

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS

Second Regular Session

House Bill No. **7246**



Introduced by **HON. ARTHUR C. YAP**

EXPLANATORY NOTE

The backbone of the Philippine economy remains to be the agriculture industry. More than ever before, the country faces the challenge of achieving food security under the looming threat of a global food crisis caused by, among others, spiraling fuel and energy costs and the degradation of the world's natural resources.

The landmark Agriculture and Fisheries Modernization Act of 1997 (AFMA) (Republic Act No 8435) provides the policies and plans to the continuing modernization and development of the agriculture and fishery sector amid the ever-changing demands of globalization and food security. The success of AFMA depends on the men and women who comprise the agriculture and fishery development workers.

In pursuant of the policy and objectives of AFMA, more specifically Sec. 75 of the Rules and Regulations Implementing RA 8435, the Professional Regulation Commission, in its Resolution No. 2000-663, created a Board of Agriculture under its administrative supervision and control to oversee the licensing and regulation of the practice of agriculture. The Commission has mandated the licensure of agriculture graduates to give importance to the professionalization of the agriculture profession.

However, since the implementation of the licensure examination for agriculture graduates, there has been numerous issues and concerns on the real importance of having a license to practice agriculture. There is no law creating permanently a Board of Agriculture, much more of regulating the practice of the agriculture profession.

This bill seeks to put at par the agriculture profession with other professions such as the accounting, engineering, food technology, and forestry professions, to name a few, by regulating the practice of the agriculture profession thereby ensuring the continuing professional development of agriculture workers.

In view of the foregoing, the passage of the bill is earnestly sought.


HON. ARTHUR C. YAP
Representative
3rd District, Bohol

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AN ACT
REGULATING THE PRACTICE OF AGRICULTURE PROFESSION IN THE
PHILIPPINES CREATING FOR THE PURPOSE A PROFESSIONAL REGULATORY
BOARD FOR AGRICULTURISTS AND APPROPRIATING FUNDS THEREFOR

ARTICLE I

TITLE: DECLARATION OF POLICY, OBJECTIVES, AND DEFINITION OF TERMS

Section 1. Short Title - This Act shall be known as the "Professional Agriculturist Act of 2017".

Section 2. Declaration of Policy - The State recognizes the importance of professional agriculturists in nation building and development. Hence, it shall develop and nurture competent, ethical, globally competitive and well-rounded professional agriculturists who shall observe the highest standards of excellence, and whose professionalism shall be fostered through the administration of transparent, credible and relevant licensure examinations, a system of registration and self-regulation, and through continuing education.

Section 3. Objectives - The Act provides for and shall govern:

- (a) The examination, registration and licensure of professional agriculturists;
- (b) The supervision, control, and regulation of the practice of the agriculture profession in the Philippines;
- (c) The development and upgrading of the agriculture curriculum;
- (d) The development of the professional competence of agriculturists through mandatory Continuing Professional Development (CPD); and
- (e) The integration of the agriculture profession.

Section 4. Definition of Terms - For purposes of this Act, the following terms are hereby defined:

- (a) *Accredited Integrated Professional Organization (AIPO)* - as used in this Act shall refer to the Philippine Association of Agriculturists, Inc. which was accredited by the Professional Regulation Commission (PRC) as per Resolution No. AIPO-042;

- 1 (b) *Agriculture* – refers to the art, science, ethics, management and entrepreneurship in
2 the production, processing, and distribution of agricultural products and services;
- 3 (c) *Agriculturist* – shall refer to a person who is a graduate of a bachelor's degree program
4 in agriculture or any related programs performing any of the specialized activities such
5 as agronomy, horticulture, animal husbandry, crop protection (entomology, plant
6 pathology, weed science) plant breeding, soil science, agricultural economics,
7 agricultural business and marketing, agricultural extension and is able to provide
8 scientific, technical and policy advice in implementing programs that would promote
9 agriculture development;
- 10 (d) *Board* - shall refer to the Professional Regulatory Board for Agriculture hereby created
11 as the regulatory body, under the administrative, executive and policy supervision of
12 the Professional Regulation Commission, for the practice of agriculture in the
13 Philippines, with the powers, functions, and responsibilities herein prescribed;
- 14 (e) *Commission* - shall refer to the Professional Regulation Commission (PRC) created
15 under R.A. No. 8991, known as the "PRC Modernization Act of 2000";
- 16 (f) *Licensed Agriculturist* – shall refer to any person who has passed the licensure
17 examination for agriculturist administered by the Board/Commission, or any
18 baccalaureate person with five years of experience in the practice of the profession
19 before the implementation of the Agriculture and Fisheries Modernization Act (AFMA)
20 of 1997 and approved by the Board/ Commission, taken the oath of Agriculturist, and
21 duly registered and issued a Certificate of Registration and a valid Professional
22 Identification Card. A Licensed Agriculturist can affix the title "Agr." before or "L. Agr."
23 after his/her name to indicate the profession.
- 24 (g) *Practice of agriculture profession* – shall refer to activities, acts, services or pursuits
25 performed by PRC-licensed professional agriculturists, the scope thereof is prescribed
26 and/or specified herein.

27 ARTICLE II

28 PROFESSIONAL REGULATORY BOARD FOR AGRICULTURE

29 **Section 5. Creation and Composition of the Professional Regulatory Board for**
30 **Agriculture** - There is hereby created a Professional Regulatory Board for Agriculture
31 hereinafter referred to as the "Board", under the supervision and administrative control of
32 the Professional Regulation Commission, to be composed of a Chair and five (5)
33 members, each member representing one of the six (6) fields of specialization listed in
34 Sec. 15, Article III, hereof, who shall be appointed by the President of the Philippines from
35 among a list of two (2) recommendees for each position submitted by the Commission
36 from a list of three (3) nominees for each position submitted by the Philippine Association
37 of Agriculturists, Inc. (PAA), the Accredited Integrated Professional Organization within
38 ninety (90) working days after the approval of this Act. Other Professional Agricultural
39 Organizations duly registered with the Securities and Exchange Commission (SEC) may
40 submit nominees through the AIPO. The new Board shall be constituted within three (3)
41 months from the effectivity of this Act.

42 **Section 6. Qualifications of the Chair and Members of the Board** - The Chair and
43 Members of the Board must, at the time of their appointment;

- 44 (a) Be a Filipino citizen and resident of the Philippines;
- 45 (b) Be of good moral character and must not been convicted of any crime involving moral
46 turpitude;
- 47 (c) Be a member in good standing of the accredited integrated professional organization
48 of agriculturists;

1 (d) Be a registered and licensed agriculturist with a valid Certificate of Registration and
2 Professional Identification Card, with at least ten (10) years of experience prior to
3 his/her appointment;

4 (e) Not be a member of the faculty, whether full-time or part-time, of any school, college
5 or university where a regular and/or review course in Agriculture is taught, nor shall
6 have any pecuniary interest in such institution; and

7 (f) Not be an incumbent officer of the accredited national organization of agriculturists.

8 **Section 7. Scope and Practice of Agriculture** - Agriculture profession involves services
9 consisting of crop and animal production, processing and distribution.

10 An agriculturist shall be considered in the practice of agriculture if the nature and character
11 of his/her employment in the public or private enterprise requires professional knowledge
12 in the field of agriculture. He/she is also deemed in the practice of the agriculture
13 profession if he/she teaches or do research in agriculture subjects in any university,
14 college or school duly recognized by the government or engaged in agriculture-related
15 extension activities.

16 **Section 8. Powers and Functions of the Board** - The Board shall have the following
17 powers and functions:

18 (a) Promulgate, administer and enforce rules and regulations, including Code of Ethics
19 and Code of Technical Standards for Agriculturists for carrying out the provisions of
20 this Act.

21 (b) Supervise and regulate the licensure, registration and practice of the agriculture
22 profession;

23 (c) Determine and evaluate the qualifications of the applicants for registration with or
24 without the prescribed licensure examinations and for the issuance of special or
25 temporary permits;

26 (d) Prepare and modify the questions for examination and prescribe the syllabi of the
27 subjects for examination and their relative weight;

28 (e) Administer the oath of a professional and register successful examinees in the
29 licensure examination and issue the corresponding Certificate of Registration and
30 Professional Identification Card;

31 (f) Issue special or temporary permits to foreign agriculturists for specific projects and for
32 a specific duration of time;

33 (g) Look into the conditions affecting the practice of agriculture, adopt measures for the
34 enhancement of the profession and the maintenance of high professional, technical
35 and ethical standards, and conduct ocular inspection of places where agriculturist
36 practice their profession;

37 (h) In coordination with the Commission on Higher Education (CHED), examine the
38 prescribed facilities of universities or colleges, seeking permission to open the course
39 or program of agriculture in order to ensure that standards and essential requirements
40 for a qualified dean and faculty and adequate budget are properly complied with and
41 maintained;

42 (i) Investigate violations of this Act, its implementing rules and regulations and the Code
43 of Ethics for Agriculturists;

44 (j) Issue subpoena and subpoena duces tecum to secure the attendance of respondents
45 or witnesses or the production of documents relative to the investigation conducted by
46 the Commission;

1 (k) Prepare guidelines for the Continuing Professional Development (CPD) in
2 coordination with the accredited integrated professional organization;

3 (l) Perform other powers, functions and duties as may be necessary to effectively
4 implement this Act.

5 The policies, resolutions, rules and regulations, orders and decisions issued or
6 promulgated by the Board shall be subject to review and approval of the Commission.
7 However, the Board's decisions, resolutions or orders which are not interlocutory,
8 rendered in an administrative case, shall be subject to review only if on appeal.

9 **Section 9 - Term of Office** - The Chair and Members of the Board shall hold office for a
10 term of three (3) years from the date of their appointment until their successors shall have
11 been appointed and duly qualified; Provided, that the first appointees to the Board after
12 the effectivity of this Act shall hold office according to the following terms: two (2)
13 Members, one of whom shall be designated Chair in the appointment, shall serve for three
14 (3) years; two (2) Members shall serve for two (2) years and two (2) Members shall serve
15 for one (1) year.

16 The Chair and Members may, however, be reappointed for another term but in no case
17 shall serve for more than six (6) years.

18 Any vacancy in the Board shall be filled for the unexpired portion of the term only. Each
19 member shall take an oath of office prior to the assumption of duties.

20 **Section 10. Compensation and Allowance of the Chair and Members of the Board** -
21 The Chair and Members of the Board shall receive compensation and allowances
22 comparable to the compensation and allowances received by the Chair and Members of
23 other Professional Regulatory Boards under the Commission as provided in the annual
24 General Appropriation Act.

25 **Section 11. Suspension and Removal of the Chair and Members of the Board** - The
26 Chair or Member of the Board may be suspended or removed by the President of the
27 Philippines upon recommendation of the Commission for neglect of duty, abuse of power,
28 oppression, incompetence, unprofessional, unethical, immoral or dishonorable conduct,
29 commission or toleration of irregularities in the conduct of examination or tampering of the
30 grades therein, or for any final judgment or conviction of any criminal offense involving
31 moral turpitude by the court after having been given the opportunity to defend
32 himself/herself in a proper administrative investigation.

33 **Section 12. Supervision of the Board, Custodian of its Records, Secretariat and**
34 **Support Services** - The Board shall be under the general supervision and administrative
35 control of the Commission. All records of the Board, including application for examination,
36 papers and results, minutes of deliberations, administrative and other investigative cases
37 involving agriculturists, shall be kept by the Commission.
38 The Commission shall designate the Secretary of the Board and other support services to
39 implement the provisions of this Act subject to the usual government accounting and
40 auditing rules and regulations.

41 **Section 13. Annual Report** - The Board shall, within thirty (30) days from the close of
42 each calendar year, submit an annual report to the Commission, giving a detailed account
43 of its proceedings and accomplishments during the year and recommending measures to
44 be adopted with the end in view of upgrading and improving the conditions and practice
45 of the agriculture profession in the Philippines.

ARTICLE III

46 LICENSURE EXAMINATION AND REGISTRATION

47 **Section 14. Licensure Examination** - Every applicant seeking to be registered and

1 licensed as Professional Agriculturist shall undergo an examination as provided for in this
2 Act. Examination for the practice of Agriculture profession in the Philippines shall be given
3 by the Board at least once every year in such places and dates as the Commission may
4 designate in accordance with the provisions of Republic Act 8981.

5 **Section 15. Scope of Examination** - A written examination shall be given to the licensure
6 applicants for Agriculturists, which shall include but not limited to the principles and
7 practices of the following:

- 8 (a) Crop Science
- 9 (b) Animal Science
- 10 (c) Soil Science
- 11 (d) Crop Protection
- 12 (e) Agricultural Economics and Business; and
- 13 (f) Agricultural Extension and Communication

14 To conform with the technological and agricultural modernization, the Board may re-
15 cluster, re-arrange, modify, add or exclude any of the foregoing subjects as the need
16 arises.

17 **Section 16. Qualifications of Applicants for Examination** - In order to be admitted to
18 the Licensure Examination for agriculturist profession; a candidate shall, at the time of
19 filing his/her application, establish to the satisfaction of the Board that:

- 20 (a) he/she is a citizen of the Philippines or a foreign country qualified to take the
21 examination as provided in the reciprocity provision of this Act;
- 22 (b) he/she is a holder of a Bachelor's Degree in Agriculture or any related course from a
23 school, college or university established or recognized by the Government; Provided,
24 that a holder of a graduate degree in Agriculture shall be allowed to qualify within five
25 (5) years from the effectivity of this Act; and
- 26 (c) he/she is of good moral character and must not have been convicted of any crime
27 involving moral turpitude.

28 **Section 17. Ratings in the Examination** - In order that a examinee may be deemed to
29 have successfully passed the examination, he/she must have obtained an average of at
30 least seventy-five percent (75%) in all subjects, with no rating below sixty percent (60%)
31 in any subject. However, if an examinee obtains a weighted average rating of seventy-
32 five percent (75%) or higher but obtained a rating below sixty percent (60%) in any given
33 subject/s, he/she shall be allowed to take the examination in the subject or subjects where
34 he obtained a grade below sixty percent (60%) only once.

35 An examinee who fails to pass the examination for three (3) consecutive times shall be
36 required to undergo a review or refresher course from an institution duly accredited by the
37 Board before he/she can be allowed to re-take the examination.

38 **Section 18. Release of the Results of Examination** - The results of the Licensure
39 Examination shall be released by the Board within ten (10) days from the last day of the
40 examination.

41 **Section 19. Issuance of the Certificates of Registration and Professional**
42 **Identification Cards** - A Certificate of Registration shall be issued to examinees who pass
43 the licensure examination for Agriculturists subject to payment of fees prescribed by the
44 Commission. The Certificate of Registration shall bear the signature of the Chairperson of
45 the Commission and the Chair and Members of the Board, stamped with the official seal
46 of the Commission, indicating that the person named therein is entitled to practice of the
47 Agriculturists profession with all the benefits and privileges appurtenant thereto; Provided
48 that he/she shall be allowed to practice the profession without the need of securing

1 another license from any government agency. The Certificate of Registration shall remain
2 in full force and effect until revoked or suspended in accordance with this Act. A
3 Professional Identification Card bearing the registration number, date of issuance, expiry
4 date, duly signed by the Chairperson of the Commission shall likewise be issued to every
5 registrant upon payment of the required fees. The Professional Identification Card shall
6 be renewed every three (3) years and upon satisfying the requirements of the Board.

7 **Section 20. Refusal to Register** - The Board shall not register and issue a Certificate of
8 Registration to any successful examinee who has been convicted by a court of competent
9 jurisdiction of any criminal offense involving moral turpitude or found guilty of immoral or
10 dishonorable conduct after investigation by the Board or has been declared to be of
11 unsound mind. The reason for the refusal shall be set forth in writing.

12 **Section 21. Revocation or Suspension of the Certificate of Registration,**
13 **Professional Identification Card or Cancellation of Temporary/Special Permit** - The
14 Board may, after giving proper notice of hearing to the party concerned, revoke the
15 Certificate of Registration and Professional Identification Card of an Agriculturist or
16 suspend him/her from the practice of the profession or cancel his/her temporary/special
17 permit for any of the causes or grounds under Section 20 or for unprofessional or unethical
18 conduct, malpractice, or violation of any of the provisions of this Act, its Implementing
19 Rules and Regulations (IRR), and the Code of Ethics for Professional Agriculturists.

20 **Section 22. Reinstatement, Reissuance or Replacement of Certificate of**
21 **Registration, Professional Identification Card and Temporary/Special Permit** - The
22 Board may, after two (2) years from the date of revocation of Certificate of Registration,
23 reinstate any revoked Certificate of Registration and reissue a suspended Professional
24 Identification Card. A new Certificate of Registration or Professional Identification Card or
25 temporary/special permit may be issued to replace lost, destroyed or mutilated ones
26 subject to such rules as may be promulgated by the Board.

27 **Section 23. Roster of Professional Agriculturist** - The Board, in coordination with the
28 Accredited Integrated Professional Organization, shall prepare, update and maintain a
29 Roster of Professional Agriculturists, their residence and office addresses, dates of
30 registration or issuance of certificate and other data which the Board may deem pertinent.

31 The roster shall be open to the public, copies of which shall be made available to any party
32 as may be deemed necessary.

33 **Section 24. Issuance of Special or Temporary Permit** - Upon application and payment
34 of the required fees and subject to the approval of the Commission, the Board may issue
35 special or temporary permits to professional agriculturists from foreign countries whose
36 services are urgently needed in the absence or inadequacy of local professional
37 agriculturists for the purpose of promoting or enhancing the practice of the profession in
38 the Philippines.

39 **Section 25. Foreign Reciprocity** - No foreign professional agriculturist shall be admitted
40 to the licensure examination or be given a Certificate of Registration or Professional
41 Identification Card and be entitled to any of the privileges under this Act unless the country
42 of which he/she is a citizen specifically allows Filipino Agriculturists to practice within its
43 territorial limits on the same basis as the citizens of such foreign country.

44 ARTICLE IV

45 PRACTICE OF AGRICULTURE PROFESSION

46 **Section 26. Oath** -All successful examinees qualified for registration shall be required to
47 take an oath of profession before any Member of the Board or any government official
48 authorized by the Commission or any person authorized by law to administer oaths prior
49 to entering into the practice of Agriculture profession.

50 **Section 27. Act Constituting The Practice of Agriculture Profession** - Any single act

or transaction embraced within the provision of Section 7 hereof shall constitute an act of engaging in the practice of Agriculture profession.

Section 28. Prohibition Against the Unauthorized Practice of Agriculture Profession

- No person shall practice the Agriculture profession in the Philippines or offer himself/herself as Agriculturist, or use the title, word, letter, figure, or any sign tending to convey the impression that one is an Agriculturist, or advertise or indicate in any manner whatsoever that one is qualified to practice the profession unless he/she has satisfactorily passed the licensure examination given by the Board, except as otherwise provided in this Act, and is a holder of a valid Certificate of Registration and Professional Identification Card or a valid special/temporary permit duly issued to him/her by the Board and the Commission.

Section 29. Prohibition Against Corporate Practice – The practice of agriculture is a professional service, admission to which shall be determined upon the basis of individual and personal qualification. No firm, company, or association may be registered or licensed as such for the practice of agriculture profession.

Section 30. 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.

Section 31. 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 national and local government agencies shall require agriculture-related plantilla positions be occupied by licensed Agriculturists as defined by this Act.

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 32. 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 shall require at least one (1) plantilla position for a licensed agriculturists:

Other corporations requiring agriculturists such as golf courses, agri tourism facilities and the likes are also required to employ licensed agriculturists and are required to employ a local counterpart for every foreign agriculturist and register the same with the Commission.

Section 33. Accredited Integrated Professional Organization - All professional agriculturists shall have one National Organization, which shall be recognized by the Board and by the Commission as the one and only accredited integrated professional organization of agriculturists. A Licensed Agriculturist shall become a member of the accredited integrated professional organization of Agriculturists and shall receive the benefits and privileges appurtenant thereto, subject to the membership requirements of the AIPO. Membership in the accredited integrated professional organization of agriculturists shall not be a bar to membership in other associations of Agriculturists.

Section 34. Code of Ethics for Agriculture Profession - The Board shall adopt and promulgate the Code of Ethics and Code of Technical Standards which shall be issued by

1 the Accredited Integrated Professional Organization of Agriculturist.

2 **Section 35. Vested Rights: Automatic Registration of Agriculturists** – All agriculturists
3 who are registered and licensed at the time this Act takes effect shall automatically be
4 registered.

5 **ARTICLE V**

6 **PENAL AND FINAL PROVISIONS**

7 **Section 36. Penal Provision** - Any violation of this Act, including violations of
8 implementing rules and regulations, shall be meted the penalty of a fine of not less than
9 Fifty Thousand Pesos (P 50,000.00) or more than Five Hundred Thousand Pesos (P500,
10 000.00), or imprisonment of not less than six (6) months nor more than six (6) years, or
11 both such fine and imprisonment upon the discretion of the court.

12 **Section 37. Appropriations** – The Chairperson of the Professional Regulation
13 Commission shall immediately include in the Commission's programs the implementation
14 of this Act, the funding of which shall be included in the Annual General Appropriations
15 Act and thereafter.

16 **Section 38. Transitory Provisions** - The existing Board of Agriculture shall continue to
17 function in the interim until such time that the new Board shall be constituted pursuant to
18 this Act.

19 **Section 39. Implementing Rules and Regulations** - The Board, subject to the approval
20 by the Commission in coordination with the Accredited Integrated Professional
21 Organization, shall issue and promulgate the implementing rules and regulations including
22 the Code of Ethics for Agriculturists needed to implement the provisions of this Act.

23 **Section 40. Separability Clause** - If any clause, sentence, paragraph or part of this Act
24 shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or
25 impair any other part of this Act.

26 **Section 41. Repealing Clause** - All laws, decrees, executive orders, memorandum
27 orders, and other administrative issuances and parts thereof which are inconsistent with
28 the provisions of this Act, are hereby modified, superseded or repealed accordingly.

29 **Section 42. Effectivity** - This Act shall take effect fifteen (15) days following its publication
30 in the Official Gazette or in a major newspaper of general circulation in the Philippines.