



HOUSE OF REPRESENTATIVES

H. No. 8844

BY REPRESENTATIVES ALEJANO, MARIÑO, ZAMORA (M.C.), BRAVO (A.), DATOL, AGGABAO, TEJADA, SANDOVAL, SY-ALVARADO, AMANTE, DUAVIT, NUÑEZ-MALANYAON, COJUANGCO, LOBREGAT, SAMBAR, CALIXTO-RUBIANO, MANALO, AMATONG, UY (J.), GO (M.), KHO, TAN (A.), AQUINO-MAGSAYSAY, UYBARRETA, JAVIER, VILLANUEVA, PINEDA, BRAVO (M.V.), CASTRO (F.H.), ROA-PUNO, HOFER, ORTEGA (V.N.), PALMA, NOEL, PIMENTEL, SAVELLANO, ROBES, FORTUN, BAGATSING, PADUANO, ABAYON, CAMPOS, SALON, LOPEZ (B.), MATUGAS, BELARO, ACOP, LIMKAICHONG, LACSON, DURANO, LEACHON, MERCADO, TREÑAS, MANGAOANG AND CHAVEZ, PER COMMITTEE REPORT NO. 1059

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

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

ARTICLE I

TITLE, DECLARATION OF POLICY, OBJECTIVES
AND DEFINITION OF TERMS

SECTION 1. *Short Title.* – This Act shall be known as the “*Philippine Fisheries Profession Act*”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to provide priority attention and support to professionalize the practice of the fisheries profession in the Philippines, which will be beneficial to sustain the food security and economic development of the country, and to upgrade the standards of fisheries education. These policies are provided for in Republic Act No. 8550, otherwise known as the *Fisheries Code of 1998* and Republic Act No. 8435, otherwise known as the *Agriculture and Fisheries Modernization Act of 1997*.

Pursuant to this national policy, the government shall: (1) provide a program to set up an appropriate and healthy environment for the practice of the fisheries profession; and (2) establish quality standards for fisheries professionals that will guide fisheries schools/

1 fisheries colleges, through the Commission on Higher Education (CHED), for the
2 development of curricular programs that will attain the high standards of the profession.

3 **SEC.3. *Definition of Terms.*** – As used in this Act:

- 4 a. Aquaculture refers to fishery operations involving all forms of farming fish and
5 other aquatic plants and animals in fresh, brackish, and marine waters;
- 6 b. Aquatic Resources refer to fish and other living resources of the aquatic
7 environment that have or will have commercial value when utilized;
- 8 c. Fisheries refers to all activities relating to the science and act or business of
9 fishing, culturing, preserving, processing, marketing, developing, conserving, and
10 managing of aquatic resources and environment;
- 11 d. Fisheries Sector refers to the sector engaged in the production, growing,
12 harvesting, processing, marketing, developing, conserving, and managing of
13 aquatic resources and environment;
- 14 e. Fisheries Profession refers to the practice of the science and technical knowledge
15 and skills of all areas of fisheries (catching, farming, processing, marketing,
16 management, and conservation of aquatic resources and environment);
- 17 f. Fisheries Professional refers to a person who is technically qualified and
18 competent to practice the fisheries profession and who has been issued a
19 Certificate of Registration and Professional Identification card as fisheries
20 professional by the Board and the Commission;
- 21 g. Accredited and Integrated Professional Organization (AIPO) refers to an
22 integrated national organization, association, or society that is granted
23 accreditation by the Board and the Commission as the Accredited Integrated
24 Professional Organization of Fisheries Professionals; and
- 25 h. Scope of Examination refers to the range of topics or subjects provided by the
26 Board in the syllabi of the four areas of scope of examination for fisheries
27 professionals in Sections 8 (m) and 14 of this Act.

28 **SEC. 4. *Scope and Practice of the Fisheries Profession.*** – The scope and practice of
29 the fisheries profession is the application of the fundamental and known principles of
30 fisheries to the peculiar conditions and requirements of fisheries as an industry and as a field
31 of science and shall include the following:

- 32 a. Consultation, evaluation, investigation, and management services in fisheries;
- 33 b. Preparation of fisheries design on inland, coastal, and offshore hatcheries and
34 production systems; its plans, specifications, and project feasibility studies and

1 estimates. Provide supervision, and management services to ensure the
2 incorporation of prescribed plans, and specifications in creating the biological, and
3 environmental requirements for normal growth of fish species and aquatic
4 organisms during construction, installation, operation, and maintenance of farm,
5 outdoor and indoor facilities; on the operations and maintenance of post-harvest
6 facilities, and equipment, including proper handling of fish catch in fishing vessel;
7 and other fisheries facilities, systems and technologies, in
8 collaboration/consultation with other disciplines.

- 9 c. Conduct of research, and development, training, and extension work in fisheries,
10 aquatic resource, aquaculture, and post-harvest technologies;
- 11 d. Management of fisheries resources, and manufacture of fishery products,
12 marketing of fish and fishery products, or both;
- 13 e. Teaching fisheries courses in higher institutions of learning in the Philippines
14 recognized by the government;
- 15 f. Study and treatment of fish diseases and parasites that affect fishing, post-harvest
16 and aquaculture activities and projects;
- 17 g. Employment in the government and private sectors where the positions require
18 the knowledge and expertise of a fisheries professional except in small-scale
19 fisheries operations of municipal fisher folk such as fishing, aquaculture, fish
20 processing where licensed fisheries professionals are not required.
- 21 h. Administration, and conduct of licensure examination, and registration and
22 licensing of fisheries professionals;
- 23 i. Supervision, and regulation of the practice of the fisheries profession in the
24 Philippines; and
- 25 j. Upgrading of the fisheries profession and the professionalization of fisheries
26 professionals.

27 Scientists and professionals in closely related fields to fisheries and in support of
28 multidisciplinary fisheries activities such as economics, social science, engineering, marine
29 biology, oceanography/limnology and others who may immerse themselves in fisheries
30 activities that do not require technical knowledge in fisheries, are exempted from the
31 licensure requirements for fisheries professionals.

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ARTICLE II

PROFESSIONAL REGULATORY BOARD OF FISHERIES

SEC. 5. *Creation and Composition of the Professional Regulatory Board of Fisheries.* – Within ninety (90) days after the effectivity of this Act, there shall be created the Professional Regulatory Board of Fisheries, 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 four (4) members. Preferably, each member shall represent one of the four (4) fields of specialization listed in Section 14, Article III, hereof, to be appointed by the President of the Philippines from a list of three (3) recommendees of the Commission chosen from a list of four nominees for each position submitted by the Accredited Integrated Professional Organization of fisheries professionals. *Provided*, That a member representing a field of specialization has at least a bachelor's degree in that particular field of specialization.

The chairperson and the four (4) members of the Board must be registered professionals and issued with certificates of registration and professional identification cards at the time of their appointment.

SEC. 6. *Qualifications of the Members of the Board.* – The chairperson and members of the Board shall, at the time of their appointment, possess the following qualifications:

- a. Must be a natural-born citizen and resident of the Philippines;
- b. Must be at least forty (40) years of age;
- c. Must be of proven integrity and of high moral and ethical values in ones personal as well as professional conduct;
- d. Must not have been convicted by a court in a final judgment in crime involving moral turpitude;
- e. Must be a holder of a Bachelor's degree in the field of fisheries, or a holder of a Master or Doctorate degree in the field of fisheries from a school, college, or university recognized by the Government or abroad, and has been engaged in the practice of fisheries profession for at least ten (10) years before appointment;
- f. Must not be connected with any school, college or university granting a degree that qualifies graduates of such degree for admission to the licensure examination for fisheries professionals; and
- g. Must not be an incumbent officer or trustee of the accredited professional organization for fisheries professionals.

1 **SEC. 7. Term of Office.** – The chairperson and members of the Board shall hold
2 office for a term of three (3) years or until their successors shall have been qualified and
3 appointed. They may, however, be appointed for a second term. Any vacancy in the Board
4 shall be filled for the unexpired portion of the term only. Each member shall take an oath of
5 office prior to the assumption of duties.

6 The incumbent chairperson and members shall continue to serve until their
7 replacements shall have been appointed and qualified.

8 **SEC.8. Powers and Functions of the Board.** – The Board shall have the authority to:

- 9 a. Promulgate, adopt, and issue rules and regulations to carry out the provisions of
10 this Act;
- 11 b. Administer and supervise the licensure examination for admission to the practice
12 of the fisheries profession;
- 13 c. Supervise and regulate the licensure, registration and practice of the fisheries
14 profession;
- 15 d. Administer the oath of a professional to the successful examinees in the licensure
16 examination for fisheries professionals in appropriate mass oath-taking
17 ceremonies to be held for the purpose;
- 18 e. Register and issue certificates of registration to successful examinees in licensure
19 examinations for fisheries professionals and to persons qualified to register as
20 fisheries professionals without examination;
- 21 f. Suspend, or revoke the certificate of registration and professional identification
22 card of a fisheries professional for causes provided herein;
- 23 g. Adopt an official seal of the Board as well as the seal of fisheries professionals;
- 24 h. Adopt and promulgate a Code of Ethics and Standards of Practice for Fisheries
25 Professionals;
- 26 i. Look into the conditions affecting the practice of the fisheries profession and
27 whenever necessary, adopt measures as may be deemed appropriate for the
28 enhancement or maintenance of high professional and ethical standards of the
29 practice of the fisheries profession;
- 30 j. Ensure, in coordination with the Commission on Higher Education (CHED), that
31 all educational institutions offering courses in fisheries education comply with the
32 policies, standards and requirements of the course prescribed by the CHED in the
33 areas of curriculum, faculty, library, and facilities as well as to conform itself with

1 the Philippine Qualifications Framework (PQF) necessary for education and
2 training provisions in the conformance towards learning outcomes;

- 3 k. Hear, try, and decide administrative cases involving violations of the provisions of
4 this Act and its Implementing Rules and Regulations (IRR) including the Code of
5 Ethics and Standards of Practice for Fisheries Professionals and, for this purpose,
6 issue *subpoena* and *subpoena duces tecum* to secure the appearance of witnesses
7 and the production of documents and to testify in connection herewith;
- 8 l. Enforce compliance with Republic Act No. 10912 otherwise known as Continuing
9 Professional Development Act of 2016. The CPD law shall be mandatory for all
10 fisheries professionals in coordination with the accredited national association of
11 fisheries professionals;
- 12 m. Prepare, adopt and issue, in consultation with the academe, the syllabi or tables of
13 specification of the subjects for the licensure examinations and to amend the
14 same; and
- 15 n. To discharge and perform such other duties and functions as may be necessary to
16 carry out the objectives and purposes of this Act.

17 Except on matters which are ministerial in nature, all policies and functions of the
18 Board embodied in resolutions as well as rules and regulations issued by the Board shall be
19 subject to the review and approval of the Commission.

20 **SEC.9. Compensation and Allowance of the Chairman and Members of the Board.**

21 – The Chairperson and Members of the Board shall receive compensation and allowances
22 comparable to the compensation and allowances received by the Chairperson and Members
23 of other Professional Regulatory Boards.

24 **SEC. 10. Removal and Suspension of the Chairperson and Members of the Board.**

25 – The President may, upon recommendation of the Commission, remove any member of the
26 Board for any of the following causes:

- 27 a. Negligence;
- 28 b. Incompetence;
- 29 c. Immoral, dishonorable or unprofessional conduct;
- 30 d. Violation of, or abetting the violation of, the Code of Ethics and Standards of
31 Practice for Fisheries Professionals;
- 32 e. Conviction in a final judgment of a crime involving moral turpitude.

1 The right of the respondent to due process and be assisted by counsel in an
2 investigation shall be respected and upheld. The President may, also upon recommendation of
3 the Commission, preventively suspend a member under administrative investigation.

4 **SEC. 11. *Supervision of the Board, Custody of its Records, Secretarial and Support***
5 ***Services.*** – The Board shall be under the general supervision and administrative control of the
6 Commission. All records of the Board including applications for examination, examination
7 papers and results, minutes of deliberation, administrative cases and other investigations
8 involving examinees and fisheries technologists shall be kept and subject to the disposition of
9 the Commission.

10 The Commission shall provide secretariat and support services to the Board for the
11 efficient and effective implementation of the provisions of this Act.

12 **SEC. 12. *Annual Report.*** – The Board shall, at the close of each calendar year,
13 submit an annual report to the Commission, of its proceedings and accomplishments during
14 the year and make recommendations for the adoption of measures that will upgrade the
15 conditions affecting the practice of the fisheries profession in the Philippines.

16 ARTICLE III

17 EXAMINATION AND REGISTRATION

18 **SEC. 13. *Licensure Examination.*** – All applicants for registration for the practice of
19 the fisheries profession shall be required to undergo and pass a written examination as
20 provided in this Act except those who qualify for registration under Section 25 of this Act.
21 The licensure examination for fisheries professionals shall be given by the Board at least once
22 a year in such places and dates the Commission may designate in accordance with the
23 provisions of Republic Act 8981.

24 **SEC. 14. *Scope of Examination.*** – The examination for fisheries professionals shall
25 basically cover the following fields:

- 26 a. Aquatic Resources and Ecology
- 27 b. Aquaculture
- 28 c. Capture Fisheries
- 29 d. Post-Harvest Fisheries

30 The Board may also re-cluster, rearrange, modify, add, or exclude any of the
31 foregoing subjects as the need arises and may recommend to CHED changes in said subjects
32 to conform to modern and advanced technologies in the fisheries profession.

1 **SEC. 15. *Qualifications of Applicants for Examination.*** – In order to be admitted in
2 the licensure examination, it must be established to the satisfaction of the Board that at the
3 time of filing of application, the applicant is:

- 4 a. A citizen of the Philippines or of a foreign state/country which observes
5 reciprocity with the Philippines for the practice of fisheries profession;
- 6 b. Of good moral character ;
- 7 c. Has not been convicted of any crime involving moral turpitude; and
- 8 d. A graduate of at least a Bachelor's degree in the field of fisheries from a school,
9 college or university established and recognized by the Government, or a
10 recognized university abroad.

11 **SEC. 16. *Fraudulent Application.*** – The Board may suspend or revoke a certificate
12 of registration and professional identification card already issued, if a registrant has been
13 proven or found to have made misrepresentations in one's application for examination.

14 **SEC. 17. *Rating in the Board Examination.*** – To pass the licensure examination for
15 fisheries professionals, a candidate must obtain a weighted general average rating of at least
16 seventy-five percent (75%) and with no grade lower than sixty percent (60%) in any given
17 subject. However, if an examinee obtained a general weighted average rating of seventy-five
18 percent (75%) or higher but obtained a rating below sixty percent (60%) in any given subject,
19 the examinee shall be allowed to take the examination in the subject where a grade below
20 sixty percent (60%) was obtained.

21 **SEC.18. *Report of Ratings.*** – The Board shall submit to the Commission the rating
22 obtained by each examinee in the licensure examination within a period of ten (10) calendar
23 days after the examination in the last subject unless extended by the Commission for just and
24 valid cause.

25 **SEC. 19. *Report on the Performance of Examinees in Licensure Examination.*** –
26 The Board, through the Commission, may recommend to the Commission on Higher
27 Education (CHED) the following:

- 28 a. The schools, colleges, or universities whose successful examinees in three (3)
29 consecutive licensure examination for Fisheries Professionals is less than eight
30 percent (8%) of the total number of its candidates who took the licensure
31 examinations, shall be recommended for close monitoring of their fisheries
32 program; and
- 33 b. The names of schools, colleges, or universities whose successful examinees in
34 five (5) successive licensure examination for Fisheries Professionals is less than

1 eight percent (8%) of the total number of its examinees in each of the licensure
2 examination taken, and their fisheries course/ program shall be recommended for
3 closure.

4 **SEC. 20. *Issuance of Certificate of Registration and Professional Identification***

5 **Card.** – A certificate of registration shall be issued to examinees who passed the licensure
6 examination for fisheries professionals, as well as to a person that qualified to register as a
7 fisheries professional without examination, subject to the payment of fees prescribed by the
8 Commission. The certificate of registration, which indicates that the person named therein is
9 entitled to practice as a fisheries professional with all the benefits and privileges pertaining
10 thereto, shall bear the signature of the Chairperson of the Commission and the Chairperson
11 and Members of the Board, and the seal of the Commission and the Board: *Provided*, That
12 one shall be allowed to practice the profession without the need of securing another license
13 from any government agency. The certificate of registration shall remain in full force and
14 effect until revoked or suspended in accordance with this Act. A professional identification
15 card, bearing the registration numbers and date of issuance, shall be renewed every three (3)
16 years and upon compliance with the requirements of the Board and the provisions of
17 Republic Act No.10912 otherwise known as Development Act of 2016.

18 **SEC.21. *Non-issuance of Certificate of Registration and Professional Identification***

19 **Card.** – The Board shall not register and issue a certificate of registration to any successful
20 examinee that has been convicted by a court of competent jurisdiction of any criminal offense
21 involving moral turpitude, or has been found guilty of immoral or dishonorable conduct after
22 investigation by the Board, or has been declared to be of unsound mind. The reason for the
23 refusal shall be set forth in writing.

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 certificate of registration
27 and professional identification card of a Fisheries Professional or suspend a person from the
28 practice of the profession or cancel the special temporary permit of a foreign national for
29 unprofessional or unethical conduct, malpractice, negligence, incompetence, or violation of
30 any of the provisions of this Act, its IRR, Code of Ethics and Standards of Practice for
31 Fisheries Professionals, and Code of Good Governance.

32 **SEC. 23. *Reinstatement, Re-issuance, or Replacement of Certificate of Registration,***
33 ***Professional Identification Card.***– The Board may, after two (2) years from the date of
34 revocation of certificate of registration, reinstate any revoked certificate of registration and

1 reissue a Professional Identification Card, *Provided*, that the cause of disqualification or
2 revocation has already ceased to exist.

3 A suspended certificate of registration and professional identification card may be
4 reinstated: *Provided*, That the suspended fisheries professional has established fitness to
5 practice anew. The Board shall issue a resolution to effect such reinstatement.

6 **SEC. 24. Continuing Professional Development.** – All fisheries professionals shall
7 abide by the requirements, rules, and regulation as provided in Republic Act No. 10912 to be
8 promulgated by the PRC Regulatory Board, subject to the approval of the Commission, in
9 coordination with the AIPO for the fisheries profession and the representative of duly
10 accredited education institutions. For this purpose, the Board may create a CPD Council to
11 implement the CPD program subject to the guidelines as may be issued by the Board.

12 **SEC. 25. Registration of Fisheries Professionals without Examination.** – Upon
13 approval of the application and payment of the prescribed fees, certificate of registration and
14 professional identification card shall be issued to the applicant for registration without
15 examination who can prove to the satisfaction of the Board that items a, b, or c below has
16 been met:

17 a. The applicant has at least a bachelor's degree in any field of fisheries such as
18 marine biology, oceanography/limnology, food science/technology/engineering,
19 fish taxonomy, biotechnology as applied in fisheries, aquatic biology, fishing boat
20 design/engineering, aquatic resource management, fish health, fish nutrition, or
21 fish chemistry from a school, college or university established or recognized by
22 the Government; *Provided*, That the applicant has passed any of the civil service
23 examination in fisheries, or has been granted equivalent to second level eligibility
24 by the Civil Service Commission by virtue of Presidential Decree No. 907, or
25 passed the Career Service Professional examination administered by the Civil
26 Service Commission: *Provided further*, That the applicant has served the fisheries
27 industry in public or private sector for at least five (5) years before the effectivity
28 of Republic Act No. 8550;

29 b. The applicant has a Masters or Doctorate degree in fisheries or closely related
30 fields such as marine biology, oceanography/limnology, food
31 science/technology/engineering, fish taxonomy, biotechnology as applied in
32 fisheries, aquatic biology, fishing boat design/engineering, aquatic resource
33 management, fish health, fish nutrition, or fish chemistry from a school, college or
34 university, established or recognized by the Government: *Provided*, That the

1 applicant has served the fisheries industry in public or private capacity for at least
2 five (5) years: *Provided further*, That the applicant has published at least one (1)
3 research and technical paper in reputable journals, books and proceedings within
4 the five-year service in fisheries;

- 5 c. The applicant is a graduate of at least a bachelor's degree in fisheries from a
6 school, college or university, established or recognized by the Government:
7 *Provided*, That the applicant has served the fisheries industry in the private sector
8 for a total of five (5) years: *Provided further*, That an applicant can show proof of
9 achievements, awards, commendations, or promotions of deserving performance
10 and has published at least one (1) technical paper in fisheries.

11 The applicants are given one (1) year after the approval and publication of the
12 implementing rules and regulations (IRR) of this Act to register as fisheries professionals
13 without examination.

14 **SEC. 26. Roster of Fisheries Professionals.** – The Board, in coordination with the
15 AIPO, shall prepare, update, and maintain a Roster of Fisheries Professionals, The roster
16 shall contain the names of fisheries professionals, their residence and office addresses, dates
17 of registration or issuance of certificate, and other data which the Board may deem relevant.

18 The roster shall be open to the public, copies of which shall be made available to any
19 party subject to the guidelines which may be prescribed by the Commission.

20 **SEC. 27. Issuance of Special Temporary Permit.** – Upon application and payment of
21 the required fees and subject to the approval of the Commission, the Board may issue special
22 temporary permits to fisheries professionals from foreign countries whose services are
23 urgently needed in the absence or inadequacy of local fisheries professionals for the purpose
24 of promoting or enhancing the practice of the fisheries profession in the Philippines.

25 **SEC. 28. Foreign Reciprocity.** – No foreign fisheries professional shall be given a
26 certificate of registration and professional identification card, or be entitled to any of the
27 privileges under this Act unless the country of which the foreign fisheries professional is a
28 subject or citizen specifically permits Filipino fisheries professionals to practice within its
29 territorial limits on the same basis as the subjects or citizens of the foreign country or State.

30 **SEC. 29. Seal and Use of Seal.** – Every fisheries professional shall obtain a seal of
31 such design as the Board shall adopt and approve, which shall be impressed upon all
32 documents, records, papers, and instruments prepared by or under the direct supervision of or
33 issued by a registered fisheries professional only during the period of the validity of ones
34 professional identification card.

1 **SEC. 42. *Implementing Rules and Regulations.*** – Within sixty (60) days from
2 effectivity of this Act, the Board shall, subject to the approval of the Commission, adopt,
3 promulgate and issue the IRR, in coordination with the AIPO and other fisheries institutions,
4 to implement or carry out its provisions.

5 **SEC. 43. *Separability Clause.*** – If any clause, sentence, paragraph, or part of this Act
6 shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or
7 impair any other part of this Act.

8 **SEC. 44. *Repealing Clause.*** – Section 115 of R.A. 8550 and Section 75 of R.A. 8435
9 and PRC Resolution No. 2000-664, series of 2000 are hereby repealed. All other laws,
10 decrees, executive orders, and other administrative issuances and parts thereof which are
11 inconsistent with the provisions of this Act are hereby modified, superseded or repealed
12 accordingly.

13 **SEC. 45. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
14 in the Official Gazette or in a newspaper of general circulation.

15 *Approved,*