

SENATE

19 SEP 17 P 4:31

Senate Bill No. 1058

RECEIVED BY: 

Introduced by Senator Juan Miguel F. Zubiri

**AN ACT
REGULATING THE PRACTICE OF MICROBIOLOGY IN THE PHILIPPINES
AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Microorganisms provide a multitude of benefits to humans. Microorganisms are utilized in the production of food and condiments such as but not limited to bread, cheese, beer, and soy sauce. Pharmaceuticals also use microscopic organisms in the production of antibiotics, vaccines, and hormones in insulin and vitamins. Environmental clean-up, as well as cultivating biogas and bioethanol require the use of microorganisms. Utilizing such microscopic organisms have proven beneficial due to it being more sustainable. Microbes also recycle elements such as carbon, oxygen, nitrogen, phosphorus, and sulfur in both terrestrial and aquatic ecosystems. Furthermore, microorganisms serve as source of nutrients at the base of ecological food chains. In addition, microscopic organisms are employed in scientific research and technology as well.

The underlying foundation of microbiology set the stage for modern biotechnology, which includes genetic engineering, as well as cell and tissue culture. On the contrary, there are also evident downsides in using microorganism. These are what cause the spoilage of food and processed goods, as well as post-harvest losses. In addition, microbes serve as the cause of multiple diseases humans acquire, such as HIV and cholera, as well as food poisoning; in livestock, such as foot and mouth disease; and various other crop diseases.

Hence, it is crucial to enact a proper regulation in the handling of microorganism as this requires adequate skills and prior educational background to utilize it to its full potential efficiently. Prior background knowledge on the fundamentals of microbes is essential for quality control of processed food and manufactured goods, in controlling environmental pollution and in repairing degraded soils. This will also aid in alleviating epidemics among humans, animals, and crops, as well as to produce microbial-based goods and services efficiently. This can be ensured by providing academic preparation and training in universities and colleges. However, due to existing differences in philosophical beliefs, facilities, and resources, these courses may differ from institution to institution. With the crucial role played by microbiologists, this bill seeks to regulate the profession and overall practice of microbiology.

Under the measure, other professionals registered with the Philippine Regulatory Commission where microbiology is an essential component of their practice such as Doctor of Medicine, Doctor of Veterinary Medicine and Medical Technologist may continue to practice microbiology without registering under this Act.

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



JUAN MIGUEL F. ZUBIRI



19 SEP 17 P4:31

SENATE

Senate Bill No. 1058

RECEIVED BY:

Introduced by Senator Juan Miguel F. Zubiri

**AN ACT
REGULATING THE PRACTICE OF MICROBIOLOGY IN THE PHILIPPINES
AND FOR OTHER PURPOSES**

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

ARTICLE I. TITLE, DECLARATION OF POLICY AND OBJECTIVES

SECTION 1. Title. - This Act shall be known as the "Philippine Microbiology Act of 2019."

SEC. 2. Statement of Policy and Objectives. - The State recognizes the vital role of microbiologists in national advancement. Therefore, it is the objective of this Act to institute a regulatory system guaranteeing the delivery of technical services to ensure food safety and a high quality of manufactured goods, preventing the rapid spread of microbiologically-caused diseases in human, plant, and animal populations, and providing a safe and healthy environment for the general public. This Act also aims to foster competent, ethical, globally competitive, and well-rounded professionals, who shall observe the highest standard of excellence through a credible licensure examination to be administered by the Professional Regulation Commission.

ARTICLE II

DEFINITION OF TERMS AND SCOPE OF PRACTICE

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

a. Accredited Professional Organization (APO)— shall refer to the professional organization established for the benefit and welfare of professionals of microbiology, the advancement of the microbiology profession and attainment of other professional ends, and complies with all the requirements for accreditation, subject to the approval of the Professional Regulation Commission (Commission).

b. Microbiology - shall refer to a multi-disciplinary study of the structure, form and function of microorganisms such as bacteria, archaea, fungi, algae, protozoa, and acellular infectious agents. It covers several branches of biology such as physiology, molecular biology, genetics, ecology, evolutionary biology, systematics and other related fields.

1 **c. Registered Microbiologist** - shall refer to a person who has been issued
2 a Certificate of Registration and Professional Identification Card by the Board and
3 the Commission.

4

5 **d. FIELDS OF MICROBIOLOGY:**

6

7 **1. Bacteriology** - shall refer to the branch of microbiology that
8 specifically deals with the biochemistry, physiology, morphology,
9 evolution, genetics, and ecology of bacteria, a large domain of single-
10 celled prokaryotic microorganisms. Bacteriology also deals with the
11 study of medically- and industrially-significant bacteria, such as those
12 which cause major infectious diseases, food spoilage, and those which
13 are able to ferment food or produce valuable pharmaceuticals and
14 enzymes.

15

16 **2. Archaeal Biology** – shall refer to the scientific discipline that is
17 concerned with the study of the biology of archaea, a domain of
18 organisms consisting of single, nucleus-free cells, distinct from
19 bacteria and eukaryotes.

20

21 **3. Virology** – shall refer to the branch of microbiology that specifically
22 deals with viruses, sub-microscopic obligate intracellular parasites,
23 and virus-like particles, and subviral particles such as prions and
24 viroids, which usually cause disease in animals, plants, and humans.
25 Virology studies the taxonomic classification and ultrastructure of
26 agents, such as its genetic make-up, mode of infection, as well as its
27 interactions with its respective hosts.

28

29 **4. Protozoology** - shall refer to the branch of microbiology that studies
30 protozoa, a diverse group of eukaryotic, heterotrophic
31 microorganisms. This study is concerned with the taxonomy,
32 physiology, evolution, biochemistry and metabolism of protozoans. As
33 several protozoans cause diseases, protozoology is also concerned
34 with studying the modes of infection, transmission, life cycles, as well
35 as its interaction with its host organisms.

36

37 **5. Phycology** - shall refer to the branch of microbiology that studies
38 algae, which is a large group of chiefly aquatic macroscopic and
39 microscopic unicellular organisms similar to plants in terms of
40 metabolism and structure. Phycology studies the ultrastructure,
41 biochemistry, metabolism and ecology of different algae, such as
42 species of seaweeds and phytoplankton, among others.

43

44 **6. Mycology** - shall refer to the branch of microbiology that studies
45 yeasts, molds and mushrooms, collectively referred to as fungi. This
46 study is concerned with the physiology, taxonomy, biochemistry,
47 ecology, and genetic properties of fungi. Several fungi possess
48 properties that cause diseases, while others serve as a component of
49 antibiotics and secondary metabolites. Hence, the study of mycology
50 deals with the significance and application of specific fungal species
51 in the medical and industrial fields.

52

53 **7. Medical Microbiology**- shall refer to the branch of microbiology
54 that specifically deals with the study of the characteristics of

1 pathogens, its modes of transmission, and its mechanisms of infection
2 and growth. This study is also concerned with the interactions of
3 pathogens to its hosts and the environment, as well as applications
4 of microbes for the overall improvement of one's health. For purposes
5 of this Act, clinical microbiology is excluded from the definition and
6 scope of medical microbiology.

7 Clinical Microbiology refers to the branch of microbiology that relates
8 to the diagnosis, treatment, management, and prevention of
9 infectious diseases among patients in hospitals and clinical
10 laboratories. It also entails the environmental surveillance and
11 monitoring of hospital facilities to ensure that safety measures and
12 guidelines are established to contain infections. This field of practice
13 encompasses several different sciences applied to hospital and clinical
14 laboratories, including bacteriology, mycology, virology, parasitology,
15 immunology, and molecular diagnostics. It involves culture, analysis,
16 and identification of pathogenic and other clinically relevant bacteria,
17 fungi, viruses, and parasites isolated from clinical specimens, and
18 other non-biological specimens. This study also involves susceptibility
19 testing to guide antimicrobial therapy and provide antibiograms to
20 health facilities and local communities to demonstrate the prevalence
21 of various pathogens and emerging antibiotic resistance.
22

23 **8. Environmental Microbiology** – shall refer to the branch of
24 microbiology that deals with study of indigenous microorganisms on
25 land, water, and air systems, as well as its interactions with organic
26 and inorganic pollutants, and the application of its products for the
27 benefit of human health and welfare. It is the applied part of microbial
28 ecology dealing with the study of the interactions of microorganisms
29 with the biotic and abiotic environment.
30

31 **e. Related Fields in Microbiology** - shall include cell biology, helminthology,
32 immunology, molecular biology and biotechnology, parasitology, and plant
33 pathology.
34

35 **SEC. 4. Scope of Practice of the Microbiology Profession** – The practice
36 of microbiology shall refer to the profession requiring the application of the
37 fundamental principles of microbiology pertinent to the conditions and requirements
38 of food safety and manufacturing standards, disease prevention, environmental
39 protection, conservation, and quality management. This shall include the following,
40 among others:

41 a. Consultation, valuation, investigation, and management services on the
42 identification of microbial agents in food, feeds, and human, plant and animal
43 diseases, and in environmental impact assessments;

44 b. Management or supervision and the preparation of designs, plans,
45 specifications, project studies, and estimates for microbial-based processes and
46 related manufacturing and waste management facilities;

47 c. Conduct of research and development, training and extension work, and
48 consultancy services on the various areas of microbiology, such as general
49 microbiology, food microbiology, agricultural microbiology, industrial microbiology,
50 veterinary microbiology, medical microbiology, aquatic microbiology, and

1 environmental microbiology, as well as on microbiological facilities/services, systems
2 and technologies;

3 d. Microbiological testing and inspection of food, pharmaceutical, agricultural,
4 fishery, and forest products;

5 e. Management, manufacturing, and marketing of microbial and microbial-
6 based products. Marketing of the microbial and microbial-based products are not
7 exclusive to the practice of microbiology and shall include other professions
8 mentioned in Section 26;

9 f. Quality control on microbiological concerns in the manufacture of food, food
10 additives and preservatives, feeds, pharmaceuticals, cosmetics, biofuels,
11 biofertilizers, among others;

12 g. Teaching microbiology subjects, and offering degree programs and training
13 courses in microbiology in higher educational institutions (HEIs) in the Philippines
14 in conjunction with Section 11 of Republic Act No. 8981 and the rules and
15 regulations of the Commission of Higher Education (CHED); and

16 h. Employment with the government, private institutions, or agencies which
17 require the knowledge and expertise of a registered microbiologist.

ARTICLE III

CREATION OF THE PROFESSIONAL REGULATORY BOARD FOR MICROBIOLOGY

SEC. 5. Creation and Composition of the Professional Regulatory Board for Microbiology – There is hereby created a Professional Regulatory Board for Microbiology hereinafter referred to as the Board, under the administrative supervision and control of the Professional Regulation Commission (PRC), hereinafter referred to as the Commission, under the Office of the President (OP). The Board shall comprise of a Chairperson and two (2) Members of the Board who shall be appointed by the President of the Republic of the Philippines from among a list of three (3) recommendees for each position submitted by the Commission from among a list of nominees for each position submitted by APO. Members of the Board shall both possess at least five (5) years of teaching experience in microbiology. The Board shall be organized not later than sixty (60) days from the effectivity of this Act.

SEC. 6. Qualifications of the Chairperson and Members of the Board. - The Chairperson and Members of the Board shall, at the time of appointment, possess the following qualifications:

- a. Must be a Filipino citizen;
- b. Must be of good moral character;
- c. Must have not been convicted by a competent court of any offense involving moral turpitude;

1 d. Must be a holder of at least a Master of Science Degree in Microbiology-
2 related field, conferred by a CHED-recognized Philippine higher educational
3 institution or foreign university;

4
5 e. Must have at least ten (10) years of practice in microbiology, either in
6 government or in a private institution;

7
8 f. Must not have any business interest or financial connection, directly or
9 indirectly, in any HEI conferring academic degree necessary for admission to the
10 practice of microbiology or where review classes in preparation for the microbiology
11 licensure examination are being offered or conducted; nor shall one be a member
12 of the faculty or the administration thereof.

13
SEC. 7. Tenure of Office for the Chairperson and Members of the Board.

14 - The Chairperson and Members of the Board shall hold office for a term of three
15 (3) years from the date of appointment or until their successors shall have been
16 qualified and appointed.

17
18 The Chairperson and Members of the Board may be reappointed for a second
19 term but in no case shall they serve continuously for more than six (6) years. Any
20 vacancy in the Board shall be filled for the unexpired portion of the term of the
21 member who vacated the position. On the constitution of the first Board, the
22 Chairperson and the Members of the Board shall automatically be registered and
23 issued Certificates of Registration and Professional Identification Cards. Each
24 Member of the Board shall take the proper oath of office prior to the assumption of
25 duty before a duly authorized officer.

26
27 **SEC. 8. Meetings of the Board.** - The Board shall have a regular meeting
28 once a month. Special meetings may also be held upon the call of the Chairperson
29 or by request of its members. Reasonable notice of all meetings shall be given in
30 the manner prescribed by the rules of the Board.

31
32 **SEC. 9. Compensation and Allowances of the Board.** - The Chairperson
33 and Members of the Board shall receive compensation and allowances equivalent to
34 those being received by the Chairpersons and members of existing professional
35 regulatory boards under the Commission as provided for in the General
36 Appropriations Act.

37
38 **SEC. 10. Powers and Functions of the Board.** - The Board shall be vested
39 with the following powers and functions:

40
41 a. Promulgate, administer and enforce rules and regulations necessary to carry
42 out the provisions of this Act;

43
44 b. Prescribe the subjects in the licensure examination and their relative
45 weights, determine the syllabi and Table of Specifications (TOS) for the subjects on
46 which the examination questions shall be based on, and to submit the examination
47 results to the Commission;

48
49 c. Evaluate and approve applications for licensure examination;

50
51 d. Administer oaths, and issue certificates of registration and the professional
52 identification card to persons admitted to the practice of the profession of
53 microbiology;

e. Submit to the Commission an annual report at the close of each fiscal year on the proceedings and accomplishments of the Board during the year, as well as recommend for the purpose of upgrading and improving the conditions affecting the practice of microbiology in the Philippines;

f. Oversee the conduct of the Continuing Professional Development (CPD) program for microbiologists;

g. Recommend measures necessary for the upgrading, enhancement, development, and growth of microbiology in the Philippines;

h. Monitor the conditions affecting the practice of microbiology and adopt measures as may be deemed necessary for the enhancement of the profession, and uphold high professional, ethical and technical standards;

- i. Conduct inspection and monitoring of establishments where microbiology is practiced, and of higher educational institutions where microbiology courses are being offered, in coordination with the Commission on Higher Education (CHED), to ascertain that professional standards are complied with;

j. Approve registration of microbiologists without examination; and

k. Issue special temporary permits to microbiologists of foreign nationalities subject to the requirements and conditions prescribed by the Board.

The policies and resolutions, rules and regulations, orders, or decisions issued or promulgated by the Board shall be subject to the review and approval of the Commission; Provided, That the decisions, resolutions, and orders rendered by the Board which are interlocutory in an administrative case shall be subject to review on appeal.

SEC. 11. Removal of Board Members. - The Chairperson or any Member of the Board may be suspended or removed from office by the President of the Republic of the Philippines upon the recommendation of the Commission for neglect of duty, incompetence, tolerance of irregularities in any examination given by the Board, unprofessional, or unethical conduct. Any such person shall be afforded due process according to the laws of the Republic of the Philippines.

SEC. 12. Supervision of the Board, Custodian of the Records, Secretariat, and Support Services. - The Board shall be under the general supervision and administrative control of the Commission. The Commission shall keep all records of the Board, including applications for examination papers and results, minutes of deliberations, administrative cases, and other investigative cases involving microbiologists.

ARTICLE IV

EXAMINATION AND REGISTRATION

SEC. 13. Licensure Examination. – Unless otherwise provided in the Act, every applicant seeking to be registered and licensed as microbiologist shall take and pass a written examination to be given by the Board at least once a year in places and dates the Commission designates.

1 **SEC. 14. Qualifications for Examination.** - Any person applying for
2 admission to the licensure examination for microbiologist shall meet the following
3 requirements:

- 4 a. Must be a citizen and resident of the Philippines: Provided, that citizen of a
5 foreign country may be allowed to take the examination, subject to the requirement
6 of reciprocity pursuant to Section 30 of this Act;
- 7 b. Must be of good moral character;
- 8 c. Must not have been convicted by a competent court of any offense involving
9 moral turpitude; and
- 10 d. Must hold a baccalaureate degree in Microbiology or Biology major in
11 Microbiology, or graduate degree in Microbiology, or any related field with twenty-
12 four (24) units of microbiology, to include the courses covered in the licensure exam.

13 **SEC. 15. Scope of Examination.** - The licensure examination for microbiology
14 shall cover six (6) subjects:

- 15 a. General microbiology
- 16 b. Code of Ethics for Microbiology and Microbiology Law of 2019
- 17 c. Microbial Physiology
- 18 d. Microbial Ecology
- 19 e. Medical Microbiology
- 20 f. Applied Microbiology (Food and Industrial)

21 The Board, subject to the approval of the Commission, may revise the scope of
22 the examination and any of the subjects and their syllabi to conform to technological
23 advances brought about by trends and developments in the profession.

24 **SEC. 16. Release of the Results of Examination.** - The Board shall correct
25 and release the licensure examination results within three (3) days from the date of
26 the examination, unless extended for valid reason.

27 **SEC. 17. Rating in Examination.** - To pass the licensure examination for
28 microbiology, an examinee must obtain a general average of at least seventy-five
29 percent (75%) and no rating lower than fifty percent (50%) in any subject. An
30 examinee with a general average of seventy five percent (75%), and with grade
31 lower than fifty percent (50%) in any subject, may retake the subject(s) in which
32 the examinee failed, at most twice. If still unsuccessful after the second time, the
33 examinee shall be required to retake the entire examination. There is no limit to the
34 number of retakes.

35 **SEC. 18. Oath.** – All persons qualified to register with or without examination
36 shall take their oath of profession before the Chairperson or any Member of the
37 Board, or any authorized officer of the Commission prior to entering the practice of
38 microbiology.

1 **SEC. 19. Issuance of the Certificate of Registration and Professional**
2 **Identification Card.** – A Certificate of Registration and Professional Identification
3 Card shall be issued to a person who has complied with all the requirements for
4 registration under this Act. The Certificate of Registration shall serve as evidence
5 that the microbiologist can lawfully practice the profession. It shall remain in full
6 force and effect until withdrawn, revoked, or suspended in accordance with this Act.
7

8 A Professional Identification Card bearing the registration number and date of
9 issuance, its expiry date, and the signature of the Chairperson of the Commission
10 shall likewise be issued to every qualified registrant. It shall be reissued after every
11 three (3) years upon compliance with all the requirements as may be prescribed by
12 the Board and the Commission.
13

14 **SEC. 20. Automatic Exemption from Examination for Microbiologists.** -
15 Holders of a Master of Science (MS) or Doctoral Degree in Microbiology, or related
16 fields from an HEI duly recognized by the CHED, may apply for certification as
17 microbiologists without examination from the Board. They must submit a copy of
18 undergraduate and graduate diplomas, transcripts and cover pages of MS Thesis
19 /Doctoral Dissertation: Provided, that such individual must show evidence of being
20 in active practice of microbiology for at least five (5) years.
21

22 **SEC. 21. Registration Without Examination.** – The Board shall register
23 without examination any person who can present evidence or proof satisfactory to
24 the Board that:
25

- 26 a. The person is a Filipino citizen;
27 b. The person is of good moral character;
28 c. The person passed twenty-four (24) units of microbiology from an HEI duly
29 recognized by the CHED, passed certification exam conducted by reputable, well
30 established and long-standing professional organization in microbiology or its
31 equivalencies in the practice of Microbiology as assessed by the Board and has been
32 actively practicing microbiology for at least five (5) years. For this purpose,
33 equivalencies shall refer to activities which may include, but not be limited to,
34 participation or attendance to trainings, scientific conferences or symposia in
35 microbiology in the last 5 years, research publications as prescribed by the Board or
36 national research awards in microbiology, recognized innovations, or solutions to
37 microbiological problems in industry.
38

39 All qualified applicants must apply for registration within two (2) years from the
40 effectivity of the Implementing Rules and Regulations (IRR) of this Act. Thereafter,
41 anyone who wants to be registered will have to take the examination, and those
42 who are exempted under Section 26 of this Act.
43

44 **SEC. 22. Refusal to Register.** - The Board shall refuse to issue a Certificate
45 of Registration to those who have been:
46

- 47 a. Convicted of any offense involving moral turpitude by a court of competent
48 jurisdiction;
49
50 b. Found guilty of immoral or dishonorable conduct after due investigation by the
51 Board;
52

1 c. Summarily adjudged guilty for violation of the general instructions to examinees
2 by the Board; and

3 d. Declared to be of unsound mind by a court of competent jurisdiction.

4 In refusing such registration, the Board shall give the applicant a written
5 statement setting forth the reasons therefor and shall file a copy thereof in its
6 records.

7 **SEC. 23. Revocation or Suspension of the Certificate of Registration.** -

8 The Board shall have the power, after giving proper notice and hearing to the party
9 concerned, to suspend or revoke the practitioner's Certificate of Registration, or to
10 cancel the special temporary permit granted to a foreigner microbiologist, for any
11 of the grounds or causes cited in Section 22 of this Act, except (3) thereof, or on
12 any of the following grounds:

13 a. Violation of any provision of this Act, its IRR, Code of Ethics, Code of Good
14 Governance, Code of Technical Standards for the Practice of Microbiology, or other
15 policy measure of the Board or the Commission;

16 b. Perpetration or use of fraud in obtaining one's Certificate of Registration,
17 Professional Identification Card, or Special Temporary Permit;

18 c. Gross incompetence, negligence or ignorance resulting to death, injury or
19 damage;

20 d. Aiding or abetting the illegal practice of a non-registered and non-licensed
21 person by allowing another to use one's Certificate of Registration or Professional
22 Identification Card, or both, or Special Temporary Permit;

23 e. Practicing the profession during suspension from the practice; or

24 f. Proven addiction to drug or alcohol, impairing one's ability to practice the
25 profession, or declared with unsound mind by a court of competent jurisdiction. In
26 case of drug or alcohol addiction, a finding to this effect of a medical or drug testing
27 facility shall be sufficient.

28 Any person, firm, or association may file charges in accordance with the
29 provision of this section against any registrant, or the Board may, on its own,
30 investigate any of the above-mentioned violations. An affidavit-complaint shall be
31 filed together with the affidavits of witnesses and other documentary evidence with
32 the Board, through the Legal Service Office. The Board may conduct an
33 investigation, *motu proprio*, on a matter relating to the commission of a violation:
34 Provided, that such decision to investigate shall be embodied in a formal charge to
35 be signed by at least majority of its members. The rules on administrative
36 investigation issued by the Commission shall govern the hearing or investigation
37 subject to applicable provisions of this Act, Republic Act No. 8981 and the Rules of
38 Court.

39 **SEC. 24. Reissuance of Revoked Certificate of Registration,
40 Replacement of Lost or Damaged Certificate of Registration, Professional
41 Identification Card or Special Temporary Permit.** – The Board may, upon
42 petition, reinstate or reissue a revoked Certificate of Registration after two (2) years
43 from the effectiveness of the period for revocation, which is the date of surrender of

1 the Certificate of Registration and Professional Identification Card, if still valid, to
2 the Board and the Commission. The Board may not require the holder thereof to
3 take another licensure examination. The petitioner shall prove to the Board that
4 there are valid reasons to practice the profession. The Board shall issue a Board
5 Resolution granting the petition, subject to the approval of the Commission.

6
7 In the case of a lost or damaged Certificate of Registration, Professional
8 Identification Card, or Special Temporary Permit, the replacement may be issued
9 upon application of the valid license holder in accordance with the prescribed
10 procedure and subject to the payment of the prescribed fees.

11
12 **SEC. 25. Renewal of Professional Identification Card.** - The Professional
13 Identification Card shall be renewed every three (3) years upon satisfying the
14 requirements imposed by the Board, such as compliance with a CPD and payment
15 of the corresponding fees.

16
17 **SEC. 26. Roster of Microbiologists.** - The Professional Registry Division of
18 the Commission shall keep a roster of duly registered and licensed microbiologists,
19 indicating their names, registration numbers, and other pertinent information. The
20 Board shall regularly update such roster and make it available to all interested
21 parties subject to the provisions of R. A. No. 10173 or the Data Privacy Act of 2012.

22
23 **SEC. 27. Practice of Microbiology in Other Professions Registered with**
24 **the Professional Regulation Commission.** - In synergy and convergence with
25 other professions regulated by the Commission where microbiology is an essential
26 component of their practice, Doctors of Medicine, Doctors of Veterinary Medicine,
27 Medical Technologists, Agriculturists, Pharmacists, and Food Technologists, among
28 others, shall continue to practice microbiology without need of registering under this
29 Act.

30
31 **SEC. 28. Practice through Issuance of Special Temporary Permits.** -
32 Without prejudice to the existing laws on the practice of professions by foreigners
33 in the Republic of the Philippines, and subject to the approval of the Commission
34 and payment of fees, the Board may issue a special temporary permit to practice
35 microbiology in the Philippines to the following:

36
37 a. Foreign registered or licensed microbiologist or a recognized expert in
38 microbiology called in by the Philippine government or any private institutions for
39 consultation or for any specific activity; and

40
41 b. Foreign registered or licensed microbiologist who have distinguished
42 themselves in their respective fields of specialization, and who are either directly
43 hired or employed as professors, lecturers, or instructors in Microbiology by
44 Philippine schools, colleges, universities, or research institutions; Provided, That
45 their practice of the profession shall be limited to the particular work for which they
46 have been commissioned; Provided further, that the special temporary permit shall
47 be valid for a maximum period of one (1) year, subject to renewal at the discretion
48 of the Board and the Commission.

ARTICLE V PRACTICE OF MICROBIOLOGY

SEC. 29. Prohibitions and Limitations in the Practice of Microbiology. -

No person shall practice or offer to practice as a microbiologist in the Philippines or offer oneself as a microbiologist without a Certificate of Registration and Professional Identification, or a valid Special Temporary Permit; or make use of any word, letter, figure, or sign tending to convey the impression of being a microbiologist, or advertise qualifications to perform the work as such, without holding a valid Certificate of Registration in accordance with the provisions of this Act, except as provided under Section 27 hereof. However, persons occupying positions as microbiologists shall be allowed to practice for two (2) years after the promulgation of this Act. After which, they shall take the licensure exam in order to continue practicing as microbiologists.

SEC. 30. Code of Ethics. - The Board, in consultation with the APO, shall formulate the Code of Ethics for Microbiology.

SEC. 31. Foreign Reciprocity. - No foreign microbiologist shall be admitted to the licensure examination, or be given a certificate of registration and a professional license, or be entitled to any of the privileges under this Act, unless the country of which is a subject or citizen specifically permits Filipino microbiologists to practice within its territorial limits under the same conditions and an equal basis as its own subjects or citizens.

ARTICLE VI PENAL AND GENERAL PROVISIONS

SEC. 32. Penal Clause. – Any person who shall violate any of the provisions of this Act shall, upon conviction, be imposed with a fine of not less than Fifty Thousand Pesos (P50,000) but not more than One Hundred Thousand Pesos (P100,000), or with imprisonment of not less than six (6) months nor more than five (5) years, or both, at the discretion of the Court.

SEC. 33. Appropriations. - The savings from any item of appropriations of the Commission shall be utilized for the initial implementation of this Act. Thereafter, such sum as may be necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SEC. 34. Implementing Rules and Regulations. - Subject to the approval of the Commission, the Board shall adopt and promulgate such rules and regulations within ninety (90) days, to carry out the provisions of this Act, and which shall be effective fifteen (15) working days following its publication in the Official Gazette or in at least one (1) major newspaper of general circulation in the Philippines.

SEC. 35. Separability Clause. - If any provision, section, or part of this Act shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other provision, section, or part hereof, but shall be merely confined to the provision, section, or part there of that is directly involved in the issue upon which judgment has been rendered.

SEC. 36. Repealing Clause. - All laws, decrees, executive orders, rules and regulations or parts thereof which are in conflict with the provisions of this Act are

1 hereby repealed or modified accordingly. Provided, however, That nothing in this Act
2 shall be construed as repealing or amending any portion of the laws of other
3 professions regulated by Commission.

4

5 **SEC. 37. Effectivity.** - This Act shall take effect fifteen (15) days after its
6 publication in the official Gazette.

7

8 *Approved.*