

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

19TH CONGRESS
First Regular Session

HOUSE BILL NO. **5305**



Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

The **Professional Regulation Commission (PRC)** was first created as a national government agency by Presidential Decree (P.D.) No. 223 dated June 22, 1973, signed by then President Ferdinand E. Marcos, mandated to enforce the laws regulating the various professions. It was previously called the Office of the Board of Examiners, which was created by Republic Act No. 546 on June 17, 1950, under the aegis of the Civil Service Commission.

The PRC became operational on January 4, 1974. The office was attached to the Office of the President for general direction and coordination. On December 9, 1974, the Implementing Rules and Regulations of P.D. No. 223 were promulgated, paving the way for standardization of rules and procedures for the thirty-three (33) professions then under the CSC.

On December 5, 2000, **Republic Act No. 8981** otherwise known as the **PRC Modernization Act of 2000** was enacted. The Implementing Rules and Regulations were adopted on February 15, 2001 through PRC Resolution No. 1 series of 2001. With the passing of RA 8981, the Commission exercises three functions: 1) executive functions; 2) quasi-legislative functions; and 3) quasi-judicial functions. It had also set its new thrusts and priorities such as customer-focused service, modernization through full computerization and restructuring, integrity of licensure examinations, good governance, protection and promotion of Filipino professionals and support to national development priorities.

In fulfillment of its legal mandate, the PRC performs two important functions, which are: 1) to conduct and administer licensure examinations to aspiring professionals, and 2) to regulate and supervise the practice of the professions

exercised in partnership with the forty-three (43) Professional Regulatory Boards (PRBs) in the fields of health, business, education, social sciences, engineering and technology. The PRBs govern their respective professions' practice and ethical standards and accredit the professional organization representing the professionals.

On September 11, 2006, as supplemented by Executive Order No. 565-A, PRC was attached to the Department of Labor and Employment **(DOLE)** for administrative supervision and control. Being an attached agency of the DOLE, the PRC works closely to the mandate of its mother agency.

The PRC serves more than 4.3 million professionals from 43 various regulated professions and the hundreds of thousands of aspiring professionals who take the licensure examinations every year. Thus, PRC stakeholders include the professionals, would-be professionals, accredited professional organizations, foreign professionals seeking temporary permit to practice their professions in the country, schools and academe, and other government agencies.

To better carry out its mandate and in order to implement the PRC Modernization Act, the PRC was given approval by the Department of Budget and Management (DBM) on April 20, 2013 to implement a reorganization of its organizational structure.

On June 8, 2016, the new Organizational Structure and Staffing Pattern (OSSP) pursuant to Republic Act (RA) No. 8981 was approved by DBM. The Notice of Organization, Staffing and Compensation Action (NOSCA) formalizing the approved OSSP of PRC Central Office, effective not earlier than June 8, 2016, has been transmitted by DBM on October 10, 2016.

This House Bill seeks to ensure that the country fulfills its commitments to determine the competence of professionals deliberately, scientifically and consistently through the provision of professional standards and judicious issuance of professional license.

Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read 'Michael L. Romero', with a long horizontal flourish extending to the right.

MICHAEL L. ROMERO

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AN ACT

AMENDING **REPUBLIC ACT NO. 8981** OTHERWISE KNOWN AS
THE “**PRC MODERNIZATION ACT OF 2000**”, PROVIDING FOR
STIFFER PENALTIES AND SANCTIONS, AND FOR OTHER
PURPOSES

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

SECTION 1. Section 15 of Republic Act NO. 8981 is hereby amended, to read
as follows:

Section 15. *Penalties for Manipulation and Other Corrupt Practices
in the Conduct of Professional Examinations –*

(a) Any person who manipulates or rigs licensure examination results, secretly informs or makes known licensure examination questions prior to the conduct of the examination or tampers with the grades in professional licensure examinations shall, upon conviction, be punished by imprisonment of not less than twelve **(12)** years and one (1) day but not more than fifteen **(15)** years or a fine of not less than One hundred Fifty thousand pesos **(P150,000.00)** but not

more than Three hundred thousand pesos **(P300,000.00)** or both such imprisonment and fine at the discretion of the court.

(b) In case the offender is an officer or employee of the Commission or a member of the regulatory board, he/she shall be removed from office and shall suffer the penalty of perpetual absolute disqualification from public office to addition to the penalties prescribed in the preceding section of this Act;

(c) The penalty of imprisonment ranging from nine **(9)** years and one (1) day to twelve **(12)** years or a fine ranging from One hundred thousand pesos **(P100,000.00)** but not more than two hundred thousand pesos **(P200,000.00)**, or both imprisonment and fine at the discretion of the court, shall be imposed upon the accomplices. The penalty of imprisonment ranging from six **(6)** years and one (1) day to nine **(9)** years or a fine ranging from Fifty thousand pesos **(P50,000.00)** but not more than one hundred thousand pesos **(P100,000.00)**, or both imprisonment and fine at the discretion of the court, shall be imposed upon the accessories.

SECTION 2. Section 16 of Republic Act NO. 8981 is hereby amended, to read as follows:

Section 16. *Penalties for Violation of Section 7 – Subparagraph (1) by Heads of Government Agencies or Officers of Private Entities/Institutions* – Any head of a government agency or officer(s) of a private firm/institution who violates Section 7 – subpar. (1) of this Act shall be punished by imprisonment of not less than three **(3)** years and one (1) day to not more than nine **(9)** years, or a fine of not less than Two hundred Fifty thousand pesos **(P250,000.00)** but not more than One Million pesos **(P1,000,000.00)** or both at the discretion of the court.

SECTION 3. PROGRESS REPORT – The Secretary of **DOLE** shall prepare an annual report on the status of the implementation of the *Professional Regulation Commission Programs* which shall be submitted, to the Office of the President and to the Chairpersons of the Committee on Labor and Employment of the Senate and the House of Representatives.

SECTION 4. PERIOD OF IMPLEMENTATION – The **PRC** program under this Act shall be implemented for an initial period of two **(2)** years:

Provided, that payments for multi-year contract obligations incurred under this Act may extend beyond this period:

Provided, further, That the **Professional Regulation Commission** shall continue to develop, modernize and constantly update its operational capabilities to keep pace with best global practices.

SECTION 5. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 6. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 7. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 8. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 9. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,