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SENATE

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S. No. 2055

Introduced by Sen. Antonio "Sonny" F. Trillanes IV

Explanatory Note

Republic Act 6239, otherwise known as the Forestry Profession Law, was enacted into law on June 19, 1971, or some 42 years ago. Expectedly, some of its provisions have outgrown their relevance to the forest management policies of the Philippines, the program development thrusts of the government, new knowledge in forestry and the current practices of some of the 8,000 professional Filipino Foresters today.

Forestry is a dynamic profession. Changes in the physical environment and conditions of natural resources as well as global and national policies and laws concerning them, scientific concepts, methodologies and technologies, and even ethical issues affect the practice of the forestry profession. The new competence standards developed for foresters show the specific knowledge and skills foresters should have today.

In the 70's, when the law regulating the forestry profession in the country was enacted, issues on global environment, sustainable forest management, community-based resource management, integrated protected areas systems, climate change and biodiversity conservation were barely heard. Today, these national and global legal and social concepts dictate how resources management in the country will be pursued and implemented side by side with economic considerations.

Thus, today's forestry graduates who intend to practice the art and craft of the forestry profession must show proof of their capability and preparedness by way of meeting the requirement provided for in an updated law that would allow only the deserving ones to practice the profession.

Among the critical revisions of RA 6239 contained in this proposed Act are the following:

1. Revisiting the scope of activities and services defining the practice of forestry;
2. Deletion of the provision requiring area specialists in every area coverage of the Foresters' Licensure Examination;
3. Removal of the provision allowing registration of forestry professionals without examination, except in case of foreign reciprocity;
4. Reorientation of the specific areas of topics to be covered in the Foresters' Licensure Examination;
5. Requiring that only Bachelor of Science in Forestry (BSF) graduates and not mere equivalent degrees shall be qualified to take the Foresters' Licensure Examination;
6. Involving the active participation of the accredited professional organization concerned and CHED, among others, in the matter of education and practice of the forestry profession;

7. Clearly stating the grounds for suspension or revocation of professional license and/or certificate of registration;
8. Specifying conditions before allowing foreign professional foresters to practice forestry in the Philippines; and
9. Aligning provisions of this Act with RA 8981 otherwise known as the PRC Modernization Act of 2000.

The approval of the proposed revision is urgent and highly desirable in order to enable the professional Filipino Foresters to effectively address the various demands of their clientele and accordingly react to social and political issues and critical environmental concerns besetting the country today. The Filipino Foresters' role in sustainable development will be enhanced and the mechanism for the growth of the profession will be institutionalized in this proposed Act.

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



ANTONIO "SONNY" F. TRILLANES IV

Senator

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SENATE

S. No. 2055

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Introduced by Sen. Antonio "Sonny" F. Trillanes IV

**AN ACT
REGULATING THE PRACTICE OF FORESTRY IN THE PHILIPPINES, REPEALING
FOR THE PURPOSE REPUBLIC ACT NUMBERED SIXTY-TWO HUNDRED
THIRTY-NINE, KNOWN AS "THE FORESTRY PROFESSION LAW",
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

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

ARTICLE I

TITLE, POLICY, OBJECTIVES, TERMS AND SCOPE OF PRACTICE

SECTION 1. Title.- This Act shall be known as the "*Forestry Profession Act of 2013*".

SEC. 2. Statement of Policy.- The State recognizes the important role of professional foresters in nation-building. Towards this end, the State shall promote the sustained development of professional foresters, whose technical competencies have been determined by honest and credible licensure examinations and whose professional service and standards of practice are internationally recognized and considered world-class, brought about by the strategic complementation of regulatory measures and human resource policies and programs that foster their professional growth and advancement.

SEC. 3. Objectives.- This Act provides for and shall govern:

- (a) The examination, registration and licensure of professional foresters;
- (b) The supervision, control and regulation of the practice of forestry in the Philippines;
- (c) The development and upgrading of the forestry curriculum;

- 1 (d) The development of the professional competence of foresters through mandatory Continuing
2 Professional Education (CPE); and
3 (e) The integration of the forestry profession.
4

5 **SEC. 4. Definition of Terms.-** For purposes of this Act, the following terms shall mean:

- 6 (a) APO refers to the Accredited Professional Organization (APO) of foresters that the Board has
7 accredited, subject to the approval by the Commission, as the one and only accredited integrated
8 national organization of foresters.
9 (b) Board refers to the Professional Regulatory Board for Foresters created under this Act.
10 (c) Commission refers to the Professional Regulation Commission created under Republic Act
11 No. 8981, known as the "*PRC Modernization Act of 2000*".
12 (d) Forestry refers to the art, science, practice and business of sustainable management of forest
13 and forestland resources for the production of goods and services and the enhancement of
14 benefits and values of such resources to provide the needs of the present and future generations.
15 (e) Professional forester refers to a registered and licensed natural person who holds a valid
16 certificate of registration and a valid professional identification card, issued by the Board and the
17 Commission pursuant to this Act.
18

19 **SEC. 5. Scope of Practice of Forestry.-** The practice of forestry shall include, but not be
20 limited to, the following acts or activities:

- 21 (a) Different aspects of actual and/or supervisory activities or services, such as the parametric
22 classifications of lands of the public domain and subclassification and capability determination
23 of forestlands; inventory of forest or timber and other forest products; reconnaissance and survey
24 of road locations and quarry sites; planning and implementing of harvesting operations and
25 timber improvement; scaling and grading of, and manifesting taxes on logs and derivative wood
26 products as well as other forest products; preparation of designs, plans and specifications of
27 forest products processing plants; treatment of wood and other forest products; inspection and
28 investigation of harvesting and processing plants; preparation, certification and/or authentication
29 of log and lumber dealers, sawmill operators and other mill reports; planning and implementation

1 of forest nursery, afforestation, reforestation, industrial and community-based tree plantation,
2 tree farm and agro-forestry farm projects; planning and implementation of forest parks,
3 wilderness areas, coastal areas and other protected area systems development; planning and
4 implementation of forest protection systems, forest and soil resources conservation measures;
5 and conduct of environmental risk scoping and environmental impact assessment;

6 (b) The preparation and conduct of feasibility studies pertaining to natural forest and plantation
7 forest management, watershed management, range or grazing land management, wildlife and/or
8 biodiversity systems management, wood technology and timber engineering, wood products
9 manufacturing and marketing management, and technical or management consultancy;

10 (c) The conduct of forest experiments, research and development, training and extension
11 concerning forestry, and the teaching of forestry subjects in any accredited college or school of
12 forestry;

13 (d) Management and operation of government agency and institutional activities or services
14 wherein the principal policy and strategy is forestry and the employment of professional forestry
15 practice is essential, such as the undertaking, supervision or administration of studies, programs,
16 stations, centers, community/ provincial/regional offices and such other activities or services
17 that, by law, shall be inherently exercised by professional foresters; and

18 (e) The conduct of forestry activities and services required by local government units, private
19 corporations, foundations, nongovernment organizations and foreign-assisted projects.

20 The Board, subject to approval by the Commission, may revise, exclude from and/or add to the
21 above enumerated acts or activities as the need arises to conform to the latest trends and
22 developments in the practice of forestry.

23

24

ARTICLE II

25

THE PROFESSIONAL REGULATORY BOARD FOR FORESTERS

26

27

SEC. 6. Creation and Composition of the Professional Regulatory Board for

28

Foresters.- There is hereby created a Professional Regulatory Board for Foresters, hereinafter

29

referred to as the Board, a collegial body under the administrative supervision and control of the

30

Professional Regulation Commission, hereinafter referred to as the Commission, to be composed

1 of the chairperson and two (2) members appointed by the President of the Philippines from a list
2 of three (3) recommendees for each position chosen and submitted by the Commission from a
3 list of five (5) nominees for every position endorsed by the APO.

4
5 **SEC. 7. *Qualifications of the Chairperson and Members of the Board.***- The chairperson
6 and each member shall, at the time of appointment, possess all the following qualifications and
7 requirements:

8 (a) A citizen and a resident of the Philippines;

9 (b) Of good moral character;

10 (c) Not convicted by a court of competent jurisdiction of an offense involving moral turpitude;

11 (d) A holder of a bachelor's degree in forestry, preferably with a masteral or doctorate degree in
12 forestry conferred by a duly licensed school, college or university recognized by the government
13 through the Commission on Higher Education (CHED);

14 (e) A registered forester with a valid certificate of registration and a valid professional
15 identification card, and with at least ten (10) years of practice prior to appointment;

16 (f) A member in good standing of the APO;

17 (g) Not a member of the faculty of any school, college or university where a regular or review
18 course in forestry is offered, not a member of a staff of reviewers in a review school or center,
19 and does not have any direct or indirect pecuniary interest in any such institution; and

20 (h) Not an officer or trustee of the APO.

21
22 **SEC. 8. *Term of Office.***- The chairperson and members of the Board shall hold office for
23 a term of three (3) years from the date of appointment or until their successors shall have been
24 qualified and appointed. They may be reappointed to the same office for another term of three
25 (3) years immediately after the expiry of their term: *Provided*, That the holding of such position
26 shall not be more than two (2) terms or not more than six (6) years: *Provided, further*, That the
27 first Board appointed under this Act shall hold these terms of office: the Chairperson for three (3)
28 years, the first member for two (2) years and the second member for one (1) year: *Provided*,
29 *finally*, That any appointee to a vacancy with the unexpired period shall only serve such period.

1 The chairperson and the members shall duly take their oaths of office before discharging the
2 duties of their respective positions.

3

4 **SEC. 9. Compensation, Allowances and Other Benefits.-** The chairperson and members
5 of the Board shall receive compensation, allowances and other benefits comparable to those that
6 the chairpersons and members of other professional regulatory boards under the Commission
7 enjoy as provided for in the General Appropriations Act.

8

9 **SEC. 10. Powers, Functions, Duties and Responsibilities of the Board.-** The Board shall
10 exercise executive and administrative rule-making and quasi-judicial powers in carrying out the
11 provisions of this Act. It shall be vested with the following specific powers, functions, duties and
12 responsibilities:

- 13 (a) To regulate the practice of forestry in accordance with the provisions of this Act;
- 14 (b) To issue and promulgate rules and regulations implementing the provisions of this Act;
- 15 (c) To adopt and promulgate the Code of Ethics, the Code of Good Governance and the Code of
16 Technical Standards for the Practice of Forestry;
- 17 (d) To adopt an official seal of the Board;
- 18 (e) To prescribe and promulgate guidelines on the mandatory CPE for foresters in consultation
19 with the APO;
- 20 (f) To prescribe and promulgate the syllabi for the subjects in the licensure examination in
21 consultation with the academe and the CHED;
- 22 (g) To issue and/or cancel temporary or special permits granted to foreign foresters;
- 23 (h) To adopt a program for the walk-in licensure examination, if necessary;
- 24 (i) To evaluate and approve applications for licensure examination;
- 25 (j) To prepare questions for the different subjects in the licensure examinations, give and correct
26 the examinations, and release their results;
- 27 (k) To register qualified persons for the practice of forestry and issue thereto certificates of
28 registration and professional identification cards;
- 29 (l) To administer oaths in the performance of its functions;

- 1 (m) To monitor the conditions affecting the practice of forestry through ocular inspections of
2 establishments wherein foresters are practicing, and adopt such measures as may be deemed
3 proper for the enhancement and maintenance of high professional, moral, ethical and technical
4 standards;
- 5 (n) To enter, together with the Commission, into a memorandum of agreement with the CHED in
6 ensuring that all higher educational instructions and offerings of degree, course or program
7 comply with the policies, standards and requirements of the course prescribed by the CHED in
8 the areas of curriculum, faculty, library and facilities;
- 9 (o) To hear and investigate cases on violations of this Act, its implementing rules and
10 regulations, the Code of Ethics, the Code of Good Governance, the Code of Technical Standards
11 for the Practice of Forestry and other policies; and for this purpose, to issue summons, subpoena
12 and subpoena duces tecum to alleged violators and witnesses to compel their attendance in such
13 hearings or investigations;
- 14 (p) To delegate the hearing or investigation of cases against the alleged violators: *Provided*, That
15 hearing or investigation of cases wherein the issue or question involved strictly concerns the
16 technical practice of forestry shall be presided over by at least one (1) member of the Board
17 assisted by a legal or hearing officer of the Commission;
- 18 (q) To endorse cases involving criminal violations of this Act and other laws, their rules and
19 regulations, and other policies to the Prosecution Office for investigation;
- 20 (r) To decide administrative cases against examinees or registered foresters: *Provided*, That if
21 they are judged guilty, to cancel their examination papers or prohibit them from taking another
22 licensure examination, or to revoke or suspend their certificates of registration: *Provided*,
23 *further*, That the effectivity of the penalty shall only commence from the date of surrender of the
24 certificates together with the professional identification cards: *Provided, finally*, That the
25 decision of the Board shall, unless appealed to the Commission, become final and executory after
26 fifteen (15) days from receipt of notice of judgment or decision;
- 27 (s) To reissue or reinstate revoked or suspended certificates of registration and unexpired
28 professional identification cards to the holders thereof: *Provided*, That the revoked certificates of
29 registration shall only be reissued after the lapse of the period provided in this Act: *Provided*,

1 *further*, That the Board shall issue a resolution thereon, subject to approval by the Commission,
2 after establishing fitness to practice anew the forestry profession. *Provided, finally*, That the
3 suspended certificate of registration shall only be reissued upon the expiration of, the period
4 imposed in the decision of the Board;

5 (t) To conduct, through the legal or hearing officers, summary proceedings on minor violations
6 of this Act, its implementing rules and regulations (IRR), any of the codes aforementioned, the
7 General Instructions to Examinee, and to render summary judgment thereon which shall, unless
8 appealed to the Commission, become final and executory after fifteen (15) days from receipt of
9 notice of judgment or decision;

10 (u) To prepare an annual report of accomplishments, programs, projects and activities of the
11 Board during the year for submission to the Commission after the close of each calendar year
12 and to make appropriate recommendations to the Commission on issues or problems affecting
13 the forestry profession; and

14 (v) To discharge other implied, incidental, necessary powers, duties, functions and
15 responsibilities to effectively carry out the provisions of this Act and its policies or measures and
16 the achievement of its objectives.

17 The rules and regulations, codes and other policies embodied in a resolution issued and
18 promulgated by the Board shall be subject to review and approval by the Commission. However,
19 the Board's decision, resolution or order rendered in an administrative case which is not
20 interlocutory shall be subject to review only if on appeal to the Commission or the regular courts.

21

22 **SEC. 11. *Grounds for Removal or Suspension of the Board Chairperson/Member.***- The
23 President of the Philippines, upon the recommendation of the Commission, after giving the
24 chairperson or the member of the Board an opportunity to defend oneself in an administrative
25 investigation conducted by the Commission, may remove or suspend the official on any of the
26 following grounds:

27 (a) Gross neglect, incompetence or dishonesty in the discharge of one's duty;

28 (b) Violation of any of the causes, grounds and the prohibited acts provided in this Act and the
29 offenses in the Revised Penal Code, the Anti-Graft and Corrupt Practices Act and other laws; and

1 (c) Manipulation or rigging of the licensure examination results for foresters, disclosure of secret
2 and confidential information on the examination questions prior to the conduct thereof, or
3 tampering of grades.

4 The Commission, in the conduct of the investigation, shall be guided by Section 7(s) of
5 Republic Act No. 8981, otherwise known as the "*PRC Modernization Act of 2000*", the rules on
6 administrative investigation and the applicable provisions of the Rules of Court.

7

8 **SEC. 12. *Supervision of the Board; Custodian of its Records and Provision of Support***

9 *Services.*- The Board shall be under the administrative supervision of the Commission. The
10 Commission shall keep all records of the Board including applications for examination,
11 examination papers and results, minutes of deliberation and administrative cases. The
12 Commission shall designate the Secretary of the Board who shall provide support services to the
13 Board in order to implement the provisions of this Act.

14

15

15 **ARTICLE III**

16

16 **EXAMINATION, REGISTRATION, CERTIFICATION AND LICENSURE**

17

18 **SEC. 13. *Licensure Examination Requirement.***- Except as otherwise specifically
19 allowed under this Act, applicants for registration for the practice of forestry shall be required to
20 pass a licensure examination as provided for in this Act in such places and dates as the
21 Commission may designate in the resolution thereof on the master schedules for all licensure
22 examinations in accordance with Section 7(d) of Republic Act No. 8981.

23

24 **SEC. 14. *Qualifications of an Applicant.***- An applicant for the licensure examination for
25 foresters shall satisfactorily prove that he possesses the following qualifications:

26 (a) A citizen of the Philippines or a foreign citizen whose country or State has reciprocity
27 agreement with the Philippines in the practice of forestry;

28 (b) Of good moral character;

- 1 (c) A holder of a bachelor's degree in forestry duly recognized or accredited by the CHED and
2 conferred by a school, college or University duly authorized by the government or a graduate of
3 Bachelor of Science in Forest Products Engineering, or Bachelor of Science in Agroforestry; and
4 (d) Not convicted of an offense involving moral turpitude by a court of competent jurisdiction.
5

6 **SEC. 15. *Subjects for Licensure Examination.***- The licensure examination for foresters
7 shall include, but not be limited to, the following:

- 8 (a) Forest Ecosystem;
9 (b) Forest Policy and Governance;
10 (c) Forest Engineering and Utilization; and
11 (d) Forest Resource Management.

12 The Board, subject to approval by the Commission, may revise or exclude any of the
13 subjects in their syllabi and add new ones as the need arises to conform to technological changes
14 and advances brought about by the latest trends in the profession.
15

16 **SEC. 16. *Rating in the Licensure Examination.***- To pass the foresters licensure
17 examination, a candidate must obtain a general or weighted average rating of seventy-five
18 percent (75 %).
19

20 **SEC. 17. *Report of Rating.***- The Board shall submit to the Commission the ratings
21 obtained by the candidate not later than ten (10) days after the last day of the examination, unless
22 it is extended for a valid cause.
23

24 **SEC. 18. *Oath.***- All successful candidates in the licensure examination and in the
25 registration without examination shall take their oath of profession before the chairperson or any
26 member of the Board, or any authorized officer of the Commission, or any person authorized by
27 law to administer oaths prior to entering upon the practice of forestry.

1 **SEC. 19. Issuance of Certificate of Registration and Professional Identification Card.-**

2 A certificate of registration shall be issued to those who are registered with or without licensure
3 examination subject to payment of fees prescribed by the Commission and the chairperson and
4 members of the Board, stamped with the official seal of the Commission and of the Board
5 certifying that the person named therein is entitled to the practice of the profession with all the
6 privileges appurtenant thereto. Until withdrawn, revoked or suspended in accordance with this
7 Act, it shall remain in full force and effect.

8 A professional identification card bearing the registration number and date, its validity
9 and expiry duly signed by the Chairperson of the Commission, shall likewise be issued to every
10 registrant who has paid the prescribed fee. It shall be reissued after every three (3) years upon
11 payment of the prescribed fees therefor.

12
13 **SEC. 20. Refusal to Register.-** The Board shall not register any successful examinee in
14 the foresters licensure examination who has been:

- 15 (a) Convicted of an offense involving moral turpitude by a court of competent jurisdiction;
16 (b) Found guilty of immoral or dishonorable conduct by the Board;
17 (c) Adjudged guilty for violation of the General Instructions to Examinees by the Board; and
18 (d) Declared of unsound mind by a court of competent jurisdiction.

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

21
22 **SEC. 21. Revocation or Suspension of the Certificate of Registration and Cancellation**
23 **of Temporary/Special Permit.-** The Board shall have the power, upon notice and hearing, to
24 revoke or suspend the certificate of registration of a registered forester or to cancel a
25 temporary/special permit granted to a foreign forester for violation of any of the grounds or
26 causes provided under Section 20 of this Act, except (c) thereof and any of the following
27 grounds:

- 1 (a) Violation of any provision of this Act, its IRR, Code of Ethics, Code of Good Governance,
2 Code of Technical Standards for the Practice of Forestry, policy and measure issued by the
3 Board or the Commission;
- 4 (b) Perpetration or use of fraud in obtaining one's certificate of registration and/or professional
5 identification card or temporary/special permit;
- 6 (c) Gross incompetence, negligence or ignorance resulting to death, injury or damage;
- 7 (d) Refusal to join or to remain a member in good standing of the APO;
- 8 (e) Neglect or failure to pay the annual registration fees for five (5) consecutive years;
- 9 (f) Aiding or abetting the illegal practice of a nonregistered and licensed person by allowing
10 another to use one's certificate of registration and/or professional identification card or
11 temporary/special permit;
- 12 (g) Illegally practicing the profession during one's suspension;
- 13 (h) Addiction to drug or alcohol impairing one's ability to practice the profession or declaration
14 of unsound mind by a court of competent jurisdiction; or
- 15 (i) Failure to comply with the CPE requirement, unless one is exempted therefrom for the
16 renewal of the professional identification card.

17 Any person, firm or association may file charge/s in accordance with the provision of this
18 section against any registrant, or the Board may, on its own, investigate violation of any of the
19 abovementioned causes. Affidavit-complaint shall be filed together with the affidavits of
20 witnesses and other documentary evidence with the Board through the Legal and Investigation
21 Office. The motu proprio move to conduct an investigation shall be embodied in a formal charge
22 to be signed by at least majority of the members of the Board. The rules on administrative
23 investigation issued by the Commission shall govern the hearing or investigation subject to
24 applicable provisions of this Act, Republic Act No. 8981 and the Rules of Court.

25

26 **SEC. 22. Reissuance of Revoked Certificate of Registration, Replacement of Lost or**
27 **Damaged Certificate of Registration, Professional Identification Card or Temporary/Special**
28 **Permit.-** The Board may, upon petition, reinstate or reissue a revoked certificate of registration
29 after two (2) years from the effectivity of the period for revocation, which is the date of surrender

1 of the said certificate and professional identification card if still valid to the Board and the
2 Commission. The Board may not require the holder thereof to take another licensure
3 examination. The petitioner shall prove to the Board that there are valid reasons to practice the
4 profession. For the grant of the petition, the Board shall issue a Board resolution subject to
5 approval by the Commission.

6 In the case of a lost or damaged certificate of registration, professional identification card
7 or temporary/special permit, the same may be issued upon application of the valid license holder
8 in accordance with prescribed procedure and subject to the payment of the prescribed fees.

9
10 **SEC. 23. *Nonpayment of the Annual Registration Fees.***- The Board shall suspend a
11 registered forester from the practice of the profession for nonpayment of the annual registration
12 fees for five (5) consecutive years from its last or previous year of payment. The resumption of
13 one's practice shall take place only upon payment of the delinquent fees plus surcharges and
14 interest and in accordance with the rules of the Commission. The running of the five (5)-year
15 period may be interrupted upon written notice about the discontinuance of one's practice and
16 surrender of the certificate of registration to the Board and the Commission.

17
18 **SEC. 24. *Vested Rights: Automatic Registration.***- All foresters registered at the
19 effectivity of this Act shall automatically be registered hereunder, subject to the provisions
20 herein set forth as to future requirements.

21 Certificates of registration and professional identification cards or temporary/special
22 permits held by such persons in good standing at such effectivity shall have the same force and
23 effect as though these were issued on or after the effectivity of this Act.

24
25 **ARTICLE IV**
26 **PRACTICE OF FORESTRY**
27

28 **SEC. 25. *Lawful Practitioners of Forestry.***- The following natural persons and juridical
29 persons shall be authorized to practice the forestry profession:

30 (a) Natural persons:

1 (1) Duly registered as foresters and holders of valid certificates of registration and valid
2 professional identification cards issued by the Board and the Commission pursuant to this Act;
3 and

4 (2) Holders of valid temporary/special permits issued by the Board and the Commission
5 to foreign licensed foresters pursuant to this Act.

6 (b) Juridical persons:

7 (1) Single proprietorship whose owner and staff are registered foresters;

8 (2) Partnership duly registered with the Securities and Exchange Commission (SEC) as
9 professional partnership pursuant to the New Civil Code and composed of partners who are all
10 duly registered foresters;

11 (3) Corporation duly registered with the SEC as engaged in the practice of forestry with
12 officers and board of directors who are all registered foresters; and

13 (4) Association duly registered with the SEC as nonprofit and nonstock corporation
14 whose officers, board of trustees and members are all registered foresters.

15 These juridical persons shall also be registered with the Board and the Commission in
16 accordance with duly issued rules and regulations.

17

18 **SEC. 26. Issuance and Use of Seal.**- All registered foresters shall obtain a seal of such
19 design and make as the Board shall authorize and direct: *Provided*, That the serial number of the
20 certificate of registration issued by the Board shall be included in the seal. Documents prepared
21 by or under direct supervision of registered or professional foresters shall be stamped with one's
22 seal, such as reports, certifications, contracts, studies, plans, surveys, returns, technical
23 descriptions, inventory data, maps, drawings, sketches, layouts, exhibits, proposal or offer of
24 services, tests and analysis, and other documents that may henceforth be the subject of such acts
25 upon the recommendation of the APO concerned and by the resolution by the Board. It shall be
26 unlawful for any person to stamp any document with the said seal after the certificate of
27 registration is revoked.

1 **SEC. 27. *Foreign Reciprocity.***- No foreigner shall be allowed to take the licensure
2 examination for foresters, register, receive one's certificate of registration and professional
3 identification card, and practice forestry in the Philippines unless the requirements for the
4 licensure examination and the registration and practice of forestry imposed under the laws and
5 regulations in one's foreign country or State are substantially the same as those required and
6 contemplated by Philippine laws and regulations, and unless the said foreign laws and
7 regulations allow Philippine citizens to practice forestry within the territory of the said foreign
8 country or State on the same basis and grant the same privileges as those enjoyed by the citizens,
9 subjects or nationals thereof.

10

11 **SEC. 28. *Practice Through Temporary/Special Permit.***- Subject to approval by the
12 Commission and the payment of fees it has prescribed, the Board may issue temporary/special
13 permits to the following:

14 (a) Registered or certified foresters from foreign countries or States whose services are either for
15 a fee or free:

16 (1) If they are internationally known foresters or experts in any branch or specialty of
17 forestry; and

18 (2) If their services are urgently and importantly necessary for lack or inadequacy of
19 available local specialists or experts for the promotion or advancement of the practice of forestry
20 through transfer of technology; and

21 (b) Licensed foresters from foreign countries or States employed as exchange professors in a
22 branch or specialty of forestry in schools, colleges or universities offering the course of forestry.

23 The permit shall, among other things, contain these limitations and conditions for a
24 period of not more than one (1) year subject to renewal, the branch or specialty of forestry and
25 the specific place of practice such as center, school, college or university offering the course of
26 forestry. The Board shall promulgate, subject to approval by the Commission, rules and
27 regulations on the implementation of this particular section.

1 **SEC. 29. Indication of Certificate of Registration and Professional Tax Receipt**
2 **Numbers and APO Membership Details.**- The forester shall be required to indicate the
3 certificate of registration number and the date of issuance, the expiry of the current professional
4 identification card, the professional tax receipt number and date, and the APO membership
5 number and date with official receipt number and date of membership payment (annual/lifetime)
6 on the documents one signs, uses or issues in connection with the practice of the forestry
7 profession.

8
9 **SEC. 30. Roster of Foresters.**- The Board shall prepare and maintain a roster of the
10 names, residence or office address of all registered foresters which shall be updated annually in
11 cooperation with the APO, indicating therein the status of the certificate of registration,
12 professional identification card and the APO membership, whether valid, inactive due to death or
13 other reasons, delinquent, suspended or revoked. The said roster shall be conspicuously posted
14 within the premises of the Commission and the information therefrom made available to the
15 public upon inquiry or request.

16
17 **SEC. 31. Integration of the Foresters.**- The foresters shall be integrated into one (1)
18 national organization of foresters that is duly registered with the SEC. The Board for Foresters
19 shall accredit, subject to approval by the Commission, the said organization as the one and only
20 integrated and accredited national organization of foresters. All foresters whose names appear in
21 the Registry Book of Foresters shall ipso facto or automatically become members thereof and
22 shall receive therefrom all the benefits and privileges upon payment of APO membership fees
23 and dues. A membership in an affiliate organization of foresters shall not be barred.

24
25 **SEC. 32. Act Not Affecting Other Professions.**- This Act shall not affect or prevent the
26 practice of any other legally recognized profession.

27
28 **SEC. 33. Posting of Certificate of Registration and Professional Identification Card or**
29 **Temporary/Special Permit.**- The certificates of registration and professional identification cards

1 of foresters or temporary/special permit in original or authentic/authenticated copies shall be
2 posted by registered foresters in a conspicuous place in one's office.

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4 **SEC. 34. *Positions in Public or Private Offices Involving the Practice of the Forestry***
5 ***Profession.***- Positions in public or private entities including educational institutions involving
6 the practice of the forestry profession shall be occupied by persons who are duly registered
7 foresters with valid certificates of registration and valid professional identification cards, or valid
8 temporary/special permits that are issued under this Act.

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ARTICLE V
PENAL AND GENERAL PROVISIONS

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SEC. 35. *Penal Clause.*- Any person who shall commit any of the following acts shall be
meted out with a perpetual disqualification to practice the profession:

- (a) Practicing forestry without a valid certificate of registration and a valid professional
identification card or a valid temporary/special permit;
- (b) Attempting to use the seal, certificate of registration and professional identification card of a
registered forester or temporary/special permit issued to a foreign forester;
- (c) Abetting the illegal practice of forestry by an unregistered or unauthorized person;
- (d) Securing through false information or fraudulent means certificate of registration and/or
professional identification card or temporary/special permit;
- (e) Impersonating a registered forester or a holder of a temporary/special permit; and
- (f) Violating any provision of this Act or the implementing rules and regulations thereof.

SEC. 36. *Enforcement.*- In carrying out the provisions of this Act, the Board shall be
assisted by the Commission, the APO, duly constituted government agencies and authorities, and
private organizations in the industry. A memorandum of agreement between agencies or
organizations for this purpose may be executed.

1 **SEC. 37. Appropriations.-** The Chairperson of the PRC shall immediately include in the
2 Commission's plans and programs the implementation of this Act, the funding of which shall be
3 included in the annual General Appropriations Act.

4
5 **SEC. 38. Transitory Provision.-** The incumbent Board shall continue, in an interim
6 capacity, to operate or function by carrying out the provisions of this Act without new
7 appointments of the Chairperson and the members thereof until the first Board created under this
8 Act shall have been constituted or organized pursuant thereto.

9
10 **SEC. 39. Implementing Rules and Regulations.-** The Board for Foresters, subject to
11 approval by the Commission, shall prescribe, promulgate and issue a Board resolution on the
12 implementing rules and regulations of this Act after consultation with the APO, other agencies
13 and concerned private organizations in the industry within ninety (90) days from the effectivity
14 of this Act.

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16 **SEC. 40. Separability Clause.-** If any provision, section or part of this Act shall be
17 declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any
18 other provisions, sections or parts hereof but shall be merely confined to the provision, section or
19 part thereof that is directly involved in the issue upon which judgment has been rendered.

20
21 **SEC. 41. Repealing Clause.-** Republic Act No. 6239 is hereby repealed. All laws,
22 decrees, orders, letters of instruction, rules and regulations or other issuances and parts thereof
23 inconsistent with the provisions of this Act are likewise repealed or modified accordingly.

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25 **SEC. 42. Effectivity Clause.-** This Act shall take effect fifteen (15) days after its
26 publication in two (2) newspaper of general circulation in the country or in the Official Gazette.

Approved,