

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **6134**



Introduced by Rep. JOSE T. PANGANIBAN, JR.
ANAC-IP Partylist

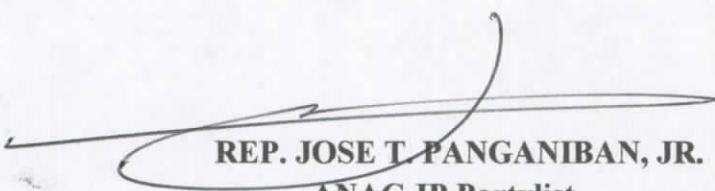
**AN ACT PROMOTING & REGULATING THE PRACTICE OF THE
AGRICULTURE PROFESSION IN THE PHILIPPINES, APPROPRIATING FUNDS
THEREFORE AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Republic Act 8435 otherwise known as the Agriculture and Fisheries Modernization Act recognized potential graduates of agriculture and its equivalent to be in the forefront of providing policy direction and leadership to agricultural workers and servicing the technical needs in the field of agricultural production and agribusiness. In the practice of their profession both in government and private sectors, they shall pass a licensure examination in order to establish their proficiency and knowledge in the field of agriculture and its allied sciences. The same will provide safeguards to protect the industry among malpractice in the course of agricultural production, livestock and fisheries industry.

The proposed House Bill seeks to upgrades, modernize, and regulate the qualifications, skills and education of agriculturists in managing the farms profitably especially in coping with environmental threats of industrialization, growing population associated with increasing demand for food production, and climate change. It shall develop and nurture competent, righteous, productive, well-rounded licensed Agriculturists whose standards of practice and service shall be excellent, world-class and globally competitive through effective, and credible licensure examinations and through regulatory measures, programs, and activities that foster their professional growth and development.

The proposed measure recognizes the importance of professional agriculturists in nation-building and development. In view of the foregoing premises, the approval of this bill is earnestly sought.


REP. JOSE T. PANGANIBAN, JR.
ANAC-IP Partylist

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **6134**

Introduced by Rep. JOSE T. PANGANIBAN, JR.
ANAC-IP Partylist

**AN ACT PROMOTING & REGULATING THE PRACTICE OF THE
AGRICULTURE PROFESSION IN THE PHILIPPINES, APPROPRIATING FUNDS
THEREFORE
AND FOR OTHER PURPOSES**

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

ARTICLE I
TITLE, DECLARATION OF POLICY,
OBJECTIVES, AND SCOPE OF PRACTICE

Section 1. **Short Title.** – This Act shall be known as the “The Philippine Agriculturists Act of 2017.”

Section 2. **Declaration of Policy.** – The State recognizes the importance of Agriculture in nation building and development. Hence, it shall develop and nurture competent, righteous, productive, well-rounded, country-and God-loving licensed Agriculturists whose standards of practice and service shall be excellent, world-class and globally competitive through effective, and credible licensure examinations and through regulatory measures, programs, and activities that foster their professional growth and development.

Pursuant to the national policy, the government shall provide a program to set up a climate conducive to the practice of the profession and maximize the capability and potential of our agriculturists.

Toward this end, the State shall establish and maintain a Board of Agriculture that shall conduct, among others, a national board examination to all graduates of a four-year degree program in agriculture, or its equivalent, regulate, and sustain the practice of the profession for efficient and effective public service.

Section 3. Objectives. – This Act shall provide for and govern.

- a) The modernization, standardization and regulation of the practice of agriculture;
- b) The conduct of licensure examinations to graduates of CHED recognized agricultural schools for the purpose of registration of agriculturists;
- c) The promotion, development, regulation, control and supervision of the practice of agriculture in the Philippine, through the utilization of advanced information technology particularly those technologies now available through Patents Franchise.
- d) Integration of agriculturists into and under one umbrella professional organization.
- e) Pursue the principles set forth by the AFMA Law of 1997, and RA 8435.

Section 4. Definition of Terms.

- a) “Agriculture” is the art, science, ethics, management and entrepreneurial business in the production, processing, and marketing of agricultural products;
- b) “APO” refers to the Accredited Professional Organization of Agriculturists that the Board has accredited subject to the approval by the Commission as the one and only integrated national organization of Agriculturists.
- c) “Agri-Board” refers to the Professional Regulatory Board of Agriculture, hereby created as the regulatory body, under the administrative, executive and policy and supervision of the Professional Regulation Commission (PRC), for the practice of Agriculture in the Philippines; and tasked with powers, functions and responsibilities herein prescribed;
- d) “Commission” refers to the Professional Regulation Commission created under R.A. No. 8991, known as the “PRC Modernization Act of 2000”.
- e) “Licensed Agriculturist” refers to any person who has passed the Board licensure examination for agriculturists administered by the Board and the Commission, or any baccalaureate person with five year experience in the practice of the profession before the implementation of AFMA of 1997 and approved by the Board and PRC, taken the oath of an Agriculturist, and duly registered and issued with a certification of good standing and is allowed under this act to engage in or to perform activities, acts or services constituting the professional practice of agriculture including those who hold a position in the government service, private sector, or who teach subjects in schools, colleges or universities, requiring the knowledge of Agriculture;

- f) "Practice of agriculture profession" refers to the activities, acts, services or pursuits exclusively performed by registered and licensed professional agriculturists; the scope thereof is prescribed and/or specified herein.
- g) MRA means Mutual Reciprocity Agreement with other countries particularly nations within ASEAN in agricultural education and practice.
- h) "Other terms" (This has to be defined provided it is used in the body of the Act).

ARTICLE II

PROFESSIONAL REGULATORY BOARD OF AGRICULTURE

Section 5. Creation and Composition of the Professional Regulatory Board of Agriculture. – There is hereby created a Professional Regulatory Board of Agriculture, hereinafter-referred to as the "Agri-Board", a collegial body under the administrative supervision and control of the Professional Regulation Commission, hereinafter-referred to as the "Commission", shall be composed of a chairman and five (5) members, to be appointed by the President of the Philippines from a list of three (3) recommendees for each position and ranked by the Commission from a list of (5) qualified nominees, endorsed by the Accredited Professional Organization (APO) of registered and licensed agriculturists within 90 working days after the approval of this Act. Other Professional Agricultural Organizations duly registered by the Securities and Exchange Commission (SEC) may submit nominees through the APO.

The Agri-Board shall be organized not later than six (6) months from the effectivity of the Act.

The Agri-Board shall elect a vice-chairman from among its members for a term of one (1) year.

The Chairman shall preside in all meetings of the Agri-Board and in the event of a vacancy in the office of the chairman, the vice chair shall assume the post.

Section 6. Qualifications of the Chairperson and Members of the Agri-Board. – The chairperson and each member shall, at the time of his/her appointment, possess all these qualifications. He/she must be:

- a) A Filipino citizen and a resident of the Philippines;
- b) Of good moral character and of sound mind and body;
- c) Not convicted by a court of competent jurisdiction of an offense involving moral turpitude;
- d) The Chairperson and members of the Agri-Board must be licensed agriculturists.

- e) A registered and licensed Agriculturist with valid certificate of registration and a valid professional identification card and with at least five (5) years of relevant experience prior to his/ her appointment
- f) A member in good standing of the APO, but not an officer or trustee thereof; and
- g) Must not have any pecuniary interest, directly or indirectly, in any school, college, university or institution conferring an academic degree necessary for admission to the practice of agriculture or where review classes in preparation for the licensure examination are being offered or conducted, at the time of his/ her appointment to the Agri-Board.

Section 7. Agri-Board Term of Office. – The chairman and members of the Agri-Board shall hold office for a term of three (3) years without prejudice for reappointment to another term provided they have been evaluated and qualified based on performance by the Commission through the endorsement of the APO, but in no case shall they serve continuously for more than six (6) years. Members of the Agri-Board shall continue to serve their respective remaining terms until their successors shall have been qualified and have been appointed in accordance with this Act.

The first Agri-Board shall have staggered terms of office, with the Chairperson serving for three (3) years, the first the three (3) members for two (2) years, and the last three (3) members for one (1) year. In case of vacancy, any appointee shall serve only the unexpired term.

The Chairperson and the members shall duly take their oath of office before the President of the Philippines and later with the Commission.

This provision shall take effect upon the approval of this Act.

Section 8. Compensation, Allowances and other Benefits of the Agri-Board. – The Chairperson and members of the Agri-Board shall receive compensation, allowances, and other benefits comparable to those that the Chairperson and members of other Professional Regulatory Boards under the Commission enjoy as provided for in the General Appropriations Act.

Section 9. Powers, Function, Duties, and Responsibilities of the Agri-Board. – The Agri-Board shall exercise executive/ 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) Regulate the practice of Agriculture in accordance with provisions of this Act;
- b) Issue and promulgate rules and regulations implementing the provisions of this Act;
- c) Promulgate and adopt the Code of Ethics and Good Governance, and the Code of Technical Standards for the Practice of Agriculture;

- d) Adopt an official seal of the Board;
- e) Prescribe and promulgate guidelines on the Continuing Professional Development (CPD) for Agriculturists in consultation with the APO;
- f) Prescribe and promulgate the tables of specifications for the subjects in the licensure examination/s in consultation with the academe and the Commission on Higher Education (CHED);
- g) Issue or cancel temporary or special permit/s granted to foreign Agriculturists;
- h) Promulgate a program for the walk-in licensure examination;
- i) Evaluate and approve applications with and/or without licensure examination/s for agriculturists;
- j) Prepare questions for the subjects in the Board licensure examinations, administer, and correct the said examinations, and release their results;
- k) Register with, and/ or approve applications without Board licensure examination/s persons for the practice of Agriculture and issue thereto Certificates of Registration and Professional Identification Cards;
- l) Administer oaths in the performance of its function;
- m) Monitor the conditions affecting the practice of Agriculture through ocular field visits of agricultural establishments (government agencies and private enterprises) where Agriculturists are practicing, and adopt such measures as may be deemed proper for the enhancement of the profession or occupation and/or for the maintenance of high professional, moral, ethical, and technical standards;
- n) Enter together with the Commission into a Memorandum of Agreement with the CHED in providing the latter performance indicators through the licensure examinations of graduate and field visits and ocular inspection of schools, colleges, and universities. This shall ensure compliance with all higher education instruction and offerings of degrees, courses, or programs with the policies, standards, and requirements of the course prescribed by CHED in the areas of curriculum, faculty, library and facilities;
- o) Hear and investigate cases on violations of this Act, its implementing rules and regulations, the Code of Ethics, the Code of Good Governance, the Code of Technical Standards for the practice of Agriculture, and other policies; and for this purpose to issue summons, subpoena and *subpoena ducesteccum* to alleged violators and/or witnesses to compel their attendance in such hearings or investigations;
- p) Delegate the hearing or investigation of the cases against the alleged violators; provided, that, hearing or investigation of cases wherein the issue or question involved strictly concerns the technical practice of

Agriculture shall be presided over by at least one (1) member of the Board assisted by a Legal or Hearing Officer of the Commission;

- q) Endorse cases involving criminal violators of this Act and other laws, its rules and regulations, and other policies to the Prosecution Office for investigation;
- r) To decide administrative cases against examinees or registered Agriculturists after following due process; provided, if they are guilty, to cancel their examination papers and/or debar them from taking another licensure examination, or to revoke/ suspend their certificate or registration; provided, further, that the effectivity of the penalty shall only commence from the date of surrender of the said certificates together with the professional identification cards; provided, furthermore, the decision of the Board shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;
- s) Reissue or reinstate revoked/suspended Certificate of Registration and unexpired Professional Identification Card to respondent holder: provided, the revoked Certificate of Registration shall only be reissued after the lapse of the period provided in this Act; provided, further, the Board shall issue a resolution thereon subject to approval by the Commission, after he/she shall have established his/her fitness to practice anew his/her Agriculture profession and, provided, furthermore, the suspended certificate of registration shall only be reissued upon the period imposed in the decision of the Board;
- t) Conduct through the Legal or Hearing Officers summary proceeding on minor violation of this Act, its IRR, any of the Codes afore-mentioned, the General Instructions to Examinees committed by examinees, and to render summary judgment thereon which shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;
- u) 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 on issues or problems affecting the Agriculture profession to the Commission;
- v) Discharge other applied, incidental, necessary powers, duties, functions, and responsibilities for the effective carrying out of the provisions of this Act and its policies or measures and the achievement of its objectives; and
- w) 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 on appeal.

Section 10. Grounds for Removal or Suspension of Agri-Board Chairperson/Member. – The President of the Philippines, upon the recommendation of the Commission, after giving the Chairperson or the member of the Agri-Board an opportunity to defend himself/herself in an administrative investigation conducted by the Commission, may remove or suspend him/her on any of the following grounds:

- a) Gross neglect, incompetence or dishonesty in the discharge of his/her duty/function;
- b) Any violation of this Act and other pertinent Laws;
- c) Manipulation, or rigging of the Board licensure examination for Agriculturists' results, disclosure of confidential information on the examination questions prior to the conduct thereof, or tampering of grades.

Sec. 7 (s) of R.A. No. 8981, the rules and administrative investigation and the applicable provisions of the New Rules of Court shall guide the Commission in the conduct of the investigation.

Section 11. Supervision of the Agri-Board, Custodian of its Records, Office of the Secretary, Professional Regulatory Boards (PRBs) and Support Services. – The Commission shall provide a Secretariat for the Agri-Board who shall keep all records of the Board (applications for examination, etc.). The Commission shall designate the Secretary of the Board who shall be a staff member in the Office of the Secretary, Professional Regulatory Boards (PRBs) and shall provide the other support services to the Board.

ARTICLE III

EXAMINATION, REGISTRATION, CERTIFICATION, AND LICENSURE

Section 12. Passing of Licensure Examination Requirement. – Applicants for registration for the practice of Agriculture shall be required to pass a licensure examination as provided for in this Act in such places and dates as the Commission may designate in the Resolution thereof on the Master Schedule for all licensure examinations in accordance with Section 7 (d) of R.A. No. 8981.

Section 13. Qualifications of Applicants. - An applicant for the licensure examination for Agriculturists shall satisfactorily prove that he/ she possesses all the following qualifications:

- a) Citizen of the Philippines or a foreign citizen whose country/state has reciprocity with the Philippines in the practice of Agriculture;
- b) Of good moral character;
- c) A holder of a Bachelor of Science in Agriculture; a Master of Science or a Doctor of Philosophy degree in any specialized field of Agriculture or its allied disciplines that satisfy the six (6) areas of concern obtained by either a Filipino or foreign citizen from duly recognized or CHED-accredited

school/ college/ university, or its equivalent from an institution of learning in a foreign county/state; and

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

Section 14. Subjects for Licensure Examination. – The licensure examination/s for Agriculturists shall include, but, not be limited to, the following:

- a) Two (2) Crop Science Courses (Introduction to Crop Science and Introduction to Horticulture Production);
- b) Two (2) Animal Science Courses (Introduction to Animal Science and Introduction to Livestock and Poultry Production);
- c) Two (2) Crop Protection Courses (Principles of Crop Protection and Approaches and Practices in Pest Management)
- d) Two (2) Soils Science Courses (Principles of Soil Science and Soil Fertility, Conservation and Management);
- e) One (1) Agricultural Economics and Marketing Course; and
- f) One (1) Agricultural Extension and Communication Course (Principles and Methods of Extension and Communication in Agriculture).

The Board, subject to approval by the Commission, may recommend to CHED changes in the said subjects to conform to modern and advanced technologies in Agriculture.

Section 15. Rating in the Licensure Examination. – To pass the licensure examination for agriculturists, a candidate must obtain a general or weighted average rating of seventy percent (70%), with no grade lower than sixty percent (60%) in any given subject.

Section 16. Oath of Profession. – All successful candidates in the licensure examination and those approved for registration without examination shall take their oath of profession before the Board; or any authorized officer of the Commission, or any person authorized by law, to administer oaths, prior to entering upon the practice of Agriculture.

Section 17. Issuance of Certificate of Registration and Professional Identification Card. – A Certificate of Registration shall be issued to those who have taken their oath of profession and are registered with or have approved applications without licensure examination subject to payment of fees prescribed by the Commission. It shall bear the signatures of the Secretary and the two (2) Commissioners of the Commission and the Chairman and members of the Board, stamped with the official seal of the Commission and the Board, certifying that the person named therein is entitled to the practice of the profession with all privileges appurtenant thereto. Until withdrawn, revoked, or suspended in accordance with this Act, it shall remain in full force and effect.

A Professional Identification Card bearing the registration number and date, its validity and expiry duly signed by the Chairperson of the Commission shall likewise be issued to every registrant who has paid the prescribed fee. It shall be reissued after every three (3) years upon satisfying all requirements and payment of the prescribed fees thereof.

Section 18. Refusal to Register. – The Board shall not register any successful applicant for registration with or approved application without licensure examination that has been:

- a) Convicted of an offense involving moral turpitude by a court of competent jurisdiction,
- b) Found guilty of immoral or dishonorable conduct by the Board,
- c) Summarily adjudged guilty for violation of the General Instructions to Examinees by the Board, and/or
- d) Declared of unsound mind by the court of competent jurisdiction.

In refusing such registration, the Board shall give the applicant a written statement setting forth the reasons therefore and shall file a copy therefore in its records.

Section 19. Revocation or Suspension of the Certificate of Registration and Cancellation of Temporary/Special Permit. – The Board shall have the power, upon notice, and hearing, to revoke or suspend the certificate of registration of a Registered and Licensed Agriculturist or to cancel a temporary special permit granted to a foreign Agriculturist, for violation of any of the grounds or causes in Section 19 of this Act, except (c) therefore and for any of the following grounds:

- a) Violation of a provision of this Act, its IRR, Code of Ethics, Code of Good Governance, Code of Technical Standards for the practice of Agriculture, policy and measure of the Board and/or the Commission;
- b) Perpetration or use of fraud in obtaining his/her Certificate of Registration, professional identification card, temporary/special permit;
- c) Gross incompetence, negligence or ignorance resulting in death, injury or damage;
- d) Refusal to join or to remain a member in good standing of the APO;
- e) Neglect or failure to pay the annual registration fees for five (5) consecutive years;
- f) Non-renewal of the Professional Identification Card;

- g) Aiding or abetting the illegal practice of a non-registered and licensed person by allowing him/her to use his Certificate of Registration and/or Professional Identification Card or his/ her Special/Temporary Permit.
- h) Illegal practicing the profession during his/her suspension from the practice thereof;
- i) Addicted to a drug or alcohol abuse impairing his/her ability to practice his/her profession or declared with unsound mind by a court of a competent jurisdiction; and
- j) Non-compliance with the CPD requirements, unless he/ she is exempted there from, for the renewal of his/her Professional Identification Card;

Provided, however, that such actions are subject to appeal or remedies available under existing Laws. The Board shall periodically evaluate the aforementioned grounds and revise or exclude or add new ones as the need arises subject to approval by the Commission.

Any person, firm or association may file charge/s in accordance with the provision of this Section against any registrant, or the Board may, *motu proprio* investigate a violation of any of the above-motined causes. Affidavit-complaint shall be filed together with the affidavits of witnesses and other documentary evidence with the Board through the Legal and Investigation Office. The *motu proprio* move to conduct an investigation shall be embodied in a formal charge to be signed by at least majority of the members of the Board. The rules on administrative investigation, the provisions of this Act, R.A. No. 8981, and the Rules of Court shall be applicable.

Section 20. Re-issuance of Revoked Certificate of Registration, Replacement of lost or Damaged Certificate of Registration, Professional Identification Card or Temporary/Special Permit. – The Board may upon petition reinstate or reissue a revoked certificate of registration after two (2) years from the effectivity of the period for revocation, which is the date of surrender of the said Certificate and/or the Professional Identification Card if still valid to the Board and/or the Commission. The Board may not require the holder thereof to take another licensure examination. The petitioner shall prove to the Board that he/she has valid reason to practice his/her profession. For the grant of his/her petition, the Board shall issue a Board Resolution subject to approval by the Commission.

Duplicate copy of lost Certificate of Registration, Professional Identification Card or Temporary/Special Permit may be reissued in accordance with rules thereon and upon payment of the prescribed fee therefore.

Section 21. Non-Payment of the Annual Registration Fees. – The Board shall suspend a registered Agriculturist from the practice of his/her profession for non-payment of the annual registration fees for three (3) consecutive years from his/her last or previous year of payment. The resumption of his/her practice shall take place only upon payment of the delinquent fees plus surcharges and interest and in accordance with the rules of the Commission. The running of

the three-year period may be interrupted upon written notice about the discontinuance of his/her practice and surrender of his/her Certificate of Registration and Professional Identification Card, if unexpired to the Board and/or Commission.

Section 22. Vested Rights: Automatic Registration. – All Agriculturists registered at the effectivity of this Act shall automatically be registered hereunder, subject to the provisions herein set forth as to future requirements.

Certificates of Registration and Professional Identification Cards or Temporary/Special Permits held by such persons in good standing at such effectivity shall have the same force and effect as though they were issued on or after the said effectivity.

ARTICLE IV PRACTICE OF AGRICULTURE

Section 23. Scope of Practice. – No person shall practice or offer to practice the Agriculture Profession in the Philippines, unless she/she is a registered and licensed Agriculturists', possessing a valid Certificate of Registration and a valid Professional Identification Card issued by the Board.

The practice of Agriculture shall include, but not be limited to, the following acts or activities:

- a) Consultation, evaluation, investigation, and management services requiring the application of agriculture knowledge;
- b) Preparation and certification of agricultural systems, interactive diagnosis, and plans; and design, project feasibility studies and cost estimates; and specification for the production, harvesting, processing, utilization and marketing perennial and annual agricultural crops and/or animals for multiple products and services, including conservation and sustainable production practices; and other management services in agriculture;
- c) Provisions of related activities or services such as the conduct of experiments, research, extension, development, training or communications in agriculture;
- d) The teaching of agriculture subjects in all Higher Education Institutions (HEIs) (Schools, Colleges and Universities); and for licensure examinations; undertaking, supervision and/or administration of studies and programs in stations, centers, community/provincial/ regional/national offices of government agencies and institutions requiring agriculture professionals; technical, or management consultants needed by/or required of local government units, private corporations, foundations, non-government associations and foreign assisted projects;
- e) All agriculture concerns, projects, business activities or related services must be certified by a professional agriculturist before such will be accepted by any entity for registration, getting business permits or licenses

in municipalities, any financial institutions, legal transactions and the like. Such requirements shall ensure that agriculture activities will conform to the observance of the requirements of good agricultural, environmental, conservation, and sustainable production practices affecting the natural resources and the ecosystem;

- f) Development of management plans with recommendations on the implementation of agricultural nurseries (including tissue-culture and clonal bank operations), appropriate crop species and strategies for appropriate sites; a plan for long-term fertility management, soil and water resources conservation measures; for marketing final products including budget and economic projections; farm and pasture diversification plans of ranches, fruit crop growers and farms to diversify products and integrate more intercrops into their plantings, with appropriate species and techniques to support existing crops, reduce expenses and increase the diversity and economic resiliency of the project; conduct of assessment, analysis and management of resources; and agriculture products manufacturing and marketing; and
- g) Employment in the private or government sector that requires agriculture knowledge and expertise.

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

Section 24. Lawful Practitioners of Agriculture. – Persons who shall be authorized to practice the Agriculture profession are:

- a) Duly registered and licensed as Agriculturists and holders of valid Certificates of Registration and valid Professional Identification Cards issued by the Board and the Commission pursuant to this Act; and
- b) Holders of valid Temporary/ Special Permits issued by the Board and the Commission to foreign licensed Agriculturists pursuant to this Act.

Section 25. Foreign Reciprocity. – No foreigner shall be allowed to take the Board licensure examination for Agriculturists, register, receive his/her Certification of Registration and Professional Identification Card, and practice Agriculture in the Philippines unless the requirements for the licensure examination and/or registration and practice of Agriculture imposed under the laws and regulations in his/her foreign country/state are substantially the same as those required and contemplated by the Philippine laws and regulations, and unless the said foreign laws and regulations allow Philippine citizens to practice Agriculture within the territory of the said foreign country/state on the same basis and grant the same privileges as those enjoyed by the citizens, subject or nationals thereof.

Section 26. Indication of Numbers: Certificate of Registration, APO Membership and Professional Tax Receipt. – The Agriculturist shall be required to indicate his/her Certificate of Registration Number and Date of Issuance, the expiry of his/her current Professional Identification Card, APO Membership Number

and the Professional Tax Receipt Number on the documents he/she signs, uses, or issues in connection with the practice of his/her Agriculture profession.

Section 27. Roster of Agriculturists. – The Board shall prepare and maintain a roster of the names, residence and/or office address of all registered Agriculturists, which shall be updated annually in cooperation with the 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.

Section 28. Integration of the Professional. – The Agriculturists shall be integrated into one (1) national organization of Agriculturists that is duly registered with the Securities and Exchange Commission (SEC). The Board of Agriculture subject to approval by the Commission shall accredit the national organization of Agriculturists. All Agriculturists whose names appear in the Registry Book of Agriculturists shall *ipso facto* or automatically become members of APO, and shall receive benefits upon payment of the membership fees and dues.

Membership in an affiliate organization of Agriculturists shall not be barred.

Section 29. Practice by Other Registered and Licensed Professionals under this Act. – Professionals who are registered and licensed under another Professional Regulatory Law (PRL) shall not be prevented from practicing any of the activities in the scope of practice under this Act provided that such activity is also found in the said PRL.

Section 30. Posting of Certificate of Registration and Professional Identification Card or Temporary/ Special Permit. – The registered and licensed Agriculturists shall post in a conspicuous place in his/her office photocopies of the Certificate of Registration and Professional Identification Card of Agriculturists or Temporary/ Special Permit.

Section 31. Position with Practice of the Agriculture Profession. – Positions in public or private entities, involving the practice of Agriculture, shall be occupied by persons who are duly registered and Licensed Agriculturists, or with valid Temporary/ Special Permits that are issued under this Act.

ARTICLE V PENAL AND MISCELLANEOUS PROVISIONS

Section 32. Penal Clause. – Any person who shall violate any provisions of this Act, who shall practice the Agriculture profession in the Philippines without a Certificate of Registration and/or Professional Identification Card in accordance herewith, or any person presenting or using as his/her own certificate of Registration and/or Professional Identification Card belonging to another, or any person giving any false or forged evidence to the Board or Commission in order to secure a Certificate of Registration and/or a Professional Identification Card, or Temporary/Special permit, or any person

assuming, using or advertising as a registered and licensed agriculturist without having been conferred such title, or advertising any title description tending to convey the impression that he or she is a registered and licensed agriculturist, shall be, upon conviction, be fined with not less than Fifty Thousand Pesos (Ph50,000.00), but not more than Five Hundred Thousand Pesos (Ph500,000.00), or imprisoned for not less than six (6) months but not more than six (6) years or be meted with both at the discretion of the court.

Section 33. Employment of Agriculturists in the Government. – In furtherance of the national government's program for sustainable agricultural development, there is a need to adopt mechanisms for the placement and employment of agriculture graduates in the government sector.

Thus, it is hereby mandated that all municipalities shall require at least 80% of created plantilla positions at the Municipal Agriculture offices be occupied by licensed agriculturists. Likewise, all provinces shall require at least 50% of plantilla positions at the offices of the Provincial Agriculturists be occupied by registered and licensed Agriculturists.

The aforesaid agriculturist plantilla positions shall be occupied by a registered and licensed Agriculturist as defined in this Act.

Whenever necessary, national government agencies concerned in agriculture-related activities must also require plantilla positions for registered and licensed agriculturists as they may deem appropriate.

The Board shall initiate the development of Position Classification Standards to be led by the Civil Service Commission, in collaboration with the Department of Agriculture, the Department of Interior and Local Government, the Department of Agrarian Reform, and the Department of Environment and Natural Resources, one (1) year after the approval of this Act in accordance with existing Salary Standardization Laws.

Section 34. Employment of Agriculturists in the Private Sector. – In line with the national government's program for sustainable agricultural development, there is also a need to adopt alternative mechanisms for the placement and employment of agriculture graduates in the private sector engaged in agriculture.

Thus, it is hereby mandated that all corporate farms with the following sizes of operation shall require at least one (1) plantilla position for a registered and licensed agriculturist:

Farms with at least 50 hectares planted to agricultural crops,

Poultry farms with at least 5,000 chicken, or 2,000 ducks,

Livestock farms with at least 50 head of cattle/ carabao, or 50-sow units, or 100 fattening pigs; or 100 head of goats;

Delete a. b. & c. Proposed amendment to a. b. and c. "FARMS, POULTRY, LIVESTOCK AND OTHER AGRICULTURAL PROJECTS WITH A

CAPITALIZATION OF NOT LESS THAN FIVE MILLION PESOS, PHP 5,000,000.00.

- Section 35. Enforcement.** – In carrying out the provisions of this Act, the Board shall be assisted by the Commission, the APO, duly constituted government agencies and authorities and private organizations in the industry. A memorandum of agreement between agencies or organizations may be executed.
- Section 36. Funds.** – The funds or budget for the implementation of this Act shall be included in the Annual Appropriation Act for the Commission, provided that the amount incurred for its initial implementation shall be charged against the Commission's current year's appropriation.
- Section 37. Transitory Provisions.** – The incumbent Board shall in an interim capacity continue to operate or function by carrying out the provisions of the Act without new appointments of the Chairman and members thereof, until the first Board created under this Act shall have been constituted or organized pursuant thereto.
- All graduates with Bachelor of Science in Agriculture degree, and other baccalaureate programs, with at least five years work experience in agriculture from the government or private sector prior to the implementation of this Act, shall be allowed to apply without examination and shall be granted a Certificate of Registration and Professional Identification Card by the Board subject to the approval of PRC. This transitory provision will be in effect within three (3) years from the effectivity of this Act.
- Section 38. Implementing Rules and Regulations.** – Within ninety (90) days after the effectivity of this Act, the Board of Agriculture, subject to approval by the Commission, shall prescribe, promulgate, and issue a Board Resolution on the Implementing Rules and Regulations (IRR) necessary to carry out the provisions of this Act, after consultation with the stakeholders (APO, other agencies, and concerned private organization in the industry).
- Section 39. Separability Clause.** – If any provision, section, or part of this Act shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other provisions, sections or parts hereof, but shall be merely confined to the provision, section, or part thereof that is directly involved in the issue upon which such judgment has been rendered.
- Section 40. Repealing Clause.** – Section 75 of Republic Act No. 8435 (AFMA of 1997), PRC Res. No. 2000-663, Series of 2000 and Board Res. No. 02, Series of 2002 as amended (Board Res. Nos. 01, S. 2003; 09, S. 2005), are hereby repealed. Laws, decrees, orders, letters of instructions, rules and regulations, or other issuances, and parts thereof inconsistent with the provisions of this Act are likewise accordingly repealed or modified.
- Section 41. Effectivity.** – This Act shall take effect after fifteen (15) days following the full and complete publication thereof in the official Gazette or any newspapers of general circulation in the Philippines.

Approved.