

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress
Second Regular Session

House Bill No. 5466



Introduced by Representative FRANCIS "BLUEBOY" L. NEPOMUCENO

EXPLANATORY NOTE

This proposed legislation is intended to define the legal basis for the existence of, and the functions and responsibilities of Accredited Professional Organizations (APOs), as well as its relationships with various government agencies such as the Professional Regulation Commission (PRC), the Commission on Higher Education (CHED), etc., that are involved in the academic preparation, regulation, practice and advancement of professionals in the country.

The said proposed bill impacts on the welfare and well-being of the more than two (2) million licensed professionals in the country and their immediate families, associates, colleagues and employees in the practice of their professions. It primarily endeavors to promote and enhance the global competitiveness and competence of the country's professionals, in the advent of free trade in services and cross-border practice, where the Filipino professionals need to be helped for the long-term benefit of the country as a whole.

Because of the merits of this bill, early passage is earnestly requested.


FRANCIS "BLUEBOY" L. NEPOMUCENO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress
Second Regular Session

House Bill No. 5466

Introduced by Representative FRANCIS “BLUEBOY” L. NEPOMUCENO

**AN ACT INSTITUTIONALIZING ACCREDITED PROFESSIONAL ORGANIZATIONS
AND FOR OTHER PURPOSES**

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

1 **Sec. 1. Title.** – This Act shall be known as the “Accredited Professional Organization Act
2 of the Year 2006”.

3 **Sec. 2. Declaration of Policy.** – The State shall promote and protect various professional
4 disciplines, unify and strengthen the bond among all professionals and encourage their active
5 involvement in organizations which serve as vehicles for nurturing the standard of practice and
6 global competitiveness of the profession, thereby ensuring the meaningful contribution of
7 professionals in uplifting the general welfare and development of the nation. In the pursuit of
8 these objectives, the State shall encourage the establishment and the strengthening of the
9 accredited professional organizations of all the professions under the regulatory supervision of
10 the government.

11 **Sec. 3. Accredited Professional Organization.** – There shall be a single Accredited
12 Professional Organization, hereinafter referred to as the APO, which shall be recognized as the
13 umbrella organization of all professionals in each of the professions under the regulatory
14 supervision of the Professional Regulation Commission (PRC), hereinafter referred to as the
15 Commission.

16 All APO's existing and duly accredited by the Commission upon the effectivity of this
17 Act shall continue to be recognized as such by the Commission; *Provided*, That, for professions
18 where no APO exists upon the effectivity of this Act, the Commission shall promulgate
19 appropriate guidelines for the accreditation/recognition thereof.

20 The APO shall be registered with the Securities and Exchange Commission as a non-
21 profit, non-stock corporation and shall be governed by by-laws providing for a transparent and
22 democratic election of its officials and by other relevant provisions of the Philippine corporation
23 laws. The establishment of this APO shall not be a bar to the formation and continued existence
24 of other voluntary organizations which may co-exist with this APO.

Sec. 4. Functions and Responsibilities of the Accredited Professional Organization. –

Each APO shall work for the promotion of programs and activities which will advance and foster excellent, qualitative, world-class and globally competitive professionals and shall coordinate and work with the Professional Regulatory Board of its profession, hereinafter referred to as the Board, the Commission and other concerned government agencies, in the exercise of the their functions for the effective enhancement of the profession. The functions and responsibilities of the APO shall include:

- (a) To maintain an updated roster of the membership of the APO and to assist the Commission in continuously updating the master roster of professionals;
- (b) To establish and enforce rules and regulations for members to be in good standing with the APO, including those for suspension, expulsion, reinstatement and temporary deactivation and reactivation of membership for reasons of inactivity, illness, disability and the like;
- (c) To develop, organize and conduct continuing professional education and development programs for its members, and accredit such programs and providers thereof;
- (d) To develop a system of evaluating the proficiency and competency level of its members, and to participate in the assessment and evaluation of its members for admission into regional and international registers, rosters, listings, databases and organizations of professionals;
- (e) To represent the profession and participate together with relevant government agencies in the preparation, finalization and implementation of bilateral and/or multilateral mutual recognition agreements and/or international registers governing cross-border practice and mobility of professionals;
- (f) To select, evaluate and submit to the Commission, nominees to fill up vacancies in the Board of its profession, and nominees for the PRC Outstanding Professional of the Year, the Excellence Awards of the Philippine Federation of Professional Associations and similar awards and recognitions, exclusively from among its members in good standing;
- (g) To assist the Board and the Commission in monitoring and ensuring that the members maintain the highest professional competence and comply at all times with the profession's Code of Ethics and Code of Professional Practice and/or Technical Standards;
- (h) To assist the Board in the preparation, adoption and issuance of syllabi or tables of specifications of the subjects for licensure examinations;
- (i) To organize and conduct the oathtaking ceremonies of successful candidates in the licensure examinations of its profession in cooperation with its Board, during which activity the Board shall administer the Professional Oath of the successful candidates, and to render a report on the conduct and financial aspects of the

activity to the Commission; *Provided, That* in conducting such activity, the APO shall only charge the participants a nominal fee to cover the actual costs and expenses incurred for the activity;

- (j) To certify, in cases where Special Permits are applied for with the Board and/or the Commission for the hiring of foreign professionals in the Philippines by either the government or the private sector, the availability/non-availability of Filipino professionals for positions where the foreign professionals are planned to be hired.
- (k) To participate in the updating/revision of course curricula and programs of schools and universities offering courses leading to baccalaureate degrees of its profession;
- (l) To assist government agencies on activities related to the delivery of services by professionals and the improvement of the welfare and well-being of professionals and the professions;
- (m) To coordinate with other APO's on issues relating to the scope of practice of the professions and interdisciplinary cooperation, and to amicably resolve together with other affected APO's any disputes which may arise as regards possible overlapping and encroachment in scope and practice;
- (n) To join and actively participate in local, regional and international multidisciplinary associations, organizations and aggrupations which share common objectives towards advancement of the professions and the promotion of interdisciplinary collaboration, interaction and united rapport among professionals;
- (o) To organize local chapters throughout the country with the end in view of making available and maximizing the services of professionals to the community;
- (p) To police its ranks, and assist the Board, the Commission and other concerned government agencies in matters relative to illegal practice and/or malpractice, violations of this Act and the respective regulatory laws of the profession;
- (q) To perform such other functions and discharge responsibilities as may be established and assigned to it by the Commission and other agencies of the Philippine government.

Sec. 5. Automatic Membership. – All persons who have been issued a certificate of registration by the Commission shall automatically become members of their respective APO's, subject to payment of membership dues and other requirements of the APO's. All professionals whose names now appear in the roster of professionals of the Commission or who may hereinafter be included therein upon registration shall automatically become members of their respective APO's and shall be issued a certificate of membership and membership identification card upon payment of the required fees.

1 The current membership identification card from their respective APO shall be presented
2 by the professional to the Commission before the latter shall issue or renew his professional
3 identification card.

4 **Sec. 6. Continuing Professional Education and Development.** – All members of the
5 APO shall comply with pertinent rules and regulations as may be prescribed by the APO, the
6 Commission and/or other government agencies pursuant to this Act and other relevant laws,
7 international treaties, agreements and/or covenants to which the Philippine government is a
8 signatory, with respect to continuing professional education and development and/or other
9 similar/related programs.

10 Compliance with the continuing education and development program shall be one of the
11 requisites for the maintenance of membership in good standing of the professional in the APO.

12 **Sec. 7. Roster of Professionals.** - The APO shall assist the Commission in the
13 continuous updating of the master roster of the names, residence and/or office address of all
14 registered professionals, which shall indicate the status of the Certificate of Registration,
15 Professional Identification Card and membership in the APO of the professional, whether valid,
16 inactive due to death or other reasons, delinquent, suspended or revoked. The said roster shall be
17 conspicuously posted within the premises of the Commission and the information therefrom
18 made available to the public upon inquiry or request.

19 Failure to maintain membership in good standing in the APO shall be a cause for
20 delisting of the professional as delinquent in the master roster of professionals.

21 **Sec. 8. Membership Identification Card and Dry Seal of the Professional.** – All
22 members of good standing of the APO shall be issued a membership card by the APO, indicating
23 the membership number and validity period of the membership, which shall be affixed to all
24 plans, specifications, prescriptions, publications, papers, dissertations, testimonials, certificates,
25 instruments and any other document prepared by and signed by the member in the practice and
26 discharge of his profession, together with the professional registration number, Taxpayer
27 Identification Number (TIN) and current Professional Tax Receipt Number (PTR) of the
28 professional.

29 The APO shall likewise be responsible for the issuance of the dry seal of the professional
30 which shall be similarly affixed to all documents/instruments prepared and signed by the
31 professional in the practice and discharge of his profession.

32 **Sec. 9. Penal Provisions.** - The following shall be punished by a fine of not less than One
33 Hundred Thousand Pesos (P100,000.00) nor more than Five Hundred Thousand Pesos
34 (P500,000.00), or by imprisonment of not less than six (6) months nor more than six (6) years, or
35 both, in the discretion of the court:

- 36 (a) Any person who shall give any false or fraudulent statement to the APO to obtain
37 a certificate of membership and/or membership identification card from the APO;
- 38 (b) Any person who shall present or use as his own certificate of membership and/or
39 membership identification card in the APO issued to another, and any person who

1 allows the use of his certificate of membership and/or membership identification
2 card in the APO;

3 (c) Any professional, or any person on his behalf, who shall sign and/or stamp or seal
4 any document with his seal as such, or otherwise present or use his certificate of
5 membership and/or membership identification card, after his certificate of
6 membership and/or membership identification card in the APO has been revoked
7 or suspended;

8 (d) Any professional who shall sign his name and/or affix his seal, or use any other
9 method of signature on plans, specifications, prescriptions, publications, papers,
10 dissertations, testimonials, certificates, instruments and any other document not
11 actually performed/prepared by him or under his supervision, unless the same is
12 prepared in such manner as to clearly indicate the part of such work actually
13 performed by the former;

14 (e) Any person who shall violate any provision of this Act or any rules and
15 regulations promulgated under this Act.

16 **Sec. 10. *Implementing Rules and Regulations.*** – Within ninety (90) working days after
17 the enactment of this Act, a technical working group composed of seven (7) representatives
18 selected from the APO's existing at the time shall formulate and promulgate the implementing
19 rules and regulations of this Act.

20 **Sec. 11. *Separability Clause.*** – If any provision of this Act is declared unconstitutional or
21 not valid, other provisions not affected herein shall remain in full force and effect.

22 **Sec. 12. *Repealing Clause.*** – Provisions on the APO and membership therein in the
23 individual regulatory laws of the various professions and all provisions of laws, decrees, order,
24 rule and regulations that are inconsistent with this Act are hereby repealed and/or modified
25 accordingly.

26 **Sec. 13. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in
27 the Official Gazette or in any major leading newspaper of national circulation, whichever is
28 earlier.

Approved.