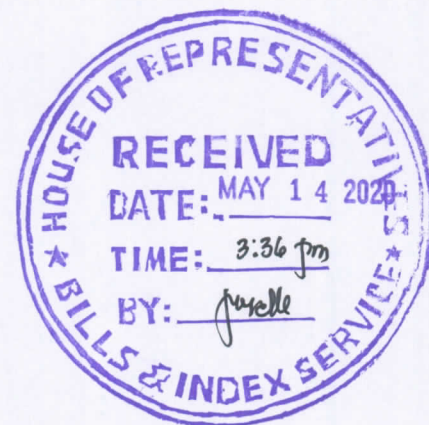


REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6740



Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III

EXPLANATORY NOTE

Republic Act No. 8435, otherwise known as the Agriculture and Fisheries Modernization Act, recognizes the important role of agriculture and fisheries graduates in spearheading the continuing modernization and development of agricultural production and agribusiness. To further ensure the competency of agriculturists in the country, the Professional Regulation Commission has passed Resolution No. 2000-63 which mandates the licensure examination of agriculture graduates. The licensing and regulation of the practice of agriculture was delegated then to the Board of Agriculture.

This bill intends to institutionalize the Board of Agriculture to regulate the practice and professionalization of agriculturists. Further, it also aims to establish a competitive licensure examination to ensure the continuing development of qualified agriculture professionals and recognize their importance in nation-building and development.

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

MANUEL DG. CABOCHAN III

Representative

Magdalo Para Sa Pilipino Party-List

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Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III

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

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

ARTICLE I
PRELIMINARY PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “Professional
Agriculturists Act.”

SEC. 2. *Declaration of Policy.* – The State recognizes the importance of Licensed
Agriculturists in nation-building and development. Hence, it shall develop and nurture
competent, ethical, globally competitive and well-rounded Licensed 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 professional development
programs and activities.

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

- (a) The examination, registration and licensure of Licensed 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;

- 1 (d) The development of the professional competence of Licensed Agriculturists through
2 Continuing Professional Development (CPD); and
3
4 (e) The integration of the Agriculture profession.
5

6 **SEC. 4. *Definition of Terms.*** – For purposes of this Act, the following terms shall be
7 defined as:
8

- 9 (a) Accredited Integrated Professional Organization (AIPO) refers to the one and only
10 national organization of Licensed Agriculturists that is accredited by the Professional
11 Regulation Commission and Professional Regulatory Board Agriculturists;
12
13 (b) Agriculture refers to the art, science, ethics, management and entrepreneurship in the
14 production, processing, distribution of agricultural products, services, and the
15 mitigation of climate change in agriculture;
16
17 (c) Board refers to the Professional Regulatory Board of Agriculture;
18
19 (d) Commission refers to the Professional Regulation Commission;
20
21 (e) Practice of the Agriculture Profession refers to all activities, acts, services or pursuits
22 performed by Licensed Agriculturists as herein prescribed or specified; and
23
24 (f) Licensed Agriculturist refers to a person who has been issued with a Certificate of
25 Registration (COR) and Professional Identification Card (PIC) to practice the
26 Agriculture profession.
27

28 **ARTICLE II**
29 **PROFESSIONAL REGULATORY BOARD OF AGRICULTURE**
30

31 **SEC. 5. *Creation and Composition of the Professional Regulatory Board of***
32 ***Agriculture.***– There is hereby created a Professional Regulatory Board of Agriculture,
33 hereinafter referred to as the Board, under the administrative supervision and control of the
34 Professional Regulation Commission, hereinafter referred to as the Commission. The Board
35 shall be composed of a chairperson and five (5) members. Each member shall represent one
36 of the six (6) fields of specialization listed in Section 15, Article III hereof. The chairperson
37 and members of the Board shall be appointed by the President of the Philippines from the two
38 (2) recommendees for each position submitted by the Accredited Integrated Professional
39 Organization (AIPO) for Licensed Agriculturists. Other professional agricultural organizations
40 duly registered with the Securities and Exchange Commission (SEC) may submit nominees,
41 through the AIPO. The new Board shall be constituted within six (6) months from the
42 effectivity of this Act.
43

1 **SEC. 6. *Qualifications of the Chairperson and Members of the Board.*** – The
2 chairperson and members of the Board must, at the time of their appointment:

- 3
- 4 (a) Be a Filipino citizen and resident of the Philippines;
- 5
- 6 (b) Be of good moral character and must not have been convicted of any crime
7 involving moral turpitude;
- 8
- 9 (c) Be a member in good standing of the AIPO for Licensed Agriculturists;
- 10
- 11 (d) Be holder of a degree in Bachelor of Science in Agriculture or any other agriculture-
12 related course, preferably with an MA/MS and/or PhD in any agriculture discipline
13 obtained from a school, college or university recognized by the government provided
14 further that each member of the board shall serve in the recognized expertise in one of
15 the six (6) fields of specialization;
- 16
- 17 (e) Be a Licensed Agriculturists, with a valid Certificate of Registration (COR) and
18 Professional Identification Card (PIC), and with at least ten (10) years of relevant
19 experience in Agriculture prior to appointment;
- 20
- 21 (f) Must not be a member of the faculty, whether full-time or part-time, of any school,
22 college or university where a regular and/or review course in Agriculture is taught,
23 nor shall have any pecuniary interest, direct or indirect, in such institution; and
- 24
- 25 (g) Must not be an incumbent officer or trustee of the AIPO for Licensed Agriculturists.

26

27 **SEC. 7. *Scope of Practice of Agriculture.***—The Agriculture profession involves
28 services consisting of crop and animal production, processing and distribution, in both urban
29 and rural areas.

30

31 A person shall be considered in the practice of Agriculture if the nature and character
32 of his/her employment in the public or private enterprise requires professional knowledge in
33 the field of Agriculture. He/she is also deemed to be in the practice of the Agriculture
34 profession if he/she teaches any Agriculture subject in a university, college or school or
35 engages in research in any Agriculture-related research or extension.

36

37 The foregoing list notwithstanding, other activities which now or hereinafter may
38 require the application of knowledge, skills, training and expertise in Agriculture shall be
39 deemed to be within the scope of the practice of Agriculture, and as such, shall be governed
40 by the provisions of this Act.

41

42 **SEC. 8. *Powers and Functions of the Board.***—The Board shall have the following
43 powers and functions:

44

- (a) Promulgate, administer and enforce rules and regulations, including the Code of Ethics and Code of Technical Standards for Licensed Agriculturists to carry out the provisions of this Act;
- (b) Supervise and regulate the licensure, registration and practice of Licensed Agriculturist;
- (c) Determine and evaluate the qualifications of the applicants for issuance of the COR, PIC and Special Temporary Permit (STP);
- (d) Prepare and modify the question for examination and prescribe the syllabi and Tables of Specifications (TOS) of the subjects for examination and their relative weights;
- (e) Administer the Oath of Professional;
- (f) Issue, suspend, revoke or reinstate the COR and PIC or STP for cause;
- (g) Look into the conditions affecting the practice of Agriculture, adopt measures for the enhancement of the profession and the maintenance of high professional, technical and ethical standards, and conduct inspection of places where Licensed Agriculturists practice their profession;
- (h) Inspect, in coordination with the Commission on Higher Education (CHED), the prescribed facilities of universities or colleges offering the course or program of Agriculture in order to ensure that standards and essential requirements for a qualified dean and faculty are properly complied with;
- (i) Investigate violations of this Act, its Implementing Rules and Regulations (IRR) and the Code of Ethics and Code of Technical Standards for Licensed Agriculturists;
- (j) Issue subpoena ad testificandum and subpoena duce tecum to secure the attendance of respondents or witnesses or the production of documents relative to the investigation conducted by the Board and the Commission;
- (k) Prepare guidelines for the Continuing Professional Development (CPD), in coordination with the AIPO for Licensed Agriculturists;
- (l) Perform other powers, functions and duties as may be necessary to effectively implement this Act.

The policies, resolutions, rules and regulations, orders and decisions issued or promulgated by the Board shall be subject to review and approval of the Commission.

1 However, the Board's decisions, resolutions or orders which are not interlocutory, rendered
2 in an administrative case, shall be subject to review only if on appeal.

3
4 **SEC. 9. *Term of Office.***— The members of the Board shall hold office for a term of
5 three (3) years after appointment or until their successors shall have been appointed and duly
6 qualified: provided, that members of the first Board to be appointed after the approval of this
7 Act shall hold for the following terms: the two (2) members, one of whom shall be designated
8 as Chairperson in the appointment, shall serve for three (3) years, two (2) members shall
9 serve for two (2) years, and the other two (2) members shall serve for one (1) year.

10
11 Each member of the Board may only be reappointed for one full term of three (3)
12 years. Any vacancy in the Board shall be filled for the unexpired portion of the term only.
13 Each member shall take an oath of office prior to the assumption of duties.

14
15 **SEC. 10. *Compensation and Allowance of the Chair and Members of the Board.*** —
16 The chairperson and members of the Board shall receive compensation and allowances
17 comparable to the compensation and allowances received by the chairpersons and members
18 of the other Professional Regulatory Boards under the Commission as provided in the annual
19 General Appropriation Act.

20
21 **SEC. 11. *Suspension and Removal of the Chair and Members of the Board.*** — The
22 Chairperson or member of the Board may be suspended or removed by the President of the
23 Philippines, upon recommendation of the Commission, for neglect of duty, abuse of power,
24 oppression, incompetence, unprofessional, unethical, immoral or dishonorable conduct,
25 commission or toleration of irregularities in the conduct of examination or tampering of the
26 grades therein, or for conviction by final judgment of any criminal offense involving moral
27 turpitude, after having been given the opportunity to defend himself/herself in a proper
28 administrative investigation.

29
30 **SEC. 12. *Supervision of the Board, Custodian of its Records, Secretariat and***
31 ***Support Services.*** — The Board shall be under the administrative supervision and control of
32 the Commission. All records of the Board, including applications for examination, appears
33 and results, minutes of deliberations, administrative and other investigative cases involving
34 Licensed Agriculturists, shall be kept by the Commission.

35
36 The Commission shall designate the Secretary of the Board and other support services
37 to implement the provisions of this Act.

38
39 **SEC. 13. *Annual Report.***— The Board shall, within thirty (30) days from the close of
40 each calendar year, submit an annual report to the Commission, giving a detailed account of
41 its proceedings and accomplishments during the year and recommending measures to be
42 adopted, with the end in view of upgrading and improving the conditions and practice of the
43 Agriculture profession in the Philippines.

ARTICLE III
LICENSURE EXAMINATION AND REGISTRATION

SEC. 14. *Licensure Examination.* – Unless otherwise provided, every applicant seeking to be registered and licensed as a Licensed Agriculturists shall undergo a written examination as provided for in this Act. Examination for the practice of the Agriculture profession in the Philippines shall be given by the Board at least once every year in such places and dates as the Commission may designate.

SEC. 15. *Scope of Examination.* – A written examination shall be given to the applicants for registration as Licensed Agriculturists, the scope of which shall include but not be limited to the following:

- (a) Crop Science
- (b) Animal Science
- (c) Soil Science
- (d) Crop Protection
- (e) Agricultural Economics, Agribusiness and Farm Management; and
- (f) Agricultural Extension and Communication

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

SEC. 16. *Qualifications of Applicants for Examination.* – In order to be admitted to the Agriculturists Licensure Examinations, a candidate must, at the time of filing of application, establish to the satisfaction of the Board that:

- (a) He/she is a citizen of the Philippines or a foreign country which has a policy on reciprocity for the practice of the Agriculture profession.
- (b) He/she is a holder of a Bachelor's Degree in Agriculture or any related course from a school, college or university recognized by the Government;
- (c) Non-holders of Bachelor's Degree in Agriculture but has a post-graduate degree in Agriculture from a school, college, or university recognized by the Government, provided, that he/she has finished a minimum of thirty-six (36) units of agricultural subjects.

1 (d) Incumbent holders of agriculture positions in the national, regional or local
2 government offices or agencies including government-owned and - controlled
3 corporations and have been engaged in agricultural functions acceptable to the Board:
4 provided, that they are holders of professional civil service eligibility; provided,
5 further, that he/she has finished a minimum of thirty-six (36) units of agricultural
6 subjects.

7
8 (e) He/she is of good moral character and has not been convicted of any crime involving
9 moral turpitude.

10
11 **SEC. 17. Ratings in the Examination.** – In order for an examinee to pass the
12 examination, he/she must obtained an average of at least seventy-five percent (75%) in all
13 subjects, with no rating below sixty percent (60%) in any subject. However, if an examinee
14 obtains a general weighted average rating of seventy-five percent (75%) or higher but
15 obtained a rating below sixty percent (60%) in any of the subjects, he/she shall be allowed to
16 take the examination in the subject or subjects where he obtained a grade below sixty percent
17 (60%) only once.

18
19 An examinee who fails to pass the examination thrice shall be required to undergo a
20 one (1) year refresher course equivalent to thirty – six (36) units and a review class before
21 he/she shall be allowed to re-take the examination.

22
23 **SEC. 18. Release of the Results of Examination.** – The results of the examination
24 shall be released within ten (10) days from the last day of the examination, unless otherwise
25 extended for a valid reason.

26
27 **SEC. 19. Registration without Examination.** – Upon approval of application and
28 payment of required fees, certificate of registration and professional license shall be issued to
29 the applicant for registration without examination who can prove to the satisfaction of the
30 Board that:

31
32 (a) He/she graduated from a school, college or university recognized by the
33 Government with the degree of Bachelor of Science in Agriculture or bachelor in
34 Agricultural Technology or their related degrees.

35
36 (b) Non-holders of Bachelor's degree in Agriculture but has post-graduate degree in
37 Agriculture from a school, college, or university recognized by the Government,
38 provided, that he/she has finished a minimum of thirty-six (36) units of
39 agricultural subjects.

40
41 (c) This provision shall be effective for a period of three (3) years upon approval of
42 the Act.

1 **SEC. 20. Issuance of the Certificate of Registration and Professional Identification**
2 **Card.**— A COR shall be issued to a successful registrant, with or without examination, subject
3 to the payment of fees prescribed by the Commission. The COR shall be bear the signature of
4 the chairperson of the Commission and the chairperson and members of the Board, stamped
5 with the official seals of the Commission and the Board, indicating that the person named
6 therein is entitled to practice the Agriculture profession, with all the benefits and privileges
7 appurtenant thereto. The COR shall remain in full force and effect until revoked or
8 suspended in accordance with this Act.

9
10 A PIC bearing the registration number, and dates of issuance and expiry, duly signed
11 by the Chairperson of the Commission shall likewise be issued to every registrant upon
12 payment of the required fees. The PIC shall be renewed every three (3) years, upon
13 compliance with the Continuing Professional Development (CPD), Certificate of Good
14 Standing (COGS) from the AIPO and other requirements of the Board and the Commission;
15 provided, further that incumbent professionals intending to renew their licenses shall adhere
16 to Section 16 (c) and (d) and Section 19 of this Act.

17
18 **SEC. 21. Refusal the Register.** — The Board shall not register and issue a COR to a
19 registrant who has been convicted by a court of competent jurisdiction of any criminal
20 offense involving moral turpitude or found guilty of immoral or dishonorable conduct after
21 investigation by the Board or has been declared to be of unsound mind. The reason for the
22 refusal shall be set forth in writing.

23
24 **SEC. 22. Revocation or Suspension of the Certificate of Registration, Professional**
25 **Identification Card or Cancellation of Special Temporary Permit.** — The Board may, after
26 giving proper notice of hearing to the party concerned, revoke the COR and PIC of a
27 Licensed Agriculturists or suspend him/her from the practice of the profession or cancel
28 his/her STP for any of the causes or grounds under Section 20 hereof or for unprofessional or
29 unethical conduct, malpractice, or violation of any of the provisions of this Act, its IRR, Code
30 of Ethics and Code of Technical Standards for Licensed Agriculturists.

31
32 A new COR and PIC or STP may be issued to replace lost, destroyed or mutilated
33 ones, subject to such rules as may be promulgated by the Board and the Commission.

34
35 **SEC. 23. Roster of Professional Agriculturists.** — The Board, in coordination with the
36 AIPO, shall prepare, update and maintain a Roster of Licensed Agriculturists, which shall
37 contain their residence and office addresses, dates of registration and other data which the
38 Board may deem pertinent.

39
40 **SEC. 24. Issuance of Special Temporary Permit.** — Upon application and payment
41 of the required fees and subject to the approval of the Commission, the Board may issue an
42 STP to a foreign Licensed Agriculturist whose services are urgently needed due to the
43 absence or inadequacy of local Licensed Agriculturists for the purpose of promoting or
44 enhancing the practice of the Agriculture profession in the Philippines.

1
2 The Board shall issue the conditions for the grant of the STP, which shall include but
3 not be limited to the designation of local understudy for every foreign Professional
4 Agriculturist to be employed or engaged in the Philippines.
5

6 **SEC. 25. *Foreign Reciprocity.*** – No foreign Professional Agriculturist shall be
7 admitted to the examination or be given a COR or PIC and be entitled to any of the privileges
8 under this Act unless the country of which he/she is a citizen specifically allows Filipino
9 Licensed Agriculturists to practice within its territorial limits on the same basis as the citizens
10 of such foreign country.
11

12 **ARTICLE IV**
13 **PRACTICE OF AGRICULTURE PROFESSION**
14

15 **SEC. 26. *Oath.*** – All persons qualified for registration, with or without examination,
16 shall be required to take an oath of profession before any Member of the Board or any
17 government official authorized by the Commission to administer oaths prior to entering into
18 the practice of the Agriculture profession.
19

20 **SEC. 27. *Act Constituting the Practice of Agriculture Profession.*** – Any single act
21 or transaction embraced within the provision of Section 7 hereof shall constitute an act of
22 engaging in the practice of the Agriculture profession.
23

24 **SEC. 28. *Professional Title Appendence.*** – Only a Licensed Agriculturist as herein
25 defined may append after his/her names the title “L.Agr.”
26

27 **SEC. 29. *Prohibition Against the Unauthorized Practice of Agriculture Profession.***
28 – No person shall practice the Agriculture profession in the Philippines or offer
29 himself/herself as a Licensed Agriculturists, or use the title, word, letter, Agriculturists, or
30 advertise or indicate in any manner whatsoever that one is qualified to practice the profession
31 unless he/she has complied with all the requirements for registration, with or without
32 examination, and is a holder of a valid COR and PIC or a valid STP duly issued by the Board
33 and the Commission.
34

35 **SEC. 30. *Prohibition Against Corporate Practice.*** – The practice of the agriculture
36 profession is a professional service admission to which shall be determined upon the bases of
37 the individual’s personal qualifications.
38

39 No firm, company, partnership, association or corporation may be registered or
40 licensed to practice the agriculture profession; Provided, however, that persons registered and
41 licensed as agriculturists may, among themselves, form a firm, partnership or association
42 using the term “Agriculturists” and obtain registration with the Securities and Exchange
43 Commission (SEC) or with the appropriate agency of the Government, as the case may be.

1 Nobody shall be allowed to be a member, partnership or association unless he is a duly
2 registered and licensed agriculturists.

3
4 **SEC. 31. *Employment of Agriculturists in the Government.*** – National government
5 agencies concerned in agriculture-related activities must allocate plantilla positions for
6 Licensed Agriculturists.

7
8 All Provincial, City and Municipal Agriculturists Offices shall be headed by Licensed
9 Agriculturists only including all technical positions therein. For this purpose, a position is
10 deemed to be technical when the same primarily requires the professional knowledge and
11 skills of a Licensed Agriculturists as may be determined by the Board.

12
13 The Board shall formulate the development of Position Classification Standards for
14 relevant government plantilla positions, in collaboration with Civil Service Commission and
15 other appropriate national and local government agencies.

16
17 **SEC. 32. *Employment of Agriculturists in the Private Sector.*** – Private agricultural
18 corporations and enterprises shall allocate at least one (1) Licensed Agriculturists.

19
20 All corporate farms, golf courses, agri-tourists, agri-related corporations/businesses
21 and other similar institutions or facilities involved in agriculture must employ such number of
22 Licensed Agriculturists in accordance with the guidelines to be issued by the Board and the
23 Commission.

24
25 **SEC. 33. *Accredited Integrated Professional Organization (AIPO).*** – All Licensed
26 Agriculturists shall have one (1) national organization, which shall be recognized by the
27 Board and the Commission as the one and only AIPO for Licensed Agriculturists.

28
29 A Licensed Agriculturists duly registered with the Board and the Commission shall
30 automatically become a member of the AIPO and shall receive all the benefits and privileges
31 appurtenant thereto, upon payment of the prescribed fees and dues.

32
33 Membership in the AIPO shall not bar membership in other associations of Licensed
34 Agriculturists.

35
36 **SEC. 34. *Code of Ethics for Agriculture Profession.*** – The Board shall prescribe and
37 promulgate the Code of Ethics and Code of Technical Standards for Licensed Agriculturists,
38 in consultation with the AIPO.

39
40 **SEC. 35. *Vested Rights: Automatic Registration of Agriculturists.*** – All Licensed
41 Agriculturists who are registered and licensed at the time this Act takes effect shall
42 automatically be registered hereunder.

ARTICLE V
PENAL AND FINAL PROVISIONS

SEC. 36. *Penal Provision.* – Any violation of this Act, its IRR, Code of Ethics and Code of Technical Standards or other regulatory policies of the Board and the Commission, shall be meted the penalty of a fine of not less than Fifty Thousand Pesos (P50,000.00) or more than Five Hundred Thousand Pesos (P500,000.00), or imprisonment of not less than six (6) months nor more than six (6) years, or both, at the discretion of the court.

SEC. 37. *Appropriations.* – The chairperson of the Commission shall immediately include in the Commission's programs the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act and thereafter.

SEC. 38. *Transitory Provisions.* – The existing Board of Agriculture shall continue to function in the interim until such time that the new Board shall have been constituted pursuant to this Act.

SEC. 39. *Implementing Rules and Regulations.* – The Board, subject to the approval by the Commission, and in coordination with the AIPO, shall issue and promulgate the implementing rules and regulations within one hundred twenty (120) days from effectivity of this Act.

SEC. 40. *Separability Clause.* – If any clause, sentence, paragraph or part of this Act shall be declared unconstitutional or invalid, such judgement shall not affect, invalidate or impair any other part of this Act.

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

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

Approved,