

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 386

Introduced by CHRISTOPHER S. CO and RODEL M. BATOCABE

EXPLANATORY NOTE

The passage of this bill seeks to amend the RA 8981 or the Professional Regulation Commission (PRC) Modernization Act of 2000, by increasing the powers of the PRC to regulate the establishment and operation of licensure examination review centers and similar entities.

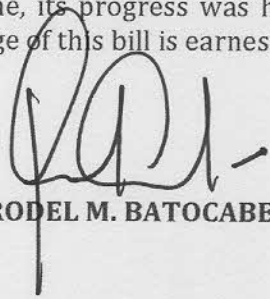
The State has the mandate to protect the right of all citizens to quality education at all levels and shall take appropriate steps to make education accessible to all (Section 1, Article XIV of the 1987 Constitution). Pursuant to this provision, the State has the obligation to ensure and promote quality education through the proper supervision and regulation of the licensure examinations given through the various Boards of Examiners under the Professional Regulation Commission.

At present, there exists no regulatory framework or mechanism that oversees and administers the establishment and operation of review centers and similar entities. The recent cases of cheating, fraud, and estafa involving review centers have led to unfavorable effects to the various professions, students, professionals, and the public interest and welfare, in general.

There is a prevailing need to protect the public against substandard review centers and unethical practices committed by some review centers. This can only be achieved through a regulatory framework by the PRC, which is best equipped in enforcing the establishment and operation of review centers and similar entities.

The bill was filed in the 15th Congress but for lack of time, its progress was halted at the committee level. In light of all these circumstances, the swift passage of this bill is earnestly sought.


CHRISTOPHER S. CO


RODEL M. BATOCABE

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AN ACT AMENDING SECTION 7 OF REPUBLIC ACT NO. 8981, OTHERWISE KNOWN AS THE PRC MODERNIZATION ACT OF 2000, PROVIDING FOR THE INCLUSION IN THE PRC POWERS, FUNCTIONS, AND RESPONSIBILITIES THE REGULATION OF THE ESTABLISHMENT AND OPERATION OF LICENSURE EXAMINATION REVIEW CENTERS AND SIMILAR ENTITIES

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

SECTION 1. Section 7 of the Republic Act No. 8981 is hereby amended to read as follows:

"Sec. 7. Powers, Functions and Responsibilities of the Commission. – The powers, functions, and responsibilities of the Commission are as follows:

XXX

(q) TO DEVELOP A FRAMEWORK FOR THE REGULATION OF REVIEW CENTERS AND SIMILAR ENTITIES, WHICH CONDUCT REVIEW COURSES ON LICENSING OF THE VARIOUS PROFESSIONS AND OCCUPATIONS UNDER PRC JURISDICTION, INCLUDING BUT NOT LIMITED TO THE FORMULATION AND ESTABLISHMENT OF POLICIES, STANDARDS, AND RULES FOR THE ESTABLISHMENT AND OPERATION OF REVIEW CENTERS AND SIMILAR ENTITIES;

(r) TO ISSUE ACCREDITATION TO APPLICANT REVIEW CENTERS AND SIMILAR ENTITIES FOR A PERIOD OF THREE YEARS; NO REVIEW CENTER OR SIMILAR ENTITIES SHALL BE ESTABLISHED AND/OR OPERATE REVIEW CLASSES WITHOUT THE ISSUANCE OF THE NECESSARY PERMITS OR AUTHORIZATIONS TO CONDUCT REVIEW CLASSES;

(s) TO SUPERVISE, MONITOR, AND EVALUATE THE COMPETENCE, TRANSPARENCY, PERFORMANCE, AND ETHICAL PRACTICES OF THE OPERATIONS OF REVIEW CENTERS AND SIMILAR ENTITIES;

[(q)] (t) To implement the program for the full computerization of all licensure examinations given by the various professional regulatory boards including the registration of professionals not later than the year 2003 and other operations of the Commission;

[(r)] (u) To investigate and decide administrative matters involving officers and employees under the jurisdiction of the Commission;

[(s)] (v) To investigate motu proprio or upon the filing of a verified complaint, any member of the Professional Regulatory Boards for neglect of duty, incompetence, unprofessional, unethical, immoral or dishonourable conduct, commission of irregularities in the licensure examinations which taint or impugn the integrity and authenticity of the results of the said examinations and, if found guilty, to revoke or suspend their certificates of registration and professional licenses/identification cards and to recommend to the President of the Philippines their suspension or removal from office as the case may be;

[(t)] (w) To issue summons, subpoena and subpoena duces tecum in connection with the investigation of cases against officials and employees of the Commission and the members of the Professional Regulatory Boards;

[(u)] (x) To hold in contempt in erring party or person only upon application with a court of competent jurisdiction;

[(v)] (y) To call upon or request any department, instrumentality, office, bureau, institution or agency of the government including local government units to render such assistance as it may require, or to coordinate or cooperate in order to carry out, enforce or implement the professional regulatory policies of the government or any program or activity it may undertake pursuant to the provisions of this Act;

[(w)] (z) To initiate an investigation, upon complaint under oath by an aggrieved party, of any person, whether a private individual or professional, local or foreign, who practices the regulated profession or occupation without being authorized by law, or without being registered with and licensed by the concerned regulatory board and issued the corresponding license/professional identification card or temporary or special permit, or who commits any of the prohibited acts provided in the regulatory laws of the various professions, which acts are criminal in nature, and if the evidence so warrants, to forward the records of the case to the office of the city or provincial prosecutor for the filing of the corresponding information in court by the lawyers of the legal services of the Commission who may prosecute said case/s upon being deputized by the Secretary of Justice;

[(x)] (aa) To prepare an annual report of accomplishments on the programs, projects and activities of the Commission during the year for submission to Congress after the close of its calendar year and make appropriate recommendations on issues and/or problems affecting the Commission, the Professional Regulatory Board, and the various professions under its jurisdiction; and

[(y)] (bb) To perform such other functions and duties as may be necessary to carry out the provisions of this Act, the various professional regulatory laws, decrees, executive orders and other administrative issuance.

SECTION 2. Implementing Rules and Regulations. – Within ninety (90) days after the approval of this amendment, the PRC shall prepare and promulgate the necessary rules and regulations needed to implement the amendatory provisions.

SECTION 3. Effectivity. This Act shall take effect fifteen (15) days after its complete publication in at least one (1) newspaper of general circulation.

Approved.