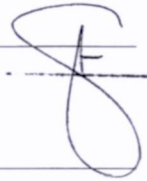


**SENATE**

'19 NOV 26 P5:18

**S. No. 1198**

RECEIVED ON: 

Introduced by Senator Manuel "Lito" M. Lapid

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

**EXPLANATORY NOTE**

The Republic Act No. 8435 or the Agriculture and Fisheries Modernization Act of 1997 (AFMA) provides the policies and plans to the continuing modernization and development of the agriculture and fishery sector amid the ever-changing demands of globalization and food security. Section 75 of the Implementing Rules and Regulations of the same Act issued Resolution No. 2000-663, which created a Board of Agriculture under its supervision and control to oversee the licensing and regulation of the practice of agriculture profession. Despite the same and the fact that the Philippines remains to be an agricultural country and the economic gains from the agricultural sector, there is still no law creating permanently a Board of Agriculture to give significance to the agriculture profession and to address the pressing issues and concerns regarding the same.

Thus, this bill seeks to ensure the proper and efficient regulation of the practice of agriculture profession by evaluating their qualifications, taking into consideration the conditions affecting the agriculture, among others, in order to secure the continuing professional development of agriculture.

In view of the foregoing, early passage of this bill is earnestly requested.



**MANUEL "LITO" M. LAPID**  
Senator

SENATE

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

ARTICLE I

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

Section 1. *Short Title*- This Act shall be known as the "Professional Agriculturists Act of 2019."

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

Section 3. *Objectives* - The Act provides for and shall govern:

- (a) The examination, registration and licensure of Licensed Agriculturists;
- (b) The supervision, control, and regulation of the practice of the Agriculture profession in the Philippines;
- (c) The development and upgrading of the Agriculture curriculum;
- (d) The development of the professional competence of Licensed Agriculturists through Continuing Professional Development (CPD); and



1 (e) The integration of the Agriculture profession.

2 Section 4. *Definition of Terms* - For purposes of this Act, the following  
3 terms shall be defined as:

4 (a) *Accredited Integrated Professional Organization (AIPO)* refers to the one  
5 and only national organization of Licensed Agriculturists that is  
6 accredited by the Professional Regulation Commission and Professional  
7 Regulatory Board for Agriculturists;

8 (b) *Agriculture* refers to the art, science, ethics, management and  
9 entrepreneurship in the production, processing, distribution of  
10 agricultural products, services, and the mitigation of climate change in  
11 agriculture;

12 (c) *Board* refers to the Professional Regulatory Board of Agriculture;

13 (d) *Commission* refers to the Professional Regulation Commission;

14 (e) *Practice of the Agriculture Profession* refers to all activities, acts, services  
15 or pursuits performed by Licensed Agriculturists as herein prescribed or  
16 specified; and

17 (f) *Licensed Agriculturist* refers to a person who has been issued with a  
18 Certificate of Registration (COR) and Professional Identification Card  
19 (PIC) to practice the Agriculture profession.  
20

## 21 ARTICLE II

### 22 PROFESSIONAL REGULATORY BOARD OF AGRICULTURE

23 Section 5. *Creation and Composition of the Professional Regulatory*  
24 *Board of Agriculture* - There is hereby created a Professional Regulatory Board  
25 of Agriculture, hereinafter referred to as the Board, under the administrative  
26 supervision and control of the Professional Regulation Commission, hereinafter  
27 referred to as the Commission. The Board shall be composed of a chairperson  
28 and five (5) members. Each member shall represent one of the six (6) fields of  
29 specialization listed in Section 15, Article III hereof. The chairperson and  
30 members of the Board shall be appointed by the President of the Philippines  
31 from the two (2) recommendees for each position submitted by the Commission  
32 from a list of three (3) nominees for each position submitted by the Accredited  
33 Integrated Professional Organization (AIPO) for Licensed Agriculturists. Other  
34 professional agricultural organizations duly registered with the Securities and  
35 Exchange Commission (SEC) may submit nominees, through the AIPO.

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

38 Section 6. *Qualifications of the Chairperson and Members of the Board* -  
39 The chairperson and members of the Board must, at the time of their

- 1 appointment:
- 2 (a) Be a Filipino citizen and resident of the Philippines;
- 3 (b) Be of good moral character and must not have been convicted of any crime  
4 involving moral turpitude;
- 5 (c) Be a member in good standing of the AIPO for Licensed Agriculturists;
- 6 (d) Be a holder of a degree in Bachelor of Science in Agriculture or any other  
7 agriculture-related course, preferably with an MA/MS and/or PhD in any  
8 agriculture discipline obtained from a school, college or university  
9 recognized by the government provided further that each member of the  
10 board shall serve in the recognized expertise in one of the six (6) fields of  
11 specialization;
- 12 (e) Be a Licensed Agriculturist, with a valid Certificate of Registration (COR) and  
13 Professional Identification Card (PIC), and with at least ten (10) years of  
14 relevant experience in Agriculture prior to appointment;
- 15 (f) Must not be a member of the faculty, whether full-time or part-time, of any  
16 school, college or university where a regular and/or review course in  
17 Agriculture is taught, nor shall have any pecuniary interest, direct or  
18 indirect, in such institution; and
- 19 (g) Must not be an incumbent officer or trustee of the AIPO for Licensed  
20 Agriculturists.

21 Section 7. *Scope of Practice of Agriculture*—The Agriculture profession  
22 involves services consisting of crop and animal production, processing and  
23 distribution, in both urban and rural areas.

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

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

34 Section 8. *Powers and Functions of the Board*— The Board shall have the  
35 following powers and functions:

- 36 (a) Promulgate, administer and enforce rules and regulations, including the  
37 Code of Ethics and Code of Technical Standards for Licensed Agriculturists  
38 to carry out the provisions of this Act;



- 1 (b) Supervise and regulate the licensure, registration and practice of Licensed  
2 Agriculturists;
- 3 (c) Determine and evaluate the qualifications of the applicants for issuance of  
4 the COR, PIC and Special Temporary Permit (STP);
- 5 (d) Prepare and modify the questions for examination and prescribe the syllabi  
6 and Tables of Specifications (TOS) of the subjects for examination and their  
7 relative weights;
- 8 (e) Administer the Oath of Professional;
- 9 (f) Issue, suspend, revoke or reinstate the COR and PIC or STP for cause;
- 10 (g) Look into the conditions affecting the practice of Agriculture, adopt  
11 measures for the enhancement of the profession and the maintenance of  
12 high professional, technical and ethical standards, and conduct inspection  
13 of places where Licensed Agriculturists practice their profession;
- 14 (h) Inspect, in coordination with the Commission on Higher Education (CHED),  
15 the prescribed facilities of universities or colleges offering the course or  
16 program of Agriculture in order to ensure that standards and essential  
17 requirements for a qualified dean and faculty are properly complied with;
- 18 (i) Investigate violations of this Act, its Implementing Rules and Regulations  
19 (IRR) and the Code of Ethics and Code of Technical Standards for Licensed  
20 Agriculturists;
- 21 (j) Issue *subpoena ad testificandum* and *subpoena duces tecum* to secure the  
22 attendance of respondents or witnesses or the production of documents  
23 relative to the investigation conducted by the Board and the Commission;
- 24 (k) Prepare guidelines for the Continuing Professional Development (CPD), in  
25 coordination with the AIPO for Licensed Agriculturists;
- 26 (l) Perform other powers, functions and duties as may be necessary to  
27 effectively implement this Act.

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

33 Section 9 - *Term of Office* - The members of the Board shall hold office  
34 for a term of three (3) years after appointment or until their successors shall  
35 have been appointed and duly qualified: *provided*, that members of the first  
36 Board to be appointed after the approval of this Act shall hold office for the  
37 following terms: the two (2) members, one of whom shall be designated as  
38 Chairperson in the appointment, shall serve for three (3) years, two (2)



1 members shall serve for two (2) years, and the other two (2) members shall  
2 serve for one (1) year.

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

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

8 Section 10. *Compensation and Allowance of the Chair and Members of*  
9 *the Board* - The chairperson and members of the Board shall receive  
10 compensation and allowances comparable to the compensation and allowances  
11 received by the chairpersons and members of the other Professional Regulatory  
12 Boards under the Commission as provided in the annual General Appropriation  
13 Act.

14 Section 11. *Suspension and Removal of the Chair and Members of the*  
15 *Board* - The chairperson or member of the Board may be suspended or removed  
16 by the President of the Philippines, upon recommendation of the Commission,  
17 for neglect of duty, abuse of power, oppression, incompetence, unprofessional,  
18 unethical, immoral or dishonorable conduct, commission or toleration of  
19 irregularities in the conduct of examination or tampering of the grades therein,  
20 or for conviction by final judgment of any criminal offense involving moral  
21 turpitude, after having been given the opportunity to defend himself/herself in  
22 a proper administrative investigation.

23 Section 12. *Supervision of the Board, Custodian of its Records,*  
24 *Secretariat and Support Services* - The Board shall be under the administrative  
25 supervision and control of the Commission. All records of the Board, including  
26 applications for examination, papers and results, minutes of deliberations,  
27 administrative and other investigative cases involving Licensed Agriculturists,  
28 shall be kept by the Commission.

29  
30 The Commission shall designate the Secretary of the Board and other  
31 support services to implement the provisions of this Act.

32  
33 Section 13. *Annual Report* - The Board shall, within thirty (30) days from  
34 the close of each calendar year, submit an annual report to the Commission,  
35 giving a detailed account of its proceedings and accomplishments during the  
36 year and recommending measures to be adopted, with the end in view of  
37 upgrading and improving the conditions and practice of the Agriculture  
38 profession in the Philippines.

39  
40 ARTICLE III  
41 LICENSURE EXAMINATION AND REGISTRATION

42 Section 14. *Licensure Examination* - Unless otherwise provided, every  
43 applicant seeking to be registered and licensed as a Licensed Agriculturists shall

1 undergo a written examination as provided for in this Act. Examination for the  
2 practice of the Agriculture profession in the Philippines shall be given by the  
3 Board at least once every year in such places and dates as the Commission  
4 may designate.

5         Section 15. *Scope of Examination*- A written examination shall be given  
6 to the applicants for registration as Licensed Agriculturists, the scope of which  
7 shall include but not be limited to the following:

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

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

17         Section 16. *Qualifications of Applicants for Examination* - In order to be  
18 admitted to the Agriculturists Licensure Examination, a candidate must, at the  
19 time of filing of application, establish to the satisfaction of the Board that:

- 20 (a) he/she is a citizen of the Philippines or a foreign country which has a policy  
21 on reciprocity for the practice of the Agriculture profession.
- 22 (b) he/she is a holder of a Bachelor's Degree in Agriculture or any related course  
23 from a school, college or university recognized by the Government;
- 24 (c) non-holders of Bachelor's degree in Agriculture but has post-graduate  
25 degree in Agriculture from a school, college, or university recognized by the  
26 Government; provided, that he/she has finished a minimum of thirty-six  
27 (36) units of agricultural subjects.
- 28 (d) Incumbent holders of agriculture positions in the national, regional or local  
29 government offices or agencies including government-owned and –  
30 controlled corporations and have been engaged in agricultural functions  
31 acceptable to the Board: *Provided*, that they are holders of professional civil  
32 service eligibility; *Provided, further*, that he/she has finished a minimum of  
33 thirty-six (36) units of agricultural subjects.
- 34 (e) he/she is of good moral character and has not been convicted of any crime  
35 involving moral turpitude.

36         Section 17. *Ratings in the Examination* - In order for an examinee to  
37 pass the examination, he/she must have obtained an average of at least



seventy-five percent (75%) in all subjects, with no rating below sixty percent (60%) in any subject. However, if an examinee obtains a general weighted average rating of seventy-five percent (75%) or higher but obtained a rating below sixty percent (60%) in any of the subjects, he/she shall be allowed to take the examination in the subject or subjects where he obtained a grade below sixty percent (60%) only once.

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

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

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

(a) He/She graduated from a school, college, or university recognized by the Government with the degree of Bachelor of Science in Agriculture or bachelor in Agricultural Technology or their related degrees.

(b) Non-holders of Bachelor's degree in Agriculture but has post-graduate degree in Agriculture from a school, college, or university recognized by the Government; provided, that he/she has finished a minimum of thirty-six (36) units of agricultural subjects.

(c) This provision shall be effective for a period of three (3) years upon approval of the Act.

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

A PIC bearing the registration number, and dates of issuance and expiry, duly signed by the chairperson of the Commission shall likewise be issued to every registrant upon payment of the required fees. The PIC shall be renewed every three (3) years, upon compliance with the Continuing Professional Development (CPD), Certificate of Good Standing (COGS) from the AIPO and other requirements of the Board and the Commission; provided, further that incumbent professionals intending to renew their licenses shall adhere to



1 Section 16 (c) and (d) and Section 19 of this Act.

2 Section 21. *Refusal the Register* - The Board shall not register and issue  
3 a COR to a registrant who has been convicted by a court of competent  
4 jurisdiction of any criminal offense involving moral turpitude or found guilty of  
5 immoral or dishonorable conduct after investigation by the Board or has been  
6 declared to be of unsound mind. The reason for the refusal shall be set forth  
7 in writing.

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

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

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

23 Section 24. *Roster of Professional Agriculturist-* The Board, in  
24 coordination with the AIPO, shall prepare, update and maintain a Roster of  
25 Licensed Agriculturists, which shall contain their residence and office addresses,  
26 dates of registration and other data which the Board may deem pertinent.

27 Section 25. *Issuance of Special Temporary Permit* - Upon application and  
28 payment of the required fees and subject to the approval of the Commission,  
29 the Board may issue an STP to a foreign Licensed Agriculturist whose services  
30 are urgently needed due to the absence or inadequacy of local Licensed  
31 Agriculturists for the purpose of promoting or enhancing the practice of the  
32 Agriculture profession in the Philippines.

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

36 Section 26. *Foreign Reciprocity* - No foreign Professional Agriculturist  
37 shall be admitted to the examination or be given a COR or PIC and be entitled  
38 to any of the privileges under this Act unless the country of which he/she is a  
39 citizen specifically allows Filipino Licensed Agriculturists to practice within its  
40 territorial limits on the same basis as the citizens of such foreign country.

41



1 ARTICLE IV  
2 PRACTICE OF AGRICULTURE PROFESSION

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

7 Section 28. *Act Constituting the Practice of Agriculture Profession* - Any  
8 single act or transaction embraced within the provision of Section 7 hereof shall  
9 constitute an act of engaging in the practice of the Agriculture profession.

10 Section 29. *Professional Title Appendage* - Only a Licensed Agriculturist  
11 as herein defined may append after his/her names the title "L.Agr."

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

21 Section 31. *Prohibition Against Corporate Practice* - The practice of the  
22 agriculture profession is a professional service admission to which shall be  
23 determined upon the bases of the individual's personal qualifications.

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

32 Section 32. *Employment of Agriculturists in the Government*- National  
33 and regional government agencies concerned in agriculture activities shall  
34 ensure that all existing plantilla positions are occupied by Licensed  
35 Agriculturists.

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



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

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

7 Section 33. *Employment of Agriculturists in the Private Sector* – Private  
8 agricultural corporations and enterprises shall allocate at least one (1)  
9 Licensed Agriculturist.

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

14 Section 34. *Accredited Integrated Professional Organization (AIPO)*– All  
15 Licensed Agriculturists shall have one (1) national organization, which shall be  
16 recognized by the Board and the Commission as the one and only AIPO for  
17 Licensed Agriculturists.

18 A Licensed Agriculturists duly registered with the Board and the  
19 Commission shall automatically become a member of the AIPO and shall receive  
20 all the benefits and privileges appurtenant thereto, upon payment of the  
21 prescribed fees and dues.

22 Membership in the AIPO shall not bar membership in other associations  
23 of Licensed Agriculturists.

24 Section 35. *Code of Ethics for Agriculture Profession* - The Board shall  
25 prescribe and promulgate the Code of Ethics and Code of Technical Standards  
26 for Licensed Agriculturists, in consultation with the AIPO.

27 Section 36. *Vested Rights: Automatic Registration of Agriculturists* – All  
28 Licensed Agriculturists who are registered and licensed at the time this Act  
29 takes effect shall automatically be registered hereunder.

30  
31 ARTICLE V  
32 PENAL AND FINAL PROVISIONS

33 Section 37. *Penal Provision* - Any violation of this Act, its IRR, Code of  
34 Ethics and Code of Technical Standards or other regulatory policies of the Board  
35 and the Commission, shall be meted the penalty of a fine of not less than Fifty  
36 Thousand Pesos (P 50,000.00) or more than Five Hundred Thousand Pesos  
37 (P500, 000.00), or imprisonment of not less than six (6) months nor more than  
38 six (6) years, or both, at the discretion of the court.

39 Section 38. *Appropriations* – The chairperson of the Commission shall



1 immediately include in the Commission's programs the implementation of this  
2 Act, the funding of which shall be included in the annual General Appropriations  
3 Act and thereafter.

4       Section 39. *Transitory Provisions* - The existing Board of Agriculture shall  
5 continue to function in the interim until such time that the new Board shall have  
6 been constituted pursuant to this Act.

7       Section 40. *Implementing Rules and Regulations*- The Board, subject to  
8 the approval by the Commission, and in coordination with the AIPO, shall issue  
9 and promulgate the implementing rules and regulations within one hundred  
10 twenty (120) days from effectivity of this Act.

11       Section 41. *Separability Clause* - If any clause, sentence, paragraph or  
12 part of this Act shall be declared unconstitutional or invalid, such judgment shall  
13 not affect, invalidate or impair any other part of this Act.

14       Section 42. *Repealing Clause* - All laws, decrees, executive orders,  
15 memorandum orders, and other administrative issuances or parts thereof which  
16 are inconsistent with the provisions of this Act, are hereby modified,  
17 superseded or repealed accordingly.

18       Section 43. *Effectivity*- This Act shall take effect fifteen (15) days  
19 following its publication in the Official Gazette or in any major newspaper of  
20 general circulation in the Philippines.

21       *Approved,*  
22