

SENATE
S. B. 2056

Introduced by Senator Villar

EXPLANATORY NOTE

Filipinos working, studying and residing abroad have been exposed to advance knowledge and high-technology environment. Their potentials and competence have been accelerated and strengthened by experience and actual practice in countries where they have access to more literature, equipment of higher technological specifications and more rewarding opportunities for recognition. Their exposure to foreign societies and modern technology represent an immense reservoir of new technology, capital, expertise, experiences and other resources which can be readily tapped for national development purposes.

The positive thing is that overseas Filipino professionals know how to take advantage of every opportunity to harness their skills by acquiring more knowledge and modern technology. More often than not, in vigorously setting higher goals and standards for themselves they become more competitive in their respective fields of endeavor and have been at par in excellence with other citizens of the world. With their ability to render work with efficiency, loyalty and expertise, Filipinos have been recognized as outstanding workforce.

The proposed bill aims to tap the expertise of overseas Filipino professionals to help accelerate the economic development of the country. It provides for a framework of transfer and exchange of technology. Likewise, it is worth mentioning that the legislation will complement the desire of a substantial number of Filipino professionals to come back to their land of birth to contribute their share in the progress of our nation. Hence, by allowing them to practice in the Philippines, we give them the opportunity to render service to their motherland where their skills and expertise will be most needed and welcomed.

The early enactment of this legislation is earnestly recommended.


MANNY VILLAR

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AN ACT
PROVIDING A FRAMEWORK FOR THE TRANSFER OF SCIENCE AND
TECHNOLOGY AND THE PRACTICE OF PROFESSIONS IN THE PHILIPPINES BY
OVERSEAS FILIPINO PROFESSIONALS

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

SECTION 1. Policy Declaration. - Science and technology (S & T) is essential in national development and progress. In pursuance of this objective, the Government shall enlist the participation of Filipinos overseas, particularly high-level scientists and professionals in various technical fields, and shall promote the establishment of a program geared towards information exchange and contributing to the modernization and industrialization of the country.

SECTION 2. Incentives. - Given the significance of upgrading technologies and the productivity of our people in pursuit of national economic development, the Government shall develop and provide adequate incentives to Filipino expatriates whose expertise, trainings and experiences can play vital role in the industrialization efforts of the country.

SECTION 3. Implementation. - The Department of Science and Technology and the Department of Foreign Affairs shall develop and implement appropriate measures to ensure the attainment of objectives of this Act, including the Balik Scientist Program under Executive Order No. 130, as certified by the Department of Science and Technology.

SECTION 4. Practice of Overseas Professionals in the Philippines. - The Professional Regulation Commission may, upon recommendation of the concerned Professional Regulatory Board, authorize the registration without examination, and the issuance of a certificate of registration and a professional license to any Filipino whether or not he has lost his citizenship when he was overseas, who has been in the practice of his profession in a foreign country or state, subject to the provisions of this Act.

SECTION 5. Qualifications. - For the registration without examination and the issuance of a certificate of registration and a professional license under this Act the applicant must submit documents and proofs that:

(a) He is a natural-born Filipino, as shown by his birth certificate or other documentations as may be required, indicating whether or not he has lost his Philippine citizenship when he went overseas;

(b) He is at least twenty-seven (27) years of age;

(c) He is registered and holder of a valid certificate of registration and/or valid professional license to practice his profession issued by the government body concerned in a foreign country or state whose requirements for registration or licensing are substantially the same as those required and contemplated by the Philippine laws;

(d) He has been in the practice of his profession in the country or State mentioned in paragraph (c) of this Section for at least five (5) years immediately preceding his application; and

(e) He is a person of good moral character, and he has not been convicted of any crime involving moral turpitude; nor sanctioned administratively by any government instrumentality including the body that regulates the practice of his profession.

SECTION 6. Requirements. - The applicant shall file an application under oath stating his personal circumstances, his intention to practice in the Philippines and the Office address that he will be using, and his undertaking to abide by all regulations pertaining to the practice of the profession in the Philippines.

SECTION 7. Implementing Rules and Regulations. - The Professional Regulation Commission in cooperation with the Department of Science and Technology and the Department of Foreign Affairs, in consultation with relevant organizations and the private sector, shall within ninety (90) days upon the approval of this Act, promulgate the necessary rules and regulations to implement this Act.

SECTION 8. Repealing Clause. - All laws which are inconsistent and contrary to the provisions of this Act are hereby repealed.

SECTION 9. Effectivity. -This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier .

Approved,