

INFORMATION SHEET
ON

COMMITTEE REPORT NO. 25

'99 FEB 10 P1:33

RE Senate Bill 1271

Short Title PRC Reorganization

Filed on 10 FEB 1999

RECEIVED BY: G

a) COMMITTEE(s) which reported out the bill(s)/resolution(s)/other matters:

Civil Service & Government Reorganization (primary)

(secondary)

b) BILL(s) and/or RESOLUTION(s)/OTHER MATTER(s) reported out and taken into consideration:

Bill/Resolution/others	Referred to the Ctte(s) on:	Author(s)
1. <u>none</u>	_____	_____
2. _____	_____	_____
3. _____	_____	_____

Other bill(s)/resolution(s)/other matters of similar subject matter not included in this report:

552620

none Reason(s): _____

c) ACTION TAKEN by the Committee(s):

Primary Committee

Secondary Committee
(If this is not a joint report)

- | | | | |
|-------------------------------------|----------------------------|-------|--------------------------|
| <input checked="" type="checkbox"/> | Recommending Approval | _____ | <input type="checkbox"/> |
| <input type="checkbox"/> | with amendments | _____ | <input type="checkbox"/> |
| <input type="checkbox"/> | without amendments | _____ | <input type="checkbox"/> |
| <input type="checkbox"/> | in substitution of | _____ | <input type="checkbox"/> |
| <input type="checkbox"/> | in consolidation with | _____ | <input type="checkbox"/> |
| <input type="checkbox"/> | Laid on the Table/Archived | _____ | <input type="checkbox"/> |

Pending in the
Committee on _____

d) COMMITTEE MEETINGS/PUBLIC HEARINGS/TWG/OTHERS CONDUCTED:

Date: Nov 26 1998 Venue: Person Rm Date: _____ Venue: _____

e) Does this Bill/Resolution contain any REVENUE or APPROPRIATION Provision? Yes

If Yes, has it been referred to the Finance or Ways and Means Committee and what were its recommendations? _____

f) RELATED/COUNTERPART MEASURE from the HOUSE OF REPRESENTATIVES:

Bill/Resolution No.(s)	Status in the House	Status in the Senate
_____	_____	_____
_____	_____	_____

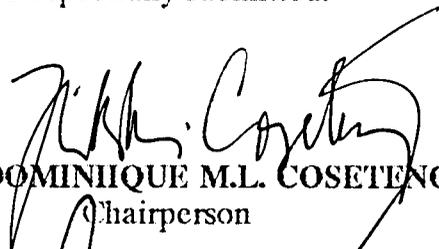
g) MEMBER(s) without signature in the report; and reason(s):

h) Additional remarks:

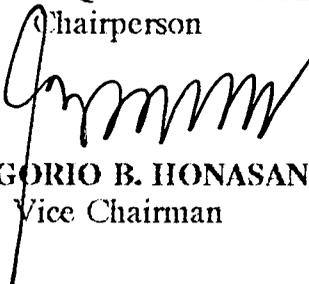
Submitted by: TRISTAN ERIC C. CANTO
o/ Sen. Nikki Coseteng
Legislative Committee Secretary

Date submitted: Feb 10, 1999

Respectfully submitted:



ANNA DOMINIQUE M.L. COSETENG
Chairperson

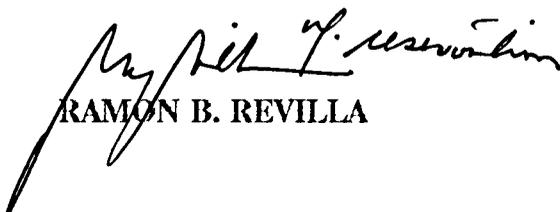


GREGORIO B. HONASAN
Vice Chairman

MEMBERS:


RAUL S. ROCO


AQUILINO Q. PIMENTEL, JR.

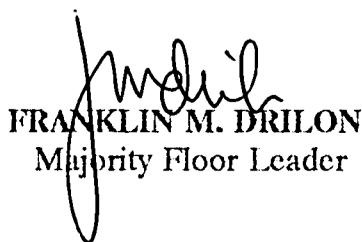

RAMON B. REVILLA

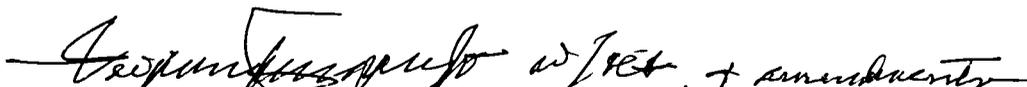

ROBERT Z. BARBERS


JEAN M. FLAVIER

EX-OFFICIO MEMBERS:


BLAS F. OPLE
President Pro-Tempore


FRANKLIN M. DRILON
Majority Floor Leader


TEOFISTO T. GUINGONA, JR.
Minority Floor Leader

HONORABLE MARCELO B. FERNAN
Senate President
Pasay City

ELEVENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

'98 OCT 16 A11:06

S E N A T E

RECEIVED BY:

S. No. 1271

Introduced by Senators Franklin M. Drilon and Anna Dominique M.L. Coseteng

EXPLANATORY NOTE

The Professional Regulation Commission (PRC), pursuant to Presidential Decree No.223, was created primarily to effectively enforce the laws regulating the various professions in the country. The said Decree was promulgated in June, 1973 and, except for a minor amendment introduced by Presidential Decree No.657, the Decree had never been amended for a period of over 23 years.

To ensure a more effective and efficient implementation and administration of the regulatory policies of the National Government with respect to the different professions, the attached bill seeks to cure and remedy the Decree's flaws, defects or inadequacies.

When the Commission was created in June, 1973, there were only 30 regulatory boards under its jurisdiction. Since then, eight (8) other regulatory boards and two (2) specialty boards have been created and placed under the Commission. Now there are forty (40) Regulatory Boards within the jurisdiction of the Commission.

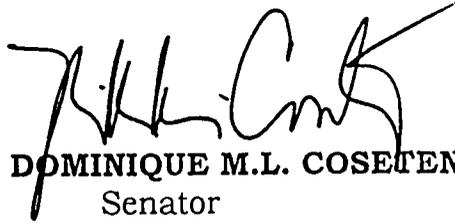
With the transfer to the PRC of the licensure examinations, registration and regulation of professional teachers pursuant to R.A. 7836, otherwise known as the Philippine Teachers Professionalization Act of 1994, the functions of the PRC were increased tremendously. The addition of the teachers licensure examination for its administration, which started in August, 1996, has more than tripled PRC's workload. Added to this is the corollary function of registering those who pass the licensure examinations and those who will renew their licenses every after three years.

This amendatory bill provides for the protection and maintenance of the integrity of licensure examinations by adopting the full computerization of these examinations. It likewise provides for penal sanctions for corrupt practices in the conduct of licensure examinations; i.e. manipulating examination results, leakage of questions prior to examinations, tampering grades, and others.

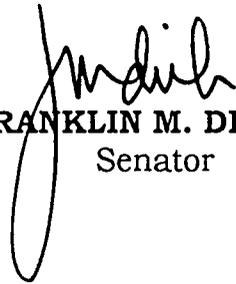
These amendments are necessary in view of the approval of the General Agreement of Trade Services (GATS) and its implementation in the ASEAN Region insofar as the business service sector which includes professional services is concerned.

It is perceived that the adoption of the amendments introduced in this bill would go a long way towards the attainment of the purpose for which the Commission has been created.

Approval of this bill, therefore, is earnestly requested.



ANNA DOMINIQUE M.L. COSETENG
Senator



FRANKLIN M. DRILON
Senator

ELEVENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

'98 OCT 16 AM 10:06

SENATE

RECEIVED BY: G

S. No. 1271

Introduced by Senators Franklin M. Drilon and Anna Dominique M.L. Coseteng

**AN ACT
FURTHER AMENDING PRESIDENTIAL DECREE NUMBERED TWO HUNDRED
AND TWENTY-THREE, AS AMENDED, ENTITLED CREATING THE
PROFESSIONAL REGULATION COMMISSION AND PRESCRIBING ITS
POWERS AND FUNCTIONS AND OTHER PURPOSES.**

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

SECTION 1. *Statement of Policy.* - THE STATE RECOGNIZES THE IMPORTANT ROLE OF PROFESSIONALS IN NATION-BUILDING AND, TOWARDS THIS END, PROMOTES THE SUSTAINED DEVELOPMENT OF A RESERVOIR OF PROFESSIONALS WHOSE COMPETENCE HAS BEEN DETERMINED BY HONEST AND CREDIBLE LICENSURE EXAMINATIONS AND WHOSE STANDARDS OF PROFESSIONAL SERVICE AND PRACTICE ARE WORLD-CLASS AND INTERNATIONALLY RECOGNIZED.

SECTION. 2. Section 1 of Presidential Decree Numbered Two Hundred and Twenty-Three, as amended, is hereby renumbered as Sec. 2 and amended to read as follows:

"SEC. 2. *Professional Regulation Commission.* - There is hereby created a three-man Commission to be known as the Professional Regulation Commission, HEREINAFTER REFERRED TO AS THE COMMISSION, which shall be attached to the Office of the President for general direction and coordination."

SECTION. 3. Section 2 of the same Decree is hereby renumbered as Sec. 3.

SECTION. 4. Section 3 of the same Decree is hereby renumbered as Sec. 4 and amended to read as follows:

"SEC. 4. *Exercise of powers and functions of the Commission.* - The Commissioner, who shall be the Chairman of the Commission, and the Associate Commissioners as Members thereof shall [,] SIT AND ACT as a body [,] TO exercise general administrative, executive and policy-making functions OF THE COMMISSION [for the whole agency]. THE COMMISSION SHALL ESTABLISH AND MAINTAIN A HIGH STANDARD OF ADMISSION TO THE PRACTICE OF ALL PROFESSIONS AND AT ALL TIMES ENSURE AND SAFEGUARD THE INTEGRITY OF ALL LICENSURE EXAMINATIONS.

THE CHAIRMAN SHALL ACT AS THE PRESIDING AND CHIEF EXECUTIVE OFFICER OF THE COMMISSION. AS PRESIDING OFFICER,

HE SHALL PRESIDE OVER THE MEETINGS OF THE COMMISSION SITTING AS A COLLEGIAL BODY. AS CHIEF EXECUTIVE OFFICER OF THE COMMISSION, HE SHALL BE RESPONSIBLE FOR THE IMPLEMENTATION OF POLICIES OF AND THE PROGRAMS ADOPTED BY THE COMMISSION FOR THE GENERAL ADMINISTRATION OF THE COMMISSION."

SECTION. 5. Section 4 of the same Decree is hereby renumbered as Sec. 5 and amended to read as follows:

"SEC. 5. *Compensation AND OTHER BENEFITS.* - The Commissioner [shall receive an annual compensation of forty-eight thousand pesos (P48,000.00) with five hundred pesos (P500) commutable transportation and representation allowances] and the Associate Commissioners [, thirty-six thousand pesos (P36,000) each with three hundred and fifty pesos (P350) commutable transportation and representation allowances] SHALL HAVE THE SAME RANK, SALARY, PRIVILEGES AND RETIREMENT BENEFITS AS THOSE OF THE PRESIDING JUSTICE AND ASSOCIATE JUSTICES OF THE COURT OF APPEALS, RESPECTIVELY."

SECTION. 6. Section 5 of the same Decree is hereby renumbered as Sec. 6 and amended to read as follows:

"SEC. 6. *Powers of the Commission.* - The powers of the Commission are as follows:

a) To [administer, implement and enforce] PRESCRIBE, ISSUE OR PROMULGATE RULES AND REGULATIONS WHICH SHALL GOVERN THE ADMINISTRATION, IMPLEMENTATION AND ENFORCEMENT OF the regulatory policies of the National Government with respect to the [regulation and] licensing AND REGULATION of the various professions and occupations [and] under its jurisdiction including the ENHANCEMENT AND maintenance of professional and occupational standards and ethics [and the enforcement of the rules and regulations relative thereto];

b) To perform any and all acts, enter into contracts, make such rules and regulations and issue such orders and other administrative issuances as may be necessary in the execution and implementation of its functions and the improvement of its services.

c) [To review, coordinate, integrate and approve the policies, resolutions, rules and regulations, orders or decisions promulgated by the various boards with respect to the profession or occupation under their jurisdictions including the result of their licensure examinations but their decisions on administrative cases shall be final and executory unless appealed to the Commission within thirty (30) days from the date of promulgation thereof.] TO REVIEW, REVISE AND APPROVE RESOLUTIONS EMBODYING POLICIES PROMULGATED BY THE PROFESSIONAL REGULATORY BOARDS IN THE EXERCISE OF THEIR POWERS AND FUNCTIONS OR IN IMPLEMENTING THE LAWS REGULATING THEIR RESPECTIVE PROFESSIONS AND OTHER OFFICIAL ACTIONS ON NON-MINISTERIAL MATTERS WITHIN THEIR RESPECTIVE JURISDICTIONS;

d) To administer and conduct the licensure examinations of the various regulatory boards [according to] IN ACCORDANCE WITH the rules and regulations promulgated by THE COMMISSION; determine and fix the dates and places of examinations [;], use the buildings and facilities of public and private schools for examination purposes; APPROVE THE RESULTS OF EXAMINATIONS AND THE RELEASE OF THE SAME; TO ADOPT MEASURES TO PRESERVE THE INTEGRITY AND INVIOABILITY OF LICENSURE EXAMINATIONS; appoint supervisors and room [examiners] WATCHERS from among the permanent employees of the government AND/or private individuals WITH BACCALAUREATE DEGREES, at least twenty-five (25) years old [and gainfully employed] who have been trained by the Commission FOR THE PURPOSE AND who shall be entitled to a reasonable daily allowance [of not less than ten pesos (P10.00)] for every examination day actually attended, TO BE DETERMINED AND FIXED BY THE COMMISSION [and approve the release of the examination results] AND IMPOSE THE PENALTY OF SUSPENSION OR PROHIBITION FROM TAKING LICENSURE EXAMINATIONS TO ANY EXAMINEE CHARGED AND FOUND GUILTY OF VIOLATING THE RULES AND REGULATIONS GOVERNING THE CONDUCT OF LICENSURE EXAMINATIONS PROMULGATED BY THE COMMISSION;

e) To keep and maintain a register of the authorized practitioners of the profession or occupation; issue certificates of registration signed by all the members of the Board concerned and the Commissioner with the official seal of the Board affixed THERETO, AND ISSUE PROFESSIONAL LICENSES TO PRACTICE A PARTICULAR PROFESSION, BEARING THE COMMISSIONER'S NAME AND SIGNATURE, THE LICENSEE'S NAME AND PICTURE, REGISTRATION NUMBER AND EXPIRY DATE THEREOF EXCEPT TO MARINE DECK AND ENGINEER OFFICERS WHO SHALL BE ISSUED CERTIFICATES OF COMPETENCY AND ENDORSEMENT; PROVIDED, THAT A PRIVILEGE TAX RECEIPT (PTR) SHALL NOT BE ISSUED TO A REGISTERED PROFESSIONAL UNLESS HE SHALL HAVE PRESENTED A VALID AND CURRENT PROFESSIONAL LICENSE;

f) To have custody of all the records of the various Boards, including [their] examination papers, minutes of deliberation, records of administrative cases and investigations and examination results FOR CONTROL AND DISPOSITION;

g) To determine [,] AND fix [and collect] the amount of fees to be charged AND COLLECTED for examination, registration, registration without examination, ANNUAL license [annual registration fees], certification, DOCKET, APPEAL, REPLACEMENT, ACCREDITATION, INCLUDING surcharges AND other fees not specified under the provisions of Republic Act NUMBERED FOUR HUNDRED SIXTY-FIVE AS AMENDED BY Republic Act NUMBERED SIXTY-FIVE HUNDRED AND ELEVEN or TO [amend] CHARGE AND COLLECT REASONABLE FEES AT THE RATES HIGHER THAN the rates provided thereunder subject to the approval by the [Office of the President] EXECUTIVE SECRETARY;

h) To appoint, subject to the provisions of [laws] CIVIL SERVICE LAW AND RULES, officials and employees of the Commission [as are] necessary [in] FOR the effective performance of its functions and responsibilities; prescribe their duties and fix their compensation AND ALLOWANCES

INCLUDING OTHER FRINGE BENEFITS and to organize or reorganize the structure of the Commission IN ACCORDANCE WITH SECTION 7 HEREOF; create or abolish positions or change the designation of existing positions IN ACCORDANCE WITH A STAFFING PATTERN PREPARED BY IT AND APPROVED BY THE OFFICE OF THE PRESIDENT to meet the changing conditions or as the need arises: Provided, That such changes shall not affect the employment status of the incumbents, reduce their ranks and/or salaries nor shall result IN THEIR [separating] SEPARATION [them] from the service;

i) To submit and recommend to the President of the Philippines [nominees] THE NAMES OF INDIVIDUALS for appointment as members of the various PROFESSIONAL Regulatory Boards UNDER THE ADMINISTRATIVE SUPERVISION OF THE COMMISSION from among those nominated to fill UP vacancies PURSUANT TO THE PROVISIONS OF EXECUTIVE ORDER NO.496, SERIES OF 1991; ✓

j) [The Commission may,] Upon recommendation of the PROFESSIONAL REGULATORY Board concerned, TO approve the registration of and authorize the issuance of a certificate of registration AND LICENSE with or without examination to a foreigner, who is registered under the laws of his country AND WHOSE CERTIFICATE OF REGISTRATION HAS NOT BEEN SUSPENDED OR REVOKED; Provided, That the requirements for the registration or licensing in said foreign state or country are substantially the same as those required and contemplated by the laws of the Philippines and that the laws of such foreign state or country allow the citizens of the Philippines to practice the profession on the same basis and grant the same privileges as THOSE ENJOYED BY the subjects or citizens of such foreign state or country; Provided, further, that the [applicant shall submit competent and conclusive documentary evidence, confirmed by the Department of Foreign Affairs, showing that his country's existing laws permit citizens of the Philippines to practice the profession under the rules and regulations governing citizens thereof: *Provided, finally,* That the] Commission may, upon recommendation of the Board concerned [, and approval of the President] authorize the issuance of a certificate of registration AND LICENSE, without examination or a temporary OR special permit FOR NOT MORE THAN ONE (1) YEAR, SUBJECT TO RENEWAL, to practice the profession, to any foreigner regardless of whether or not reciprocity exists in the practice of his profession between his country and the Philippines under such conditions as may be determined by the Commission, if such foreigner is internationally known to be an outstanding expert in his chosen profession or a well-known specialist in any of its branches, and that his services are urgently necessary either for lack or inadequacy of local experts or if [his services will promote the advancement of the profession in the Philippines] SUCH FOREIGN PROFESSIONAL IS ON A MISSION IN THE PHILIPPINES TO RENDER FREE PROFESSIONAL SERVICES; [The Commission is also hereby authorized to prescribe additional requirements or grant certain privileges to foreigners seeking registration in the Philippines if the same privileges are granted to or same additional requirements are required of citizens of the Philippines in acquiring the same certificates in his country.]

k) [The Commission shall have general supervision over] TO SUPERVISE AND CONTROL foreign nationals who are authorized by existing laws [or granted special permits] to practice their profession temporarily in the Philippines to see TO IT that the terms and conditions for THEIR PRACTICE OR OF THEIR employment are strictly observed and adhered to;

l) [To prescribe, or revise, in] IN [conjunction] CONSULTATION with the PROFESSIONAL REGULATORY Board concerned, [and the] TO RECOMMEND TO THE [Secretary of Education and Culture or his authorized representative,] COMMISSION ON HIGHER EDUCATION (CHED) THE REVISION OR AMENDMENT OF THE CURRICULA OF collegiate PROFESSIONAL courses the completion of or graduation from which shall be a pre-requisite for admission TO THE LICENSURE EXAMINATION AND [into] TO the practice of the profession concerned;

m) To exercise ADMINSTRATIVE supervision over the members of the various PROFESSIONAL REGULATORY Boards;

n) To ADOPT AND promulgate such rules and regulations as may be necessary to effectively implement policies with respect to the regulation and practice of the professions;

o) TO ADOPT A PROGRAM FOR THE FULL COMPUTERIZATION OF ALL LICENSURE EXAMINATIONS GIVEN BY THE VARIOUS PROFESSIONAL REGULATORY BOARDS INCLUDING THE REGISTRATION OF PROFESSIONALS;

p) TO HEAR AND DECIDE ADMINISTRATIVE CASES AGAINST OFFICIALS AND EMPLOYEES OF THE COMMISSION WHO HAVE VIOLATED THE CIVIL SERVICE LAW AND RULES AND REGULATIONS ISSUED THEREUNDER: PROVIDED, THAT ONLY DECISIONS RENDERED IMPOSING PENALTIES OF AT LEAST SUSPENSION EXCEEDING THIRTY (30) DAYS OR A FINE IN AN AMOUNT EXCEEDING THIRTY (30) DAYS SALARY MAY BE APPEALED TO THE CIVIL SERVICE COMMISSION WITHIN FIFTEEN (15) DAYS FROM RECEIPT OF A COPY OF THE DECISION;

q) TO CONDUCT INVESTIGATION MOTU PROPRIO OR UPON THE FILING OF A COMPLAINT BY AN AGGRIEVED PARTY AGAINST MEMBERS OF THE PROFESSIONAL REGULATORY BOARDS FOR NEGLECT OF DUTY, INCOMPETENCE, UNPROFESSIONAL, UNETHICAL, IMMORAL OR DISHONORABLE CONDUCT, COMMISSION OF IRREGULARITIES IN THE LICENSURE EXAMINATIONS WHICH TAINT OR IMPUGN THE INTEGRITY AND AUTHENTICITY OF THE RESULTS OF THE SAID EXAMINATIONS AND, IF FOUND GUILTY, TO REVOKE OR SUSPEND THEIR CERTIFICATES OF REGISTRATION AND PROFESSIONAL LICENSES AND TO RECOMMEND TO THE PRESIDENT OF THE PHILIPPINES THEIR SUSPENSION OR REMOVAL FROM OFFICE AS THE CASE MAY BE;

r) TO ISSUE SUMMONS, *SUBPOENA* AND *SUBPOENA DUCES TECUM* IN CONNECTION WITH THE INVESTIGATION OF CASES AGAINST OFFICIALS AND EMPLOYEES OF THE COMMISSION AND THE MEMBERS OF THE PROFESSIONAL REGULATORY BOARDS;

s) TO HOLD ANY PERSON FOR DIRECT OR INDIRECT CONTEMPT UPON ANY OF THE GROUNDS PROVIDED IN RULE 71 OF THE RULES OF COURT AS ARE APPLICABLE TO THE COMMISSION OR ITS HEARING OFFICERS AND IMPOSE THE PENALTY THEREFOR;

t) TO CALL UPON OR REQUEST ANY DEPARTMENT, INSTRUMENTALITY, OFFICE, BUREAU, INSTITUTION OR AGENCY OF THE GOVERNMENT INCLUDING LOCAL GOVERNMENT UNITS TO RENDER SUCH

ASSISTANCE AS IT MAY REQUIRE, OR TO COORDINATE OR COOPERATE IN ORDER TO CARRY OUT, ENFORCE OR IMPLEMENT THE PROFESSIONAL REGULATORY POLICIES OF THE GOVERNMENT OR ANY PROGRAM OR ACTIVITY IT MAY UNDERTAKE PURSUANT TO THE PROVISIONS OF THIS ACT;

u) TO PERFORM SUCH OTHER FUNCTIONS AND DUTIES AS MAY BE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ACT, THE VARIOUS PROFESSIONAL REGULATORY LAWS, DECREES, EXECUTIVE ORDERS AND OTHER ADMINISTRATIVE ISSUANCES."

SECTION. 7. A new Section shall be added after Section 6 to be known as Sec. 7 which shall read as follows:

"SEC. 7. OFFICES IN THE COMMISSION. THE COMMISSION AND THE VARIOUS PROFESSIONAL REGULATORY BOARDS SHALL CARRY OUT THEIR FUNCTIONS THROUGH THE OFFICES OF THE COMMISSIONER; THE ASSOCIATE COMMISSIONERS; THE EXECUTIVE DIRECTOR; THE SECRETARY OF THE PROFESSIONAL REGULATORY BOARDS; THE DIRECTOR FOR LEGAL AFFAIRS; THE DIRECTOR FOR LICENSURE; THE DIRECTOR FOR REGULATION; THE DIRECTOR FOR INTERNATIONAL AFFAIRS; THE DIRECTOR OF FINANCIAL, MANAGEMENT AND ADMINISTRATIVE SERVICES; THE DIRECTOR FOR PROFESSIONAL TEACHERS AND THE REGIONAL DIRECTORS. THE COMMISSIONERS AND ASSOCIATE COMMISSIONERS, EXECUTIVE DIRECTOR, DIRECTORS OF OFFICES INCLUDING REGIONAL OFFICES AND ALL CHIEF PROFESSIONAL REGULATION OFFICERS, SUPERVISING PROFESSIONAL REGULATION OFFICERS, LEGAL OFFICERS AND/OR ATTORNEYS, ADMINISTRATIVE OFFICER V AND ALL REGIONAL ADMINISTRATIVE OFFICERS OF THE COMMISSION ARE AUTHORIZED TO ADMINISTER OATHS."

SECTION. 8. Section 6 of the same Decree is hereby renumbered as Sec. 8 and amended to read as follows:

"SEC. 8. Powers, functions and responsibilities of THE various REGULATORY Boards. - The various REGULATORY Boards shall retain the following powers, functions and responsibilities:

a) To look from time to time into the conditions affecting the practice of the profession or occupation under their respective jurisdictions and whenever necessary, adopt such measures as may be deemed proper for the enhancement of the profession or occupation and/or the maintenance of high professional, ethical and technical standards, and for this purpose the members of the Board may UPON REQUEST DULY GRANTED BY THE COMMISSION personally or through [subordinate] RESPONSIBLE employees of the Commission, conduct ocular inspection or visit industrial, mechanical, electrical or chemical plants or ESTABLISHMENTS, hospitals, clinics, LABORATORIES, TESTING FACILITIES and other engineering works where registered PROFESSIONALS are employed or are working for the purpose of determining compliance/practice with the provision or occupation or as an aid in formulating policies relative thereto in accordance with the established policies promulgated by the Commission;

b) To HEAR OR investigate CASES ARISING FROM violations of their respective laws, [and] the rules and regulations promulgated thereunder and THEIR CODES OF ETHICS AND, for this purpose, may issue summonses, subpoena and subpoena duces tecum to alleged violators AND/or witnesses [thereof and] TO COMPEL their attendance [to] IN such investigations or hearings: PROVIDED, THAT THE DECISION OF THE PROFESSIONAL REGULATORY BOARD SHALL, UNLESS APPEALED TO THE COMMISSION, BECOME FINAL AND EXECUTORY AFTER FIFTEEN (15) DAYS FROM RECEIPT OF NOTICE OF JUDGMENT OR DECISION;

c) To delegate the hearing or investigation of administrative cases filed before them except in cases where the issue OR QUESTION involved strictly concerns the practice of the profession or occupation, in which case, the hearing shall be presided over by at least one member of the Board concerned assisted by a Legal or Hearing Officer of the Commission;

d) To [promulgate decisions on such administrative cases subject to review by the Commission. If after thirty (30) days from the receipt of such decision no appeal is taken therefrom to the Commission, the same shall become final and immediately enforceable] CONDUCT THROUGH THE LEGAL OFFICERS OF THE COMMISSION SUMMARY PROCEEDINGS ON MINOR VIOLATIONS OF THEIR RESPECTIVE REGULATORY LAWS, VIOLATIONS OF THE RULES AND REGULATIONS ISSUED BY THE BOARDS TO IMPLEMENT THEIR RESPECTWE LAWS, INCLUDING VIOLATIONS OF THE GENERAL INSTRUCTIONS TO EXAMINEES COMMITTED BY EXAMINEES, AND RENDER SUMMARY JUDGMENT THEREON WHICH SHALL, UNLESS APPEALED TO THE COMMISSION, BECOME FINAL AND EXECUTORY AFTER FIFTEEN DAYS FROM NOTICE OF DECISION OR JUDGMENT;

e) Subject to review by the Commission, to approve registration without examination and the issuance of corresponding certificate of registration [,];

f) After due process, to suspend, revoke or reissue, RE-INSTATE certificates of registration or licenses for causes provided by law;

g) TO PREPARE, ADOPT AND ISSUE THE SYLLABI OR TABLES OF SPECIFICATIONS OF THE SUBJECTS FOR EXAMINATIONS IN CONSULTATION WITH THE ACADEME; [to] determine and prepare the [contents of] questions FOR the licensure examinations WHICH SHALL STRICTLY BE WITHIN THE SCOPE OF THE SYLLABUS OR TABLE OF SPECIFICATIONS OF THE SUBJECT FOR EXAMINATION; score and rate the examination papers WITH THE NAME AND SIGNATLRE OF THE BOARD MEMBER CONCERNED APPEARING THEREON and submit the results IN ALL SUBJECTS duly signed by the members of the Board to the Commission within TEN (10) days from the last day of examination unless extended by the Commission FOR JUSTIFIABLE CAUSE/S; and subject to the approval by the Commission, determine the appropriate passing general AVERAGE rating IN AN EXAMINATION if not provided for in the law regulating the profession;

h) TO REGULATE THE PRACTICE OF THE PROFESSIONS;

i) TO PREPARE AN ANNUAL REPORT OF ACCOMPLISHMENTS ON PROGRAMS, PROJECTS AND ACTWITIES OF THE BOARD DURING THE

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YEAR FOR SUBMISSION TO THE COMMISSION ~~AT~~ AFTER THE CLOSE OF EACH CALENDAR YEAR AND MAKE APPROPRIATE RECOMMENDATIONS ON ISSUES OR PROBLEMS AFFECTING THE PROFESSION TO THE COMMISSION."

SECTION. 9. A new section is added after Section 8 to be known as Section 9 which shall read as follows:

"SEC. 9. THE MEMBERS OF ALL THE PROFESSIONAL REGULATORY BOARDS SHALL EACH RECEIVE A MONTHLY COMPENSATION EQUIVALENT TO THE MONTHLY SALARY OF A POSITION WITH A SALARY GRADE OF 28, PROVIDED, THAT THE CHAIRMEN SHALL EACH RECEIVE A MONTHLY COMPENSATION OF TEN (10%) PERCENT MORE; PROVIDED, FURTHER, THAT THEY SHALL RECEIVE OTHER BENEFITS THAT MAY BE PROVIDED BY LAW."

SECTION. 10. A new section is added after Section 9 to be known as Section 10 which shall read as follows:

"SEC. 10. *PERSONS TO TEACH SUBJECTS FOR LICENSURE EXAMINATION ON ALL PROFESSIONS.* - ALL SUBJECTS FOR LICENSURE EXAMINATIONS SHALL BE TAUGHT BY PERSONS WHO ARE HOLDERS OF VALID CERTIFICATES OF REGISTRATION AND VALID PROFESSIONAL LICENSES OF THE PROFESSION AND OTHER REQUIREMENTS OF THE COMMISSION ON HIGHER EDUCATION (CHED) WHOSE SUBJECTS THEY ARE GOING TO TEACH."

SECTION. 11. A new section is added after Section 10 to be known as Section 11 which shall read as follows:

"SEC. 11. *ASSISTANCE OF LAW ENFORCEMENT AGENCY.* - ANY LAW ENFORCEMENT AGENCY SHALL, UPON CALL OR REQUEST OF THE COMMISSION OR OF ANY PROFESSIONAL REGULATORY BOARD, RENDER ASSISTANCE IN ENFORCING THE REGULATORY LAW OF THE PROFESSION INCLUDING THE RULES AND REGULATIONS PROMULGATED THEREUNDER BY PROSECUTING THE VIOLATORS THEREOF IN ACCORDANCE WITH LAW AND THE RULES OF COURT."

SECTION. 12. A new section is added after Section 11 to be known as Section 12 which shall read as follows:

"SEC. 12. *AUTHORITY TO USE INCOME.* - THE COMMISSION IS HEREBY AUTHORIZED TO USE SEVENTY-FIVE PER CENTUM OF ITS INCOME FROM ALL SOURCES EXCEPT COLLECTIONS OF OATH-TAKING FEES UNDER SECTION 6 (h) HEREOF, FOR THE OPERATIONAL EXPENSES OF THE COMMISSION INCLUDING ITS REGIONAL OFFICES, COMPENSATION OF MEMBERS OF THE BOARD, SALARIES, ALLOWANCES, HONORARIA, OVERTIME AND OTHER BENEFITS OF OFFICIALS AND EMPLOYEES INCLUDING THE HIRING OF CONSULTANTS, CASUAL, EMERGENCY AND CONTRACTUAL PERSONNEL AS THE EXIGENCIES OF THE SERVICE REQUIRE, OPERATIONAL EXPENSES FOR RESEARCH AND DEVELOPMENT, TRAINING AND EDUCATION AND INSTITUTIONAL LINKAGES,

PURCHASE, ACQUISITION AND IMPROVEMENT OF EQUIPMENT, FURNITURE, AND FIXTURES, MOTOR VEHICLES, SITES AND CONSTRUCTION OF BUILDING FOR OFFICE SPACES AND EXAMINATION HALLS, CONDUCTING RESEARCH TO KEEP THE BOARDS AND THE COMMISSION ABREAST WITH CURRENT SCIENTIFIC AND TECHNOLOGICAL AND PROFESSIONAL STANDARDS IN THE REGULATION OF PROFESSIONS AND OCCUPATIONS AND IN ALL OTHER MATTERS THAT WOULD ENHANCE THE EFFECTIVENESS AND EFFICIENCY OF THE OFFICE."

SECTION. 13. A new section is added after Section 12 to be known as Section 13 which shall read as follows:

"SEC. 13. 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 SIX (6) YEARS AND ONE (1) DAY TO NOT MORE THAN TWELVE (12) YEARS OR A FINE OF NOT LESS THAN FIFTY THOUSAND (50,000.00) PESOS TO NOT MORE THAN ONE HUNDRED THOUSAND (P100,000.00) PESOS 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 SHALL BE REMOVED FROM OFFICE AND SHALL SUFFER THE PENALTY OF PERPETUAL ABSOLUTE DISQUALIFICATION FROM PUBLIC OFFICE IN ADDITION TO THE PENALTIES PRESCRIBED IN THE PRECEDING SECTION OF THIS ACT.

c) THE PENALTY OF IMPRISONMENT RANGING FROM FOUR (4) YEARS AND ONE (1) DAY TO SIX (6) YEARS OR A FINE RANGING FROM TWENTY THOUSAND (P20,000.00) PESOS TO NOT MORE THAN FORTY-NINE THOUSAND (49,000.00) PESOS, OR BOTH IMPRISONMENT AND FINE AT THE DISCRETION OF THE COURT, SHALL BE IMPOSED UPON THE ACCOMPLICES. THE PENALTY OF IMPRISONMENT RANGING FROM TWO (2) YEARS AND ONE (1) DAY TO FOUR (4) YEARS OR A FINE RANGING FROM FIVE THOUSAND (P5,000.00) PESOS TO NOT MORE THAN NINETEEN THOUSAND (P19,000.00) PESOS, OR BOTH IMPRISONMENT AND FINE AT THE DISCRETION OF THE COURT, SHALL BE IMPOSED UPON THE ACCESSORIES."

MISCELLANEOUS PROVISIONS

SECTION. 14. A new section is added after Section 13 to be known as Section 14 which shall read as follows:

"SEC. 14. *SEPARABILITY CLAUSE.* - IF ANY PROVISION OF THIS ACT OR THE APPLICATION OF SUCH PROVISION TO ANY PERSON OR CIRCUMSTANCES IS DECLARED INVALID OR UNCONSTITUTIONAL, THE

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REMAINDER OF THIS ACT OR APPLICATION OF SUCH PROVISIONS TO OTHER PERSONS OR CIRCUMSTANCE SHALL NOT BE AFFECTED BY SUCH DECLARATION."

SECTION. 15. Section 9 of Presidential Decree Numbered Two Hundred and Twenty-Three is hereby renumbered as Section 15 and amended to read as follows:

"SEC. 15. *REPEALING CLAUSE*. The provisions of Republic Act No. 546, PRESIDENTIAL DECREE NO.223, AS AMENDED, NO.4, ARTICLE 16 OF REPUBLIC ACT NO.7722 AND REPUBLIC ACT NO.5181 are hereby repealed [as well as those of pertinent laws inconsistent herewith]. ALL OTHER LAWS AND DECREES THAT ARE INCONSISTENT WITH THE PROVISIONS OF THIS ACT ARE LIKEWISE REPEALED ACCORDINGLY."

SECTION. 16. Section 10 of the same Decree is hereby renumbered as Sec. 16 and amended to read as follows:

"SEC. 16. *Effectivity*. This Act shall take effect [immediately] AFTER FIFTEEN (15) DAYS FOLLOWING ITS PUBLICATION IN THE OFFICIAL GAZETTE OR IN TWO (2) NEWSPAPERS OF GENERAL CIRCULATION, WHICHEVER IS EARLIER."

Approved,

ELEVENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

'98 OCT 16 A11:06

SENATE

RECEIVED BY: G

S. No. 1271

Introduced by Senators Franklin M. Drilon and Anna Dominique M.L. Coseteng

EXPLANATORY NOTE

The Professional Regulation Commission (PRC), pursuant to Presidential Decree No.223, was created primarily to effectively enforce the laws regulating the various professions in the country. The said Decree was promulgated in June, 1973 and, except for a minor amendment introduced by Presidential Decree No.657, the Decree had never been amended for a period of over 23 years.

To ensure a more effective and efficient implementation and administration of the regulatory policies of the National Government with respect to the different professions, the attached bill seeks to cure and remedy the Decree's flaws, defects or inadequacies.

When the Commission was created in June, 1973, there were only 30 regulatory boards under its jurisdiction. Since then, eight (8) other regulatory boards and two (2) specialty boards have been created and placed under the Commission. Now there are forty (40) Regulatory Boards within the jurisdiction of the Commission.

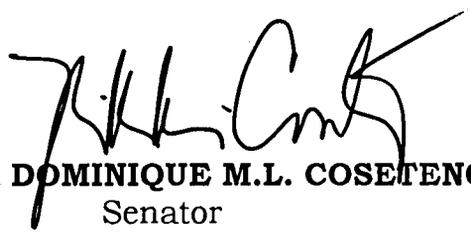
With the transfer to the PRC of the licensure examinations, registration and regulation of professional teachers pursuant to R.A. 7836, otherwise known as the Philippine Teachers Professionalization Act of 1994, the functions of the PRC were increased tremendously. The addition of the teachers licensure examination for its administration, which started in August, 1996, has more than tripled PRC's workload. Added to this is the corollary function of registering those who pass the licensure examinations and those who will renew their licenses every after three years.

This amendatory bill provides for the protection and maintenance of the integrity of licensure examinations by adopting the full computerization of these examinations. It likewise provides for penal sanctions for corrupt practices in the conduct of licensure examinations; i.e. manipulating examination results, leakage of questions prior to examinations, tampering grades, and others.

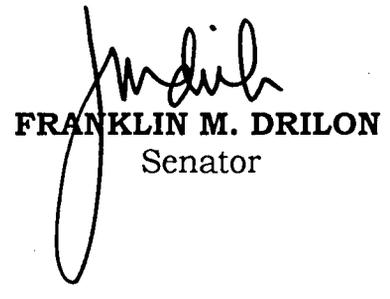
These amendments are necessary in view of the approval of the General Agreement of Trade Services (GATS) and its implementation in the ASEAN Region insofar as the business service sector which includes professional services is concerned.

It is perceived that the adoption of the amendments introduced in this bill would go a long way towards the attainment of the purpose for which the Commission has been created.

Approval of this bill, therefore, is earnestly requested.



ANNA DOMINIQUE M.L. COSETENG
Senator



FRANKLIN M. DRILON
Senator

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ELEVENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

'98 OCT 16 AM 10:06

SENATE

RECEIVED BY: G

S. No. 1271

Introduced by Senators Franklin M. Drilon and Anna Dominique M.L. Coseteng

**AN ACT
FURTHER AMENDING PRESIDENTIAL DECREE NUMBERED TWO HUNDRED
AND TWENTY-THREE, AS AMENDED, ENTITLED CREATING THE
PROFESSIONAL REGULATION COMMISSION AND PRESCRIBING ITS
POWERS AND FUNCTIONS AND OTHER PURPOSES.**

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

SECTION 1. *Statement of Policy.* - THE STATE RECOGNIZES THE IMPORTANT ROLE OF PROFESSIONALS IN NATION-BUILDING AND, TOWARDS THIS END, PROMOTES THE SUSTAINED DEVELOPMENT OF A RESERVOIR OF PROFESSIONALS WHOSE COMPETENCE HAS BEEN DETERMINED BY HONEST AND CREDIBLE LICENSURE EXAMINATIONS AND WHOSE STANDARDS OF PROFESSIONAL SERVICE AND PRACTICE ARE WORLD-CLASS AND INTERNATIONALLY RECOGNIZED.

SECTION. 2. Section 1 of Presidential Decree Numbered Two Hundred and Twenty-Three, as amended, is hereby renumbered as Sec. 2 and amended to read as follows:

"SEC. 2. *Professional Regulation Commission.* - There is hereby created a three-man Commission to be known as the Professional Regulation Commission, HEREINAFTER REFERRED TO AS THE COMMISSION, which shall be attached to the Office of the President for general direction and coordination."

SECTION. 3. Section 2 of the same Decree is hereby renumbered as Sec. 3.

SECTION. 4. Section 3 of the same Decree is hereby renumbered as Sec. 4 and amended to read as follows:

"SEC. 4. *Exercise of powers and functions of the Commission.* - The Commissioner, who shall be the Chairman of the Commission, and the Associate Commissioners as Members thereof shall [,] SIT AND ACT as a body [,] TO exercise general administrative, executive and policy-making functions OF THE COMMISSION [for the whole agency]. THE COMMISSION SHALL ESTABLISH AND MAINTAIN A HIGH STANDARD OF ADMISSION TO THE PRACTICE OF ALL PROFESSIONS AND AT ALL TIMES ENSURE AND SAFEGUARD THE INTEGRITY OF ALL LICENSURE EXAMINATIONS.

THE CHAIRMAN SHALL ACT AS THE PRESIDING AND CHIEF EXECUTIVE OFFICER OF THE COMMISSION. AS PRESIDING OFFICER,

HE SHALL PRESIDE OVER THE MEETINGS OF THE COMMISSION SITTING AS A COLLEGIAL BODY. AS CHIEF EXECUTIVE OFFICER OF THE COMMISSION, HE SHALL BE RESPONSIBLE FOR THE IMPLEMENTATION OF POLICIES OF AND THE PROGRAMS ADOPTED BY THE COMMISSION FOR THE GENERAL ADMINISTRATION OF THE COMMISSION."

SECTION. 5. Section 4 of the same Decree is hereby renumbered as Sec. 5 and amended to read as follows:

"SEC. 5. *Compensation AND OTHER BENEFITS.* - The Commissioner [shall receive an annual compensation of forty-eight thousand pesos (P48,000.00) with five hundred pesos (P500) commutable transportation and representation allowances] and the Associate Commissioners [, thirty-six thousand pesos (P36,000) each with three hundred and fifty pesos (P350) commutable transportation and representation allowances] SHALL HAVE THE SAME RANK, SALARY, PRIVILEGES AND RETIREMENT BENEFITS AS THOSE OF THE PRESIDING JUSTICE AND ASSOCIATE JUSTICES OF THE COURT OF APPEALS, RESPECTIVELY."

SECTION. 6. Section 5 of the same Decree is hereby renumbered as Sec. 6 and amended to read as follows:

"SEC. 6. *Powers of the Commission.* - The powers of the Commission are as follows:

- a) To [administer, implement and enforce] PRESCRIBE, ISSUE OR PROMULGATE RULES AND REGULATIONS WHICH SHALL GOVERN THE ADMINISTRATION, IMPLEMENTATION AND ENFORCEMENT OF the regulatory policies of the National Government with respect to the [regulation and] licensing AND REGULATION of the various professions and occupations [and] under its jurisdiction including the ENHANCEMENT AND maintenance of professional and occupational standards and ethics [and the enforcement of the rules and regulations relative thereto];
- b) To perform any and all acts, enter into contracts, make such rules and regulations and issue such orders and other administrative issuances as may be necessary in the execution and implementation of its functions and the improvement of its services.
- c) [To review, coordinate, integrate and approve the policies, resolutions, rules and regulations, orders or decisions promulgated by the various boards with respect to the profession or occupation under their jurisdictions including the result of their licensure examinations but their decisions on administrative cases shall be final and executory unless appealed to the Commission within thirty (30) days from the date of promulgation thereof.] TO REVIEW, REVISE AND APPROVE RESOLUTIONS EMBODYING POLICIES PROMULGATED BY THE PROFESSIONAL REGULATORY BOARDS IN THE EXERCISE OF THEIR POWERS AND FUNCTIONS OR IN IMPLEMENTING THE LAWS REGULATING THEIR RESPECTIVE PROFESSIONS AND OTHER OFFICIAL ACTIONS ON NON-MINISTERIAL MATTERS WITHIN THEIR RESPECTIVE JURISDICTIONS;

d) To administer and conduct the licensure examinations of the various regulatory boards [according to] IN ACCORDANCE WITH the rules and regulations promulgated by THE COMMISSION; determine and fix the dates and places of examinations [;], use the buildings and facilities of public and private schools for examination purposes; APPROVE THE RESULTS OF EXAMINATIONS AND THE RELEASE OF THE SAME; TO ADOPT MEASURES TO PRESERVE THE INTEGRITY AND INVIOABILITY OF LICENSURE EXAMINATIONS; appoint supervisors and room [examiners] WATCHERS from among the permanent employees of the government AND/or private individuals WITH BACCALAUREATE DEGREES, at least twenty-five (25) years old [and gainfully employed] who have been trained by the Commission FOR THE PURPOSE AND who shall be entitled to a reasonable daily allowance [of not less than ten pesos (P10.00)] for every examination day actually attended, TO BE DETERMINED AND FIXED BY THE COMMISSION [and approve the release of the examination results] AND IMPOSE THE PENALTY OF SUSPENSION OR PROHIBITION FROM TAKING LICENSURE EXAMINATIONS TO ANY EXAMINEE CHARGED AND FOUND GUILTY OF VIOLATING THE RULES AND REGULATIONS GOVERNING THE CONDUCT OF LICENSURE EXAMINATIONS PROMULGATED BY THE COMMISSION;

e) To keep and maintain a register of the authorized practitioners of the profession or occupation; issue certificates of registration signed by all the members of the Board concerned and the Commissioner with the official seal of the Board affixed THERETO, AND ISSUE PROFESSIONAL LICENSES TO PRACTICE A PARTICULAR PROFESSION, BEARING THE COMMISSIONER'S NAME AND SIGNATURE, THE LICENSEE'S NAME AND PICTURE, REGISTRATION NUMBER AND EXPIRY DATE THEREOF EXCEPT TO MARINE DECK AND ENGINEER OFFICERS WHO SHALL BE ISSUED CERTIFICATES OF COMPETENCY AND ENDORSEMENT; PROVIDED, THAT A PRIVILEGE TAX RECEIPT (PTR) SHALL NOT BE ISSUED TO A REGISTERED PROFESSIONAL UNLESS HE SHALL HAVE PRESENTED A VALID AND CURRENT PROFESSIONAL LICENSE;

f) To have custody of all the records of the various Boards, including [their] examination papers, minutes of deliberation, records of administrative cases and investigations and examination results FOR CONTROL AND DISPOSITION;

g) To determine [,] AND fix [and collect] the amount of fees to be charged AND COLLECTED for examination, registration, registration without examination, ANNUAL license [annual registration fees], certification, DOCKET, APPEAL, REPLACEMENT, ACCREDITATION, INCLUDING surcharges AND other fees not specified under the provisions of Republic Act NUMBERED FOUR HUNDRED SIXTY-FIVE AS AMENDED BY Republic Act NUMBERED SIXTY-FIVE HUNDRED AND ELEVEN or TO [amend] CHARGE AND COLLECT REASONABLE FEES AT THE RATES HIGHER THAN the rates provided thereunder subject to the approval by the [Office of the President] EXECUTIVE SECRETARY;

h) To appoint, subject to the provisions of [laws] CIVIL SERVICE LAW AND RULES, officials and employees of the Commission [as are] necessary [in] FOR the effective performance of its functions and responsibilities; prescribe their duties and fix their compensation AND ALLOWANCES

INCLUDING OTHER FRINGE BENEFITS and to organize or reorganize the structure of the Commission IN ACCORDANCE WITH SECTION 7 HEREOF; create or abolish positions or change the designation of existing positions IN ACCORDANCE WITH A STAFFING PATTERN PREPARED BY IT AND APPROVED BY THE OFFICE OF THE PRESIDENT to meet the changing conditions or as the need arises: Provided, That such changes shall not affect the employment status of the incumbents, reduce their ranks and/or salaries nor shall result IN THEIR [separating] SEPARATION [them] from the service;

i) To submit and recommend to the President of the Philippines [nominees] THE NAMES OF INDIVIDUALS for appointment as members of the various PROFESSIONAL Regulatory Boards UNDER THE ADMINISTRATIVE SUPERVISION OF THE COMMISSION from among those nominated to fill UP vacancies PURSUANT TO THE PROVISIONS OF EXECUTIVE ORDER NO.496, SERIES OF 1991;

j) [The Commission may,] Upon recommendation of the PROFESSIONAL REGULATORY Board concerned, TO approve the registration of and authorize the issuance of a certificate of registration AND LICENSE with or without examination to a foreigner, who is registered under the laws of his country AND WHOSE CERTIFICATE OF REGISTRATION HAS NOT BEEN SUSPENDED OR REVOKED; Provided, That the requirements for the registration or licensing in said foreign state or country are substantially the same as those required and contemplated by the laws of the Philippines and that the laws of such foreign state or country allow the citizens of the Philippines to practice the profession on the same basis and grant the same privileges as THOSE ENJOYED BY the subjects or citizens of such foreign state or country; Provided, further, that the [applicant shall submit competent and conclusive documentary evidence, confirmed by the Department of Foreign Affairs, showing that his country's existing laws permit citizens of the Philippines to practice the profession under the rules and regulations governing citizens thereof: *Provided, finally,* That the] Commission may, upon recommendation of the Board concerned [, and approval of the President] authorize the issuance of a certificate of registration AND LICENSE, without examination or a temporary OR special permit FOR NOT MORE THAN ONE (1) YEAR, SUBJECT TO RENEWAL, to practice the profession, to any foreigner regardless of whether or not reciprocity exists in the practice of his profession between his country and the Philippines under such conditions as may be determined by the Commission, if such foreigner is internationally known to be an outstanding expert in his chosen profession or a well-known specialist in any of its branches, and that his services are urgently necessary either for lack or inadequacy of local experts or if [his services will promote the advancement of the profession in the Philippines] SUCH FOREIGN PROFESSIONAL IS ON A MISSION IN THE PHILIPPINES TO RENDER FREE PROFESSIONAL SERVICES; [The Commission is also hereby authorized to prescribe additional requirements or grant certain privileges to foreigners seeking registration in the Philippines if the same privileges are granted to or same additional requirements are required of citizens of the Philippines in acquiring the same certificates in his country.]

k) [The Commission shall have general supervision over] TO SUPERVISE AND CONTROL foreign nationals who are authorized by existing laws [or granted special permits] to practice their profession temporarily in the Philippines to see TO IT that the terms and conditions for THEIR PRACTICE OR OF THEIR employment are strictly observed and adhered to;

- l) [To prescribe, or revise, in] IN [conjunction] CONSULTATION with the PROFESSIONAL REGULATORY Board concerned, [and the] TO RECOMMEND TO THE [Secretary of Education and Culture or his authorized representative,] COMMISSION ON HIGHER EDUCATION (CHED) THE REVISION OR AMENDMENT OF THE CURRICULA OF collegiate PROFESSIONAL courses the completion of or graduation from which shall be a pre-requisite for admission TO THE LICENSURE EXAMINATION AND [into] TO the practice of the profession concerned;
- m) To exercise ADMINISTRATIVE supervision over the members of the various PROFESSIONAL REGULATORY Boards;
- n) To ADOPT AND promulgate such rules and regulations as may be necessary to effectively implement policies with respect to the regulation and practice of the professions;
- o) TO ADOPT A PROGRAM FOR THE FULL COMPUTERIZATION OF ALL LICENSURE EXAMINATIONS GIVEN BY THE VARIOUS PROFESSIONAL REGULATORY BOARDS INCLUDING THE REGISTRATION OF PROFESSIONALS;
- p) TO HEAR AND DECIDE ADMINISTRATIVE CASES AGAINST OFFICIALS AND EMPLOYEES OF THE COMMISSION WHO HAVE VIOLATED THE CIVIL SERVICE LAW AND RULES AND REGULATIONS ISSUED THEREUNDER: PROVIDED, THAT ONLY DECISIONS RENDERED IMPOSING PENALTIES OF AT LEAST SUSPENSION EXCEEDING THIRTY (30) DAYS OR A FINE IN AN AMOUNT EXCEEDING THIRTY (30) DAYS SALARY MAY BE APPEALED TO THE CIVIL SERVICE COMMISSION WITHIN FIFTEEN (15) DAYS FROM RECEIPT OF A COPY OF THE DECISION;
- q) TO CONDUCT INVESTIGATION MOTU PROPRIO OR UPON THE FILING OF A COMPLAINT BY AN AGGRIEVED PARTY AGAINST MEMBERS OF THE PROFESSIONAL REGULATORY BOARDS FOR NEGLECT OF DUTY, INCOMPETENCE, UNPROFESSIONAL, UNETHICAL, IMMORAL OR DISHONORABLE CONDUCT, COMMISSION OF IRREGULARITIES IN THE LICENSURE EXAMINATIONS WHICH TAINT OR IMPUGN THE INTEGRITY AND AUTHENTICITY OF THE RESULTS OF THE SAID EXAMINATIONS AND, IF FOUND GUILTY, TO REVOKE OR SUSPEND THEIR CERTIFICATES OF REGISTRATION AND PROFESSIONAL LICENSES AND TO RECOMMEND TO THE PRESIDENT OF THE PHILIPPINES THEIR SUSPENSION OR REMOVAL FROM OFFICE AS THE CASE MAY BE;
- r) TO ISSUE SUMMONS, *SUBPOENA* AND *SUBPOENA DUCES TECUM* IN CONNECTION WITH THE INVESTIGATION OF CASES AGAINST OFFICIALS AND EMPLOYEES OF THE COMMISSION AND THE MEMBERS OF THE PROFESSIONAL REGULATORY BOARDS;
- s) TO HOLD ANY PERSON FOR DIRECT OR INDIRECT CONTEMPT UPON ANY OF THE GROUNDS PROVIDED IN RULE 71 OF THE RULES OF COURT AS ARE APPLICABLE TO THE COMMISSION OR ITS HEARING OFFICERS AND IMPOSE THE PENALTY THEREFOR;
- t) TO CALL UPON OR REQUEST ANY DEPARTMENT, INSTRUMENTALITY, OFFICE, BUREAU, INSTITUTION OR AGENCY OF THE GOVERNMENT INCLUDING LOCAL GOVERNMENT UNITS TO RENDER SUCH

ASSISTANCE AS IT MAY REQUIRE, OR TO COORDINATE OR COOPERATE IN ORDER TO CARRY OUT, ENFORCE OR IMPLEMENT THE PROFESSIONAL REGULATORY POLICIES OF THE GOVERNMENT OR ANY PROGRAM OR ACTIVITY IT MAY UNDERTAKE PURSUANT TO THE PROVISIONS OF THIS ACT;

u) TO PERFORM SUCH OTHER FUNCTIONS AND DUTIES AS MAY BE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ACT, THE VARIOUS PROFESSIONAL REGULATORY LAWS, DECREES, EXECUTIVE ORDERS AND OTHER ADMINISTRATIVE ISSUANCES."

SECTION. 7. A new Section shall be added after Section 6 to be known as Sec. 7 which shall read as follows:

"SEC. 7. OFFICES IN THE COMMISSION. THE COMMISSION AND THE VARIOUS PROFESSIONAL REGULATORY BOARDS SHALL CARRY OUT THEIR FUNCTIONS THROUGH THE OFFICES OF THE COMMISSIONER; THE ASSOCIATE COMMISSIONERS; THE EXECUTIVE DIRECTOR; THE SECRETARY OF THE PROFESSIONAL REGULATORY BOARDS; THE DIRECTOR FOR LEGAL AFFAIRS; THE DIRECTOR FOR LICENSURE; THE DIRECTOR FOR REGULATION; THE DIRECTOR FOR INTERNATIONAL AFFAIRS; THE DIRECTOR OF FINANCIAL, MANAGEMENT AND ADMINISTRATIVE SERVICES; THE DIRECTOR FOR PROFESSIONAL TEACHERS AND THE REGIONAL DIRECTORS. THE COMMISSIONERS AND ASSOCIATE COMMISSIONERS, EXECUTIVE DIRECTOR, DIRECTORS OF OFFICES INCLUDING REGIONAL OFFICES AND ALL CHIEF PROFESSIONAL REGULATION OFFICERS, SUPERVISING PROFESSIONAL REGULATION OFFICERS, LEGAL OFFICERS AND/OR ATTORNEYS, ADMINISTRATIVE OFFICER V AND ALL REGIONAL ADMINISTRATIVE OFFICERS OF THE COMMISSION ARE AUTHORIZED TO ADMINISTER OATHS."

SECTION. 8. Section 6 of the same Decree is hereby renumbered as Sec. 8 and amended to read as follows:

"SEC. 8. Powers, functions and responsibilities of THE various REGULATORY Boards. - The various REGULATORY Boards shall retain the following powers, functions and responsibilities:

a) To look from time to time into the conditions affecting the practice of the profession or occupation under their respective jurisdictions and whenever necessary, adopt such measures as may be deemed proper for the enhancement of the profession or occupation and/or the maintenance of high professional, ethical and technical standards, and for this purpose the members of the Board may UPON REQUEST DULY GRANTED BY THE COMMISSION personally or through [subordinate] RESPONSIBLE employees of the Commission, conduct ocular inspection or visit industrial, mechanical, electrical or chemical plants or ESTABLISHMENTS, hospitals, clinics, LABORATORIES, TESTING FACILITIES and other engineering works where registered PROFESSIONALS are employed or are working for the purpose of determining compliance/practice with the provision or occupation or as an aid in formulating policies relative thereto in accordance with the established policies promulgated by the Commission;

b) To HEAR OR investigate CASES ARISING FROM violations of their respective laws, [and] the rules and regulations promulgated thereunder and THEIR CODES OF ETHICS AND, for this purpose, may issue summonses, subpoena and subpoena duces tecum to alleged violators AND/or witnesses [thereof and] TO COMPEL their attendance [to] IN such investigations or hearings: PROVIDED, THAT THE DECISION OF THE PROFESSIONAL REGULATORY BOARD SHALL, UNLESS APPEALED TO THE COMMISSION, BECOME FINAL AND EXECUTORY AFTER FIFTEEN (15) DAYS FROM RECEIPT OF NOTICE OF JUDGMENT OR DECISION;

c) To delegate the hearing or investigation of administrative cases filed before them except in cases where the issue OR QUESTION involved strictly concerns the practice of the profession or occupation, in which case, the hearing shall be presided over by at least one member of the Board concerned assisted by a Legal or Hearing Officer of the Commission;

d) To [promulgate decisions on such administrative cases subject to review by the Commission. If after thirty (30) days from the receipt of such decision no appeal is taken therefrom to the Commission, the same shall become final and immediately enforceable] CONDUCT THROUGH THE LEGAL OFFICERS OF THE COMMISSION SUMMARY PROCEEDINGS ON MINOR VIOLATIONS OF THEIR RESPECTIVE REGULATORY LAWS, VIOLATIONS OF THE RULES AND REGULATIONS ISSUED BY THE BOARDS TO IMPLEMENT THEIR RESPECTWE LAWS, INCLUDING VIOLATIONS OF THE GENERAL INSTRUCTIONS TO EXAMINEES COMMITTED BY EXAMINEES, AND RENDER SUMMARY JUDGMENT THEREON WHICH SHALL, UNLESS APPEALED TO THE COMMISSION, BECOME FINAL AND EXECUTORY AFTER FIFTEEN DAYS FROM NOTICE OF DECISION OR JUDGMENT;

e) Subject to review by the Commission, to approve registration without examination and the issuance of corresponding certificate of registration [,];

f) After due process, to suspend, revoke or reissue, RE-INSTATE certificates of registration or licenses for causes provided by law;

g) TO PREPARE, ADOPT AND ISSUE THE SYLLABI OR TABLES OF SPECIFICATIONS OF THE SUBJECTS FOR EXAMINATIONS IN CONSULTATION WITH THE ACADEME; [to] determine and prepare the [contents of] questions FOR the licensure examinations WHICH SHALL STRICTLY BE WITHIN THE SCOPE OF THE SYLLABUS OR TABLE OF SPECIFICATIONS OF THE SUBJECT FOR EXAMINATION; score and rate the examination papers WITH THE NAME AND SIGNATLRE OF THE BOARD MEMBER CONCERNED APPEARING THEREON and submit the results IN ALL SUBJECTS duly signed by the members of the Board to the Commission within TEN (10) days from the last day of examination unless extended by the Commission FOR JUSTIFIABLE CAUSE/S; and subject to the approval by the Commission, determine the appropriate passing general AVERAGE rating IN AN EXAMINATION if not provided for in the law regulating the profession;

f) TO REGULATE THE PRACTICE OF THE PROFESSIONS;

i) TO PREPARE AN ANNUAL REPORT OF ACCOMPLISHMENTS ON PROGRAMS, PROJECTS AND ACTWITIES OF THE BOARD DURING THE

YEAR FOR SUBMISSION TO THE COMMISSION AFTER THE CLOSE OF EACH CALENDAR YEAR AND MAKE APPROPRIATE RECOMMENDATIONS ON ISSUES OR PROBLEMS AFFECTING THE PROFESSION TO THE COMMISSION."

SECTION. 9. A new section is added after Section 8 to be known as Section 9 which shall read as follows:

"SEC. 9. THE MEMBERS OF ALL THE PROFESSIONAL REGULATORY BOARDS SHALL EACH RECEIVE A MONTHLY COMPENSATION EQUIVALENT TO THE MONTHLY SALARY OF A POSITION WITH A SALARY GRADE OF 28, PROVIDED, THAT THE CHAIRMEN SHALL EACH RECEIVE A MONTHLY COMPENSATION OF TEN (10%) PERCENT MORE; PROVIDED, FURTHER, THAT THEY SHALL RECEIVE OTHER BENEFITS THAT MAY BE PROVIDED BY LAW."

SECTION. 10. A new section is added after Section 9 to be known as Section 10 which shall read as follows:

"SEC. 10. PERSONS TO TEACH SUBJECTS FOR LICENSURE EXAMINATION ON ALL PROFESSIONS. - ALL SUBJECTS FOR LICENSURE EXAMINATIONS SHALL BE TAUGHT BY PERSONS WHO ARE HOLDERS OF VALID CERTIFICATES OF REGISTRATION AND VALID PROFESSIONAL LICENSES OF THE PROFESSION AND OTHER REQUIREMENTS OF THE COMMISSION ON HIGHER EDUCATION (CHED) WHOSE SUBJECTS THEY ARE GOING TO TEACH."

SECTION. 11. A new section is added after Section 10 to be known as Section 11 which shall read as follows:

"SEC. 11. ASSISTANCE OF LAW ENFORCEMENT AGENCY. - ANY LAW ENFORCEMENT AGENCY SHALL, UPON CALL OR REQUEST OF THE COMMISSION OR OF ANY PROFESSIONAL REGULATORY BOARD, RENDER ASSISTANCE IN ENFORCING THE REGULATORY LAW OF THE PROFESSION INCLUDING THE RULES AND REGULATIONS PROMULGATED THEREUNDER BY PROSECUTING THE VIOLATORS THEREOF IN ACCORDANCE WITH LAW AND THE RULES OF COURT."

SECTION. 12. A new section is added after Section 11 to be known as Section 12 which shall read as follows:

"SEC. 12. AUTHORITY TO USE INCOME. - THE COMMISSION IS HEREBY AUTHORIZED TO USE SEVENTY-FIVE PER CENTUM OF ITS INCOME FROM ALL SOURCES EXCEPT COLLECTIONS OF OATH-TAKING FEES UNDER SECTION 6 (h) HEREOF, FOR THE OPERATIONAL EXPENSES OF THE COMMISSION INCLUDING ITS REGIONAL OFFICES, COMPENSATION OF MEMBERS OF THE BOARD, SALARIES, ALLOWANCES, HONORARIA, OVERTIME AND OTHER BENEFITS OF OFFICIALS AND EMPLOYEES INCLUDING THE HIRING OF CONSULTANTS, CASUAL, EMERGENCY AND CONTRACTUAL PERSONNEL AS THE EXIGENCIES OF THE SERVICE REQUIRE, OPERATIONAL EXPENSES FOR RESEARCH AND DEVELOPMENT, TRAINING AND EDUCATION AND INSTITUTIONAL LINKAGES,

PURCHASE, ACQUISITION AND IMPROVEMENT OF EQUIPMENT, FURNITURE, AND FIXTURES, MOTOR VEHICLES, SITES AND CONSTRUCTION OF BUILDING FOR OFFICE SPACES AND EXAMINATION HALLS, CONDUCTING RESEARCH TO KEEP THE BOARDS AND THE COMMISSION ABREAST WITH CURRENT SCIENTIFIC AND TECHNOLOGICAL AND PROFESSIONAL STANDARDS IN THE REGULATION OF PROFESSIONS AND OCCUPATIONS AND IN ALL OTHER MATTERS THAT WOULD ENHANCE THE EFFECTIVENESS AND EFFICIENCY OF THE OFFICE."

SECTION. 13. A new section is added after Section 12 to be known as Section 13 which shall read as follows:

"SEC. 13. 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 SIX (6) YEARS AND ONE (1) DAY TO NOT MORE THAN TWELVE (12) YEARS OR A FINE OF NOT LESS THAN FIFTY THOUSAND (50,000.00) PESOS TO NOT MORE THAN ONE HUNDRED THOUSAND (P100,000.00) PESOS 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 SHALL BE REMOVED FROM OFFICE AND SHALL SUFFER THE PENALTY OF PERPETUAL ABSOLUTE DISQUALIFICATION FROM PUBLIC OFFICE IN ADDITION TO THE PENALTIES PRESCRIBED IN THE PRECEDING SECTION OF THIS ACT.

c) THE PENALTY OF IMPRISONMENT RANGING FROM FOUR (4) YEARS AND ONE (1) DAY TO SIX (6) YEARS OR A FINE RANGING FROM TWENTY THOUSAND (P20,000.00) PESOS TO NOT MORE THAN FORTY-NINE THOUSAND (49,000.00) PESOS, OR BOTH IMPRISONMENT AND FINE AT THE DISCRETION OF THE COURT, SHALL BE IMPOSED UPON THE ACCOMPLICES. THE PENALTY OF IMPRISONMENT RANGING FROM TWO (2) YEARS AND ONE (1) DAY TO FOUR (4) YEARS OR A FINE RANGING FROM FIVE THOUSAND (P5,000.00) PESOS TO NOT MORE THAN NINETEEN THOUSAND (P19,000.00) PESOS, OR BOTH IMPRISONMENT AND FINE AT THE DISCRETION OF THE COURT, SHALL BE IMPOSED UPON THE ACCESSORIES."

MISCELLANEOUS PROVISIONS

SECTION. 14. A new section is added after Section 13 to be known as Section 14 which shall read as follows:

"SEC. 14. *SEPARABILITY CLAUSE.* - IF ANY PROVISION OF THIS ACT OR THE APPLICATION OF SUCH PROVISION TO ANY PERSON OR CIRCUMSTANCES IS DECLARED INVALID OR UNCONSTITUTIONAL, THE

REMAINDER OF THIS ACT OR APPLICATION OF SUCH PROVISIONS TO OTHER PERSONS OR CIRCUMSTANCE SHALL NOT BE AFFECTED BY SUCH DECLARATION."

SECTION. 15. Section 9 of Presidential Decree Numbered Two Hundred and Twenty-Three is hereby renumbered as Section 15 and amended to read as follows:

"SEC. 15. *REPEALING CLAUSE*. The provisions of Republic Act No. 546, PRESIDENTIAL DECREE NO.223, AS AMENDED, NO.4, ARTICLE 16 OF REPUBLIC ACT NO.7722 AND REPUBLIC ACT NO.5181 are hereby repealed [as well as those of pertinent laws inconsistent herewith]. ALL OTHER LAWS AND DECREES THAT ARE INCONSISTENT WITH THE PROVISIONS OF THIS ACT ARE LIKEWISE REPEALED ACCORDINGLY."

SECTION. 16. Section 10 of the same Decree is hereby renumbered as Sec. 16 and amended to read as follows:

"SEC. 16. *Effectivity*. This Act shall take effect [immediately] AFTER FIFTEEN (15) DAYS FOLLOWING ITS PUBLICATION IN THE OFFICIAL GAZETTE OR IN TWO (2) NEWSPAPERS OF GENERAL CIRCULATION, WHICHEVER IS EARLIER."

Approved,

S E N A T E

S. No. 1271

Introduced by Senators Drilon and Coseteng

AN ACT

FURTHER AMENDING PRESIDENTIAL DECREE NUMBERED TWO HUNDRED AND TWENTY-THREE, AS AMENDED, ENTITLED CREATING THE PROFESSIONAL REGULATION COMMISSION AND PRESCRIBING ITS POWERS AND FUNCTIONS AND OTHER PURPOSES

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

1 SECTION 1. *Statement of Policy.* - The State
2 recognizes the important role of professionals in nation-
3 building and, towards this end, promotes the sustained
4 development of a reservoir of professionals whose competence
5 has been determined by honest and credible licensure
6 examinations and whose standards of professional service and
7 practice are world-class and internationally recognized.

8 SEC. 2. Section 1 of Presidential Decree No. Two
9 Hundred and Twenty-Three, as amended, is hereby renumbered
10 as Section 2 and amended to read as follows:

11 "SEC. 2. *Professional Regulation Commission.*
12 - There is hereby created a three-man Commission
13 to be known as the Professional Regulation
14 Commission, HEREINAFTER REFERRED TO AS THE
15 COMMISSION, which shall be attached to the Office
16 of the President for general direction and
17 coordination."

18 SEC. 3. Section 2 of the same Decree is hereby
19 renumbered as Sec. 3[.] **AND AMENDED TO READ AS FOLLOWS:**

19a "SEC. 3. Composition. - The Commission shall be
 19b headed by one full-time CHAIRMAN [Commissioner] and two
 19b full-time [Associate] Commissioners, all to be
 19c appointed by the President for a term of SEVEN (7)
 19d [nine (9)] years without reappointment to start from
 19e the time they assume office. [, except the first two
 19f Associate Commissioners who shall be appointed, one for
 19g six (6) years and the other for three (3) years, and
 19h thereafter, any vacancy in the Commission shall be
 19i filled for the unexpired term only with the most senior
 19j of the Associate Commissioner succeeding the
 19k Commissioner at the expiration of his term, resignation
 19l of removal.] APPOINTMENTS TO A VACANCY THAT OCCURS
 19m BEFORE THE EXPIRATION OF THE TERM OF A COMMISSIONER
 19n SHALL COVER ONLY THE UNEXPIRED TERM OF THE IMMEDIATE
 19o PREDECESSOR. AT THE EXPIRATION OF THE TERM OF THE
 19p CHAIRMAN, THE MOST SENIOR OF THE COMMISSIONERS SHALL
 19q TEMPORARILY ASSUME AND PERFORM THE DUTIES AND FUNCTIONS
 19r OF THE CHAIRMAN UNTIL A PERMANENT CHAIRMAN IS
 19s APPOINTED BY THE PRESIDENT.

19t "No person shall be appointed chairman or [member
 19u of the Commission] COMMISSIONER unless he is at least
 19v forty (40) years of age, IS A PROFESSIONAL WITH A VALID
 19w CERTIFICATE OF REGISTRATION AND A VALID PROFESSIONAL
 19x LICENSE, familiar with the principles and methods of
 19y professional regulation and/or licensing and has at
 19z least five years of executive or management experience:
 19aa PROVIDED, THAT ONE OF THE COMMISSIONERS MUST BE A PAST
 19bb CHAIRPERSON/MEMBER OF A PROFESSIONAL REGULATORY BOARD."

20 SEC. 4. Section 3 of the same Decree is hereby
 21 renumbered as Sec. 4 and amended to read as follows:

* underscored words are subject to approval*

approval deferred

1 "SEC. 4. *Exercise of Powers and Functions*
2 *of the Commission.* - The [Commissioner, who shall
3 be the] Chairman of the Commission, and the
4 [Associate] Commissioners as Members thereof shall
5 [,] SIT AND ACT as a body [,] TO exercise general
6 administrative, executive and policy-making
7 functions OF THE COMMISSION [for the whole
8 agency]. THE COMMISSION SHALL ESTABLISH AND
9 MAINTAIN A HIGH STANDARD OF ADMISSION TO THE
10 PRACTICE OF ALL PROFESSIONS AND AT ALL TIMES
11 ENSURE AND SAFEGUARD THE INTEGRITY OF ALL
12 LICENSURE EXAMINATIONS.

13 THE CHAIRMAN SHALL ACT AS THE PRESIDING AND
14 CHIEF EXECUTIVE OFFICER OF THE COMMISSION AS
15 PRESIDING OFFICER, HE SHALL PRESIDE OVER THE
16 MEETINGS OF THE COMMISSION SITTING AS A COLLEGIAL
17 BODY. AS CHIEF EXECUTIVE OFFICER OF THE
18 COMMISSION, HE SHALL BE RESPONSIBLE FOR THE
19 IMPLEMENTATION OF POLICIES OF AND THE PROGRAMS
20 ADOPTED BY THE COMMISSION FOR THE GENERAL
21 ADMINISTRATION OF THE COMMISSION."

22 SEC. 5. Section 4 of the same Decree is hereby
23 renumbered as Sec. 5 and amended to read as follows:

24 "SEC. 5. *Compensation AND OTHER BENEFITS.* -
25 The CHAIRMAN [Commissioner] [shall receive an annual
26 compensation of Forty-eight thousand pesos
27 (₱48,000.00) with Five hundred pesos (₱500.00)
28 commutable transportation and representation
29 allowances] and the [Associate] Commissioners [,
30 Thirty-six thousand pesos (₱36,000.00) each with
31 Three hundred and fifty pesos (₱350.00) commutable

1 transportation and representation allowances]
2 SHALL RECEIVE COMPENSATION AND ALLOWANCES
3 EQUIVALENT TO THAT OF A DEPARTMENT SECRETARY WHILE
4 THE COMMISSIONERS SHALL RECEIVE COMPENSATION AND
5 ALLOWANCES EQUIVALENT TO THAT OF AN
5a UNDERSECRETARY. THE CHAIRMAN AND THE MEMBERS OF
5b THE COMMISSION SHALL BE ENTITLED TO RETIREMENT
5c BENEFITS PROVIDED UNDER REPUBLIC ACT NUMBERED
5d FIFTEEN HUNDRED AND SIXTY-EIGHT, AS AMENDED BY
5e REPUBLIC ACT NUMBERED THREE THOUSAND FIVE HUNDRED
5f AND NINETY-FIVE: PROVIDED, THAT THE CHAIRMAN AND
5g THE MEMBERS OF THE COMMISSION SHALL HAVE SERVED AT
5h LEAST ONE YEAR: PROVIDED, FURTHER, THAT IF THE
5i SERVICE IS LESS THAN ONE YEAR, THEN THE OFFICIAL
5j SHALL BE ENTITLED TO A PROPORTIONATE AMOUNT.

6 SEC. 6. Section 5 of the same Decree is hereby
7 renumbered as Sec. 6 and amended to read as follows:

8 "SEC. 6. Powers of the Commission. - The
9 powers of the Commission are as follows:

10 a) To administer, implement and enforce

11

12

13

14 the regulatory policies of the National
15 Government with respect to the regulation
16 and licensing of the various
17 professions and occupations and under its
18 jurisdiction including the ENHANCEMENT AND
19 maintenance of professional and occupational
20 standards and ethics and the enforcement of
21 the rules and regulations relative thereto;

22 b) To perform any and all acts, enter into
23 contracts, make such rules and regulations and
24 issue such orders and other administrative
25 issuances as may be necessary in the execution
26 and implementation of its functions and the
27 improvement of its services.

28 c) [To review, coordinate, integrate and approve
29 the policies, resolutions, rules and
30 regulations, orders or decisions promulgated
31 by the various boards with respect to the

1 profession or occupation under their
2 jurisdictions including the result of their
3 licensure examinations but their decisions on
4 administrative cases shall be final and
5 executory unless appealed to the Commission
6 within thirty (30) days from the date of
7 promulgation thereof.] TO REVIEW, REVISE AND
8 APPROVE RESOLUTIONS EMBODYING POLICIES
9 PROMULGATED BY THE PROFESSIONAL REGULATORY
10 BOARDS IN THE EXERCISE OF THEIR POWERS AND
11 FUNCTIONS OR IN IMPLEMENTING THE LAWS
12 REGULATING THEIR RESPECTIVE PROFESSIONS AND
13 OTHER OFFICIAL ACTIONS ON NON-MINISTERIAL
14 MATTERS WITHIN THEIR RESPECTIVE JURISDICTIONS;
15 d) To administer and conduct the licensure
16 examinations of the various regulatory boards
17 [according to] IN ACCORDANCE WITH the rules
18 and regulations promulgated by the COMMISSION;
19 determine and fix the dates and places of
20 examinations [;], use the buildings and
21 facilities of public and private schools for
22 examination purposes; APPROVE THE RESULTS OF
23 EXAMINATIONS AND THE RELEASE OF THE SAME; TO
24 ADOPT MEASURES TO PRESERVE THE INTEGRITY AND
25 INVIOABILITY OF LICENSURE EXAMINATIONS;
26 appoint supervisors and room [examiners]
27 WATCHERS from among the permanent employees of
28 the government AND/or private individuals with
29 BACCALAUREATE DEGREES, at least twenty-five
30 (25) years old [and gainfully employed] who

1 have been trained by the Commission FOR THE
2 PURPOSE AND who shall be entitled to a
3 reasonable daily allowance [of not less than
4 Ten pesos (₱10.00)] for every examination day
5 actually attended, TO BE DETERMINED AND FIXED
6 BY THE COMMISSION [and approve the release of
7 the examination results] AND IMPOSE THE
8 PENALTY OF SUSPENSION OR PROHIBITION FROM
9 TAKING LICENSURE EXAMINATIONS TO ANY EXAMINEE
10 CHARGED AND FOUND GUILTY OF VIOLATING THE
11 RULES AND REGULATIONS GOVERNING THE CONDUCT OF
12 LICENSURE EXAMINATIONS PROMULGATED BY THE
13 COMMISSION;

14 e) To keep and maintain a register of the
15 authorized practitioners of the profession or
16 occupation; issue certificates of registration
17 signed by all the members of the Board
18 concerned and the Commissioner with the
19 official seal of the Board affixed THERETO,
20 AND ISSUE PROFESSIONAL LICENSES TO PRACTICE A
21 PARTICULAR PROFESSION, BEARING THE
22 **CHAIRMAN NAME AND SIGNATURE OF THE CHAIRMAN,**
23 THE LICENSEE'S NAME AND PICTURE, REGISTRATION
24 NUMBER AND EXPIRY DATE THEREOF EXCEPT TO
25 MARINE DECK AND ENGINEER OFFICERS WHO SHALL
26 BE ISSUED CERTIFICATES OF COMPETENCY BY
27 **THEIR RESPECTIVE BOARDS AND ENDORSEMENT BY**
28 **THE COMMISSION: PROVIDED,** THAT A PRIVILEGE
29 TAX 28 RECEIPT (PTR) SHALL NOT BE ISSUED TO A

30 REGISTERED PROFESSIONAL UNLESS HE SHALL HAVE
31 PRESENTED A VALID AND CURRENT PROFESSIONAL
32 LICENSE;

- 1 f) To have custody of all the records of the
2 various Boards, including [their] examination
3 papers, minutes of deliberation, records of
4 administrative cases and investigations and
5 examination results FOR CONTROL AND
6 DISPOSITION;
- 7 g) To determine [,] AND fix [and collect] the
8 amount of fees to be charged AND COLLECTED for
9 examination, registration, registration
10 without examination, ANNUAL license [annual
11 registration fees], certification, DOCKET,
12 APPEAL, REPLACEMENT, ACCREDITATION, INCLUDING
13 surcharges AND other fees not specified under
14 the provisions of Republic Act NUMBERED FOUR
15 HUNDRED SIXTY-FIVE AS AMENDED BY Republic Act
16 NUMBERED SIXTY-FIVE HUNDRED AND ELEVEN or TO
17 [amend] CHARGE AND COLLECT REASONABLE FEES AT
18 THE RATES HIGHER THAN the rates provided
19 thereunder subject to the approval by the
20 Office of the President;
- 21 h) To appoint, subject to the provisions of
22 [laws] CIVIL SERVICE LAW AND RULES, officials
23 and employees of the Commission [as are]
24 necessary [in] FOR the effective performance
25 of its functions and responsibilities;
26 prescribe their duties and fix their
27 compensation SUBJECT TO THE PROVISIONS OF
27a REPUBLIC ACT NUMBERED SIX THOUSAND SEVEN
27b HUNDRED AND FIFTY-EIGHT AND ALLOWANCES
28 INCLUDING OTHER
28a FRINGE BENEFITS and TO ASSIGN AND/OR REASSIGN
28b PERSONNEL AS THE EXIGENCY OF THE SERVICE

24

28c REQUIRES, SUBJECT TO THE PROVISION OF THE CIVIL
28d SERVICE LAW AND RULES to organize or reorganize
29 the structure of the Commission IN ACCORDANCE
30 WITH SECTION 7 HEREOF; create or abolish
31 positions or change the designation of
32 existing positions IN ACCORDANCE WITH A

1 STAFFING PATTERN PREPARED BY IT AND APPROVED
2 BY THE OFFICE OF THE PRESIDENT UPON THE
2a RECOMMENDATION OF THE DEPARTMENT OF BUDGET
2b AND MANAGEMENT to meet the
3 changing conditions or as the need arises:
4 *Provided*, That such changes shall not affect
5 the employment status of the incumbents,
6 reduce their ranks and/or salaries nor shall
7 result IN THEIR [separating] SEPARATION [them]
8 from the service;

9 i) To submit and recommend to the President of
10 the Philippines [nominees] THE NAMES OF
11 LICENSED PROFESSIONALS for appointment as
11a members of the
12 various PROFESSIONAL Regulatory Boards UNDER
13 THE ADMINISTRATIVE SUPERVISION OF THE
14 COMMISSION from among those nominated to fill
15 UP vacancies PURSUANT TO THE PROVISIONS OF
16 EXECUTIVE ORDER NO. 496, SERIES OF 1991;

17 j) [The Commission may,] Upon recommendation of
18 the PROFESSIONAL REGULATORY Board concerned,
19 TO approve the registration of and authorize
20 the issuance of a certificate of registration
21 AND LICENSE with or without examination to a
22 foreigner, who is registered under the laws of
23 his country AND WHOSE CERTIFICATE OF
24 REGISTRATION HAS NOT BEEN SUSPENDED OR
25 REVOKED: *Provided*, That the requirements for
26 the registration or licensing in said foreign
27 state or country are substantially the same as
28 those required and contemplated by the laws of

29 the Philippines and that the laws of such
30 foreign state or country allow the citizens of
31 the Philippines to practice the profession on

1 the same basis and grant the same privileges
2 as THOSE ENJOYED BY the subjects or citizens
3 of such foreign state or country: *Provided,*
4 *further,* That the [applicant shall submit
5 competent and conclusive documentary evidence,
6 confirmed by the Department of Foreign
7 Affairs, showing that his country's existing
8 laws permit citizens of the Philippines to
9 practice the profession under the rules and
10 regulations governing citizens thereof:
11 *Provided, finally* That the] Commission may,
12 upon recommendation of the Board concerned [,
13 and approval of the President] authorize the
14 issuance of a certificate of registration AND
15 LICENSE, without examination or a temporary
16 OR special permit FOR NOT MORE THAN ONE (1)
17 YEAR, SUBJECT TO RENEWAL, to practice the
18 profession, to any foreigner regardless of
19 whether or not reciprocity exists in the
20 practice of his profession between his country
21 and the Philippines under such conditions as
22 may be determined by the Commission, if such
23 foreigner is internationally known to be an
24 outstanding expert in his chosen profession or
25 a well-known specialist in any of its
26 branches, and that his services are urgently
27 necessary either for lack or inadequacy of
28 local experts or if [his services will promote
29 the advancement of the profession in the
30 Philippines] SUCH FOREIGN PROFESSIONAL IS ON A
31 MISSION IN THE PHILIPPINES TO RENDER FREE

22 authorized representative,] COMMISSION ON
23 HIGHER EDUCATION (CHED) THE REVISION OR
24 AMENDMENT OF THE CURRICULA OR collegiate
25 PROFESSIONAL courses the completion of or
26 graduation from which shall be a pre-requisite
27 for admission TO THE LICENSURE EXAMINATION AND
28 [into] TO the practice of the profession
29 concerned;

30 m) To exercise ADMINISTRATIVE supervision over
31 the members of the various PROFESSIONAL
32 REGULATORY Boards;

- 1 n) To ADOPT AND promulgate such rules and
2 regulations as may be necessary to effectively
3 implement policies with respect to the
4 regulation and practice of the professions;
- 5 o) TO ADOPT A PROGRAM FOR THE FULL
6 COMPUTERIZATION OF ALL LICENSURE EXAMINATIONS
7 GIVEN BY THE VARIOUS PROFESSIONAL REGULATORY
8 BOARDS INCLUDING THE REGISTRATION OF
9 PROFESSIONALS AND OTHER OPERATIONS OF THE
9a **COMMISSION;**
- 10 p) TO HEAR AND DECIDE ADMINISTRATIVE CASES
11 AGAINST OFFICIALS AND EMPLOYEES OF THE
12 COMMISSION WHO HAVE VIOLATED THE CIVIL SERVICE
13 LAW AND RULES AND REGULATIONS ISSUED
14 THEREUNDER: *PROVIDED*, THAT ONLY DECISIONS
15 RENDERED IMPOSING PENALTIES OF AT LEAST
16 SUSPENSION EXCEEDING THIRTY (30) DAYS OR A
17 FINE IN AN AMOUNT EXCEEDING THIRTY (30) DAYS
18 SALARY MAY BE APPEALED TO THE CIVIL SERVICE
19 COMMISSION WITHIN FIFTEEN (15) DAYS FROM
20 RECEIPT OF A COPY OF THE DECISION;
- 21 q) TO CONDUCT INVESTIGATION *MOTU PROPRIO* OR UPON
22 THE FILING OF A COMPLAINT BY AN AGGRIEVED
23 PARTY AGAINST MEMBERS OF THE PROFESSIONAL
24 REGULATORY BOARDS FOR NEGLIGENCE OF DUTY,
25 INCOMPETENCE, UNPROFESSIONAL, UNETHICAL,
26 IMMORAL OR DISHONORABLE CONDUCT, COMMISSION OR
27 IRREGULARITIES IN THE LICENSURE EXAMINATIONS
28 WHICH TAIN T OR IMPUGN THE INTEGRITY AND

29 AUTHENTICITY OF THE RESULTS OF THE SAID
30 EXAMINATIONS AND, IF FOUND GUILTY, TO REVOKE
31 OR SUSPEND THEIR CERTIFICATES OF REGISTRATION

- 1 AND PROFESSIONAL LICENSES AND TO RECOMMEND TO
2 THE PRESIDENT OF THE PHILIPPINES THEIR
3 SUSPENSION OR REMOVAL FROM OFFICE AS THE CASE
4 MAY BE;
- 5 r) TO ISSUE SUMMONS, *SUBPOENA* AND *SUBPOENA DUCES*
6 *TECUM* IN CONNECTION WITH THE INVESTIGATION OF
7 CASES AGAINST OFFICIALS AND EMPLOYEES OF THE
8 COMMISSION AND THE MEMBERS OF THE PROFESSIONAL
9 REGULATORY BOARDS;
- 10 s) TO HOLD ANY PERSON FOR DIRECT OR INDIRECT
11 CONTEMPT UPON ANY OF THE GROUNDS PROVIDED IN
12 RULE 71 OF THE RULES OF COURT AS ARE
13 APPLICABLE TO THE COMMISSION OR ITS HEARING
14 OFFICERS AND IMPOSE THE PENALTY THEREFOR;
- 15 t) TO CALL UPON OR REQUEST ANY DEPARTMENT,
16 INSTRUMENTALITY, OFFICE, BUREAU, INSTITUTION
17 OR AGENCY OF THE GOVERNMENT INCLUDING LOCAL
18 GOVERNMENT UNITS TO RENDER SUCH ASSISTANCE AS
19 IT MAY REQUIRE, OR TO COORDINATE OR COOPERATE
20 IN ORDER TO CARRY OUT, ENFORCE OR IMPLEMENT
21 THE PROFESSIONAL REGULATORY POLICIES OF THE
22 GOVERNMENT OR ANY PROGRAM OR ACTIVITY IT MAY
23 UNDERTAKE PURSUANT TO THE PROVISIONS OF THIS
24 ACT;
- 24a **U. TO ADOPT AND INSTITUTE A COMPREHENSIVE RATING**
24b **SYSTEM FOR UNIVERSITIES, COLLEGES, AND TRAINING**
24c **INSTITUTES BASED ON THE PASSING RATIO AND**
24d **OVERALL PERFORMANCE OF STUDENTS IN BOARD**
24e **EXAMINATIONS;**
- 25 V) [u] TO PERFORM SUCH OTHER FUNCTIONS AND DUTIES AS
26 MAY BE NECESSARY TO CARRY OUT THE PROVISIONS

27 OF THIS ACT, THE VARIOUS PROFESSIONAL
28 REGULATORY LAWS, DECREES, EXECUTIVE ORDERS AND
29 OTHER ADMINISTRATIVE ISSUANCES."

30 SEC. 7. A new Section shall be added after Section 6
31 to be known as Sec. 7 which shall read as follows:

1 "SEC. 7. OFFICES IN THE COMMISSION. - THE
2 COMMISSION AND THE VARIOUS PROFESSIONAL REGULATORY
3 BOARD SHALL CARRY OUT THEIR FUNCTIONS THROUGH THE
4 OFFICES OF THE **CHAIRMAN**; THE
5 **COMMISSIONERS**; THE **ASSISTANT COMMISSIONERS**; THE
5a **SECRETARY OF THE COMMISSION**; THE
6 SECRETARY OF THE PROFESSIONAL REGULATORY BOARDS;
7 THE DIRECTOR FOR LEGAL AFFAIRS; THE DIRECTOR FOR
8 LICENSURE; THE DIRECTOR FOR REGULATION; THE
9 DIRECTOR FOR INTERNATIONAL AFFAIRS; THE DIRECTOR
10 OF FINANCIAL **AND** MANAGEMENT **SERVICES**; AND
10a **THE DIRECTOR FOR ADMINISTRATIVE**
11 SERVICES; THE DIRECTOR FOR PROFESSIONAL TEACHERS
12 AND THE REGIONAL DIRECTORS. THE **CHAIRMAN** AND
13 **COMMISSIONERS, ASSISTANT COMMISSIONERS,**
14 DIRECTORS OF OFFICES INCLUDING REGIONAL OFFICES
15 AND ALL CHIEF PROFESSIONAL REGULATION OFFICERS,
16 SUPERVISING PROFESSIONAL REGULATION OFFICERS,
17 **LEGAL AFFAIRS OFFICERS,** ADMINISTRATIVE
18 OFFICER V AND ALL REGIONAL ADMINISTRATIVE OFFICERS
19 OF THE COMMISSION ARE AUTHORIZED TO ADMINISTER
20 OATHS."

21 SEC. 8. Section 6 of the same Decree is hereby
22 renumbered as Sec. 8 and amended to read as follows:

23 "SEC. 8. *Powers, Functions and*
24 *Responsibilities of THE various REGULATORY Boards.*

25 - The various REGULATORY Boards shall retain the
26 following powers, functions and responsibilities:

27 a) To look from time to time into the conditions
28 affecting the practice of the profession or
29 occupation under their respective jurisdictions and

30 whenever necessary, adopt such measures as may be
31 deemed proper for the enhancement of the profession

1 or occupation and/or the maintenance of high
2 professional, ethical and technical standards, and
3 for this purpose the members of the Board may UPON
4 REQUEST DULY GRANTED BY THE COMMISSION personally
5 or through [subordinate] RESPONSIBLE employees of
6 the Commission, conduct ocular inspection or visit
7 industrial, mechanical, electrical or chemical
8 plants or ESTABLISHMENTS, hospitals, clinics,
9 LABORATORIES, TESTING FACILITIES and other
10 engineering works where registered PROFESSIONALS
11 are employed or are working for the purpose of
12 determining compliance/practice with the provision
13 or occupation or as an aid in formulating policies
14 relative thereto in accordance with the established
15 policies promulgated by the Commission;

16 b) To HEAR OR investigate CASES ARISING FROM
17 violations of their respective laws, [and] the
18 rules and regulations promulgated thereunder and
19 THEIR CODES OF ETHICS AND, for this purpose, may
20 issue summons, subpoena and subpoena duces tecum
21 to alleged violators AND/or witnesses [thereof and]
22 TO COMPEL their attendance [to] IN such
23 investigations or hearings: PROVIDED, THAT THE
24 DECISION OF THE PROFESSIONAL REGULATORY BOARD
25 SHALL, UNLESS APPEALED TO THE COMMISSION, BECOME
26 FINAL AND EXECUTORY AFTER FIFTEEN (15) DAYS FROM
27 RECEIPT OF NOTICE OF JUDGMENT OR DECISION;

28 c) To delegate the hearing or investigation of
29 administrative cases filed before them except in
30 cases where the issue OR QUESTION involved strictly

- 1 concerns the practice of the profession or
2 occupation, in which case, the hearing shall be
3 presided over by at least one (1) member of the
4 Board, concerned assisted by a Legal or Hearing
5 Officer of the Commission;
- 6 d) To [promulgate decisions on such administrative
7 case subject to review by the Commission. If after
8 thirty (30) days from the receipt of such decision
9 no appeal is taken therefrom to the Commission, the
10 same shall become final and immediately
11 enforceable] CONDUCT THROUGH THE LEGAL OFFICERS OF
12 THE COMMISSION SUMMARY PROCEEDINGS ON MINOR
13 VIOLATIONS OF THEIR RESPECTIVE REGULATORY LAWS,
14 VIOLATIONS OF THE RULES AND REGULATIONS ISSUED BY
15 THE BOARDS TO IMPLEMENT THEIR RESPECTIVE LAWS,
16 INCLUDING VIOLATIONS OF THE GENERAL INSTRUCTIONS TO
17 EXAMINEES COMMITTED BY EXAMINEES, AND RENDER
18 SUMMARY JUDGMENT THEREON WHICH SHALL, UNLESS
19 APPEALED TO THE COMMISSION, BECOME FINAL AND
20 EXECUTORY AFTER FIFTEEN (15) DAYS FROM NOTICE OF
21 DECISION OR JUDGMENT;
- 22 e) Subject to review by the Commission, to approve
23 registration without examination and the issuance
24 of corresponding certificate of registration [,];
- 25 f) After due process, to suspend, revoke or reissue,
26 RE-INSTATE certificate of registration or licenses
27 for causes provided by law;
- 28 g) TO PREPARE, ADOPT AND ISSUE THE SYLLABI OR TABLES
29 OF SPECIFICATIONS OF THE SUBJECTS FOR EXAMINATIONS
30 IN CONSULTATION WITH THE ACADEME; [to] determine
31 and prepare the [contents of] questions FOR the

1 licensure examinations WHICH SHALL STRICTLY BE
 2 WITHIN THE SCOPE OF THE SYLLABUS OR TABLE OF
 3 SPECIFICATIONS OF THE SUBJECT FOR EXAMINATION;
 4 score and rate the examinations papers WITH THE
 5 NAME AND SIGNATURE OF THE BOARD MEMBER CONCERNED
 6 APPEARING THEREON and submit the results IN ALL
 7 SUBJECTS duly signed by the members of the Board to
 8 the Commission within TEN (10) days from the last
 9 day of examination unless extended by the
 10 Commission FOR JUSTIFIABLE CAUSE/S; and subject to
 11 the approval by the Commission, determine the
 12 appropriate passing general AVERAGE rating IN AN
 13 EXAMINATION if not provided for in the law
 14 regulating the profession;

- 15 h) TO REGULATE THE PRACTICE OF THE PROFESSIONS;
- 16 i) TO PREPARE AN ANNUAL REPORT OF ACCOMPLISHMENTS ON
- 17 PROGRAMS, PROJECTS AND ACTIVITIES OF THE BOARD
- 18 DURING THE YEAR FOR SUBMISSION TO THE COMMISSION
- 19 AFTER THE CLOSE OF EACH CALENDAR YEAR AND MAKE
- 20 APPROPRIATE RECOMMENDATIONS ON ISSUES OR PROBLEMS
- 21 AFFECTING THE PROFESSION TO THE COMMISSION."

22 SEC. 9. A new section is added after Section 8 to be
 23 known as Section 9 which shall read as follows:

24 "SEC. 9. THE MEMBERS OF THE PROFESSIONAL
 25 REGULATORY BOARDS SHALL RECEIVE COMPENSATION
 26 EQUIVALENT TO, AT LEAST, TWO SALARY GRADES LOWER
 27 THAN THE SALARY GRADE OF THE COMMISSIONERS:
 28 PROVIDED, THAT THE CHAIRMAN OF THE REGULATORY
 29 BOARD SHALL RECEIVE A MONTHLY COMPENSATION OF TWO
 30 STEPS HIGHER THAN THE MEMBERS OF THE BOARD, AND:
 31 PROVIDED, FURTHER, THAT THEY SHALL BE ENTITLED
 32 TO OTHER ALLOWANCES AND BENEFITS PROVIDED
 33 UNDER EXISTING LAWS.

approval deferred

underscored words are subject to approval.

1 SEC. 10. A new section is added after Section 9 to be
2 known as Section 10 which shall read as follows:

3 "SEC. 10. *PERSONS TO TEACH SUBJECTS FOR*
4 *LICENSURE EXAMINATION ON ALL PROFESSIONS.* - ALL
5 SUBJECTS FOR LICENSURE EXAMINATIONS SHALL BE
6 TAUGHT BY PERSONS WHO ARE HOLDERS OF VALID
7 CERTIFICATES OF REGISTRATION AND VALID
8 PROFESSIONAL LICENSES OF THE PROFESSION AND OTHER
9 REQUIREMENTS OF THE COMMISSION ON HIGHER EDUCATION
10 (CHED) WHOSE SUBJECTS THEY ARE GOING TO TEACH."

11 SEC. 11. A new Section is added after Section 10 to
12 be known as Section 11 which shall read as follows:

13 "SEC. 11. *ASSISTANCE OF LAW ENFORCEMENT*
14 *AGENCY.* - ANY LAW ENFORCEMENT AGENCY SHALL, UPON
15 CALL OR REQUEST OF THE COMMISSION OR OF ANY
16 PROFESSIONAL REGULATORY BOARD, RENDER ASSISTANCE
17 IN ENFORCING THE REGULATORY LAW OF THE PROFESSION
18 INCLUDING THE RULES AND REGULATIONS PROMULGATED
19 THEREUNDER BY PROSECUTING THE VIOLATORS THEREOF IN
20 ACCORDANCE WITH LAW AND THE RULES OF COURT."

21 SEC. 12. A new Section is added after Section 11 to
22 be known as Section 12 which shall read as follows:

23 "SEC. 12. *AUTHORITY TO USE INCOME.* - THE
24 COMMISSION IS HEREBY AUTHORIZED TO USE **FIFTY**
25 **PER CENTUM (50%)** OF ITS INCOME FROM ALL
26 SOURCES EXCEPT COLLECTIONS OF OATH-TAKING FEES
27 **FROM SUCCESSFUL EXAMINEES WHICH SHALL BE USED BY**
27a **THE CONCERNED REGULATORY BOARDS IN CONNECTION WITH**
27b **THE HOLDING OF THEIR MASS OATH-TAKING CEREMONY,**
27c **SUBJECT TO THE USUAL ACCOUNTING AND AUDITING**
27d **REGULATIONS, FOR THE OPERATIONAL**

28 EXPENSES OF THE COMMISSION INCLUDING ITS REGIONAL
29 OFFICES, COMPENSATION OF MEMBERS OF THE BOARD,
30 SALARIES, ALLOWANCES, HONORARIA, OVERTIME AND
31 OTHER BENEFITS OF OFFICIALS AND EMPLOYEES

1 INCLUDING THE HIRING OF CONSULTANTS, CASUAL,
2 EMERGENCY AND CONTRACTUAL PERSONNEL AS THE
3 EXIGENCIES OF THE SERVICE REQUIRE, OPERATIONAL
4 EXPENSES FOR RESEARCH AND DEVELOPMENT, TRAINING
5 AND EDUCATION AND INSTITUTIONAL LINKAGES,
6 PURCHASE, ACQUISITION AND IMPROVEMENT OF
7 EQUIPMENT, FURNITURE, AND FIXTURES, MOTOR
8 VEHICLES, SITES AND CONSTRUCTION OF BUILDING FOR
9 OFFICE SPACES AND EXAMINATION HALLS, CONDUCTING
10 RESEARCH TO KEEP THE BOARDS AND THE COMMISSION
11 ABREAST WITH CURRENT SCIENTIFIC AND TECHNOLOGICAL
12 AND PROFESSIONAL STANDARDS IN THE REGULATION OF
13 PROFESSIONS AND OCCUPATIONS AND IN ALL OTHER
14 MATTERS THAT WOULD ENHANCE THE EFFECTIVENESS AND
15 EFFICIENCY OF THE OFFICE."

16 SEC. 13. A new Section is added after Section 12 to
17 be known as Section 13 which shall read as follows:

18 "SEC. 13. *PENALTIES FOR MANIPULATION AND*
19 *OTHER CORRUPT PRACTICES IN THE CONDUCT OF*
20 *PROFESSIONAL EXAMINATIONS. -*

21 a) ANY PERSON WHO MANIPULATES OR RIGS LICENSURE
22 EXAMINATION RESULTS, SECRETLY INFORMS OR MAKES
23 KNOWN LICENSURE EXAMINATION QUESTIONS PRIOR TO
24 THE CONDUCT OF THE EXAMINATION OR TAMPERS WITH
25 THE GRADES IN PROFESSIONAL LICENSURE
26 EXAMINATIONS SHALL, UPON CONVICTION, BE
27 PUNISHED BY IMPRISONMENT OF NOT LESS THAN SIX
28 (6) YEARS AND ONE (1) DAY TO NOT MORE THAN
29 TWELVE (12) YEARS OR A FINE OF NOT LESS THAN
30 FIFTY THOUSAND PESOS (₱50,000.00) TO NOT MORE
31 THAN ONE HUNDRED THOUSAND PESOS (₱100,000.00)

1 OR BOTH SUCH IMPRISONMENT AND FINE AT THE
2 DISCRETION OF THE COURT.

3 b) IN CASE THE OFFENDER IS AN OFFICER OR EMPLOYEE
4 OF THE COMMISSION OR A MEMBER OF THE REGULATORY
5 BOARD, HE SHALL BE REMOVED FROM OFFICE AND
6 SHALL SUFFER THE PENALTY OF PERPETUAL ABSOLUTE
7 DISQUALIFICATION FROM PUBLIC OFFICE IN
8 ADDITION TO THE PENALTIES PRESCRIBED IN THE
9 PRECEDING SECTION OF THIS ACT.

10 (c) THE PENALTY OF IMPRISONMENT RANGING FROM FOUR
11 (4) YEARS AND ONE (1) DAY TO SIX (6) YEARS OR
12 A FINE RANGING FROM TWENTY THOUSAND PESOS
13 (P20,000.00) TO NOT MORE THAN FORTY-NINE
14 THOUSAND PESOS (P49,000.00) OR BOTH
15 IMPRISONMENT AND FINE AT THE DISCRETION OF THE
16 COURT, SHALL BE IMPOSED UPON THE ACCOMPLICES.
17 THE PENALTY OF IMPRISONMENT RANGING FROM TWO
18 (2) YEARS AND ONE (1) DAY TO FOUR (4) YEARS OR
19 A FINE RANGING FROM FIVE THOUSAND PESOS
20 (P5,000.00) TO NOT MORE THAN NINETEEN THOUSAND
21 PESOS (P19,000.00), OR BOTH IMPRISONMENT AND
22 FINE AT THE DISCRETION OF THE COURT, SHALL BE
23 IMPOSED UPON THE ACCESSORIES."

24 MISCELLANEOUS PROVISIONS

24a SEC. 14. TRANSITORY PROVISIONS. - THE INCUMBENT
24b COMMISSIONER AND TWO INCUMBENT ASSOCIATE
24c COMMISSIONERS SHALL SERVE AS CHAIRMAN AND
24d COMMISSIONERS, RESPECTIVELY, UNDER THE TERMS FOR WHICH
24e THEY HAVE BEEN APPOINTED WITHOUT NEED OF NEW
24f APPOINTMENTS. THE INCUMBENT EXECUTIVE DIRECTOR SHALL

24g LIKewise SERVE AS ASSISTANT COMMISSIONER WITHOUT NEED
24h OF A NEW APPOINTMENT.

24i SEC. 15. IMPLEMENTING RULES AND REGULATIONS. -
24j WITHIN NINETY (90) DAYS AFTER THE APPROVAL OF THIS ACT,
24k THE PROFESSIONAL REGULATION COMMISSION, IN CONSULTATION
24l WITH THE REPRESENTATIVES OF THE VARIOUS PROFESSIONAL
24m REGULATORY BOARDS AND ACCREDITED PROFESSIONAL
24n ORGANIZATIONS, THE DEPARTMENT OF BUDGET AND MANAGEMENT,
24o THE COMMISSION ON AUDIT AND THE COMMISSION ON HIGHER
24p EDUCATION SHALL PREPARE AND PROMULGATE THE NECESSARY
24q RULES AND REGULATIONS NEEDED TO IMPLEMENT THE
24r PROVISIONS OF THIS ACT.

25 SEC. 16.[14] A new Section is added after Section
25a 15 [13] to
26 be known as Section 16[14] which shall read as follows:

27 "SEC. 16.[14] *Separability Clause.* - IF ANY
28 PROVISION OF THIS ACT OR THE APPLICATION OF SUCH
29 PROVISION TO ANY PERSON OR CIRCUMSTANCES IS
30 DECLARED INVALID OR UNCONSTITUTIONAL, THE

1 REMAINDER OF THIS ACT OR APPLICATION OF SUCH
2 PROVISIONS TO OTHER PERSONS OR CIRCUMSTANCE SHALL
3 NOT BE AFFECTED BY SUCH DECLARATION."

4 SEC. 17.[15] Section 9 of Presidential Decree Numbered
5 Two Hundred and Twenty-Three is hereby renumbered as Section
6 17 [15] and amended to read as follows:

7 "SEC. 17.[15] *REPEALING CLAUSE.* - The provisions
8 of Republic Act No. 546, PRESIDENTIAL DECREE NO.
9 223, AS AMENDED, NO. 4, ARTICLE 16 OF REPUBLIC ACT
10 NO. 7722, REPUBLIC ACT NO. 5181 **AND EXECUTIVE**
10a **ORDER NO 266, SERIES OF 1995** are hereby
11 repealed [as well as those of pertinent laws
12 inconsistent herewith], AND ALL OTHER LAWS AND DECREES
13 INCONSISTENT WITH THIS ACT ARE LIKEWISE REPEALED
14 ACCORDINGLY."

15 SEC. 18.[16] Section 10 of the same Decree is hereby
16 renumbered as Section 18[16] and amended to read as follows:

17 "SEC. 18.[16] *Effectivity.* - This Act shall
18 take effect [immediately] AFTER FIFTEEN (15) DAYS
19 FOLLOWING ITS PUBLICATION IN THE *OFFICIAL GAZETTE*
20 OR IN TWO (2) NEWSPAPERS OF GENERAL CIRCULATION,
21 WHICHEVER IS EARLIER."

Approved,

Congress of the Philippines
S E N A T E
Pasay City

Certification No. 1c
Series of 1999

To : Legislative Bills and Index Service
From : Legislative Journal Service

This is to certify that the following amendments to Senate Bill No. 1271 - PRC (Committee Report No. 25) were approved in the session of October 4 & 5, 1999:

1. On page 1, line 19, delete the period (.) and insert the following:

AND AMENDED TO READ AS FOLLOWS:

SEC. 3. COMPOSITION. - THE COMMISSION SHALL BE HEADED BY ONE FULL-TIME CHAIRMAN [Commissioner] AND TWO FULL-TIME [Associate] COMMISSIONERS. ALL TO BE APPOINTED BY THE PRESIDENT FOR A TERM OF SEVEN (7) [nine (9)] YEARS WITHOUT REAPPOINTMENT TO START FROM THE TIME THEY ASSUME OFFICE. [, except the first two Associate Commissioners who shall be appointed, one for six (6) years and the other for three (3) years, and Thereafter, any vacancy in the Commission shall be filled for the unexpired term only with the most senior of the Associate Commissioner succeeding the Commissioner at the expiration of his term, resignation or removal.] APPOINTMENTS TO A VACANCY THAT OCCURS BEFORE THE EXPIRATION OF THE TERM OF A COMMISSIONER SHALL COVER ONLY THE UNEXPIRED TERM OF THE IMMEDIATE PREDECESSOR. AT THE EXPIRATION OF THE TERM OF THE CHAIRMAN. THE MOST SENIOR OF THE COMMISSIONERS SHALL TEMPORARILY ASSUME AND PERFORM THE DUTIES AND FUNCTIONS OF THE CHAIRMAN UNTIL A PERMANENT CHAIRMAN IS APPOINTED BY THE PRESIDENT.

2. On page 2, lines 2 and 3, delete the words "Commissioner, who shall be the";
3. On the same page, line 4, delete the word "Associate";
4. On the same page, line 25, change the word "commissioner" to CHAIRMAN;
5. On the same page, line 29, delete the word "associate";
6. On page 3, delete lines 2 to 5 and in lieu thereof, insert the following: SHALL RECEIVE

COMPENSATION AND ALLOWANCES EQUIVALENT TO THAT OF A DEPARTMENT SECRETARY WHILE THE COMMISSIONER SHALL RECEIVE COMPENSATION AND ALLOWANCES EQUIVALENT TO THAT OF AN UNDERSECRETARY. THE CHAIRMAN AND THE MEMBERS OF THE COMMISSION SHALL BE ENTITLED TO RETIREMENT BENEFITS PROVIDED UNDER REPUBLIC ACT NUMBERED FIFTEEN HUNDRED AND SIXTY-EIGHT, AS AMENDED BY REPUBLIC ACT NUMBERED THREE THOUSAND FIVE HUNDRED AND NINETY-FIVE.

Thereafter, at the end of line 5, insert the following: PROVIDED, THAT THE CHAIRMAN AND THE MEMBERS OF THE COMMISSION SHALL HAVE SERVED AT LEAST ONE YEAR. PROVIDED, FURTHER, THAT IF THE SERVICE IS LESS THAN ONE YEAR, THEN THE OFFICIAL SHALL BE ENTITLED TO A PROPORTIONATE AMOUNT.

7. On page 5, line 22, change the word "COMMISSIONER'S" to CHAIRMAN, and between the word "SIGNATURE" and the comma (,), insert the phrase OF THE CHAIRMAN;
2. On the same page, line 26, between the words "COMPETENCY" and "AND," insert the words BY THEIR RESPECTIVE BOARDS:
3. On the same page, line 27, between the word "ENDORSEMENT" and the colon (:), insert the words BY THE COMMISSION:
4. On page 6, line 20, delete the brackets ([]) and the words "EXECUTIVE SECRETARY":
5. On the same page, line 27, between the words "compensation" and "AND," insert the following words: SUBJECT TO THE PROVISIONS OF REPUBLIC ACT NUMBERED SIX THOUSAND SEVEN HUNDRED AND FIFTY-EIGHT:
6. On page 6, line 28, between the words "and" and "to," insert the phrase TO ASSIGN AND/OR REASSIGN PERSONNEL AS THE EXIGENCY OF THE SERVICE REQUIRES, SUBJECT TO THE PROVISION OF THE CIVIL SERVICE LAW AND RULES:
7. On page 7, line 2, between the words "PRESIDENT" and "to," insert the following words: UPON THE RECOMMENDATION OF THE DEPARTMENT OF BUDGET AND MANAGEMENT.
8. On page 9, line 17, after the semicolon (;), insert the following: TO SUPERVISE PROFESSIONALS WHO ARE FORMER CITIZENS OF THE PHILIPPINES AND WHO HAVE PREVIOUSLY PASSED PHILIPPINE LICENSURE EXAMINATIONS FOR THE PRACTICE OF THEIR PROFESSION, WHO MAY, WHILE IN THE COUNTRY ON A VISIT, SOJOURN OR PERMANENT RESIDENCE, PRACTICE THEIR PROFESSION: PROVIDED, THAT PRIOR TO THE PRACTICE OF THEIR PROFESSION, THEY SHALL HAVE FIRST REGISTERED WITH THE COMMISSION AND HAVE PAID THE PROPER PROFESSIONAL LICENSE FEE.

- 9. On page 9, line 11, delete the words "AND CONTROL";
- 10. On page 10, line 9, delete the semicolon (;) and add the following words: AND OTHER OPERATIONS OF THE COMMISSION;
- 11. On page 12, line 4, substitute the word "COMMISSIONER" with CHAIRMAN, and delete the word "ASSOCIATE";
- 12. On the same page, line 5, delete the words "EXECUTIVE DIRECTOR" and in lieu thereof, insert the phrase ASSISTANT COMMISSIONERS; THE SECRETARY OF THE COMMISSION;
- 13. On the same page, line 10, after the word "FINANCIAL," add the word AND, and after the word "MANAGEMENT," add the word SERVICES and a colon (:); before the word "ADMINISTRATIVE," add the words THE DIRECTOR FOR;
- 14. On the same page, line 12, substitute the word "COMMISSIONER" with CHAIRMAN;
- 15. On the same page, line 13, delete the word "COMMISSIONER" and change the words "EXECUTIVE DIRECTOR" to ASSISTANT COMMISSIONERS;
- 16. On page 16, lines 24 - 25, delete the word "SEVENTY FIVE" and in lieu thereof, substitute the word FIFTY;
- 17. On the same page, line 27, delete the phrase "UNDER SECTION 6 (h) HEREOF" and in lieu thereof, substitute the phrase FROM SUCCESSFUL EXAMINEES WHICH SHALL BE USED BY THE CONCERNED REGULATORY BOARDS IN CONNECTION WITH THE HOLDING OF THEIR MASS OATH TAKING CEREMONIES SUBJECT TO THE USUAL ACCOUNTING AND AUDITING REGULATIONS;
- 18. On page 18, between lines 24 and 25, insert the new Sections 14 and 15, to read as follows:

SEC. 14. TRANSITORY PROVISIONS. THE INCUMBENT COMMISSIONER AND THE TWO INCUMBENT ASSOCIATE COMMISSIONERS SHALL SERVE AS CHAIRMAN AND COMMISSIONERS, RESPECTIVELY, UNDER THE TERMS FOR WHICH THEY HAVE BEEN APPOINTED WITHOUT NEED OF NEW APPOINTMENTS. THE INCUMBENT EXECUTIVE DIRECTOR SHALL LIKEWISE SERVE AS AN ASSISTANT COMMISSIONER WITHOUT NEED OF NEW APPOINTMENT.

SEC. 15. IMPLEMENTING RULES AND REGULATIONS. WITHIN NINETY (90) DAYS AFTER THE APPROVAL OF THIS ACT, THE PROFESSIONAL REGULATION COMMISSION, IN CONSULTATION WITH THE REPRESENTATIVES OF THE VARIOUS PROFESSIONAL REGULATORY BOARDS AND ACCREDITED PROFESSIONAL ORGANIZATIONS, THE DEPARTMENT OF BUDGET AND MANAGEMENT, THE COMMISSION ON AUDIT

AND THE COMMISSION ON HIGHER EDUCATION. SHALL PREPARE AND PROMULGATE THE NECESSARY RULES AND REGULATIONS NEEDED TO IMPLEMENT THE PROVISIONS OF THIS ACT.:

19. Renumber the succeeding sections accordingly; and

20. On page 19, line 10, between the figure "5181" and the word "are," insert the phrase AND EXECUTIVE ORDER 266, SERIES OF 1995.

21. On page 3, lines 10 to 21, Section 6(a), reword the provision to read as follows:

a) TO ADMINISTER, IMPLEMENT AND ENFORCE THE REGULATORY POLICIES OF THE NATIONAL GOVERNMENT WITH RESPECT TO THE REGULATION AND LICENSING OF THE VARIOUS PROFESSIONS AND OCCUPATIONS AND UNDER ITS JURISDICTION INCLUDING THE ENHANCEMENT AND MAINTENANCE OF PROFESSIONAL AND OCCUPATIONAL STANDARDS AND ETHICS AND THE ENFORCEMENT OF THE RULES AND REGULATIONS RELATIVE THERETO.:

22. On page 7, line 11, Section 6(i), delete the word "INDIVIDUALS" between the words "of" and "for" and in lieu thereof, insert the words LICENSED PROFESSIONALS;

23. On page 11, Section 6, insert the following paragraph after subsection (t) to be designated as subsection (u):

u) TO ADOPT AND INSTITUTE A COMPREHENSIVE RATING SYSTEM FOR UNIVERSITIES, COLLEGES AND TRAINING INSTITUTES BASED ON THE PASSING RATIO AND OVERALL PERFORMANCE OF STUDENTS IN BOARD EXAMINATIONS;

24. Reletter subsection (u) as subsection "(v)";

25. On page 12, line 17, delete the words "LEGAL OFFICERS AND/OR ATTORNEYS" and in lieu thereof, insert the words LEGAL AFFAIRS OFFICERS;

I hereby certify to the correctness of the foregoing.


DODI SIMON D. DIMALIBOT JR.

10/11/99

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CONGRESS OF THE PHILIPPINES }
ELEVENTH CONGRESS }
Second Regular Session }

SENATE

S. No. 1271

INTRODUCED BY SENATORS DRILON AND COSIYENG

AN ACT FURTHER AMENDING PRESIDENTIAL
DECREE NUMBERED TWO HUNDRED AND
TWENTY-THREE, AS AMENDED, ENTITLED
CREATING THE PROFESSIONAL REGULATION
COMMISSION AND PRESCRIBING ITS POWERS
AND FUNCTIONS AND OTHER PURPOSES

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

1 SECTION 1. *Statement of Policy.* - The State recognizes the
2 important role of professionals in nation-building and, towards this
3 end, promotes the sustained development of a reservoir of
4 professionals whose competence has been determined by honest and
5 credible licensure examinations and whose standards of professional
6 service and practice are world-class and internationally recognized.

7 SEC. 2. Section 1 of the same Decree is hereby renumbered
8 as Section 2 and amended to read as follows:

9 "SEC. 2. [1] *Professional Regulation Commission.* -
10 There is hereby created a three-man Commission to be

1 known as the Professional Regulation Commission,
2 HEREINAFTER REFERRED TO AS THE COMMISSION,
3 which shall be attached to the Office of the President for
4 general direction and coordination."

5 SEC. 3. Section 2 of the same Decree is hereby renumbered as
6 Section 3 and amended to read as follows:

7 "SEC. 3.[2] *Composition.* - The Commission shall be
8 headed by one full-time CHAIRMAN [Commissioner] and
9 two full-time [Associate] Commissioners, all to be appointed
10 by the President for a term of SEVEN (7) [nine (9)] years
11 without reappointment to start from the time they assume
12 office. [, except the first two Associate Commissioners who
13 shall be appointed, one for six (6) years and the other for
14 three (3) years, and thereafter, any vacancy in the
15 Commission shall be filled for the unexpired term only with
16 the most senior of the Associate Commissioner succeeding
17 the Commissioner at the expiration of his term, resignation or
18 removal.] APPOINTMENTS TO A VACANCY THAT
19 OCCURS BEFORE THE EXPIRATION OF THE TERM OF A
20 COMMISSIONER SHALL COVER ONLY THE UNEXPIRED
21 TERM OF THE IMMEDIATE PREDECESSOR. AT THE
22 EXPIRATION OF THE TERM OF THE CHAIRMAN, THE
23 MOST SENIOR OF THE COMMISSIONERS SHALL
24 TEMPORARILY ASSUME AND PERFORM THE DUTIES
25 AND FUNCTIONS OF THE CHAIRMAN UNTIL A

PERMANENT CHAIRMAN IS APPOINTED BY THE PRESIDENT.

“No person shall be appointed chairman or [member of the Commission] COMMISSIONER unless he is at least forty (40) years of age, IS A PROFESSIONAL WITH A VALID CERTIFICATE OF REGISTRATION AND A VALID PROFESSIONAL LICENSE, familiar with the principles and methods of professional regulation and/or licensing and has at least five (5) years of executive or management experience: *PROVIDED*, THAT ONE OF THE COMMISSIONERS MUST BE A PAST CHAIRPERSON/ MEMBER OF A PROFESSIONAL REGULATORY BOARD.”

SEC. 4. Section 3 of the same Decree is hereby renumbered as Section 4 and amended to read as follows:

“SEC. 4.[3] *Exercise of Powers and Functions of the Commission.* - The [Commissioner, who shall be the] Chairman of the Commission, and the [Associate] Commissioners as Members thereof shall [,] SIT AND ACT as a body [,] TO exercise general administrative, executive and policy-making functions OF THE COMMISSION [for the whole agency]. THE COMMISSION SHALL ESTABLISH AND MAINTAIN A HIGH STANDARD OF ADMISSION TO THE PRACTICE OF ALL PROFESSIONS AND AT ALL TIMES ENSURE AND SAFEGUARD THE INTEGRITY OF ALL LICENSURE EXAMINATIONS.

“THE CHAIRMAN SHALL ACT AS THE PRESIDING AND CHIEF EXECUTIVE OFFICER OF THE COMMISSION. AS PRESIDING OFFICER, HE SHALL PRESIDE OVER THE MEETINGS OF THE COMMISSION SITTING AS A COLLEGIAL BODY. AS CHIEF EXECUTIVE OFFICER OF THE COMMISSION, HE SHALL BE RESPONSIBLE FOR THE IMPLEMENTATION OF POLICIES AND THE PROGRAMS ADOPTED BY THE COMMISSION FOR THE GENERAL ADMINISTRATION OF THE COMMISSION. HE SHALL PERFORM SUCH OTHER ACTIVITIES WHICH ARE NECESSARY FOR THE EFFECTIVE EXERCISE OF THE POWERS, FUNCTIONS AND RESPONSIBILITIES OF THE COMMISSION.”

SEC. 5. Section 4 of the same Decree is hereby renumbered as Section 5 and amended to read as follows:

“SEC. 5.[4] *Compensation AND OTHER BENEFITS.* - The CHAIRMAN [Commissioner] [shall receive an annual compensation of Forty-eight thousand pesos (P48,000.00) with Five hundred pesos (P500.00) commutable transportation and representation allowances] and the [Associate] Commissioners [, Thirty-six thousand pesos (P36,000.00) each with Three hundred and fifty pesos (P350.00) commutable transportation and representation allowances] SHALL RECEIVE COMPENSATION AND ALLOWANCES EQUIVALENT TO THAT OF A

1 DEPARTMENT SECRETARY WHILE THE
 2 COMMISSIONERS SHALL RECEIVE COMPENSATION
 3 AND ALLOWANCES EQUIVALENT TO THAT OF AN
 4 UNDERSECRETARY. THE CHAIRMAN AND THE
 5 MEMBERS OF THE COMMISSION WHO HAVE SERVED
 6 THEIR FULL TERMS SHALL BE ENTITLED TO
 7 RETIREMENT BENEFITS PROVIDED UNDER REPUBLIC
 8 ACT NUMBERED FIFTEEN HUNDRED AND SIXTY-
 9 EIGHT, AS AMENDED BY REPUBLIC ACT NUMBERED
 10 THREE THOUSAND FIVE HUNDRED AND NINETY-FIVE:
 11 *PROVIDED*, THAT THE CHAIRMAN AND THE
 12 MEMBERS OF THE COMMISSION WHO SERVE LESS
 13 THAN THE FULL TERM SHALL BE ENTITLED TO A
 14 PROPORTIONATE AMOUNT.”

15 SEC. 6. Section 5 of the same Decree is hereby renumbered as

16 Section 6 and amended to read as follows:

17 “SEC. 6.[5] *Powers, FUNCTIONS AND*
 18 *RESPONSIBILITIES of the Commission.* - The powers,
 19 FUNCTIONS AND RESPONSIBILITIES of the Commission
 20 are as follows:

21 “a) To administer, implement and enforce
 22 the regulatory policies of the National Government with
 23 respect to the regulation and licensing of the various
 24 professions and occupations and under its jurisdiction
 25 including the ENHANCEMENT AND maintenance of

1 professional and occupational standards and ethics and the
 2 enforcement of the rules and regulations relative thereto;

3 “b) To perform any and all acts, enter into contracts,
 4 make such rules and regulations and issue such orders and
 5 other administrative issuances as may be necessary in the
 6 execution and implementation of its functions and the
 7 improvement of its services;

8 “c) [To review, coordinate, integrate and approve the
 9 policies, resolutions, rules and regulations, orders or
 10 decisions promulgated by the various boards with respect
 11 to the profession or occupation under their jurisdictions
 12 including the result of their licensure examinations but their
 13 decisions on administrative cases shall be final and
 14 executory unless appealed to the Commission within thirty
 15 (30) days from the date of promulgation thereof.] TO
 16 REVIEW, REVISE AND APPROVE RESOLUTIONS
 17 EMBODYING POLICIES PROMULGATED BY THE
 18 PROFESSIONAL REGULATORY BOARDS IN THE
 19 EXERCISE OF THEIR POWERS AND FUNCTIONS OR IN
 20 IMPLEMENTING THE LAWS REGULATING THEIR
 21 RESPECTIVE PROFESSIONS AND OTHER OFFICIAL
 22 ACTIONS ON NON-MINISTERIAL MATTERS WITHIN
 23 THEIR RESPECTIVE JURISDICTIONS;

24 “d) To administer and conduct the licensure
 25 examinations of the various regulatory boards [according to]

1 IN ACCORDANCE WITH the rules and regulations
 2 promulgated by the COMMISSION; determine and fix the
 3 dates and places of examinations [;], use the buildings and
 4 facilities of public and private schools for examination
 5 purposes; APPROVE THE RESULTS OF EXAMINATIONS
 6 AND THE RELEASE OF THE SAME; TO ADOPT
 7 MEASURES TO PRESERVE THE INTEGRITY AND
 8 INVIOABILITY OF LICENSURE EXAMINATIONS;
 9 appoint supervisors and room [examiners] WATCHERS
 10 from among the permanent employees of the government
 11 AND/or private individuals with BACCALAUREATE
 12 DEGREES, at least twenty-five (25) years old [and gainfully
 13 employed] who have been trained by the Commission FOR
 14 THE PURPOSE AND who shall be entitled to a reasonable
 15 daily allowance [of not less than Ten pesos (P10.00)] for
 16 every examination day actually attended, TO BE
 17 DETERMINED AND FIXED BY THE COMMISSION [and
 18 approve the release of the examination results] AND
 19 IMPOSE THE PENALTY OF SUSPENSION OR
 20 PROHIBITION FROM TAKING LICENSURE
 21 EXAMINATIONS TO ANY EXAMINEE CHARGED AND
 22 FOUND GUILTY OF VIOLATING THE RULES AND
 23 REGULATIONS GOVERNING THE CONDUCT OF
 24 LICENSURE EXAMINATIONS PROMULGATED BY THE
 25 COMMISSION;

1 "e) To keep and maintain a register AND
 2 COMPUTERIZED DATA BASE of the authorized
 3 practitioners of the profession or occupation; issue
 4 certificates of registration signed by all the members of the
 5 Board concerned and the Commissioner with the official
 6 seal of the Board affixed THERETO, AND ISSUE
 7 PROFESSIONAL LICENSES TO PRACTICE A
 8 PARTICULAR PROFESSION, BEARING THE
 9 NAME AND SIGNATURE OF THE CHAIRMAN, THE
 10 LICENSEE'S NAME AND PICTURE, REGISTRATION
 11 NUMBER AND EXPIRY DATE THEREOF EXCEPT TO
 12 MARINE DECK AND ENGINEER OFFICERS WHO SHALL
 13 BE ISSUED CERTIFICATES OF COMPETENCY BY
 14 THEIR RESPECTIVE BOARDS AS ENDORSED BY THE
 15 COMMISSION: *PROVIDED*, THAT A PRIVILEGE TAX
 16 RECEIPT (PTR) SHALL NOT BE ISSUED TO A
 17 REGISTERED PROFESSIONAL UNLESS HE SHALL HAVE
 18 PRESENTED A VALID AND CURRENT PROFESSIONAL
 19 LICENSE;
 20 "f) To have custody of all the records of the various
 21 Boards, including [their] examination papers, minutes of
 22 deliberation, records of administrative cases and
 23 investigations and examination results FOR CONTROL
 24 AND DISPOSITION;
 25 "g) To determine [,] AND fix [and collect] the amount

1 of fees to be charged AND COLLECTED for examination,
 2 registration, registration without examination, ANNUAL
 3 license [annual registration fees], certification, DOCKET,
 4 APPEAL, REPLACEMENT, ACCREDITATION,
 5 INCLUDING surcharges AND other fees not specified under
 6 the provisions of Republic Act NUMBERED FOUR
 7 HUNDRED SIXTY-FIVE AS AMENDED BY Republic Act
 8 NUMBERED SIXTY-FIVE HUNDRED AND ELEVEN or TO
 9 [amend] CHARGE AND COLLECT REASONABLE FEES AT
 10 THE RATES HIGHER THAN the rates provided thereunder
 11 subject to the approval by the Office of the President;

12 "h) To appoint, subject to the [provisions of laws]
 13 CIVIL SERVICE LAWS, RULES, AND REGULATIONS,
 14 officials and employees of the Commission [as are]
 15 necessary [in] FOR the effective performance of its
 16 functions and responsibilities; prescribe their duties and fix
 17 their compensation SUBJECT TO THE PROVISIONS OF
 18 REPUBLIC ACT NUMBERED SIX THOUSAND SEVEN
 19 HUNDRED AND FIFTY-EIGHT AND ALLOWANCES
 20 INCLUDING OTHER FRINGE BENEFITS and TO ASSIGN
 21 AND/OR REASSIGN PERSONNEL AS THE EXIGENCY OF
 22 THE SERVICE REQUIRES, SUBJECT TO THE CIVIL
 23 SERVICE LAWS, RULES AND REGULATIONS; and to
 24 organize or reorganize the structure of the Commission IN
 25 ACCORDANCE WITH SECTION 7 HEREOF, create or

1 abolish positions or change the designation of existing
 2 positions IN ACCORDANCE WITH A STAFFING
 3 PATTERN PREPARED BY IT AND APPROVED BY THE
 4 OFFICE OF THE PRESIDENT UPON THE
 5 RECOMMENDATION OF THE DEPARTMENT OF
 6 BUDGET AND MANAGEMENT to meet the changing
 7 conditions or as the need arises: *Provided*, That such
 8 changes shall not affect the employment status of the
 9 incumbents, reduce their ranks and/or salaries nor shall
 10 result IN THEIR [separating] SEPARATION [them] from the
 11 service;

12 "i) To submit and recommend to the President of the
 13 Philippines [nominees] THE NAMES OF LICENSED
 14 PROFESSIONALS for appointment as members of the
 15 various PROFESSIONAL Regulatory Boards from among
 16 those nominated to fill UP vacancies PURSUANT TO THE
 17 PROVISIONS OF EXECUTIVE ORDER NO. 496, SERIES OF
 18 1991;

19 "j) [The Commission may,] Upon recommendation of
 20 the PROFESSIONAL REGULATORY Board concerned, TO
 21 approve the registration of and authorize the issuance of a
 22 certificate of registration AND LICENSE with or without
 23 examination to a foreigner, who is registered under the laws
 24 of his country AND WHOSE CERTIFICATE OF
 25 REGISTRATION HAS NOT BEEN SUSPENDED OR

1 REVOKED: *Provided*, That the requirements for the
 2 registration or licensing in said foreign state or country are
 3 substantially the same as those required and contemplated
 4 by the laws of the Philippines and that the laws of such
 5 foreign state or country allow the citizens of the Philippines
 6 to practice the profession on the same basis and grant the
 7 same privileges as THOSE ENJOYED BY the subjects or
 8 citizens of such foreign state or country: *Provided, further*,
 9 That the [applicant shall submit competent and conclusive
 10 documentary evidence, confirmed by the Department of
 11 Foreign Affairs, showing that his country's existing laws
 12 permit citizens of the Philippines to practice the profession
 13 under the rules and regulations governing citizens thereof:
 14 *Provided, finally* That the] Commission may, upon
 15 recommendation of the Board concerned [, and approval of
 16 the President] authorize the issuance of a certificate of
 17 registration AND LICENSE TO FOREIGN PROFESSIONALS
 18 WHO DESIRE TO PRACTICE THEIR PROFESSIONS IN
 19 THE COUNTRY WITH THE EXCEPTION OF THOSE WHO
 20 ARE COVERED BY INTERNATIONAL AGREEMENTS OR
 21 THOSE WHO PRACTICE THEIR PROFESSIONS ON A
 22 LIMITED PERIOD OF TIME PURSUANT TO A
 23 HUMANITARIAN MISSION. [without examination or a
 24 temporary special permit to practice the profession, to any
 25 foreigner regardless of whether or not reciprocity exists in

1 the practice of his profession between his country and the
 2 Philippines under such conditions as may be determined by
 3 the Commission, if such foreigner is internationally known
 4 to be an outstanding expert in his chosen profession or a
 5 well-known specialist in any of its branches, and that his
 6 services are urgently necessary either for lack or inadequacy
 7 of local experts or if his services will promote the
 8 advancement of the profession in the Philippines The
 9 Commission is also hereby authorized to prescribed
 10 additional requirements or grant certain privileges to
 11 foreigners seeking registration in the Philippines if the same
 12 privileges are granted to or same additional requirements are
 13 required of citizens of the Philippines in acquiring the same
 14 certificates in his country.]

15 "K) TO AUTHORIZE ANY OFFICER OF THE
 16 COMMISSION TO ADMINISTER OATHS;

17 "L)[k] [The Commission shall have general
 18 supervision over] TO SUPERVISE foreign nationals who are
 19 authorized by existing laws [or granted special permits] to
 20 practice their profession temporarily in the Philippines to see
 21 TO IT that the terms and conditions for THEIR PRACTICE
 22 OR OF THEIR employment are strictly observed and
 23 adhered to; TO SUPERVISE PROFESSIONALS WHO WERE
 24 FORMER CITIZENS OF THE PHILIPPINES AND WHO
 25 HAVE PREVIOUSLY PASSED PHILIPPINE LICENSURE

1 EXAMINATION FOR THE PRACTICE OF THEIR
2 PROFESSION, WHO MAY, WHILE IN THE COUNTRY ON
3 A VISIT, SOJOURN OR PERMANENT RESIDENCE,
4 PRACTICE THEIR PROFESSION: *PROVIDED*, THAT
5 PRIOR TO THE PRACTICE OF THEIR PROFESSION, THEY
6 SHALL HAVE FIRST REGISTERED WITH THE
7 COMMISSION AND HAVE PAID THE PROPER
8 PROFESSIONAL LICENSE FEE;

9 "M)[1] [To prescribe, or revise, in] IN [conjunction]
10 CONSULATION with the PROFESSIONAL REGULATORY
11 Board concerned, [and the] TO RECOMMEND TO THE
12 [Secretary of Education and Culture or his authorized
13 representative,] COMMISSION ON HIGHER EDUCATION
14 (CHED) THE REVISION OR AMENDMENT OF THE
15 CURRICULA OR collegiate PROFESSIONAL courses the
16 completion of or graduation from which shall be a pre-
17 requisite for admission TO THE LICENSURE
18 EXAMINATION AND [into] TO the practice of the
19 profession concerned;

20 "N)[m] To exercise ADMINISTRATIVE supervision
21 over [the members of] the various PROFESSIONAL
22 REGULATORY Boards AND ITS MEMBERS;

23 "O) IN CONSULTATION WITH THE
24 PROFESSIONAL REGULATORY BOARD CONCERNED, TO
25 RECOMMEND TO THE COMMISSION ON HIGHER

1 EDUCATION (CHED), OR TO ANY OTHER CONCERNED
2 GOVERNMENT AUTHORITY, THE CLOSURE OR THE
3 SUSPENSION OF THE PERMIT TO OPERATE OF
4 SCHOOLS WHICH HAVE CONSISTENTLY MANIFESTED
5 MISERABLE PERFORMANCE IN LICENSURE
6 EXAMINATIONS. THE COMMISSION SHALL ALSO
7 PUBLISH IN A NEWSPAPER OF GENERAL CIRCULATION
8 A LIST OF SUCH SCHOOLS.

9 "P)[n] To ADOPT AND promulgate such rules and
10 regulations as may be necessary to effectively implement
11 policies with respect to the regulation and practice of the
12 professions;

13 "Q) TO IMPLEMENT THE PROGRAM FOR THE
14 FULL COMPUTERIZATION OF ALL LICENSURE
15 EXAMINATIONS GIVEN BY THE VARIOUS
16 PROFESSIONAL REGULATORY BOARDS INCLUDING
17 THE REGISTRATION OF PROFESSIONALS BY THE YEAR
18 2004 AND OTHER OPERATIONS OF THE COMMISSION;

19 "R) TO INVESTIGATE AND DECIDE
20 ADMINISTRATIVE MATTERS INVOLVING OFFICERS
21 AND EMPLOYEES UNDER THE JURISDICTION OF THE
22 COMMISSION.

23 "S) TO INVESTIGATE *MOTU PROPRIO* OR UPON
24 THE FILING OF A VERIFIED COMPLAINT, ANY MEMBER
25 OF THE PROFESSIONAL REGULATORY BOARDS FOR

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1 NEGLECT OF DUTY, INCOMPETENCE,
 2 UNPROFESSIONAL, UNETHICAL, IMMORAL OR
 3 DISHONORABLE CONDUCT, COMMISSION OR
 4 IRREGULARITIES IN THE LICENSURE EXAMINATIONS
 5 WHICH TAINT OR IMPUGN THE INTEGRITY AND
 6 AUTHENTICITY OF THE RESULTS OF THE SAID
 7 EXAMINATIONS AND, IF FOUND GUILTY, TO REVOKE
 8 OR SUSPEND THEIR CERTIFICATES OF REGISTRATION
 9 AND PROFESSIONAL LICENSES AND TO RECOMMEND
 10 TO THE PRESIDENT OF THE PHILIPPINES THEIR
 11 SUSPENSION OR REMOVAL FROM OFFICE AS THE
 12 CASE MAY BE;

13 "T) TO ISSUE SUMMONS, *SUBPOENA* AND
 14 *SUBPOENA DUCES TECUM* IN CONNECTION WITH THE
 15 INVESTIGATION OF CASES AGAINST OFFICIALS AND
 16 EMPLOYEES OF THE COMMISSION AND THE MEMBERS
 17 OF THE PROFESSIONAL REGULATORY BOARDS;

18 "U) TO HOLD IN CONTEMPT AN ERRING PARTY
 19 OR PERSON ONLY UPON APPLICATION WITH A
 20 COURT OF COMPETENT JURISDICTION;

21 "V) TO CALL UPON OR REQUEST ANY
 22 DEPARTMENT, INSTRUMENTALITY, OFFICE, BUREAU,
 23 INSTITUTION OR AGENCY OF THE GOVERNMENT
 24 INCLUDING LOCAL GOVERNMENT UNITS TO RENDER
 25 SUCH ASSISTANCE AS IT MAY REQUIRE, OR TO

1 COORDINATE OR COOPERATE IN ORDER TO CARRY
 2 OUT, ENFORCE OR IMPLEMENT THE PROFESSIONAL
 3 REGULATORY POLICIES OF THE GOVERNMENT OR ANY
 4 PROGRAM OR ACTIVITY IT MAY UNDERTAKE
 5 PURSUANT TO THE PROVISIONS OF THIS ACT;

6 "W) TO PREPARE AN ANNUAL REPORT OF
 7 ACCOMPLISHMENTS ON THE PROGRAMS, PROJECTS
 8 AND ACTIVITIES OF THE COMMISSION DURING THE
 9 YEAR FOR SUBMISSION TO THE CONGRESS AFTER THE
 10 CLOSE OF ITS CALENDAR YEAR AND MAKE
 11 APPROPRIATE RECOMMENDATIONS ON ISSUES AND/
 12 OR PROBLEMS AFFECTING THE COMMISSION, THE
 13 PROFESSIONAL REGULATORY BOARD, AND THE
 14 VARIOUS PROFESSIONS UNDER ITS JURISDICTION."

15 "X) TO ADOPT AND INSTITUTE A
 16 COMPREHENSIVE RATING SYSTEM FOR UNIVERSITIES,
 17 COLLEGES, AND TRAINING INSTITUTES BASED ON THE
 18 PASSING RATIO AND OVERALL PERFORMANCE OF
 19 STUDENTS IN BOARD EXAMINATIONS;

20 "Y) TO PERFORM SUCH OTHER FUNCTIONS AND
 21 DUTIES AS MAY BE NECESSARY TO CARRY OUT THE
 22 PROVISIONS OF THIS ACT, THE VARIOUS
 23 PROFESSIONAL REGULATORY LAWS, DECREES,
 24 EXECUTIVE ORDERS AND OTHER ADMINISTRATIVE
 25 ISSUANCES.

1 SEC. 7. Section 6 of the same Decree is hereby renumbered
2 as Section 7 and amended to read as follows:

3 "SEC. 7.[6] *Powers, Functions and Responsibilities*
4 *of THE various REGULATORY Boards.* - The various
5 REGULATORY Boards shall retain the following powers,
6 functions and responsibilities:

7 "a) To look from time to time into the conditions
8 affecting the practice of the profession or occupation under
9 their respective jurisdictions and whenever necessary, adopt
10 such measures as may be deemed proper for the
11 enhancement of the profession or occupation and/or the
12 maintenance of high professional, ethical and technical
13 standards, and for this purpose the members of the Board
14 may UPON REQUEST DULY GRANTED BY THE
15 COMMISSION personally or through [subordinate]
16 RESPONSIBLE employees of the Commission, conduct
17 ocular inspection or visit industrial, mechanical, electrical or
18 chemical plants or ESTABLISHMENTS, hospitals, clinics,
19 LABORATORIES, TESTING FACILITIES and other
20 engineering works where registered PROFESSIONALS are
21 employed or are working for the purpose of determining
22 compliance/practice with the provision or occupation or as
23 an aid in formulating policies relative thereto in accordance
24 with the established policies promulgated by the
25 Commission;

1 "b) To HEAR AND investigate CASES ARISING
2 FROM violations of their respective laws, [and] the rules and
3 regulations promulgated thereunder and THEIR CODES OF
4 ETHICS AND, for this purpose, may issue summons,
5 subpoena and subpoena duces tecum to alleged violators
6 AND/or witnesses [thereof and] TO COMPEL their
7 attendance [to] IN such investigations or hearings:
8 PROVIDED, THAT THE DECISION OF THE
9 PROFESSIONAL REGULATORY BOARD SHALL, UNLESS
10 APPEALED TO THE COMMISSION, BECOME FINAL AND
11 EXECUTORY AFTER FIFTEEN (15) DAYS FROM RECEIPT
12 OF NOTICE OF JUDGMENT OR DECISION;

13 "c) To delegate the hearing or investigation of
14 administrative cases filed before them except in cases where
15 the issue OR QUESTION involved strictly concerns the
16 practice of the profession or occupation, in which case, the
17 hearing shall be presided over by at least one (1) member of
18 the Board, concerned assisted by a Legal or Hearing Officer
19 of the Commission;

20 "d) To [promulgate decisions on such administrative
21 case subject to review by the Commission. If after thirty (30)
22 days from the receipt of such decision no appeal is taken
23 therefrom to the Commission, the same shall become final
24 and immediately enforceable] CONDUCT THROUGH THE
25 LEGAL OFFICERS OF THE COMMISSION SUMMARY

1 PROCEEDINGS ON MINOR VIOLATIONS OF THEIR
 2 RESPECTIVE REGULATORY LAWS, VIOLATIONS OF THE
 3 RULES AND REGULATIONS ISSUED BY THE BOARDS TO
 4 IMPLEMENT THEIR RESPECTIVE LAWS, INCLUDING
 5 VIOLATIONS OF THE GENERAL INSTRUCTIONS TO
 6 EXAMINEES COMMITTED BY EXAMINEES, AND
 7 RENDER SUMMARY JUDGMENT THEREON WHICH
 8 SHALL, UNLESS APPEALED TO THE COMMISSION,
 9 BECOME FINAL AND EXECUTORY AFTER FIFTEEN (15)
 10 DAYS FROM NOTICE OF DECISION OR JUDGMENT;

11 "e) Subject to FINAL APPROVAL [review] by the
 12 Commission, to RECOMMEND [approve] registration
 13 without examination and the issuance of corresponding
 14 certificate of registration [,];

15 "f) After due process, to suspend, revoke or reissue,
 16 RE-INSTATE certificate of registration or licenses for causes
 17 provided by law;

18 "g) TO PREPARE, ADOPT AND ISSUE THE
 19 SYLLABI OR TABLES OF SPECIFICATIONS OF THE
 20 SUBJECTS FOR EXAMINATIONS IN CONSULTATION
 21 WITH THE ACADEME; [to] determine and prepare the
 22 [contents of] questions FOR the licensure examinations
 23 WHICH SHALL STRICTLY BE WITHIN THE SCOPE OF
 24 THE SYLLABUS OR TABLE OF SPECIFICATIONS OF
 25 THE SUBJECT FOR EXAMINATION; score and rate the

1 examinations papers WITH THE NAME AND SIGNATURE
 2 OF THE BOARD MEMBER CONCERNED APPEARING
 3 THEREON and submit the results IN ALL SUBJECTS duly
 4 signed by the members of the Board to the Commission
 5 within TEN (10) days from the last day of examination unless
 6 extended by the Commission FOR JUSTIFIABLE CAUSE/S;
 7 and subject to the approval by the Commission, determine
 8 the appropriate passing general AVERAGE rating IN AN
 9 EXAMINATION if not provided for in the law regulating the
 10 profession;

11 "h) TO REGULATE THE PRACTICE OF THE
 12 PROFESSIONS;

13 "i) TO PREPARE AN ANNUAL REPORT OF
 14 ACCOMPLISHMENTS ON PROGRAMS, PROJECTS AND
 15 ACTIVITIES OF THE BOARD DURING THE YEAR FOR
 16 SUBMISSION TO THE COMMISSION AFTER THE CLOSE
 17 OF EACH CALENDAR YEAR AND MAKE APPROPRIATE
 18 RECOMMENDATIONS ON ISSUES OR PROBLEMS
 19 AFFECTING THE PROFESSION TO THE COMMISSION."

20 SEC. 8. A new section is added after Section 7 to be known
 21 as Section 8 which shall read as follows:

22 "SEC. 8. THE MEMBERS OF THE PROFESSIONAL
 23 REGULATORY BOARDS SHALL RECEIVE
 24 COMPENSATION EQUIVALENT TO, AT LEAST, TWO
 25 SALARY GRADES LOWER THAN THE SALARY GRADE

1 OF THE COMMISSIONERS: *PROVIDED*, THAT THE
2 CHAIRMAN OF THE REGULATORY BOARD SHALL
3 RECEIVE A MONTHLY COMPENSATION OF TWO STEPS
4 HIGHER THAN THE MEMBERS OF THE BOARD, AND:
5 *PROVIDED, FURTHER*, THAT THEY SHALL BE
6 ENTITLED TO OTHER ALLOWANCES AND BENEFITS
7 PROVIDED UNDER EXISTING LAWS.”

8 SEC. 9. A new section is added after Section 8 to be known
9 as Section 9 which shall read as follows:

10 “SEC. 9. *PERSONS TO TEACH SUBJECTS FOR*
11 *LICENSURE EXAMINATION ON ALL PROFESSIONS. -*
12 ALL SUBJECTS FOR LICENSURE EXAMINATIONS
13 SHALL BE TAUGHT BY PERSONS WHO ARE HOLDERS
14 OF VALID CERTIFICATES OF REGISTRATION AND
15 VALID PROFESSIONAL LICENSES OF THE PROFESSION
16 AND OTHER REQUIREMENTS OF THE COMMISSION ON
17 HIGHER EDUCATION (CHED) WHOSE SUBJECTS THEY
18 ARE GOING TO TEACH.”

19 SEC. 10. A new Section is added after Section 9 to be known
20 as Section 10 which shall read as follows:

21 “SEC. 10. *ASSISTANCE OF LAW ENFORCEMENT*
22 *AGENCY. - ANY LAW ENFORCEMENT AGENCY SHALL,*
23 UPON CALL OR REQUEST OF THE COMMISSION OR OF
24 ANY PROFESSIONAL REGULATORY BOARD, RENDER
25 ASSISTANCE IN ENFORCING THE REGULATORY LAW

1 OF THE PROFESSION INCLUDING THE RULES AND
2 REGULATIONS PROMULGATED THEREUNDER BY
3 PROSECUTING THE VIOLATORS THEREOF IN
4 ACCORDANCE WITH LAW AND THE RULES OF
5 COURT.”

6 SEC. 11. A new Section is added after Section 10 to be known
7 as Section 11 which shall read as follows:

8 “SEC. 11. *PENALTIES FOR MANIPULATION AND*
9 *OTHER CORRUPT PRACTICES IN THE CONDUCT OF*
10 *PROFESSIONAL EXAMINATIONS. -*

11 “a) ANY PERSON WHO MANIPULATES OR RIGS
12 LICENSURE EXAMINATION RESULTS, SECRETLY
13 INFORMS OR MAKES KNOWN LICENSURE
14 EXAMINATION QUESTIONS PRIOR TO THE CONDUCT
15 OF THE EXAMINATION OR TAMPERS WITH THE
16 GRADES IN PROFESSIONAL LICENSURE
17 EXAMINATIONS SHALL, UPON CONVICTION, BE
18 PUNISHED BY IMPRISONMENT OF NOT LESS THAN SIX
19 (6) YEARS AND ONE (1) DAY TO NOT MORE THAN
20 TWELVE (12) YEARS OR A FINE OF NOT LESS THAN
21 FIFTY THOUSAND PESOS (P50,000.00) TO NOT MORE
22 THAN ONE HUNDRED THOUSAND PESOS (P100,000.00)
23 OR BOTH SUCH IMPRISONMENT AND FINE AT THE
24 DISCRETION OF THE COURT.

25 “b) IN CASE THE OFFENDER IS AN OFFICER OR

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1 EMPLOYEE OF THE COMMISSION OR A MEMBER OF
2 THE REGULATORY BOARD, HE SHALL BE REMOVED
3 FROM OFFICE AND SHALL SUFFER THE PENALTY OF
4 PERPETUAL ABSOLUTE DISQUALIFICATION FROM
5 PUBLIC OFFICE IN ADDITION TO THE PENALTIES
6 PRESCRIBED IN THE PRECEDING SECTION OF THIS ACT.

7 “(c) THE PENALTY OF IMPRISONMENT RANGING
8 FROM FOUR (4) YEARS AND ONE (1) DAY TO SIX (6)
9 YEARS OR A FINE RANGING FROM TWENTY
10 THOUSAND PESOS (P20,000.00) TO NOT MORE THAN
11 FORTY-NINE THOUSAND PESOS (P49,000.00) OR BOTH
12 IMPRISONMENT AND FINE AT THE DISCRETION OF
13 THE COURT, SHALL BE IMPOSED UPON THE
14 ACCOMPLICES. THE PENALTY OF IMPRISONMENT
15 RANGING FROM TWO (2) YEARS AND ONE (1) DAY TO
16 FOUR (4) YEARS OR A FINE RANGING FROM FIVE
17 THOUSAND PESOS (P5,000.00) TO NOT MORE THAN
18 NINETEEN THOUSAND PESOS (P19,000.00), OR BOTH
19 IMPRISONMENT AND FINE AT THE DISCRETION OF
20 THE COURT, SHALL BE IMPOSED UPON THE
21 ACCESSORIES.”

22 MISCELLANEOUS PROVISIONS

23 SEC. 12. *Transitory Provisions.* - The incumbent
24 Commissioner and two (2) incumbent Associate Commissioners shall
25 serve as Chairman and Commissioners, respectively, under the terms for

1 which they have been appointed without need of new appointments.
2 The incumbent executive director shall likewise serve as Assistant
3 Commissioner without need of a new appointment.

4 SEC. 13. *Implementing Rules and Regulations.* - Within ninety
5 (90) days after the approval of this Act, the Professional Regulation
6 Commission, in consultation with the representatives of the various
7 Professional Regulatory Boards and accredited professional
8 organizations, the Department of Budget and Management, the
9 Commission on Audit and the Commission on Higher Education shall
10 prepare and promulgate the necessary rules and regulations needed to
11 implement the provisions of this Act.

12 SEC. 14. A new Section is added after Section 11 to be known
13 as Section 12 which shall read as follows:

14 “SEC. 12. *SEPARABILITY CLAUSE.* - IF ANY
15 PROVISION OF THIS ACT OR THE APPLICATION OF
16 SUCH PROVISION TO ANY PERSON OR
17 CIRCUMSTANCES IS DECLARED INVALID OR
18 UNCONSTITUTIONAL, THE REMAINDER OF THIS ACT
19 OR APPLICATION OF SUCH PROVISIONS TO OTHER
20 PERSONS OR CIRCUMSTANCE SHALL NOT BE
21 AFFECTED BY SUCH DECLARATION.”

22 SEC. 15. Section 9 of Presidential Decree Numbered Two
23 Hundred and Twenty-Three is hereby renumbered as Section 13 and
24 amended to read as follows:

25 “SEC. 13.[9] *Repealing Clause.* - The provisions of

19

1 Republic Act No. 546, SECTIONS 7, 8, 9 AND 10 OF
2 PRESIDENTIAL DECREE NO. 223, AS AMENDED, NO. 4,
3 ARTICLE 16 OF REPUBLIC ACT NO. 7722, REPUBLIC ACT
4 NO. 5181 AND EXECUTIVE ORDER NO 266, SERIES OF
5 1995 are hereby repealed [as well as those of pertinent laws
6 inconsistent herewith], AND ALL OTHER LAWS AND
7 DECREES INCONSISTENT WITH THIS ACT ARE
8 LIKEWISE REPEALED ACCORDINGLY.”

9 SEC. 16. Section 10 of the same Decree is hereby renumbered
10 as Section 14 and amended to read as follows:

11 “SEC. 14.[10] *Effectivity.* - This Act shall take effect
12 [immediately]AFTER FIFTEEN (15) DAYS FOLLOWING ITS
13 PUBLICATION IN THE *OFFICIAL GAZETTE* OR IN TWO
14 (2) NEWSPAPERS OF GENERAL CIRCULATION,
15 WHICHEVER IS EARLIER.”

Approved,

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