

REPUBLIC OF THE PHILIPPINES
House of Representatives
Quezon City

16th Congress
3rd Regular Session

HOUSE BILL NO. **6185**



Introduced by Congressman Alfredo D. Vargas III

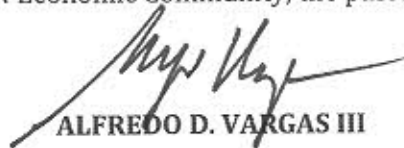
EXPLANATORY NOTE

One of the objectives of the envisioned ASEAN Economic Community is to facilitate movement of business persons, skilled labors and talents in the region. As one of the founding members of the ASEAN, the Philippines must be ready to allow the exchange and practice of professionals from ASEAN nations in our country.

However, it may be difficult to implement provisions on labor mobility in the country due to the Constitutional¹ and statutory restrictions, which include the Foreign Investment Act of 1991,² the Professional Regulation Commission Modernization Act,³ and the Labor Code of the Philippines⁴.

This proposed legislation not only seeks to prepare the Philippines for the full integration of the ASEAN communities but also to provide clear guidelines in implementing foreign reciprocity. Under the bill, professionals from other nations shall be allowed to practice in the Philippines only if the country where they are registered also allows Filipino professionals in the same field to practice their profession within their territorial jurisdiction on the same basis as the citizens of such foreign country, state or territory.

To further strengthen the global competitiveness of Filipino professionals and to fully prepare the country for the implementation of the ASEAN Economic Community, the passage of this measure is earnestly sought.


ALFREDO D. VARGAS III

¹ Article XII, Section 14 of the Philippine Constitution provides that the practice of all professions in the Philippines shall be limited to Filipino citizens.

² Republic Act 7041 restricts the following professions to Filipinos: engineering, medicine and allied professions, accountancy, architecture, criminology, chemistry, customs brokerage, environmental planning, forestry, geology, interior design, landscape architecture, and law.

³ Republic Act 8981 allows exceptions by permitting foreign professionals to work in the Philippines pursuant to foreign reciprocity provisions.

⁴ This states that foreigners may be admitted to the Philippines for the supply of service if it is determined that no Filipino is capable and willing to perform the services for which the foreigner is desired.

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AN ACT

IMPOSING RECIPROCITY AS A REQUIREMENT BEFORE ALLOWING FOREIGN NATIONALS TO PRACTICE THEIR PROFESSIONS IN THE PHILIPPINES IN PREPARATION FOR THE ASEAN ECONOMIC COMMUNITY INTEGRATION

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

SECTION 1. **Declaration of Policy.** – It is hereby declared to be the policy of the State to protect and promote the interest and well-being of every licensed Filipino professional in the country by way of placing them in a level playing field with their foreign counterpart and at the same time providing a policy that will foster and provide our own professionals the chance to expand their career opportunities both in and out of the country.

Sec. 2. **Practice of profession by Foreign citizens or nationals; Requirement of reciprocity.** – A foreign subject, citizen or national may be allowed to take the licensure examination or may be granted a certificate of registration/professional license and professional identification card to practice any profession regulated by the Professional Regulation Commission (PRC) if the state, country of which he/she is a subject, citizen or national, specifically permits Filipino professionals who are registered and licensed to practice in the same regulated profession in the Philippines and who hold a valid Certificate of Registration and Professional Identification Card from the PRC, to practice their profession within their national jurisdiction on the same basis as the subjects, nationals or citizens of such foreign country.

Sec. 3. **Implementing Rules and Regulations.** – For this purpose, the PRC, in consultation with the Department of Foreign Affairs (DFA) and the Department of Labor and Employment (DOLE) and other relevant agencies and stakeholders, shall issue the necessary implementing rules and regulations within sixty (60) days upon the enactment and effectivity of this Act and shall set the guidelines for the monitoring of the proper implementation thereof.

Sec. 4. ***Separability Clause.*** – If any part or provisions of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in force and effect.

Sec. 5. ***Repealing Clause.*** – All laws, decrees, executive orders and other administrative issuances and parts thereof, which are inconsistent with the provisions of this Act, is hereby amended, repealed or modified accordingly.

Sec. 6. ***Effectivity.*** – This Act shall take effect (15) days after its publication in the Official Gazette and in at least two (2) newspapers of national circulation.

Approved,