Engi-
neering Law.

The practice of civil engineering under Section 2 of
Republic Act 544 (Civil Engineering Law) embraces "services
in the form of consultation, design, preparation of plans,
specifications, estimates, erection, installation and super-
vision of the construction of x x x buildings, fixed struc-
tures for irrigation, flood protection, drainage, water
supply and sewerage works x x x." And under Section 10 of
the same Act, applicants for certificates of registration as
civil engineer are examined on, among others, "hydraulics;
surveying, including highway and railroad surveying; plane,
topographic and hydrographic surveying, and advance survey-
ing; design and construction of x x x water supply systems,
dikes, dams, and irrigation and drainage canals."

If a civil engineer is academically qualified and legally
competent to prepare the plans and specifications, and to install
and supervise the construction of structures, for irrigation,
flood protection, drainage, water supply and sewerage works,
there is no reason why he cannot be allowed to perform topo-
graphic and hydrographic surveys which after all, are allied
to or necessary steps for the abovementioned work projects.

(SGD.) CLAUDIO TEEHANKEE
Secretary of Justice"

Compliance with the above quoted opinion of the Honorable, the
Secretary of Justice is enjoined.

ALFREDO L. JUNIO
Acting Administrator