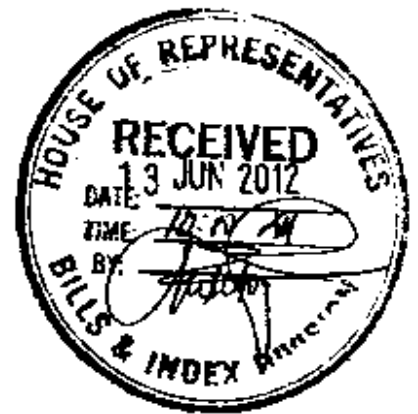


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
Second Regular Session



COMMITTEE REPORT NO. 2257

Submitted by the Committees on Civil Service and Professional Regulation and Appropriations on 13 JUN 2012

Re: House Bill No. 3342

Recommending its approval in substitution of House Bill No. 2731

Sponsors: Representatives Andres D. Salvacion, Jr., Joseph Emilio A. Abaya, Rufus B. Rodriguez and Maximo B. Rodriguez, Jr.,

Mr. Speaker:

The Committees on Civil Service and Professional Regulation and Appropriations to which was referred House Bill No. 2731 introduced by Reps. Rufus B. Rodriguez and Maximo B. Rodriguez, Jr., entitled:

AN ACT

REGULATING THE PRACTICE OF FORESTRY IN THE PHILIPPINES,
REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED SIXTY-
TWO HUNDRED THIRTY-NINE (R.A. NO. 6239), KNOWN AS "THE
FORESTRY PROFESSION LAW", APPROPRIATING FUNDS THEREFOR
AND FOR OTHER PURPOSES

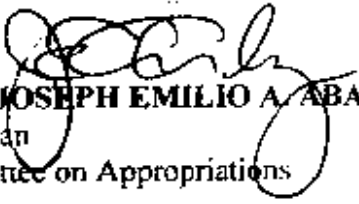
have considered the same and recommend that the attached House Bill No. 3342 entitled:

AN ACT

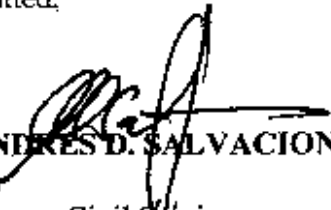
REGULATING THE PRACTICE OF FORESTRY IN THE PHILIPPINES,
REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED SIXTY-
TWO HUNDRED THIRTY-NINE (R.A. NO. 6239), KNOWN AS "THE
FORESTRY PROFESSION LAW", APPROPRIATING FUNDS THEREFOR
AND FOR OTHER PURPOSES

be approved in substitution of House Bill No. 2731, and with Reps. Rufus B. Rodriguez, Maximo B. Rodriguez, Jr., Andres D. Salvacion, Jr., Joseph Emilio A. Abaya, Daryl Grace J. Abayon, Salvador H. Escudero III, Victor J. Yu, Angelo B. Palmones, Antonio L. Tinio, Mariano U. Piamonte, Jr., Aurelio D. Gonzales, Jr., Rafael V. Mariano and Carlos M. Padilla as authors thereof.

Respectfully submitted,



HON. JOSEPH EMILIO A. ABAYA
Chairman
Committee on Appropriations



HON. ANDRES D. SALVACION, JR.
Chairman
Committee on Civil Service
and Professional Regulation

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
Second Regular Session

HOUSE BILL NO. 342

Introduced by Representatives Rufus B. Rodriguez, Maximo B. Rodriguez, Jr.,
Andres D. Salvacion, Jr., Joseph Emilio A. Abaya, Daryl Grace J. Abayon, Salvador
H. Escudero III, Victor J. Yu, Angelo B. Palmones, Antonio L. Tinio, Mariano U.
Piamonte, Jr., Aurelio D. Gonzales, Jr., Rafael V. Mariano and Carlos M. Padilla

AN ACT
REGULATING THE PRACTICE OF FORESTRY IN THE PHILIPPINES,
REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED SIXTY-TWO
HUNDRED THIRTY-NINE (R.A. NO. 6239), KNOWN AS "THE FORESTRY
PROFESSION LAW", APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

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

ARTICLE I

TITLE, POLICY, OBJECTIVES, TERMS AND SCOPE OF PRACTICE

SECTION 1. Title. – This Act shall be known as the "Forestry Profession Act
of 2012."

SEC. 2. Statement of Policy. – The State recognizes the important role of
professional foresters in nation-building. Towards this end, the State shall promote
the sustained development of professional foresters, whose technical competencies
have been determined by honest and credible licensure examinations and whose
professional service and standards of practice are internationally recognized and
considered world-class, brought about by the strategic complementation of
regulatory measures and human resource policies and programs that foster their
professional growth and advancement.

SEC. 3. Objectives. – This Act provides for and shall govern:

- (a) the examination, registration and licensure of professional foresters;
- (b) the supervision, control and regulation of the practice of forestry in the
Philippines;
- (c) the development and upgrading of the curriculum;
- (d) the development of the professional competence of foresters through
Continuing Professional Education (CPE); and
- (e) the integration of the forestry profession.

SEC. 4. Definition of Terms. – For purposes of this Act, the following terms shall mean:

- (a) *APC* refers to the Accredited Professional Organization (APC) of foresters that the Board has accredited, subject to the approval by the Commission as the one and only accredited integrated national organization of foresters;
- (b) *Board* refers to the Professional Regulatory Board for Foresters created under this Act;
- (c) *Commission* refers to the Professional Regulation Commission created under R.A. No. 8981, known as the PRC Modernization Act of 2000;
- (d) *Forestry* refers to the art, science, practice, and business of sustainable management of forest and forestland resources for the production of goods and services and the enhancement of benefits and values of such resources to provide the needs of the present and future generations;
- (e) *Professional Forester* refers to a registered and licensed natural person who holds a valid certificate of registration and a valid professional identification card, issued by the Board and the Commission pursuant to this Act.

SEC. 5. Scope of Practice of Forestry. – The practice of forestry shall include, but not be limited to, the following acts or activities:

- (a) Different aspects of actual and/or supervisory activities or services, such as the parametric classifications of lands of the public domain and sub-classification and capability determination of forestlands; inventory of forest or timber and other forest products; reconnaissance and survey of road locations and quarry sites; planning and implementing of harvesting operations and timber improvement; scaling and grading of, and manifesting taxes on logs and derivative wood products as well as other forest products; preparation of designs, plans and specifications of forest products processing plants; treatment of wood and other forest products; inspection and investigation of harvesting and processing plants; preparation, certification and/or authentication of log and lumber dealers, sawmill operators and other mill reports; planning and implementation of forest nursery, afforestation, reforestation, industrial and community-based tree plantation, tree farm and agro-forestry farm projects; planning and implementation of forest parks, wilderness areas, coastal areas, and other protected area systems development; planning and implementation of

1 forest protection systems, forest and soil resources conservation
2 measures; and conduct of environmental risk scoping and environmental
3 impact assessment;

4 (b) The preparation and conduct of feasibility studies pertaining to natural
5 forest and plantation forest management, watershed management, range
6 or grazing land management, wildlife and/or biodiversity systems
7 management, wood technology and timber engineering, wood products
8 manufacturing and marketing management, and technical or management
9 consultancy;

10 (c) The conduct of forest experiments, research and development, training
11 and extension concerning forestry, and the teaching of forestry subjects in
12 any accredited college or school of forestry; and

13 (d) Government agency and institutional activities or services wherein the
14 principal policy and strategy is forestry and the employment of professional
15 forestry practice is essential, such as the undertaking, supervision or
16 administration of studies, programs, stations, centers,
17 community/provincial/regional offices, and such other activities or services
18 that, by law, shall be inherently exercised by professional foresters;

19 (e) Forestry activities and services required by local government units, private
20 corporations, foundations, non-government organization, and foreign
21 assisted projects.

22 The Board, subject to approval by the Commission, may revise, exclude from,
23 or add to, the above enumerated acts or activities as the need arises to conform to
24 the latest trends in the practice of forestry.

25 **ARTICLE II**

26 **THE PROFESSIONAL REGULATORY BOARD FOR FORESTERS**

27 **SEC. 6. Creation and Composition of the Professional Regulatory Board**
28 **for Foresters.** - There is hereby created a Professional Regulatory Board for
29 Foresters, hereinafter referred to as the Board, a collegial body under the
30 administrative supervision and control of the Professional Regulation Commission,
31 hereinafter referred to as the Commission, to be composed of the chairperson and
32 two (2) members appointed by the President of the Philippines from a list of three (3)
33 recommendees for each position chosen and submitted by the Commission thereto
34 from a list of five (5) nominees for every position indorsed by the Accredited
35 Professional Organization (APO).

SEC. 7. Qualifications of the Chairperson and Members of the Board. –

The chairperson and each member shall, at the time of appointment, must possess all the following qualifications and requirements:

- (a) A citizen and a resident of the Philippines;
- (b) Of good moral character;
- (c) Not convicted by a court of competent jurisdiction of an offense involving moral turpitude;
- (d) A holder of a Bachelor's Degree in Forestry, preferably with a Masteral or Doctorate Degree in Forestry conferred by a duly licensed school, college or university recognized by the government through the Commission on Higher Education (CHED);
- (e) A registered forester with a valid certificate of registration and a valid professional identification card and with at least ten (10) years of practice prior to appointment;
- (f) A member in good standing of the accredited professional organization (APO);
- (g) Not a member of the faculty of any school, college or university where a regular or review course in forestry is offered, not a member of a staff of reviewers in a review school or center, and does not have any direct or indirect pecuniary interest in any such institution; and
- (h) Not an officer or trustee of the accredited professional organization (APO).

SEC. 8. Term of Office. – The chairperson and members of the Board shall

hold office for a term of three (3) years from the date of appointment or until their successors shall have been qualified and appointed. They may be reappointed in the same office for another term of three (3) years immediately after the expiry of their term: *Provided*, That the holding of such position shall not be more than two (2) terms or not more than six (6) years: *Provided, further*, That the first Board appointed under this Act shall hold these terms of office: the chairperson for three (3) years, the first member for two (2) years, and the second member for one (1) year: *Provided, finally*, That any appointee to a vacancy with the unexpired period shall only serve such period. The chairperson and the members shall duly take their oaths of office.

SEC. 9. Compensation, Allowances and Other Benefits. - The

chairperson and members of the Board shall receive compensation, allowances, and other benefits comparable to those that the chairpersons and members of other

professional regulatory boards under the Commission enjoy as provided for in the General Appropriations Act.

SEC. 10. Powers, Functions, Duties and Responsibilities of the Board. –

The Board shall exercise executive and administrative rule-making and quasi-judicial powers in carrying out the provisions of this Act. It shall be vested with the following specific powers, functions, duties, and responsibilities:

- (a) To regulate the practice of forestry in accordance with the provisions of this Act;
- (b) To issue and promulgate rules and regulations implementing the provisions of this Act;
- (c) To adopt and promulgate the Code of Ethics, the Code of Good Governance, and the Code of Technical Standards for the Practice of Forestry;
- (d) To adopt an official seal of the Board;
- (e) To prescribe and promulgate guidelines on the Continuing Professional Education (CPE) for foresters in consultation with the Accredited Professional Organization (APO);
- (f) To prescribe and promulgate the syllabi for the subjects in the licensure examination in consultation with the academe and the Commission on Higher Education (CHED);
- (g) To issue or cancel temporary or special permit granted to foreign foresters;
- (h) To adopt a program for the walk-in licensure examination, if necessary;
- (i) To evaluate and approve applications for licensure examination;
- (j) To prepare questions for the subjects in the licensure examinations, give and correct the examinations, and release their results;
- (k) To register with or without licensure examination qualified persons for the practice of forestry and issue thereto certificates of registration and professional identification cards;
- (l) To administer oaths in the performance of its functions;
- (m) To monitor the conditions affecting the practice of forestry through ocular inspections of establishments wherein foresters are practicing, and adopt such measures as may be deemed proper for the enhancement and maintenance of high professional, moral, ethical and technical standards.
- (n) To enter, together with the Commission, into a memorandum of agreement with the CHED in ensuring that all higher educational instructions and offerings of degree, course or program comply with the policies, standards,

- 1 and requirements of the course prescribed by the CHED in the areas of
2 curriculum, faculty, library, and facilities;
- 3 (o) To hear and investigate cases on violations of this Act, its implementing
4 rules and regulations, the Code of Ethics, the Code of Good Governance
5 the Code of Technical Standards for the practice of forestry, and other
6 policies; and for this purpose, to issue summons, *subpoena* and *subpoena*
7 *duces tecum* to alleged violators and witnesses to compel their attendance
8 in such hearings or investigations;
- 9 (p) To delegate the hearing or investigation of cases against the alleged
10 violators: *Provided*, That hearing or investigation of cases wherein the
11 issue or question involved strictly concerns the technical practice of
12 forestry shall be presided over by at least one (1) member of the Board
13 assisted by a Legal or Hearing Officer of the Commission;
- 14 (q) To indorse cases involving criminal violations of this Act and other laws,
15 their rules and regulations, and other policies to the Prosecution Office for
16 investigation;
- 17 (r) To decide administrative cases against examinees or registered foresters:
18 *Provided*, That if they are judged guilty, to cancel their examination papers
19 or debar them from taking another licensure examination, or to revoke or
20 suspend their certificates of registration: *Provided, further*, That the
21 effectivity of the penalty shall only commence from the date of surrender of
22 the certificates together with the professional identification cards:
23 *Provided, furthermore*, That the decision of the Board shall, unless
24 appealed to the Commission, become final and executory after fifteen (15)
25 days from receipt of notice of judgment or decision;
- 26 (s) To reissue or reinstate revoked or suspended certificates of registration
27 and unexpired professional identification cards to the holders thereof:
28 *Provided*, That the revoked certificates of registration shall only be
29 reissued after the lapse of the period provided in this Act: *Provided*,
30 *further*, That the Board shall issue a resolution thereon subject to approval
31 by the Commission, after establishing fitness to practice anew the forestry
32 profession: *Provided, furthermore*, That the suspended certificate of
33 registration shall only be reissued upon the expiration of the period
34 imposed in the decision of the Board;
- 35 (t) To conduct through the legal or hearing officers summary proceedings on
36 minor violations of this Act, its implementing rules and regulations (IRR).

any of the Codes aforementioned, the General Instructions to Examinee, and to render summary judgment thereon which shall, unless appealed to the Commission, become final and executory after (15) days from receipt of notice of judgment or decision;

(u) To prepare an annual report of accomplishments, programs, projects, and activities of the Board during the year of submission to the Commission after the close of each calendar year and to make appropriate recommendations to the Commission on issues or problems affecting the forestry profession; and

(v) To discharge other implied, incidental, necessary powers, duties, functions, and responsibilities to effectively carry out the provisions of this Act and its policies or measures and the achievement of its objectives.

The rules and regulations, codes, and other policies embodied in a resolution issued and promulgated by the Board shall be subject to review and approval by the Commission. However, the Board's decision, resolution, or order rendered in an administrative case which is not interlocutory shall be subject to review only if an appeal to the Commission or the regular courts.

SEC. 11. Grounds for Removal or Suspension of Board Chairperson/Member. – The President of the Philippines, upon the recommendation of the Commission, after giving the chairperson or the member of the Board an opportunity to defend oneself in an administrative investigation conducted by the Commission, may remove or suspend the official on any of the following grounds:

- (a) Gross neglect, incompetence or dishonesty in the discharge of one's duty;
- (b) Violation of any of the causes, grounds, and the prohibited acts provided in this Act and the offenses in the Revised Penal Code, the Anti-Graft and Corrupt Practices Act, and other laws;
- (c) Manipulation or rigging of the licensure examination results for foresters, disclosure of secret and confidential information on the examination questions prior to the conduct thereof, or tampering of grades.

The Commission, in the conduct of the investigation, shall be guided by Sec 7 (s) of R.A. No. 8981, otherwise known as the PRC Modernization Act of 2000, the rules on administrative investigation, and the applicable provisions of the Rules of Court.

SEC. 12. Supervision of the Board, Custodian of its Records, and Provision of Support Services. – The Board shall be under the administrative

1 supervision of the Commission. The Commission shall keep all records of the Board
2 including applications for examination, examination papers and results, minutes of
3 deliberation, and administrative cases. The Commission shall designate the
4 Secretary of the Board who shall provide support services to the Board in order to
5 implement the provisions of this Act.

6 **ARTICLE III**

7 **EXAMINATION, REGISTRATION, CERTIFICATION, AND LICENSURE**

8 **SEC. 13. Licensure Examination Requirement.** – Except as otherwise
9 specifically allowed under this Act, applicants for registration for the practice of
10 forestry shall be required to pass a licensure examination as provided for in this Act
11 in such places and dates as the Commission may designate in the Resolution
12 thereof on the Master Schedules for all licensure examinations in accordance with
13 Sec. 7 (d) of R.A. No. 8981.

14 **SEC. 14. Qualifications of Applicant.** – An applicant for the licensure
15 examination for foresters shall satisfactorily prove that one possesses the following
16 qualifications:

17 (a) Citizen of the Philippines or a foreign citizen whose country or state has
18 reciprocity agreement with the Philippines in the practice of forestry;

19 (b) Of good moral character;

20 (c) A holder of bachelor's degree in forestry duly recognized or accredited by
21 the Commission on Higher Education (CHED) and conferred by a school,
22 college, or university duly authorized by the government, or a graduate of
23 bachelor of science in forest products engineering, or bachelor of science
24 in agroforestry; and

25 (d) Not convicted of an offense involving moral turpitude by a court of
26 competent jurisdiction.

27 **SEC. 15. Subjects for Licensure Examination.** – The licensure
28 examination for foresters shall include, but not limited to, the following:

29 (a) Forest Ecosystem

30 (b) Forest Policy and Governance

31 (c) Forest Engineering and Utilization

32 (d) Forest Resource Management

33 The Board, subject to approval by the Commission, may revise or exclude any
34 of the subjects in their syllabi and add new ones as the need arises to conform to
35 technological changes brought about by continuing trends in the profession.

1 **SEC. 16. Rating in the Licensure Examination.** – To pass the foresters
2 licensure examination, a candidate must obtain a general or weighted average rating
3 of seventy-five per cent (75 %).

4 **SEC. 17. Report of Rating.** – The Board shall submit to the Commission the
5 ratings obtained by the candidate not later than ten (10) days after the last day of the
6 examination, unless it is extended for a valid cause.

7 **SEC. 18. Oath.** – All successful candidates in the licensure examination and
8 in the registration without examination shall take their oath of profession before the
9 chairperson or any member of the Board, or any authorized officer of the
10 Commission, or any person authorized by law to administer oaths prior to entering
11 upon the practice of forestry.

12 **SEC. 19. Issuance of Certificate of Registration and Professional**
13 **Identification Card** – A certificate of registration shall be issued to those who are
14 registered with or without licensure examination subject to payment of fees
15 prescribed by the Commission and the chairperson and members of the Board,
16 stamped with the official seal of the Commission and of the Board, certifying that the
17 person named therein is entitled to the practice of the profession with all the
18 privileges appurtenant thereto. Until withdrawn, revoked, or suspended in
19 accordance with this Act, it shall remain in full force and effect.

20 A professional identification card bearing the registration number and date, its
21 validity and expiry duly signed by the Chairperson of the Commission shall likewise
22 be issued to every registrant who has paid the prescribed fee. It shall be reissued
23 after every three (3) years upon payment of the prescribed fees therefor.

24 **SEC. 20. Refusal to Register.** – The Board shall not register any successful
25 examinee in the foresters licensure examination who has been:

26 (a) convicted of an offense involving moral turpitude by a court of competent
27 jurisdiction,

28 (b) found guilty of immoral or dishonorable conduct by the Board,

29 (c) summarily adjudged guilty for violation of the General Instructions to
30 Examinees by the Board, and

31 (d) declared of unsound mind by the court of competent jurisdiction.

32 In refusing such registration, the Board shall give the applicant a written
33 statement setting forth the reasons therefor and shall file a copy thereof in its
34 records.

35 **SEC. 21. Revocation or Suspension of the Certificate of Registration**
36 **and Cancellation of Temporary/Special Permit.** – The Board shall have the

1 power, upon notice and hearing, to revoke or suspend the certificate of registration of
2 a registered forester or to cancel a temporary/special permit granted to foreign
3 forester, for violation of any of the grounds or causes in Sec.20 of this Act, except (c)
4 thereof and any of the following grounds:

- 5 (a) Violation of a provision of this Act, its IRR, Code of Ethics, Code of Good
6 Governance, Code of Technical Standards for the Practice of Forestry,
7 policy, and measure of the Board or the Commission;
- 8 (b) Perpetration or use of fraud in obtaining one's certificate of registration,
9 professional identification card, temporary/special permit;
- 10 (c) Gross incompetence, negligence or ignorance resulting to death, injury or
11 damage;
- 12 (d) Refusal to join or to remain a member in good standing of the accredited
13 professional organization (APO);
- 14 (e) Neglect or failure to pay the annual registration fees for five (5)
15 consecutive years;
- 16 (f) Aiding or abetting the illegal practice of a non-registered and licensed
17 person by allowing another to use one's certificate of registration and/or
18 professional identification card or temporary/special permit;
- 19 (g) Illegally practicing the profession during one's suspension;
- 20 (h) Addiction to drug or alcohol impairing one's ability to practice the
21 profession or declared with unsound mind by a court of a competent
22 jurisdiction; or
- 23 (i) Non-compliance with the CPE requirement, unless one is exempted
24 therefrom for the renewal of the professional identification card;

25 Any person, firm or association may file charge/s in accordance with the
26 provision of this section against any registrant, or the Board may, on its own,
27 investigate violation of any of the above-mentioned causes. Affidavit-complaint shall
28 be filed together with the affidavits of witnesses and other documentary evidence
29 with the Board through the Legal and Investigation Office. The *motu proprio* move
30 to conduct an investigation shall be embodied in a formal charge to be signed by at
31 least majority of the members of the Board. The rules on administrative
32 investigation issued by the Commission shall govern the hearing or investigation
33 subject to applicable provisions of this Act, R.A. No. 8981 and the Rules of Court.

34 **SEC. 22. Reissuance of Revoked Certificate of Registration,**
35 **Replacement of Lost or Damaged Certificate of Registration, Professional**
36 **Identification Card or Temporary/Special Permit.** – The Board may, upon petition,

1 reinstate or reissue a revoked certificate of registration after two (2) years from the
2 effectivity of the period for revocation, which is the date of surrender of the said
3 certificate and professional identification card if still valid to the Board and the
4 Commission. The Board may not require the holder thereof to take another licensure
5 examination. The petitioner shall prove to the Board that there are valid reasons to
6 practice the profession. For the grant of the petition, the Board shall issue a Board
7 resolution subject to approval by the Commission.

8 **SEC. 23. Non-Payment of the Annual Registration Fees.** – The Board
9 shall suspend a registered forester from the practice of the profession for non-
10 payment of the annual registration fees for five (5) consecutive years from its last or
11 previous year of payment. The resumption of one's practice shall take place only
12 upon payment of the delinquent fees plus surcharges and interest and in accordance
13 with the rules of the Commission. The running of the five-year period may be
14 interrupted upon written notice about the discontinuance of one's practice and
15 surrender of the certificate of registration to the Board and the Commission.

16 **SEC. 24. Vested Rights: Automatic Registration.** – All foresters registered
17 at the effectivity of this Act shall automatically be registered hereunder, subject to the
18 provisions herein set forth as to future requirements.

19 Certificates of registration and professional identification cards or
20 temporary/special permits held by such persons in good standing at such effectivity
21 shall have the same force and effect as though they were issued on or after the
22 effectivity of this Act.

23 **ARTICLE IV**

24 **PRACTICE OF FORESTRY**

25 **SEC. 25. Lawful Practitioners of Forestry.** – The following natural persons
26 and juridical persons shall be authorized to practice the forestry profession:

27 1) Natural persons:

28 (a) Duly registered as foresters and holders of valid certificates of
29 registration and valid professional identification cards issued by the
30 Board and the Commission pursuant to this Act; and

31 (b) Holders of valid temporary/special permits issued by the Board and the
32 Commission to foreign licensed foresters pursuant to this Act.

33 2) Juridical persons:

34 (a) Single proprietorship whose owner and staff are registered foresters;

35 (b) Partnership duly registered with the Securities and Exchange
36 Commission (SEC) as professional partnership pursuant to the New

1 Civil Code and composed of partners who are all duly registered
2 foresters;

3 (c) Corporation duly registered with the SEC as engaged in the practice of
4 forestry with officers and Board of Directors who are all registered
5 foresters;

6 (d) Association duly registered with the SEC as non-profit and non-stock
7 corporation whose officers, Board of Trustees, and members are all
8 registered foresters.

9 These juridical persons shall also be registered with the Board and the
10 Commission in accordance with duly-issued rules and regulations.

11 **SEC. 26. Issuance and Use of Seal.** – All registered foresters shall obtain a
12 seal of such design and make as the Board shall authorize and direct: *Provided*,
13 That the serial number of the certificate of registration issued by the Board shall be
14 included in the seal. Documents prepared by or under direct supervision of
15 registered or professional foresters shall be stamped with one's seal, such as
16 reports, certifications, contracts, studies, plans, surveys, returns, technical
17 descriptions, inventory data, maps, drawings, sketches, lay-outs, exhibits, proposal
18 or offer of services, tests and analysis, and other documents that may henceforth be
19 the subject of such acts upon the recommendation of the accredited professional
20 organization concerned and by the resolution by the Board. It shall be unlawful for
21 any person to stamp any document with the said seal after the certificate of
22 registration is revoked.

23 **SEC. 27. Foreign Reciprocity.** – No foreigner shall be allowed to take the
24 licensure examination for foresters, register, receive one's certificate of registration
25 and professional identification card, and practice forestry in the Philippines unless
26 the requirements for the licensure examination and the registration and practice of
27 forestry imposed under the laws and regulations in one's foreign country or state are
28 substantially the same as those required and contemplated by the Philippine laws
29 and regulations, and unless the said foreign laws and regulations allow Philippine
30 citizens to practice forestry within the territory of the said foreign country or state on
31 the same basis and grant the same privileges as those enjoyed by the citizens,
32 subjects or nationals thereof.

33 **SEC. 28. Practice Through Temporary/Special Permit.** – Subject to
34 approval by the Commission and the payment of fees it has prescribed, the Board
35 may issue temporary/special permit to the following:

(1) Registered or certified foresters from foreign countries or states whose services are either for a fee or free:

(a) If they are internationally known foresters or experts in any branch or specialty of forestry; and

(b) If their services are urgently and importantly necessary for lack or inadequacy of available local specialists or experts for the promotion or advancement of the practice of forestry through transfer of technology.

(2) Licensed foresters from foreign countries or states employed as exchange professors in a branch or specialty of forestry in schools, colleges or universities offering the course of forestry.

The permit shall, among other things, contain these limitations and conditions for a period of not more than one (1) year subject to renewal, the branch or specialty of forestry, and the specific place of practice such as center, school, college or university offering the course of forestry. The Board shall promulgate, subject to the approval of the Commission, rules and regulations on the implementation of this particular section.

SEC. 29. Indication of Numbers: Certificate of Registration, Professional Tax Receipt, and Accredited Professional Organization (APO) Membership. – The forester shall be required to indicate the certificate of registration number and date of issuance, the expiry of the current professional identification card, the professional tax receipt number and date, and the accredited professional organization (APO) membership number and date with official receipt number and date of membership payment (annual/lifetime) on the documents one signs, uses, or issues in connection with the practice of the forestry profession.

SEC. 30. Roster of Foresters. - The Board shall prepare and maintain a roster of the names, residence or office address of all registered foresters which shall be updated annually in cooperation with the accredited professional organization (APO), indicating therein the status of the certificate of registration, professional identification card, and APO membership, whether valid, inactive due to death or other reasons, delinquent, suspended or revoked. The said roster shall be conspicuously posted within the premises of the Commission and the information therefrom made available to the public upon inquiry or request.

SEC. 31. Integration of the Foresters. – The foresters shall be integrated into one (1) national organization of foresters that is duly registered with the Securities and Exchange Commission (SEC). The Board for Foresters shall accredit, subject to approval by the Commission, the said organization as the one

1 and only integrated and accredited national organization of foresters. All foresters
2 whose names appear in the Registry Book of Foresters shall *ipso facto* or
3 automatically become members thereof and shall receive therefrom all the benefits
4 and privileges upon payments of accredited professional organization (APO)
5 membership fees and dues. A membership in an affiliate organization of foresters
6 shall not be barred.

7 **SEC. 32. Act Not Affecting Other Professions.** – This Act shall not affect or
8 prevent the practice of any other legally recognized profession.

9 **SEC. 33. Posting of Certificate of Registration and Professional**
10 **Identification Card or Temporary/Special Permit.** – The certificates of registration
11 and professional identification cards of foresters or temporary/special permit in
12 original or authentic/authenticated copies shall be posted by the registered foresters
13 in a conspicuous place in one's office.

14 **SEC. 34. Positions in Public or Private Offices Involving Practice of the**
15 **Forestry Profession.** – Positions in public or private entities including educational
16 institutions involving the practice of the forestry profession shall be occupied by
17 persons who are duly registered foresters with valid certificates of registration and
18 valid professional identification cards, or valid temporary/special permits that are
19 issued under this Act.

20 **ARTICLE V**

21 **PENAL AND GENERAL PROVISIONS**

22 **SEC. 35. Penal Clause.** – Any person who shall commit any of the following
23 acts shall be meted out with a perpetual disqualification to practice the profession:

- 24 (1) Practicing forestry without a valid certificate of registration and a valid
25 professional identification card or a valid temporary/special permit;
- 26 (2) Attempting to use the seal, certificate of registration and professional
27 identification card of a registered forester or temporary/special permit
28 issued to foreign forester;
- 29 (3) Abetting the illegal practice of forestry by an unregistered or
30 unauthorized person;
- 31 (4) Securing through false information or fraudulent means certificate of
32 registration and professional identification card or temporary/special
33 permit;
- 34 (5) Impersonating a registered forester or a holder of a temporary/special
35 permit; and

1 (6) Violating any provision of this Act or the implementing rules and
2 regulations thereof.

3 **SEC. 36. Enforcement.** – In carrying out the provisions of this Act, the Board
4 shall be assisted by the Commission, the accredited professional organization
5 (APO), duly constituted government agencies and authorities, and private
6 organizations in the industry. A memorandum of agreement between agencies or
7 organizations may be executed.

8 **SEC. 37. Appropriations.** – The Chairperson of the Professional
9 Regulations Commission shall immediately include in the Commission's programs
10 the implementation of this Act, the funding of which shall be included in the annual
11 General Appropriations Act.

12 **SEC. 38. Transitory Provision.** – The incumbent Board shall in an interim
13 capacity continue to operate or function by carrying out the provisions of the Act
14 without new appointments of the Chairperson and members thereof until the first
15 Board created under this Act shall have been constituted or organized pursuant
16 thereto.

17 **SEC. 39. Implementing Rules and Regulations.** – The Board For
18 Foresters, subject to approval by the Commission, shall prescribe, promulgate, and
19 issue a Board resolution on the implementing rules and regulations of this Act after
20 consultation with the accredited professional organization (APO), other agencies,
21 and concerned private organization in the industry within ninety (90) days from the
22 effectivity of this Act.

23 **SEC. 40. Separability Clause.** – If any provision, section, or part of this Act
24 shall be declared unconstitutional or invalid, such judgment shall not affect,
25 invalidate or impair any other provisions, sections or parts hereof, but shall be merely
26 confined to the provision, section, or part thereof that is directly involved in the issue
27 upon which judgment has been rendered.

28 **SEC. 41. Repealing Clause.** – Republic Act No. 6239 is hereby repealed.
29 Laws, decrees, orders, letters of instructions, rules and regulations, or other
30 issuances, and parts thereof inconsistent with the provisions of this Act are likewise
31 accordingly repealed or modified.

32 **SEC. 42. Effectivity Clause.** – This Act shall take effect fifteen (15) days
33 after its publication in the Official Gazette or any newspaper of general circulation.

Approved.

FACT SHEET

House Bill No. 2731

AN ACT

**REGULATING THE PRACTICE OF FORESTRY IN THE PHILIPPINES,
REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED
SIXTY-TWO HUNDRED THIRTY-NINE (RA NO. 6239), KNOWN AS
"THE FORESTRY PROFESSION LAW", APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES**

Introduced by: REPRESENTATIVES RUFUS B. RODRIGUEZ AND MAXIMO B. RODRIGUEZ, JR.

*Committee Referral: COMMITTEE ON CIVIL SERVICE AND
PROFESSIONAL REGULATION (Primary)*

Committee Chairperson: REP. ANDRES D. SALVACION, JR.

Committee Referral: COMMITTEE ON APPROPRIATIONS (Secondary)

Committee Chairperson: REP. JOSEPH EMILIO A. ABAYA

OBJECTIVES:

- To revisit the scope of activities and services defining the practice of forestry by making them more relevant to the current forestry policies.
- To enable the professional foresters to effectively address the various demands of their clientele.
- To enhance the role of the Filipino Forester in sustainable development of our dwindling forests.
- To delete the provision requiring area specialists in every area coverage of the Foresters Licensure Examination.
- To remove the provision allowing registration of Filipino forestry professionals without examination except only in case of reciprocity wherein foreign foresters are granted the privilege to practice in the Philippines.

KEY PROVISIONS:

- Provides for the reorientation of the specific areas of topics to be covered in the Foresters Licensure Examination.
- Involves the active participation of the Accredited Professional Organization (APO) and Commission on Higher Education (CHED), among others, in the matter of education and practice of the forestry profession.
- States clearly the grounds for suspension or revocation of the certificate of registration of the forestry practitioner.
- Provides conditions before allowing foreign professional foresters to practice forestry in the Philippines.

RELATED LAW:

- R.A. No. 6239, The Forestry Profession Law of 1971