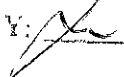


FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'11 AUG 17 P 6:30

SENATE

RECEIVED BY: 

COMMITTEE REPORT NO. 54

Submitted jointly by the Committees on Civil Service and Government Reorganization; and Environment and Natural Resources; and Finance on AUG 17 2011.

RE: Senate Bill No. 2941

Recommending its approval in substitution of Senate Bill No. 317

Sponsor: Senator Trillanes IV

MR. PRESIDENT:

The Committee on Civil Service and Government Reorganization joint with the Committees on Environment and Natural Resources, and Finance, to which was referred S.B. No. 317 introduced by Senator Antonio "Sonny" F. Trillanes IV, *entitled:*

AN ACT

REGULATING THE PRACTICE OF GEOLOGY IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED FOUR THOUSAND TWO HUNDRED NINE (R.A. NO. 4209), OTHERWISE KNOWN AS 'GEOLOGY PROFESSION ACT OF THE PHILIPPINES' AND FOR OTHER PURPOSES

have considered the same and have the honor to report it back to the Senate with the recommendation that the attached Senate Bill No. 2941 prepared by the Committees, *entitled:*

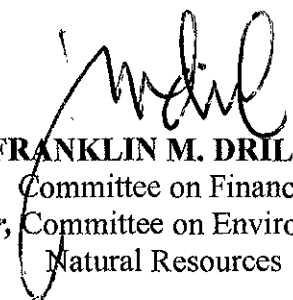
AN ACT

REGULATING THE PRACTICE OF GEOLOGY IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED FOUR THOUSAND TWO HUNDRED NINE (R.A. NO. 4209), OTHERWISE KNOWN AS 'GEOLOGY PROFESSION ACT OF THE PHILIPPINES' AND FOR OTHER PURPOSES

be approved in substitution of Senate Bill No. 317 with Senator Trillanes IV as author thereof.

Respectfully submitted:

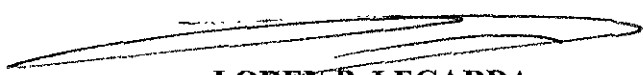
Chairpersons

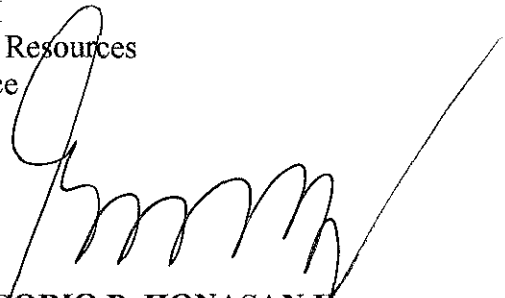

FRANKLIN M. DRILON
Committee on Finance
Member, Committee on Environment and
Natural Resources


ANTONIO F. TRILLANES IV
Committee on Civil Service and Government
Reorganization

JUAN MIGUEL F. ZUBIRI
Committee on Environment and Natural Resources
Member, Committee on Finance

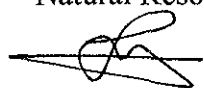
Vice-Chairpersons



LOREN B. LEGARDA
Committee on Environment and Natural
Resources
Member, Committees on Finance; and Civil
Service and Government Reorganization

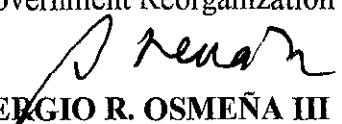

GREGORIO B. HONASAN II
Committee on Civil Service
and Government Reorganization
Member, Committees on Finance; and
Environment and Natural Resources

Members

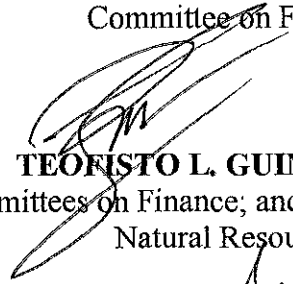
EDGARDO J. ANGARA
Committees on Finance; and Environment and
Natural Resources

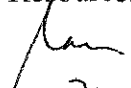

FRANCIS G. ESCUDERO
Committee on Finance


MANUEL M. LAPID
Committees on Finance; Environment and
Natural Resources; and Civil Service and
Government Reorganization

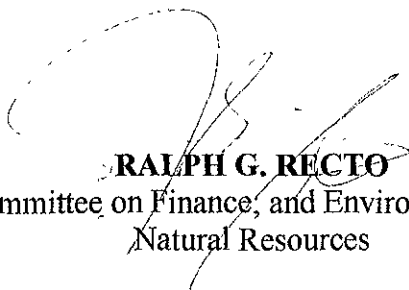

SERGIO R. OSMEÑA III
Committees on Finance; and Environment and
Natural Resources

MIRIAM DEFENSOR SANTIAGO
Committee on Finance

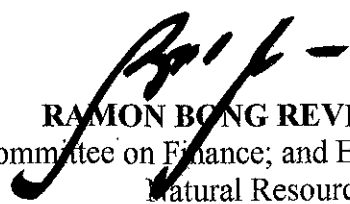

TEOFISTO L. GUINGONA III
Committees on Finance; and Environment and
Natural Resources


FERDINAND R. MARCOS, JR.
Committees on Finance; Environment and
Natural Resources; and Civil Service and
Government Reorganization

FRANCIS N. PANGILINAN
Committees on Finance; Environment and
Natural Resources; and Civil Service and
Government Reorganization




RALPH G. RECTO
Committee on Finance, and Environment and
Natural Resources



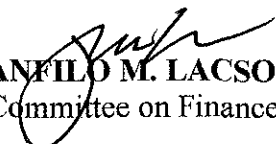
RAMON BONG REVILLA, JR.
Committee on Finance; and Environment and
Natural Resources

MANNY VILLAR
Committees on Finance; and Environment and
Natural Resources

JOKER P. ARROYO
Committees on Finance; and Environment and
Natural Resources




PIAS. CAYETANO
Committees on Finance; Environment and
Natural Resources; and Civil Service and
Government Reorganization

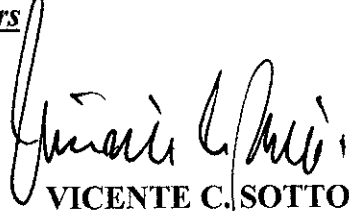


PANFILO M. LACSON
Committee on Finance

Ex-Officio Members



**ALAN PETER "COMPAÑERO" S.
CAYETANO**
Minority Leader



VICENTE C. SOTTO III
Majority Leader



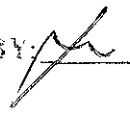
JINGGOY EJERCITO ESTRADA
President Pro-Tempore

HON. JUAN PONCE ENRILE
President
Senate

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

11 AUG 17 P6:30

SENATE

RECEIVED BY: 

S. NO. 2941

(In substitution of Senate Bill No. 317)

Prepared by the Committees on Civil Service and Government Reorganization; Environment and Natural Resources; and Finance, with Senator Trillanes IV as author thereof

AN ACT
REGULATING THE PRACTICE OF GEOLOGY IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED FOUR THOUSAND TWO HUNDRED NINE (R.A. NO. 4209), OTHERWISE KNOWN AS "GEOLOGY PROFESSION ACT, THE PHILIPPINES" AND FOR OTHER PURPOSES

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

ARTICLE I

TITLE, STATEMENT OF POLICY, DEFINITION OF TERMS

AND SCOPE OF PRACTICE

SECTION 1. *Title.* – This Act shall be known as the “*Geology Profession Act of 2011.*”

SEC. 2. *Statement of Policy.* – It is hereby declared the policy of the State to supervise and regulate the practice of geology which is vital to national development; upgrade geology education and the quality of geologists whose standards of professional practice shall be excellent, world-class and globally competitive through regulatory measures, programs and activities.

SEC. 3. *Objectives.* – This Act shall govern, but shall not be limited to, the following:

- (a) the examination, registration, and licensure of geology profession;
- (b) the supervision, control and regulation of the practice of geology;

- 1 (c) the development of the professional competence of geologists through continuing
2 professional education; and
3 (d) the integration of the geology profession.
4

5 **SEC. 4. *Definition of Terms.*** – As used in this Act, the following terms shall
6 mean as follows:

7 (a) “Practice of geology” shall mean the offering or rendering of services of any of
8 the specialized branches of geology for a fee, reward or compensation, paid to
9 him/her or through another person or persons, or even without such reward or
10 compensation;

11 (b) “Board” shall mean the Board of Geology;

12 (c) “Accredited Professional Organization (APO)” shall mean the professional
13 organization duly accredited by the Professional Regulatory Board of Geologists
14 and the Professional Regulation Commission;

15 (d) “Continuing Professional Education (CPE)” shall mean the inculcation,
16 assimilation and acquisition of knowledge, skills, proficiency and ethical and
17 moral values, after the initial registration of a professional that raise and enhance
18 the professional’s technical skills and competence.
19

20 **SEC.5. *Scope of Practice.*** – A person shall be deemed to be practicing geology or
21 rendering geological service in government, industry and the academe when he/she
22 undertakes geological work for a fee, salary or remuneration. The scope of practice of a
23 geologist shall include, but not be limited, to the following:

24 (a) *General geological survey or mapping*, whether onshore or offshore, to identify
25 different types of rocks, geologic structures, metallic and non-metallic mineral
26 deposits and/or energy resources such as petroleum, gas, coal, geothermal systems
27 as well as ground water resources;

- 1 (b) Exploration for metallic and non-metallic mineral resources outside active mining
2 areas and/or mine exploration to locate extensions or mineral deposits inside mine
3 operating areas;
- 4 (c) Geological exploration for energy resources like petroleum, gas and coal, nuclear
5 minerals, and/or geothermal resources;
- 6 (d) Study of geohazards due to faulting, volcanism, ground subsidence, groundwater
7 pollution, weathering and erosion; their characteristics, and impact on housing
8 and infrastructure projects and the environment,;
- 9 (e) Hydrogeological studies which include search for underground water resources,
10 and determining their characteristics, location, depth and volume, including
11 groundwater vulnerability assessment;
- 12 (f) Investigation and study of the physical and geo-mechanical characteristics of
13 rocks and soils;
- 14 (g) Gathering, processing and evaluation of geologic data for environmental
15 assessment and management, including conservation and bio-diversity projects;
16 and
- 17 (h) Data processing, petrology, mineragraphy and laboratory studies that require
18 geological knowledge essential in data interpretation and in the preparation of
19 geological report;
- 20 (i) Preparation of geological reports in accordance with best practices and applicable
21 laws and regulations;
- 22 (j) Teaching of geological courses in any academe program leading to a professional
23 degree, including refresher and review courses; and
- 24 (k) Other geologic work or service which, in the assessment and opinion of the
25 Board, constitutes the practice of Geology.

26 The Board, subject to approval by the Commission, may add to or exclude any act
27 as the need arises after consultation with the APO and the academe.

1 **ARTICLE II**

2 **CREATION OF THE PROFESSIONAL REGULATORY BOARD OF GEOLOGY**

3 **SEC 6. *Composition of the Professional Regulatory Board of Geology.*** – There
4 is hereby created a Professional Regulatory Board of Geology, hereinafter referred to as
5 the Board, under the administrative control and supervision of the Professional
6 Regulation Commission, hereinafter referred to as the Commission, composed of a
7 chairman and two (2) members to be appointed by the President of the Philippines from
8 among those recommended by the Commission from the nominees of the duly Accredited
9 Professional Organization (APO) of Geologists. The new Board shall be constituted not
10 later than six (6) months from the affectivity of this Act.

11
12 **SEC. 7. *Powers and Duties of the Board.*** – The Board shall have the following
13 powers and duties:

- 14 (a) To supervise and regulate the practice of geology profession;
15 (b) To determine and evaluate the qualifications of the applicants for registration;
16 (c) To prescribe the subjects in the licensure examinations, determine the syllabi of
17 the subjects and their relative weights, construct the test questions in the
18 examinations, score and rate the examination papers, and submit the examination
19 results to the Commission;
20 (d) To issue together with the Commission, Certificates of Registration and
21 Professional Identification Cards to applicants who have passed the licensure
22 examinations for professional geologists;
23 (e) To issue special/temporary permits to foreign geologists to practice the
24 profession;
25 (f) To inquire into conditions affecting the practice of the profession and adopt
26 measures for the enhancement and maintenance of high professional, ethical and
27 technical standards. Pursuant thereto, the Board may inspect establishments where
28 geologists practice their profession such as mines, plants, offices and the like in

1 order to determine and enforce compliance with the provisions of this Act and
2 issue Certificates of Compliance for the purpose;

3 (g) In coordination with the Commission on Higher Education (CHED), inspect the
4 facilities, faculty, equipment and other aspects directly related to the geology
5 program of educational institutions;

6 (h) To adopt the Implementing Rules and Regulations (IRR) necessary for carrying
7 out the provisions of this Act;

8 (i) To adopt a Code of Ethics and a Code of Professional and Technical Standards for
9 the practice of geology profession;

10 (j) To investigate, in accordance with the rules on administrative investigation
11 promulgated by the Commission, violations of this Act and its Implementing
12 Rules and Regulations, the Code of Ethics and the Code of Professional and
13 Technical Standards for geologists, administrative policies, orders and issuances
14 promulgated by the Board;

15 (k) To issue *subpoena duces tecum* to secure the attendance of witness or the
16 production of documents in connection with administrative cases before the
17 Board;

18 (l) To hear and decide administrative cases filed against geologists and firms
19 employing the same. The hearing shall be presided by the Chairman or a member
20 of the Board with the assistance of an Attorney of the Commission. The decision
21 of the Boards may be appealed to the Commission and to the Court within fifteen
22 (15) days from notice, otherwise the decision shall become final and executory;

23 (m) To administer oaths in connection with the performance of its functions;

24 (n) To adopt an official seal and prescribe the seal of the geology profession;

25 (o) To submit an annual report on the proceedings and accomplishments during the
26 year and/or recommendations of the Board to the Commission thirty (30) days
27 after the close of each calendar year;

28 (p) To prosecute or institute criminal action against any violator of this Act and/or
29 rules and regulations of the Board;

1 (q) To prescribe guidelines and criteria on the Continuing Professional Education
2 (CPE) program for geology in consultation with the integrated and accredited
3 professional organization of geologists; and

4 (r) To perform regulatory, administrative, and quasi-legislative functions as
5 mandated under R.A. 8981, otherwise known as the PRC Modernization Act, and
6 such other functions as may be necessary in order to implement the provisions of
7 this Act.

8

9 **SEC. 8. *Qualifications of the Chairman and Members of the Board.*** – The
10 chairman and members of the Board, at the time of the appointment shall be:

11 (a) A natural born citizen and resident of the Philippines;

12 (b) A holder of at least a bachelor's degree in geology as conferred by a university or
13 school of good standing, recognized and accredited by the Government;

14 (c) A registered Geologist with a valid certificate of registration and professional
15 identification card and an active practitioner for not less than ten (10) continuous
16 years prior to his/her appointment;

17 (d) A person who does not have any pecuniary interest, directly or indirectly in any
18 university, college, school or institution conferring an academic degree necessary
19 for the admission to the practice of geology, or institutions where review classes
20 in preparation for the licensure examinations for geologists are being officially
21 offered or conducted; nor shall he/she be a member of the faculty or of the
22 administration thereof prior to appointment to the Board, and

23 (e) A member of the Accredited Professional Organization of Geology but not a
24 trustee or officer thereof.

25

26 **SEC. 9. *Terms of Office.*** – The chairman and every member of the Board shall
27 hold office for a term of three (3) years or until their successors shall have been duly
28 appointed. They may be reappointed for another term of three (3) years immediately after

1 the expiry of their term but in no case shall the whole term exceed six (6) years. Interim
2 vacancies shall be filled for the unexpired portion of the term only.

3 The chairman and members shall qualify by taking the proper oaths prior to
4 assumption of office.

5
6 **SEC. 10. Compensation of the Board.** – The chairman and members of the Board
7 shall receive compensation and allowances comparable to that being received by the
8 chairman and members of other professional regulatory boards under the Commission as
9 provided for in the General Appropriations Act.

10

11 **SEC. 11. Custodian of Records, Secretariat and Support** – All records of the
12 Board, including applications for examinations, examination papers and results, minutes
13 of meetings, deliberations of administrative and other investigative cases involving the
14 Board shall be kept by the Commission. The Commission shall designate the Secretary of
15 the Board and shall provide secretariat and other support services to implement the
16 provisions of this Act.

17

18 **SEC. 12. Grounds for Suspension or Removal of Board Members/Chairman.** –
19 The President, upon the recommendation of the Commission after due process and
20 administrative investigation conducted by the Commission, may remove or suspend a
21 chairman or member of the Board on any of the following grounds:

- 22 (a) gross neglect, incompetence or dishonesty in the discharge of their duty;
23 (b) violation of any of the causes/grounds and the prohibited acts provided in this Act
24 and the offenses in the Revised Penal Code, the Anti-Graft and Corruption
25 Practices, and other laws; or
26 (c) manipulation or rigging of the results of the geology licensure examination,
27 disclosure of secret and confidential information on the examination questions
28 prior to the conduct thereof, or tampering of grades.

29

1 **SEC. 13. *Annual Report.*** – The Board shall submit an annual report to the
2 Commission after the close of each fiscal year giving detailed account of Board
3 proceedings during the year and embodying such recommendations as the Board may
4 desire to make.

5

6

ARTICLE III

7

LICENSURE EXAMINATION AND REGISTRATION

8 **SEC. 14. *Passing of Licensure Examination Requirement.*** – Except as
9 otherwise specifically allowed under this Act, applicants for registration for the practice
10 of geology shall be required to pass a licensure examination as provided for in this Act.

11

12 **SEC. 15. *Holding of Examination.*** – Examination of candidates applying for
13 registration as geologist shall be given at least once a year in such places and dates as the
14 commission may designate in accordance with the provisions of Republic Act No. 8981,
15 otherwise known as the PRC Modernization Act.

16

17 **SEC. 16. *Scope of Examination.*** – In the licensure examination for geologist, the
18 scope of examinations, methods and procedures shall be prescribed by the Board. The
19 licensure examination shall cover, but shall not be limited to, the following subjects:

- 20 (a) General Geology;
- 21 (b) Petrology and Mineralogy;
- 22 (c) Applied Geology;

23 The Board, subject to approval by the Commission, may revise or exclude any of
24 the subjects and their syllabi, and add new ones as the need arises to conform to
25 technological changes brought about by continuing trends in the profession: *Provided,*
26 That a detailed syllabi of the above examinations covering the whole aspects of the
27 geology profession and practice shall be prepared by the Board.

1 **SEC. 17. *Qualifications for Examinations.*** – The qualifications required for
2 applicants to the licensure examination for Geology are the following:

3 (a) He/she is a citizen of the Philippines or a foreign citizen whose country has
4 reciprocity agreement with the Philippines;

5 (b) A graduate of a school, institute, college or university recognized by the
6 Government and has been conferred the degree of Bachelor of Science in
7 Geology, Bachelor of Science in Geological Engineering, Master of Science in
8 Geology, or their equivalent degrees;

9 (c) Has good moral character; and

10 (d) Has not been convicted by a court of competent jurisdiction of an offense
11 involving moral turpitude.

12
13 **SEC. 18. *Examination Fees.*** – Any applicant admitted to take the geology
14 licensure examination shall pay such fees as may be prescribed by the Commission
15 before he/she is allowed to take the examination.

16
17 **SEC. 19. *Rating in the Licensure Examination.*** – To pass the licensure
18 examination for geology, a candidate must obtain a general weighted average of no less
19 than seventy per centum (70%) and a rating of no less than fifty per centum (50%) in any
20 examination subject.

21
22 **SEC. 20. *Report of Ratings.*** – The Board shall complete the correction of
23 examination papers within three (3) days from the last day of examinations. The
24 Commission shall report the rating of examinees not more than ten (10) days after the
25 Board has completed the correction of examination papers.

26
27 **SEC. 21. *Issuance of Certificates of Registration and Professional***
28 ***Identification Card.*** – A certificate of registration shall be issued to those who are
29 registered with or without licensure examination subject to payment of fees prescribed by

1 the Commission. It shall bear the signatures of the Chairperson of the Commission and of
2 the chairman and members of the Board, stamped with the official seal of the
3 Commission and of the Board, certifying that the person named therein is entitled to the
4 practice of the profession with all the privileges appurtenant thereto. Until withdrawn,
5 revoked, or suspended in accordance with this Act, it shall remain in full force and effect.

6 A professional identification card bearing the registration number and date, its
7 validity and expiry duly signed by the Chairperson of the Commission shall likewise be
8 issued to every registrant who has paid the prescribed fees. The said card shall be
9 renewed every three (3) years upon mandatory submission of the continuing professional
10 education (CPE) units, as may be required by the Board.

11

12 **SEC. 22. *Issuance of Certificates of Specialization.*** – Upon nomination of the
13 accredited professional organization of geologists, the Board shall issue a Certificate of
14 Specialization to an applicant who is a registered geologist and who has specialized
15 knowledge, training and experience in a specific field of geology and has documented
16 his/her expertise and competence on the same.

17

18 **SEC. 23. *Seal of a Registered Geologist.*** – Every geologist shall, upon
19 registration, obtain a seal as prescribed by the Board. Plans, specifications, reports, and
20 other professional documents prepared by or executed under the supervision of and
21 issued by the registrant shall be stamped on every sheet with the said seal when filed
22 officially or when submitted for professional use.

23

24 **SEC. 24. *Fees for Registration.*** – Every person issued a Certificate of
25 Registration shall pay to the Commission such fees as the Commission may prescribe.

26

27 **SEC. 25. – *Issuance of Temporary/Special Permits.*** – Temporary/special permits
28 shall be issued to the following upon proper application with the Board:

1 (a) foreign geologists, recognized as experts in their specific fields of geology, called
2 in by the Republic of the Philippines for consultation or for specific design,
3 installation or project: *Provided*, That their practice shall be confined to such
4 work only;

5 (b) foreign geologists who have distinguished themselves in their respective fields of
6 specialization, contracted as professors or lecturers on geology subjects by
7 Philippine schools, colleges, institutes or universities on a direct hire or exchange
8 basis, subject to verification of credentials by the Board; or

9 (c) foreign geologists who are duly registered under bilateral or multilateral
10 agreements where the Philippines is a signatory.

11 *Provided*, That all the above shall secure a temporary/special permit from the
12 Board prior to arrival in the country; *Provided*, That the Department of Labor and
13 Employment (DOLE) shall not issue an alien employment permit to a foreigner who will
14 practice a profession in the Philippines unless he/ she shall have been issued by the Board
15 and Commission a temporary/ special permit pursuant to a resolution approved by the
16 foregoing bodies.

17

18 **SEC. 26. *Exemption from Licensure Examination.*** – A graduate of Doctor of
19 Philosophy (Ph.D.) in Geology or an equivalent degree in any of the specialized branch
20 of Geology from a duly recognized university shall be exempted from taking the
21 licensure examination upon evaluation of the Board. He/she shall be required to register
22 in the same manner as those who will pass the licensure examination.

23

24 **SEC. 27. *Refusal to Register.*** – The Board shall not register any successful
25 applicant for registration, with or without licensure examination, who has been;

26 (a) convicted of an offense involving moral turpitude by a court of competent
27 jurisdiction,

28 (b) found guilty of immoral or dishonorable conduct by the Board,

1 (c) adjudged guilty for violation of the General Instruction to Examinees by the
2 Board; and

3 (d) declared 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 therefore and shall file a copy thereof in its records.

6
7 **SEC. 28. *Revocation or Suspension of the Certificate of Registration and***
8 ***Cancellation of Temporary/Special Permit.*** – The Board shall have the power, upon
9 notice of hearing, to revoke or suspend the certificate of registration of a registered
10 Geologist or to cancel a temporary/special permit granted to a foreign geologist, for any
11 of the grounds or causes enumerated in Sec. 27 of this Act, except in letter (c) thereof,
12 and for any of the following grounds:

13 (a) violation of a provision of this Act, its IRR, Code of Ethics, and Code of
14 Professional and Technical Standards for the practice of geology;

15 (b) perpetration or use of fraud in obtaining his/her certificate of registration,
16 professional identification card, or temporary/special permit;

17 (c) gross incompetence, negligence or ignorance resulting to death, injury or damage;

18 (d) any act of misrepresentation in connection with an alleged performance of
19 geological activities;

20 (e) acts inimical to the geology profession;

21 (f) gross immorality;

22 (g) conviction by final judgment of any act involving moral turpitude;

23 (h) aiding or abetting the illegal practice of a non-registered and non-licensed
24 geologist by allowing him/her to use his/her certificate of registration and/or
25 professional identification card, or his/her special temporary permit;

26 (i) illegally practicing the profession during his/her suspension from the practice
27 thereof;

1 (j) clinically declared to be addicted to a drug or alcohol abuse impairing his/her
2 ability to practice his/her profession, or declared with an unsound mind by a court
3 of competent jurisdiction.

4 Any person, firm or association may file charges in accordance with the provision
5 of this Section against any registrant, or the Board may investigate violation of any of the
6 above-mentioned causes. An affidavit-complaint shall be filed together with the affidavits
7 of witnesses and other documentary evidence with the Board thru the Legal and
8 Investigation Office. The Board may *motu proprio* conduct an investigation which shall
9 be embodied in a formal charge to be signed by at least a majority of the members of the
10 Board. The rules on administrative investigation issued by the Commission shall govern
11 the hearing or investigation subject to applicable provisions of this Act, R.A. No. 8981
12 and the Rules of Court.

13

14 **SEC. 29. *Re-issuance of Revoked Certificate of Registration and Replacement***
15 ***of Lost Certificate of Registration and Professional Identification Card.*** – The Board
16 may, after two (2) years from the date of revocation of the Certificate of Registration, re-
17 issue a certificate upon proper application.

18 A new Certificate of Registration and Professional Identification Card, or
19 temporary/special permit, which has been lost, destroyed or mutilated, may be re-issued
20 after payment of the required fee prescribed by the Commission.

21

22

ARTICLE IV

23

PRACTICE OF GEOLOGY

24

25 **SEC. 30. *Prohibition from Practicing Geology.*** – No person shall practice
26 Geology or render geological service without a valid Certificate of Registration and a
27 valid professional identification card or granted a temporary/special permit.

1 **SEC. 31. *Who May Practice Geology.*** – Except as may be otherwise provided in
2 this Act, only persons properly licensed and registered may practice geology in the
3 country. Duly registered professional geologists may form partnerships among
4 themselves and use the title “Geologist” or “Registered Geologist” in their partnership
5 name.

6
7 **SEC. 32. *Vested Rights.*** – All practicing geologists who are registered at the time
8 of the passage of this Act shall automatically be registered and issued certificates of
9 registration subject to existing rules and regulations.

10
11 **SEC. 33. *Foreign Reciprocity.*** – No foreign geologist shall be granted any of the
12 rights and privileges under this Act unless the country of which he/she is a subject or
13 citizen grants the same or similar rights or privileges to Filipino geologists.

14
15 **SEC. 34. *Indication of Certificate of Registration and Professional Tax Receipt.***
16 – A registered geologist shall be required to indicate his/her Certificate of Registration
17 number, the duration of validity, including the professional tax and the APO membership
18 receipt number on the documents he/she signs, uses or issues in connection with the
19 practice of his/her profession.

20
21 **SEC. 35. *Integration of the Geology Profession.*** – The geology profession shall
22 be integrated into one (1) national professional organization of geologists that is duly
23 registered with the Securities and Exchange Commission (SEC). The Board, subject to
24 approval by the Commission, shall accredit the said organization as the one and only
25 integrated and accredited professional organization (APO) of geologists. All geologists
26 whose names appear in the Registry Book of Geologists shall *ipso facto* or automatically
27 become members thereof and shall receive all the benefits and privileges appurtenant
28 thereto upon payment of APO membership fees and dues.

1 Membership in the integrated accredited professional organization shall not be a
2 bar to membership in other geology organizations.

3 4 **ARTICLE V**

5 **PENAL AND GENERAL PROVISIONS**

6 **SEC. 36. *Penal Clause.*** – Any person who shall practice geology in the
7 Philippines, as defined in this Act, without a certificate of registration in accordance with
8 the provisions of this Act, unless declared exempt from registration, or any person
9 presenting or using as his/her own the certificate of registration of another, or any person
10 who shall give any false or forged evidence, or any person who shall impersonate any
11 registrant of like or different name, or any person who shall use a revoked or suspended
12 certificate of registration, or any person who shall assume, use, or advertise any title or
13 description tending to convey the impression that he/she is a geologist without having
14 graduated as such, or is engaged in the geology practice, without holding a valid
15 certificate of registration from the Board shall, upon conviction, be sentenced to a fine of
16 not less than Ten Thousand Pesos (P10,000) but not more than One Million Pesos
17 (P1,000,000) or imprisonment of not less than one (1) month but not more than five (5)
18 years or both at the discretion of the Court.

19
20 **SEC. 37. *Act Not Affecting Other Professions.*** – This Act shall not affect or
21 prevent the practice of any other legally recognized profession.

22
23 **SEC. 38. *Enforcement of the Act by the Officers of the Law.*** – The Board shall
24 be assisted by the Commission in carrying out the provisions of this Act, its
25 implementing rules and regulations and other policies. The lawyers of the Commission
26 shall act as prosecutors against illegal practitioners and other violators of this Act and its
27 rules. The duly constituted authorities of government shall likewise assist the Board and
28 the Commission in enforcing the provisions of this Act and its rules.

1 **SEC. 39. *Implementing Rules and Regulation.*** – Subject to the approval of the
2 Commission, the Board, in consultation with other related agencies, shall adopt and
3 promulgate such implementing rules and regulations, the Code of Ethics, and the Code of
4 Professional and Technical Standards of Geologists to carry out the provisions of this Act
5 which shall be effective within ninety (90) days from the Constitution of the first Board.

6
7 **SEC. 40. *Funding Provisions.*** The Chairperson of the Professional Regulation
8 Commission shall immediately include in its programs the implementation of this Act, the
9 funding of which shall be included in the Annual General Appropriations Act.

10
11 **SEC. 41. *Transitory Provisions.*** –

12 (a) After the approval of this Act, all geologists possessing valid certificates
13 of registration issued under R.A. 4209 shall register with the Board and be issued
14 certificates as Geologists under this Act to replace their original certificates of
15 registration, upon payment of the required fees.

16 (b) Faculty Members currently teaching major geology subjects in
17 universities, colleges, institutes, or schools shall not be allowed to continue teaching after
18 five (5) years from the approval of this Act unless they are or they have become
19 registered geologists with valid certificates of registration and valid professional
20 identification cards.

21 (c) The incumbent chairman and members of the Board shall continue to
22 function as an interim Board until such time as a new Board shall be constituted under
23 this Act.

24
25 **SEC. 42. *Separability Clause.***– If any section or portion of this Act shall be
26 declared unconstitutional or invalid, such shall not invalidate any other section of this
27 Act.

1 **SEC. 43. *Repealing Clause.*** – Republic Act No. 4209 is hereby repealed. All
2 other laws, parts of law, orders, ordinances, or regulations relative to the practice of
3 geology which are inconsistent with the provisions of this Act are hereby repealed or
4 modified accordingly.

5
6 **SEC. 44. *Effectivity Clause.***- This Act shall take effect fifteen (15) days after its
7 publication in the *Official Gazette* or in at least two (2) national newspapers of general
8 circulation.

Approved,