

Republic of the Philippines
HOUSE OF THE REPRESENTATIVE
Constitution Hills, Quezon City



NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9725

Introduced by Representative: **HON. KRISTINE ALEXIE B. TUTOR**
Third District, Bohol

**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**

EXPLANATORY NOTE

Based on the Labor Force Survey released by the Philippine Statistics Authority (PSA) for August 2023, the services sector remained on top in terms of the number of employed persons, capping a share of 57.3% in the total number of employed persons, and with the agricultural sector accounting for a 24.5% share. The agricultural industry was also recognized as one of the five (5) sectors with the highest annual increase in the number of employed persons in August 2023, along with forestry.¹ While these figures represent the other major categories of agricultural or farm workers, there constitute another integral and essential part of this workforce --- the registered and licensed agriculturists.

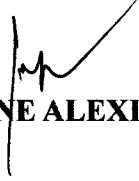
It was in 1997 when the move to professionalize the practice of agriculture began with the passage of Republic Act (RA) No. 8435 or the "Agriculture and Fisheries Modernization Act of 1997". This provided the impetus for the creation of the Board of Agriculture under the Professional Regulation Commission (PRC) and the licensing of agriculturists in the country. However, unlike other PRC-regulated professions, the agriculture profession does not have its own enabling law or charter as it remains to be governed by a mere administrative issuance². Moreso, many developments have changed the milieu of professional regulation, especially with the inception of

¹ PSA Press Release: Employment Rate in August 2023 was Estimated at 95.6 Percent (06 October 2023, 9:00 am)

² PRC Resolution No. 2000-663: Creation of the Board of Agriculture under the Professional Regulation Commission and for other Purposes (15 May 2000)

the Continuing Professional Development, Philippine Qualifications Framework, among others, necessitating the review and updating of its governing regulatory framework.

In this regard, the proposed measure endeavors to establish a more relevant and responsive legal regulatory framework for the agriculture profession. Thus, its immediate approval is hereby sought.



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

ARTICLE I
TITLE, DECLARATION OF POLICY, OBJECTIVES,
AND DEFINITION OF TERMS

Section 1. Short Title- This Act shall be known as the “Philippine Agriculturists Act of 2023.”

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

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

- (a) The examination, registration, and licensure of agriculture practitioners;
- (b) The supervision, control, and regulation of the practice of the Agriculture profession in the Philippines;

- (c) The development and upgrading of the Bachelor of Science (BS) Agriculture curriculum;
- (d) The development of the professional competence of Registered Agriculturists through 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 shall be defined as:

- (a) *Accredited Integrated Professional Organization (AIPO)* refers to the professional organization that is accredited by the Board and the Commission which is specifically mandated under this Act to integrate all Registered Agriculturists into one national organization and where membership therein is automatic and mandatory;
- (b) *Agriculture* refers to the art, science, ethics, management, and entrepreneurship in the production, processing, distribution, and marketing of crop and livestock commodities, along with soil management and mechanisms to mitigate the effects of climate change on the said commodities;
- (c) Agriculture-related degrees refer to the courses recognized by the Board as allied to BS Agriculture for purposes of qualifying graduates thereof for the Agriculturists Licensure Examination and Registration without Examination as Agriculturists;
- (d) *Board* refers to the Professional Regulatory Board of Agriculture;
- (e) *Commission* refers to the Professional Regulation Commission;
- (f) *Practice of the Agriculture Profession* refers to all activities, acts, services or pursuits performed by Registered Agriculturists as herein prescribed or specified; and
- (g) *Registered Agriculturist* refers to a person who has been issued with a Certificate of Registration (COR) and Professional Identification Card (PIC) to practice the Agriculture profession.

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 Board, under the administrative supervision and control of the Professional Regulation Commission, hereinafter referred to as the Commission. The Board shall be composed of a chairperson and five (5) members. Each member shall represent one of the six (6) fields of specialization listed in Section 14, Article III hereof. The chairperson and members of the Board shall be appointed by the President of the Philippines from the two (2) recommendees for each position submitted by the Commission from a list of three (3) nominees for each position submitted

by the Accredited Integrated Professional Organization (AIPO) for Registered Agriculturists. In the event that there is no AIPO or in case of failure or refusal of the AIPO to submit Board nominees, the Commission may determine other sources of nominees, including other professional organizations and the academe

The new Board shall be constituted within six (6) months from the effectivity of this Act.

Section 6. Qualifications and Disqualifications of the Chairperson and Members of the Board

- At the time of their nomination, the chairperson and members of the Board must:

- (a) be a natural-born Filipino citizen and resident of the Philippines;
- (b) be of good moral character and must not have been convicted of any crime involving moral turpitude;
- (c) be a member in good standing of the AIPO for Registered Agriculturists;
- (d) be a holder of a degree in BS Agriculture, preferably with an MA/MS and/or PhD in any agriculture discipline obtained from a school, college or university recognized by the government. Provided, that each member of the Board shall have served in any of the six (6) recognized fields of specialization in Agriculture;
- (e) be a Registered Agriculturist, with a valid COR and PIC, and with at least ten (10) years of relevant experience in Agriculture;
- (f) not be a member of the faculty, whether full-time or part-time, of any school, college or university where a regular and/or review course in Agriculture is taught, nor shall have any pecuniary interest, direct or indirect, in such institution; and
- (g) not be an incumbent officer or trustee of the AIPO for Registered Agriculturists.

Section 7. Powers and Functions of the Board- The Board shall have the following powers and functions:

- (a) Promulgate, administer and enforce rules and regulations, including the Code of Ethics and Code of Technical Standards for Registered Agriculturists, to carry out the provisions of this Act;
- (b) Supervise and regulate the licensure, registration, and practice of Registered Agriculturists;
Determine and evaluate the qualifications of the applicants for issuance of the

- (c) COR, PIC and Special Temporary Permit (STP);
- (d) Issue, suspend, revoke or reinstate the COR and PIC or STP for cause;
- (e) Prepare and modify the questions for examination and prescribe the Tables of Specifications (TOS) of the subjects for examination and their relative weights;
- (f) Administer the Oath of Professional;
- (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 establishments where Registered 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 Registered Agriculturists;
- (j) Issue *subpoena ad testificandum* and *subpoena duces 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 Registered Agriculturists; and
- (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 the review and approval of the Commission. However, the Board's decisions, resolutions or orders which are not interlocutory rendered in an administrative case, shall be subject to review only if on appeal.

Section 8 - Term of Office- The members of the Board shall hold office for a term of five (5) years after appointment or until their successors shall have been appointed and duly qualified. Provided, that members of the first Board to be appointed after the approval of this Act shall hold office for the following terms: the two (2) members, one of whom shall be designated as Chairperson, shall serve for five (5) years; two (2) members shall serve for three (3) years; and the other two (2) members shall serve for one (1) year.

Each member of the Board may only be reappointed for one full term of five (5) years.

A successor to a Member whose term has expired shall be appointed for the full term of five (5) years from the date of expiration of the term for which the predecessor was appointed.

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

Section 9. Compensation and Allowance of the Chair and Members of the Board - The chairperson and members of the Board shall receive compensation and allowances comparable to the compensation and allowances received by the chairpersons and members of the other Professional Regulatory Boards under the Commission as provided in the annual General Appropriations Act.

Section 10. Suspension and Removal of the Chair and Members of the Board - The chairperson or member of the Board may be suspended or removed by the President of the Philippines, upon recommendation of the Commission, for neglect of duty, abuse of power, oppression, incompetence, unprofessional, unethical, immoral or dishonorable conduct, commission or toleration of irregularities in the conduct of examination or tampering of the grades therein, or for conviction by final judgment of any criminal offense involving moral turpitude, after having been given the opportunity to defend oneself in a proper administrative investigation.

Section 11. Supervision of the Board, Custodian of its Records, Secretariat and Support Services - The Board shall be under the administrative supervision and control of the Commission. All records of the Board, including applications for examination, papers and results, minutes of deliberations, administrative and other investigative cases involving Registered Agriculturists, shall be kept by the Commission.

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

Section 12. Annual Report— The Board shall, within thirty (30) days after the close of each calendar year, submit an annual report to the Commission, giving a detailed account of its proceedings and accomplishments during the year and recommending measures to be adopted, with the end in view of upgrading and improving the conditions and practice of the Agriculture profession in the Philippines.

ARTICLE III

LICENSURE EXAMINATION AND REGISTRATION

Section 13. Licensure Examination— Unless otherwise provided, every applicant seeking to be registered as an Agriculturist 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.

Section 14. Scope of Examination- A written examination shall be given to the applicants for registration as Registered Agriculturists, the scope of which shall include but not be limited to the six (6) foundation subjects as follows:

- (a) Crop Science
- (b) Animal Science
- (c) Soil Science
- (d) Crop Protection
- (e) Agricultural Economics / Agribusiness / Agri-entrepreneurship; 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.

Section 15. Qualifications of Applicants for Examination - In order to be admitted to the Agriculturists Licensure Examination, an applicant, at the time of filing of application, must be:

- (a) a citizen of the Philippines or a foreign country which has a policy on reciprocity for the practice of the Agriculture profession;
- (b) a holder of a Bachelor's Degree in Agriculture or any related course from a school, college or university recognized by the Government. Provided, that the applicant has finished a minimum of thirty-six (36) units of agricultural subjects, which shall include the six (6) foundation subjects under Section 14 hereof. The Agriculture-related courses herein referred to shall be jointly determined by the Board and the CHED; and
- (c) of good moral character and has not been convicted of any crime involving moral turpitude.

An incumbent holder of any agriculture position in the national, regional or local government offices or agencies including government-owned and –controlled corporations and who has been engaged in agricultural functions acceptable to the Board may qualify to take the Agriculturists Licensure Examination. Provided, that they are holders of professional civil service eligibility and must have finished a minimum of thirty-six (36) units of agricultural subjects, which shall include the six (6) foundation subjects.

Section 16. Ratings in the Examination - In order for an examinee to pass the examination, the examinee must obtain an average of at least seventy-five percent (75%) in all subjects, with no rating below fifty percent (50%) in any subject. However, if an examinee obtains a general weighted average rating of seventy-five percent (75%) or higher but obtained a rating below fifty percent (50%) in any of the subjects, the examinee shall be allowed to take the examination in the subject or subjects where he/she obtained a grade below fifty percent (50%) only once in the immediately succeeding licensure examination.

An examinee who fails to pass the examination thrice shall be required to undergo a refresher course equivalent to thirty-six (36) units before the examinee shall be allowed to re-take the examination.

The Board shall prescribe specific guidelines for the implementation of the refresher course requirement.

Section 17. Release of the Results of Examination - The results of the examination shall be released within fourteen (14) working days from the last day of the examination, unless otherwise extended for a valid reason.

Section 18. Registration without Examination – Upon approval of the application and payment of the prescribed fees, an applicant may be registered as an Agriculturist without examination if he/she can prove, to the satisfaction of the Board, that he/she:

- (a) is a graduate of a Bachelor's Degree in Agriculture, or any of the other related baccalaureate programs from a school, college, or university established or recognized by the government; and
- (b) has served the agriculture industry in any technical capacity from the government or private sector for not less than five (5) years prior to the effectivity of RA No. 8435 or the "Agriculture and Fisheries Modernization Act of 1997" in December 1997 as certified in the service record(s) of the applicant if a government employee, and/or as certified under oath issued by an authorized official/officer of the firm, company or corporation if employed in the private sector.

Qualified applicants shall be given three (3) years after the effectivity of the IRR to file their applications for registration without examination. No application beyond such period shall be accepted and entertained.

Section 19. Oath - All persons qualified for registration, with or without examination, shall be required to take an oath of profession before any Member of the Board or any government official authorized by the Commission to administer oaths prior to entering into the practice of the Agriculture profession.

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

A PIC bearing the registration number, and dates of issuance and expiry, duly signed by

the chairperson of the Commission shall likewise be issued to every registrant upon payment of the required fees. Subject to compliance with the prescribed requirements, the PIC shall be renewed for such period as may be determined by the Board and the Commission.

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

Section 22. Revocation or Suspension of the Certificate of Registration, Professional Identification Card or Cancellation of Special Temporary Permit - The Board may, after due notice and hearing to the party concerned, revoke the COR and PIC of a Registered Agriculturist or suspend him/her from the practice of the profession or cancel his/her STP for any of the causes or grounds under Section 21 hereof or for unprofessional or unethical conduct, malpractice, or violation of any of the provisions of this Act, its IRR, Code of Ethics and Code of Technical Standards for Registered Agriculturists.

Section 23. Reinstatement, Reissuance or Replacement of Certificate of Registration and/or Professional Identification Card - The Board may reinstate or reissue a revoked COR after two (2) years from the date of revocation, upon petition and for reasons deemed proper and sufficient and, in so doing, may exempt the applicant from taking another licensure examination.

In case of loss of the COR and/or PIC of any registrant, the circumstances leading to the loss shall be duly proven.

The duplicate of a lost or revoked COR and/or PIC shall be issued in accordance with the existing rules subject to the payment of the necessary and mandated dues.

Section 24. Issuance of Special Temporary Permit (STP) - Upon application and payment of the required fees and subject to the approval of the Commission, the Board may issue an STP to a foreign Registered Agriculturist whose services are urgently needed due to the absence or inadequacy of local Registered Agriculturists for the purpose of promoting or enhancing the practice of the Agriculture profession in the Philippines.

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

Section 25. Foreign Reciprocity - No foreign Professional Agriculturist shall be admitted to the examination or be given a COR or PIC and be entitled to any of the privileges under this Act unless the country of which the foreign Professional Agriculturist is a citizen of specifically allows Filipino Registered Agriculturists to practice within its territorial limits on the same basis as the citizens of such foreign country.

ARTICLE IV

PRACTICE OF AGRICULTURE PROFESSION

Section 26. Scope of Practice of Agriculture—The Agriculture profession involves services consisting of crop and livestock production, processing and distribution, in both urban and rural areas.

A person shall be considered in the practice of Agriculture if the nature and character of the work or employment requires professional knowledge in the field of Agriculture as defined in Section 4(b), Article I of this Act. A person is also deemed to be in the practice of the Agriculture profession if that person teaches any Agriculture professional subject in a university, college or school or engages in research in any Agriculture-related research or extension.

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

Section 27. Professional Title Appendage - Only a Registered Agriculturist as herein defined may append to his/her names the title “*Registered Agriculturist (R.Agr)*”.

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 a Registered Agriculturist, or use the title, word, letter, figure, or any sign tending to convey the impression that one is a Registered Agriculturist, or advertise or indicate in any manner whatsoever that one is qualified to practice the profession unless that person has complied with all the requirements for registration, with or without examination, and is a holder of a valid COR and PIC or a valid STP duly issued by the Board and the Commission.

Section 29. Act Not Affecting Other Professionals. - This Act shall not be construed to affect or prevent the practice of any other legally recognized profession.

Section 30. Prohibition Against Corporate Practice – A sole proprietor, consulting firm, association, or organization may engage in the practice of the agriculture profession in the Philippines. Provided, that it complies with the following requirements:

- a. That the firm, association, or organization is duly registered with the Department of Trade and Industry, Securities and Exchange Commission, or other appropriate agencies;
- b. That majority of the officers and board members of the firm, association or organization are Registered Agriculturists; and
- c. That the practice of the consulting firm, association, or organization shall be carried out by Registered Agriculturists.

Section 31. Employment of Agriculturists in the Government- National government agencies concerned in agriculture activities shall ensure that all existing technical plantilla positions are occupied by Registered Agriculturists.

All existing technical plantilla positions of Provincial, City, and Municipal Agriculturists Offices shall be occupied by Registered Agriculturists, including all agriculture technical positions therein. For this purpose, a position is deemed to be technical when the same primarily requires the professional knowledge and skills of a Registered Agriculturist as may be determined by the Board.

All faculty members of State Universities and Colleges (SUCs) teaching agricultural courses shall be Registered Agriculturists.

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

Section 32. Salary. The minimum base pay of registered Agriculturists working in the government, including the SUCs, shall not be lower than Salary Grade 13.

Section 33. Employment/Engagement of Agriculturists in the Private Sector – Private agricultural corporations shall employ or engage the services of Registered Agriculturists.

All corporate farms, golf courses, agri-tourism, agri-related corporations/businesses and other similar institutions or facilities involved in agriculture must employ or engage such number of Registered Agriculturists in accordance with the guidelines to be issued by the Board and the Commission.

All faculty members of Higher Educational Institutions (HEIs) teaching agricultural courses shall be Registered Agriculturists.

Section 34. Integration of the Agriculture Profession - All Registered Agriculturists shall have one (1) national organization, which shall be recognized by the Board and the Commission as the only AIPO for Registered Agriculturists. A Registered Agriculturist duly registered with the Board and the Commission shall automatically become a member of the AIPO and shall receive all the benefits and privileges appurtenant thereto, upon payment of the prescribed fees and dues. Membership in the AIPO shall not bar membership in other organizations of Registered Agriculturists.

Upon the approval of this Act, the Commission shall adopt rules to give effect to the integration of the Agriculture profession under such conditions as it shall see fit in order to raise the standards of the profession.

Section 35. Code of Ethics and Code of Technical Standards for Agriculture Profession - The Board shall prescribe and promulgate the Code of Ethics and Code of Technical Standards for Registered Agriculturists, in consultation with the AIPO

Section 36. Continuing Professional Development (CPD) Program – All Registered Agriculturists shall abide by the requirements, rules and regulations on continuing professional development to be promulgated by the Board and the Commission, in coordination with the AIPO of Registered Agriculturists and the academe. For this purpose, a CPD Council shall be created to implement the CPD program.

Section 37. Use of Seal – Every Registered Agriculturist shall obtain a seal of such design as the Board shall adopt and approve, which shall be affixed to or impressed upon all documents, records, papers and/or instruments prepared by/or under the direct supervision of, or issued by the Registered Agriculturist. The seal shall be used by the Registered Agriculturist only during the period of the validity of his/her license.

The Board shall issue the pertinent guidelines on the use of seal.

Section 38. Vested Rights: Automatic Registration of Agriculturists – All Registered Agriculturists who are registered at the time this Act takes effect shall automatically be registered hereunder.

ARTICLE V PENAL AND FINAL PROVISIONS

Section 39. 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 One Hundred Thousand Pesos (PHP100,000.00) or more than Five Hundred Thousand Pesos (PHP500, 000.00), or imprisonment of not less than six (6) months or not more than six (6) years, or both, at the discretion of the court.

Officers of government agencies and private establishments, including sole proprietorship, consulting firms, associations, and organizations responsible for any such violation shall be held equally liable under this Act and such other laws as the circumstances may warrant.

Section 40. 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.

Section 41. 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.

Section 42. Implementing Rules and Regulations- The Board, subject to the approval by the Commission, and in consultation with the AIPO, shall issue and promulgate the IRR

within one hundred twenty (120) days from effectivity of this Act. The IRR shall take effect after fifteen (15) days following its publication in the Official Gazette or in any major newspaper of general circulation in the Philippines.

Section 43. Separability Clause - If any clause, sentence, paragraph or part of this Act shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other part of this Act.

Section 44. 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.

Section 45. Effectivity- This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in any major newspaper of general circulation in the Philippines.

Approved.