

EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session)
)



SENATE
S.B. No. 1263

20 JAN -7 P2:36

RECEIVED BY: SF

Introduced by SENATOR RAMON BONG REVILLA, JR.

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

EXPLANATORY NOTE

The backbone of the Philippine economy remains to be the agriculture industry. More than ever before, the country faces the challenge of achieving food security under the looming threat of a global food crisis caused by, among others, spiraling fuel and energy costs and the degradation of the world's natural resources.

The landmark Agriculture and Fisheries Modernization Act of 1997 (AFMA) or Republic Act No. 8435 provides for the policies and plans to the continuing modernization and development of the agriculture and fishery sector amid the ever-changing demands of globalization and food security. The success of AFMA depends on the men and women who comprise the agriculture and fishery development workers.

Pursuant to the policy and objectives of AFMA, more specifically Section 75 of the Rules and Regulations implementing RA 8435, the Professional Regulation Commission, in its Resolution No. 2000-663, created a Board of Agriculture under its administrative supervision and control to oversee the licensing and regulation of the

practice of agriculture. The Commission has mandated the licensure of agriculture graduates to give importance to the professionalization of the agriculture profession.

However, since the implementation of the licensure examination for agriculture graduates, there has been numerous issues and concerns on the real importance of having a license to practice agriculture. There is no law creating permanently a Board of Agriculture, much more of regulating the practice of the agriculture profession.

This bill seeks to put at par the agriculture profession with other professions such as the accounting, engineering, food technology, and forestry professions, to name a few, by regulating the practice of the agriculture profession thereby ensuring the continuing professional development of agriculture workers.

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



RAMON BONG REVILLA, JR.

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Office of the Secretary

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

ARTICLE I

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

Section 1. *Short Title.* – This Act shall be known as the “*Professional Agriculturists Act of 2019*”.

5 Sec. 2. *Declaration of Policy.* – The State recognizes the importance of Licensed
6 Agriculturists in nation-building and development. Hence, it shall develop and nurture
7 competent, ethical, globally competitive and well-rounded Licensed Agriculturists who
8 shall observe the highest standards of excellence, and whose professionalism shall be
9 fostered through the administration of transparent, credible and relevant licensure
10 examinations, a system of registration and self-regulation, and through continuing
11 professional development programs and activities.

12 Sec. 3. *Objectives.* – This Act provides for and shall govern:

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

Sec. 4. Definition of Terms. – For purposes of this Act, the following terms shall be defined as:

- (a) *Accredited Integrated Professional Organization (AIPO)* refers to the one and only national organization of Licensed Agriculturists that is accredited by the Professional Regulation Commission and Professional Regulatory Board for Agriculturists;
 - (b) *Agriculture* refers to the art, science, ethics, management and entrepreneurship in the production, processing, distribution of agricultural products, services, and the mitigation of climate change in agriculture;
 - (c) *Board* refers to the Professional Regulatory Board of Agriculture;
 - (d) *Commission* refers to the Professional Regulation Commission;
 - (e) *Practice of the Agriculture Profession* refers to all activities, acts, services or pursuits performed by Licensed Agriculturists as herein prescribed or specified; and
 - (f) *Licensed Agriculturist* refers to a person who has been issued with a Certificate of Registration (COR) and Professional Identification Card (PIC) to practice the Agriculture profession.

ARTICLE II

PROFESSIONAL REGULATORY BOARD OF AGRICULTURE

Sec. 5. Creation and Composition of the Professional Regulatory Board of Agriculture. – There is hereby created a Professional Regulatory Board of Agriculture, hereinafter referred to as the Board, under the administrative supervision and control of the Professional Regulation Commission, hereinafter referred to as the Commission. The Board shall be composed of a chairperson and five (5) members. Each member shall represent one of the six (6) fields of specialization listed in Section 15, Article III hereof. The chairperson and members of the Board shall be appointed by the President of the Philippines from the two (2) recommendees for each position submitted by the Commission from a list of three (3) nominees for each position submitted by the Accredited Integrated Professional Organization (AIPO) for Licensed

1 Agriculturists. Other professional agricultural organizations duly registered with the
2 Securities and Exchange Commission (SEC) may submit nominees, through the AIPO.

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

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

7 (a) Be a Filipino citizen and resident of the Philippines;

8 (b) Be of good moral character and must not have been convicted of any crime
9 involving moral turpitude;

10 (c) Be a member in good standing of the AIPO for Licensed Agriculturists;

11 (d) Be a holder of a degree in Bachelor of Science in Agriculture or any other
12 agriculture-related course, preferably with an MA/MS and/or PhD in any
13 agriculture discipline obtained from a school, college or university recognized
14 by the government: *Provided*, That each member of the board shall serve in
15 the recognized expertise in one of the six (6) fields of specialization;

16 (e) Be a Licensed Agriculturist, with a valid Certificate of Registration (COR) and
17 Professional Identification Card (PIC), and with at least ten (10) years of
18 relevant experience in Agriculture prior to appointment;

19 (f) Must not be a member of the faculty, whether full-time or part-time, of any
20 school, college or university where a regular and/or review course in Agriculture
21 is taught, nor shall have any pecuniary interest, direct or indirect, in such
22 institution; and,

23 (g) Must not be an incumbent officer or trustee of the AIPO for Licensed
24 Agriculturists.

25 *Sec. 7. Scope of Practice of Agriculture.* – The Agriculture profession involves
26 services consisting of crop and animal production, processing and distribution, in both
27 urban and rural areas.

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

1 or extension.

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

6 Sec. 8. *Powers and Functions of the Board.* The Board shall have the following
7 powers and functions:

- 8 (a) Promulgate, administer and enforce rules and regulations, including the
9 Code of Ethics and Code of Technical Standards for Licensed Agriculturists
10 to carry out the provisions of this Act;
- 11 (b) Supervise and regulate the licensure, registration and practice of Licensed
12 Agriculturists;
- 13 (c) Determine and evaluate the qualifications of the applicants for issuance of
14 the COR, PIC and Special Temporary Permit (STP);
- 15 (d) Prepare and modify the questions for examination and prescribe the syllabi
16 and Tables of Specifications (TOS) of the subjects for examination and their
17 relative weights;
- 18 (e) Administer the Oath of Professional;
- 19 (f) Issue, suspend, revoke or reinstate the COR and PIC or STP for cause;
- 20 (g) Look into the conditions affecting the practice of Agriculture, adopt
21 measures for the enhancement of the profession and the maintenance of
22 high professional, technical and ethical standards, and conduct inspection
23 of places where Licensed Agriculturists practice their profession;
- 24 (h) Inspect, in coordination with the Commission on Higher Education (CHED),
25 the prescribed facilities of universities or colleges offering the course or
26 program of Agriculture in order to ensure that standards and essential
27 requirements for a qualified dean and faculty are properly complied with;
- 28 (i) Investigate violations of this Act, its Implementing Rules and Regulations
29 (IRR) and the Code of Ethics and Code of Technical Standards for Licensed
30 Agriculturists;
- 31 (j) Issue *subpoena ad testificandum* and *subpoena duces tecum* to secure the
32 attendance of respondents or witnesses or the production of documents

- relative to the investigation conducted by the Board and the Commission;
- (k) Prepare guidelines for the Continuing Professional Development (CPD), in coordination with the AIPO for Licensed Agriculturists; and,
- (l) Perform other powers, functions and duties as may be necessary to effectively implement this Act.

The policies, resolutions, rules and regulations, orders and decisions issued or promulgated by the Board shall be subject to review and approval of the Commission. However, the Board's decisions, resolutions or orders which are not interlocutory, rendered in an administrative case, shall be subject to review only if on appeal.

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

Each member of the Board may only be reappointed for one full term of three (3) years.

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

Sec. 10. Compensation and Allowance of the Chair and Members of the Board. – The chairperson and members of the Board shall receive compensation and allowances comparable to the compensation and allowances received by the chairpersons and members of the other Professional Regulatory Boards under the Commission as provided in the annual General Appropriation Act.

Sec. 11. Suspension and Removal of the Chair and Members of the Board. – The chairperson or member of the Board may be suspended or removed by the President of the Philippines, upon recommendation of the Commission, for neglect of duty, abuse of power, oppression, incompetence, unprofessional, unethical, immoral or dishonorable conduct, commission or toleration of irregularities in the conduct of examination or tampering of the grades therein, or for conviction by final judgment of any criminal offense involving moral turpitude, after having been given the opportunity

1 to defend himself/herself in a proper administrative investigation.

2 Sec. 12. *Supervision of the Board, Custodian of its Records, Secretariat and*
3 *Support Services.* – The Board shall be under the administrative supervision and
4 control of the Commission. All records of the Board, including applications for
5 examination, papers and results, minutes of deliberations, administrative and other
6 investigative cases involving Licensed Agriculturists, shall be kept by the Commission.

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

9 Sec. 13. *Annual Report.* – The Board shall, within thirty (30) days from the
10 close of each calendar year, submit an annual report to the Commission, giving a
11 detailed account of its proceedings and accomplishments during the year and
12 recommending measures to be adopted, with the end in view of upgrading and
13 improving the conditions and practice of the Agriculture profession in the Philippines.

ARTICLE III

LICENSURE EXAMINATION AND REGISTRATION

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

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

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

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

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

- 4 (a) he/she is a citizen of the Philippines or a foreign country which has a policy
5 on reciprocity for the practice of the Agriculture profession.
- 6 (b) he/she is a holder of a Bachelor's Degree in Agriculture or any related course
7 from a school, college or university recognized by the Government;
- 8 (c) non-holders of Bachelor's degree in Agriculture but has post-graduate
9 degree in Agriculture from a school, college, or university recognized by the
10 Government; provided, that he/she has finished a minimum of thirty-six (36)
11 units of agricultural subjects.
- 12 (d) Incumbent holders of agriculture positions in the national, regional or local
13 government offices or agencies including government-owned and –
14 controlled corporations and have been engaged in agricultural functions
15 acceptable to the Board: *Provided*, That they are holders of professional civil
16 service eligibility; *Provided, further*, That he/she has finished a minimum of
17 thirty-six (36) units of agricultural subjects.
- 18 (e) he/she is of good moral character and has not been convicted of any crime
19 involving moral turpitude.

20 Sec. 17. *Ratings in the Examination.* – In order for an examinee to pass the
21 examination, he/she must have obtained an average of at least seventy-five percent
22 (75%) in all subjects, with no rating below sixty percent (60%) in any subject.
23 However, if an examinee obtains a general weighted average rating of seventy-five
24 percent (75%) or higher but obtained a rating below sixty percent (60%) in any of
25 the subjects, he/she shall be allowed to take the examination in the subject or subjects
26 where he obtained a grade below sixty percent (60%) only once.

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

30 Sec. 18. *Release of the Results of Examination.* – The results of the
31 examination shall be released within ten (10) days from the last day of the
32 examination, unless otherwise extended for a valid reason.

1 Sec. 19. *Registration without Examination.* – Upon approval of application and
2 payment of required fees, certificate of registration and professional license shall be
3 issued to the applicant for registration without examination who can prove to the
4 satisfaction of the Board that:

- 5 (a) He/She graduated from a school, college, or university recognized by the
6 Government with the degree of Bachelor of Science in Agriculture or
7 bachelor in Agricultural Technology or their related degrees.
- 8 (b) Non-holders of Bachelor's degree in Agriculture but has post-graduate
9 degree in Agriculture from a school, college, or university recognized by
10 the Government: *Provided*, That he/she has finished a minimum of thirty-
11 six (36) units of agricultural subjects.
- 12 (c) This provision shall be effective for a period of three (3) years upon
13 approval of the Act.

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

22 A Professional Identification Card (PIC) bearing the registration number and
23 dates of issuance and expiry, duly signed by the chairperson of the Commission shall
24 likewise be issued to every registrant upon payment of the required fees. The PIC
25 shall be renewed every three (3) years, upon compliance with the Continuing
26 Professional Development (CPD), Certificate of Good Standing (COGS) from the AIPO
27 and other requirements of the Board and the Commission: *Provided*, That incumbent
28 professionals intending to renew their licenses shall adhere to Section 16 (c) and (d)
29 and Section 19 of this Act.

30 Sec. 21. *Refusal the Register.* – The Board shall not register and issue a COR
31 to a registrant who has been convicted by a court of competent jurisdiction of any

1 criminal offense involving moral turpitude or found guilty of immoral or dishonorable
2 conduct after investigation by the Board or has been declared to be of unsound mind.
3 The reason for the refusal shall be set forth in writing.

4 *Sec. 22. Revocation or Suspension of the Certificate of Registration,
5 Professional Identification Card or Cancellation of Special Temporary Permit.* – The
6 Board may, after giving proper notice of hearing to the party concerned, revoke the
7 COR and PIC of a Licensed Agriculturist or suspend him/her from the practice of the
8 profession or cancel his/her Special Temporary Permit (STP) for any of the causes or
9 grounds under Section 20 hereof or for unprofessional or unethical conduct,
10 malpractice, or violation of any of the provisions of this Act, its IRR, Code of Ethics
11 and Code of Technical Standards for Licensed Agriculturists.

12 *Sec. 23. Reinstatement, Reissuance or Replacement of Certificate of
13 Registration, Professional Identification Card and Special Temporary Permit.* – The
14 Board may, after two (2) years from the date of revocation of COR, reinstate any
15 revoked COR and reissue a new PIC.

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

18 *Sec. 24. Roster of Professional Agriculturists.* – The Board, in coordination with
19 the AIPO, shall prepare, update and maintain a Roster of Licensed Agriculturists, which
20 shall contain their residence and office addresses, dates of registration and other data
21 which the Board may deem pertinent.

22 *Sec. 25. Issuance of Special Temporary Permit.* – Upon application and
23 payment of the required fees and subject to the approval of the Commission, the
24 Board may issue an STP to a foreign Licensed Agriculturist whose services are urgently
25 needed due to the absence or inadequacy of local Licensed Agriculturists for the
26 purpose of promoting or enhancing the practice of the Agriculture profession in the
27 Philippines.

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

31 *Sec. 26. Foreign Reciprocity.* – No foreign Professional Agriculturist shall be
32 admitted to the examination or be given a COR or PIC and be entitled to any of the

1 privileges under this Act unless the country of which he/she is a citizen specifically
2 allows Filipino Licensed Agriculturists to practice within its territorial limits on the same
3 basis as the citizens of such foreign country.

4 **ARTICLE IV**

5 **PRACTICE OF AGRICULTURE PROFESSION**

6 Sec. 27. *Oath.* – All persons qualified for registration, with or without
7 examination, shall be required to take an oath of profession before any Member of
8 the Board or any government official authorized by the Commission to administer
9 oaths prior to entering into the practice of the Agriculture profession.

10 Sec. 28. *Act Constituting the Practice of Agriculture Profession.* – Any single
11 act or transaction embraced within the provision of Section 7 hereof shall constitute
12 an act of engaging in the practice of the Agriculture profession.

13 Sec. 29. *Professional Title Appendage.* – Only a Licensed Agriculturist as herein
14 defined may append after his/her names the title "L.Agr."

15 Sec. 30. *Prohibition Against the Unauthorized Practice of Agriculture
16 Profession.* – No person shall practice the Agriculture profession in the Philippines or
17 offer himself/herself as a Licensed Agriculturist, or use the title, word, letter, figure,
18 or any sign tending to convey the impression that one is a Licensed Agriculturist, or
19 advertise or indicate in any manner whatsoever that one is qualified to practice the
20 profession unless he/she has complied with all the requirements for registration, with
21 or without examination, and is a holder of a valid COR and PIC or a valid STP duly
22 issued by the Board and the Commission.

23 Sec. 31. *Prohibition Against Corporate Practice.* – The practice of the agriculture
24 profession is a professional service admission to which shall be determined upon the
25 bases of the individual's personal qualifications.

26 No firm, company, partnership, association or corporation may be registered or
27 licensed to practice the agriculture profession: *Provided, however,* That persons
28 registered and licensed as agriculturists may, among themselves, form a firm,
29 partnership or association using the term "Agriculturists" and obtain registration with
30 the Securities and Exchange Commission (SEC) or with the appropriate agency of the
31 Government, as the case may be. Nobody shall be allowed to be a member, partner
32 or associate in such firm, partnership or association unless he is a duly registered and

1 licensed agriculturist.

2 Sec. 32. *Employment of Agriculturists in the Government.* – National and
3 regional government agencies concerned in agriculture activities shall ensure that all
4 existing plantilla positions are occupied by Licensed Agriculturists.

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

10 All agriculture technical personnel hired on contractual, job order, or project-
11 based basis shall be licensed agriculturists.

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

15 Sec. 33. *Employment of Agriculturists in the Private Sector.* – Private
16 agricultural corporations and enterprises shall allocate at least one (1) Licensed
17 Agriculturist.

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

22 Sec. 34. *Accredited Integrated Professional Organization (AIPO).* – All Licensed
23 Agriculturists shall have one (1) national organization, which shall be recognized by
24 the Board and the Commission as the one and only AIPO for Licensed Agriculturists.

25 A Licensed Agriculturist duly registered with the Board and the Commission
26 shall automatically become a member of the AIPO and shall receive all the benefits
27 and privileges appurtenant thereto, upon payment of the prescribed fees and dues.

28 Membership in the AIPO shall not bar membership in other associations of
29 Licensed Agriculturists.

30 Sec. 35. *Code of Ethics for Agriculture Profession.* – The Board shall prescribe
31 and promulgate the Code of Ethics and Code of Technical Standards for Licensed
32 Agriculturists, in consultation with the AIPO.

1 Sec. 36. *Vested Rights: Automatic Registration of Agriculturists.* – All Licensed
2 Agriculturists who are registered and licensed at the time this Act takes effect shall
3 automatically be registered hereunder.

ARTICLE V

PENAL AND FINAL PROVISIONS

6 Sec. 37. *Penal Provision.* – Any violation of this Act, its IRR, Code of Ethics and
7 Code of Technical Standards or other regulatory policies of the Board and the
8 Commission, shall be meted the penalty of a fine of not less than Fifty Thousand Pesos
9 (P50,000.00) but not more than Five Hundred Thousand Pesos (P500,000.00), or
10 imprisonment of not less than six (6) months but not more than six (6) years, or both,
11 at the discretion of the court.

12 Sec. 38. *Appropriations.* – The Chairperson of the Commission shall
13 immediately include in the Commission's programs the implementation of this Act, the
14 funding of which shall be included in the annual General Appropriations Act and
15 thereafter.

16 Sec. 39. *Transitory Provisions.* – The existing Board of Agriculture shall continue
17 to function in the interim until such time that the new Board shall have been
18 constituted pursuant to this Act.

19 Sec. 40. *Implementing Rules and Regulations.* – The Board, subject to the
20 approval by the Commission, and in coordination with the AIPO, shall issue and
21 promulgate the implementing rules and regulations within one hundred twenty (120)
22 days from effectivity of this Act.

23 Sec. 41. *Separability Clause.* – If any clause, sentence, paragraph or part of
24 this Act shall be declared unconstitutional or invalid, such judgment shall not affect,
25 invalidate or impair any other part of this Act.

26 Sec. 42. *Repealing Clause.* – All laws, decrees, executive orders, memorandum
27 orders, and other administrative issuances or parts thereof which are inconsistent with
28 the provisions of this Act, are hereby modified, superseded or repealed accordingly.

29 Sec. 43. *Effectivity.* – This Act shall take effect fifteen (15) days following its
30 publication in the Official Gazette or in any major newspaper of general circulation in
31 the Philippines.

32 *Approved,*