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S. No. 2355

Introduced by Senator Antonio "Sonny" F. Trillanes IV

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

EXPLANATORY NOTE

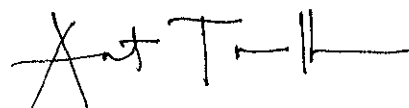
This measure seeks to professionalize and regulate the practice of fisheries professionals and upgrade the standard of fisheries education in the country through the licensure examination being administered by the Professional Regulatory Commission (PRC). This intent is provided for in Republic Act 8550 (Fisheries Code of 1998) and Republic Act 8435 (Agriculture and Fisheries Modernization Act of 1997) – that, it is the policy of the state to provide priority attention and support to professionalize the practice of fisheries profession in the Philippines which will be beneficial to sustain food security and economic development of the country, and to upgrade the standard of fisheries education. Through its licensure examination, the PRC is complimenting the effort of the CHED in upgrading the standard of fisheries education.

The bill provides for the following: the scope of the practice of the fisheries profession; mandates continuing professional education and development of fisheries professionals for global competitiveness; provides penal provisions for violation of its mandatory provisions; encourages the hiring of licensed fisheries professionals; determines the composition, tenure and qualifications of the fisheries regulatory board; and empowers the board of fisheries to regulate compliance by private and public institutions to the provisions of this Act.

Throughout the country, candidates for the licensure examination of the PRC come from more than 80 fishery schools. These schools vary widely in terms of their resources (faculty and facilities), curricular offerings, and amounts of budget support from the government. Many of these schools started as high schools and were later converted to college. They continued offering fisheries courses without upgrading their facilities and employed practically the same faculty, many of whom were not trained for college teaching.

Thus, it is imperative to screen and standardize the quality of fisheries graduates; regulate the practice of fisheries profession throughout the country; and prevent the practice of foreign professionals without permit.

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




ANTONIO "SONNY" F. TRILLANES IV
Senator

SENATE

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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

Be it enacted by the Senate and the 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 *“The Philippine Fisheries Profession Act of 2014”*.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to provide priority attention and support to professionalize the practice of the fisheries profession in the Philippines, which will be beneficial to sustain food security and economic development of the country, and to upgrade the standards of fisheries education. These policies are provided for in Republic Act 8550 (Fisheries Code of 1998) and Republic Act 8435 (Agriculture and Fisheries Modernization Act of 1997).

Pursuant to this national policy, the government shall: (1) provide a program to set up an appropriate and healthy environment to the practice of the fisheries profession; and (2) establish quality standards for fisheries professionals that will guide fisheries schools / fisheries colleges, through the Commission on Higher Education (CHED), for the development of curricular programs that will attain the high standards of the profession.

SEC. 3. *Objectives.* – The Act provides for and shall govern:

- a. the administration and conduct of licensure examination, and registration and licensing of fisheries professionals;
- b. the supervision and regulation of the practice of the fisheries profession in the Philippines; and
- c. the upgrading of the fisheries profession and the professionalization of fisheries professionals.

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

- 2 a. **Aquaculture** – refers to fishery operations involving all forms of farming fish and
3 other aquatic plants and animals in fresh, brackish, and marine waters;
- 4 b. **Aquatic Resources** – shall include fish and other living resources of the aquatic
5 environment that have/will have commercial value when utilized;
- 6 c. **Board** – refers to the Professional Regulatory Board of Fisheries;
- 7 d. **Commission** – refers to the Professional Regulation Commission;
- 8 e. **Fisheries** – refers to all activities relating to the science and act or business of fishing,
9 culturing, preserving, processing, marketing, developing, conserving and managing of
10 aquatic resources and environment;
- 11 f. **Fisheries Sector** – refers to the sector engaged in the production, growing, harvesting,
12 processing, marketing, developing, conserving and managing of aquatic resources and
13 environment;
- 14 g. **Fisheries Profession** – the practice of the science and technical knowledge and skills
15 of all areas of fisheries (catching, farming, processing, marketing, management, and
16 conservation of aquatic resources and environment);
- 17 h. **Fisheries Professional** – refers to a person who is technically qualified and competent
18 to practice the fisheries profession and who has been issued a certificate of
19 registration and professional identification card as fisheries professional by the Board
20 and the Commission;
- 21 i. **Accredited Professional Organization (APO)** – refers to an integrated national
22 organization, association, or society that is granted accreditation by the Board and the
23 Commission as the Accredited Professional Organization of Fisheries Professionals;
24 and
- 25 j. **Scope of Examination** – refers to the range of topics or subjects provided by the
26 Board in the syllabi of the four areas of scope of examination for fisheries
27 professionals in Section 9 (m) and 15 of this Act.

28 **SEC.5. Scope and Practice of the Fisheries Profession.** – The scope and practice of the
29 fisheries profession is the application of the fundamental and known principles of fisheries to
30 the peculiar conditions and requirements of fisheries as an industry and as a field of science and
31 shall include, but not be limited to the following:

- 32 a. **Consultation, evaluation, investigation and management services in fisheries;**
- 33 b. **Preparation of fisheries designs, plans, specifications, project feasibility studies and**
34 **estimates, and the supervision and other management services in the construction,**
35 **installation, operation and maintenance of fishing vessels, farm and facilities, post-**
36 **harvest equipment and facilities and other fisheries facilities, systems and**
37 **technologies, in collaboration with other disciplines when needed;**

- 1 c. Conduct of research and development, training and extension work in fisheries,
2 aquatic resource, aquaculture and post-harvest technologies;
3 d. Management of fisheries resources and manufacture of fishery products, and/or
4 marketing of fish and fishery products;
5 e. Teaching fisheries courses in higher institutions of learning in the Philippines
6 recognized by the government;
7 f. Study and treatment of fish diseases and parasites that affect fishing, post-harvest and
8 aquaculture activities and projects; and
9 g. Employment in the government and private sectors where the positions require the
10 knowledge and expertise of a fisheries professional except in small-scale fisheries
11 operations of municipal fisherfolk such as fishing, aquaculture, fish processing where
12 licensed fisheries professionals are not required.

13 Scientists and professionals in closely related fields to fisheries and in support of
14 multidisciplinary fisheries activities such as economics, social science, engineering, marine
15 biology, oceanography/limnology and others who may immerse themselves in fisheries activities
16 that do not require technical knowledge in fisheries, are exempted from the licensure
17 requirements for fisheries professionals.

18 **ARTICLE II**

19 **PROFESSIONAL REGULATORY BOARD OF FISHERIES**

20 **SEC. 6. *Creation and Composition of the Professional Regulatory Board of Fisheries.* –**

21 There is hereby created a Professional Regulatory Board of Fisheries to be composed of a
22 Chairman and three (3) Members to be appointed by the President of the Philippines from a list
23 of three (3) recommendees of the Professional Regulation Commission for each position chosen
24 from a list of five (5) nominees for each position submitted by the Accredited Professional
25 Organization of fisheries professionals. The new Board shall be constituted within three (3)
26 months from the effectivity of this Act.
27

28 The Chairman and the three (3) Members of the Board must be registered professional
29 fisheries technologists or fisheries professionals and issued with certificates of registration and
30 professional identification cards at the time of their appointment.

31 **SEC. 7. *Qualifications of Board Members.*–** The Chairman and Members of the Board, at
32 the time of their appointment, must possess the following qualifications:

- 33 a. Must be a natural-born citizen and resident of the Philippines;
34 b. Must be at least forty years of age;
35 c. Must be of proven integrity and of high moral and ethical values in his personal as
36 well as professional conduct;

- 1 d. Must not have been convicted by a court in a final judgment in crime involving moral
2 turpitude;
- 3 e. Must be a holder of a Bachelor's degree in the field of fisheries, or a holder of a
4 Master or Doctorate degree in the field of fisheries from a school, college, or
5 university recognized by the Government or abroad, and has been engaged in the
6 practice of fisheries profession for at least ten (10) years before his/her appointment;
- 7 f. Must not be connected with any school, college or university granting a degree that
8 qualifies graduates of such degree for admission to the licensure examination for
9 fisheries professionals; and
- 10 g. Must not be an incumbent officer or trustee of the accredited professional
11 organization for fisheries professionals.

12 **SEC. 8. Term of Office.**- The Chairman and Members of the Board shall hold office for a
13 term of three (3) years or until their successors shall have been qualified and appointed. They
14 may, however, be appointed for a second term. Any vacancy in the Board shall be filled for the
15 unexpired portion of the term only. Each member shall take an oath of office prior to the
16 assumption of duties.

17 The incumbent Chairman and Members shall continue to serve until their replacements
18 shall have been appointed and qualified.

19 **SEC.9. Powers and Functions of the Board.** – The Board shall have the following
20 powers and functions:

- 21 a. Promulgate, adopt and issue rules and regulations to carry out the provisions of this
22 Act;
- 23 b. Give and supervise the licensure examination for admission to the practice of the
24 fisheries profession;
- 25 c. Supervise and regulate the licensure, registration and practice of the fisheries
26 profession;
- 27 d. Administer the oath of a professional to the successful examinees in the licensure
28 examination for fisheries professionals in appropriate mass oath-taking ceremonies to
29 be held for the purpose;
- 30 e. Register and issue certificates of registration to successful examinees in licensure
31 examinations for fisheries professionals and to persons qualified to register as
32 fisheries professionals without examination;
- 33 f. Suspend or revoke the certificate of registration and professional identification card
34 of a fisheries professional for causes provided herein;
- 35 g. Adopt an official seal of the Board as well as the seal of fisheries professionals;
- 36 h. Adopt and promulgate a Code of Ethics for Fisheries Professionals and a Code of
37 Professional Standards for the Practice of the Fisheries Profession;

- 1 i. Look into the conditions affecting the practice of the fisheries profession and
2 whenever necessary, adopt measures as may be deemed appropriate for the
3 enhancement or maintenance of high professional and ethical standards of the
4 practice of the fisheries profession;
- 5 j. Ensure, in coordination with the Commission on Higher Education (CHED), that all
6 educational institutions offering courses in fisheries education comply with the
7 policies, standards and requirements of the course prescribed by the CHED in the
8 areas of curriculum, faculty, library and facilities;
- 9 k. Hear/try and decide administrative cases involving violations of the provisions of this
10 Act and its Implementing Rules and Regulations including the Code of Ethics for
11 Fisheries Professionals and Code of Professional Standards for the Practice of
12 Fisheries Profession and, for this purpose, issue subpoena and subpoena duces tecum
13 to secure the appearance of witnesses and the production of documents and to testify
14 in connection herewith;
- 15 l. Prescribe guidelines for the implementation of its continuing professional education
16 programs. CPE shall be mandatory for all fisheries professionals in coordination with
17 the accredited national association of fisheries professionals;
- 18 m. Prepare, adopt and issue, in consultation with the academe, the syllabi or terms of
19 specification of the subjects for the licensure examination and to amend the same;
- 20 n. To discharge and perform such other duties and functions as may be necessary to
21 carry out the objectives and purposes of this Act.

22 Except matters which are ministerial in nature, all policies and functions of the Board
23 embodied in resolutions as well as rules and regulations issued by the Board shall be subject to
24 the review and approval of the Commission.

25 **SEC.10. Compensation and Allowance of the Chairman and Members of the Board:--**
26 The Chairman and Members of the Board shall receive compensation and allowances
27 comparable to the compensation and allowances received by the Chairmen and Members of
28 other Professional Regulatory Boards.

29 **SEC. 11. Removal and Suspension of the Chairman and Members of the Board.** - The
30 President may, upon recommendation of the Commission, remove any Member of the Board for
31 any of the following causes:

- 32 a. Negligence;
- 33 b. Incompetence;
- 34 c. Immoral, dishonorable or unprofessional conduct;
- 35 d. Violation of, or abetting the violation of, the Resolution or Code of Ethics for
36 Fisheries Professionals; and
- 37 e. Conviction in a final judgment of a crime involving moral turpitude.

1 The right of the respondent to due process and be assisted by counsel in an investigation
2 shall be respected and upheld. The President may, also upon recommendation of the
3 Commission, preventively suspend a Member under administrative investigation.

4 **SEC. 12. *Supervision of the Board, Custodian of its Records, Secretarial and Support***
5 ***Services.***— The Board shall be under the general supervision and administrative control of the
6 Commission. All records of the Board including applications for examination, examination
7 papers and results, minutes of deliberation, administrative cases and other investigations
8 involving examinees and fisheries technologists shall be kept and subject to the disposition of the
9 Commission.

10 The Commission shall provide secretariat and support services to the Board for the
11 efficient and effective implementation of the provisions of this Act.

12 **SEC. 13. *Annual Report.***— The Board shall, at the close of each calendar year, submit an
13 annual report to the Commission, of its proceedings and accomplishments during the year and
14 make recommendations for the adoption of measures that will upgrade the conditions affecting
15 the practice of the fisheries profession in the Philippines.

16 ARTICLE III

17 EXAMINATION AND REGISTRATION

18
19 **SEC. 14. *Licensure Examination.*** — All applicants for registration for the practice of the
20 fisheries profession shall be required to undergo and pass a written examination as provided in
21 this Act except those who qualify for registration under Section 26 of this Act. The licensure
22 examination for fisheries professionals shall be given by the Board at least once a year in such
23 places and dates the Commission may designate in accordance with the provisions of Republic
24 Act 8981.

25 **SEC. 15. *Scope of Examination.*** — The examination for fisheries professionals shall
26 basically cover the following fields:

- 27 a. Aquatic Resources and Ecology
- 28 b. Aquaculture
- 29 c. Capture Fisheries
- 30 d. Post-Harvest Fisheries

31 The board may also re-cluster, rearrange, modify add or exclude any of the foregoing
32 subjects as the need arises and may recommend to CHED changes in said subjects to conform to
33 modern and advanced technologies in the fisheries profession.

34 **SEC. 16. *Qualifications of Applicants for Examination.*** — Each applicant for
35 examination shall establish to the satisfaction of the Board that:

- 1 a. He / she is citizen of the Philippines;
- 2 b. He / she is of good moral character and must not have been convicted of any crime
3 involving moral turpitude;
- 4 c. He / she is a graduate of at least Bachelor's degree in the field of fisheries from a
5 school, college or university established and recognized by the Government, or a
6 recognized university abroad.

7 **SEC. 17. *Fraudulent Application.*** - The Board may suspend or revoke a certificate of
8 registration and professional identification card already issued, if a registrant has been proved or
9 found to have made misrepresentation/s in his application for examination.

10 **SEC. 18. *Rating in the Board Examination.*** - To pass the licensure examination for
11 fisheries professionals, a candidate must obtain a weighted general average rating of seventy-five
12 percent (75%) and with no grade lower than sixty percent (60%) in any given subjects. However,
13 if an examinee obtained a general weighted average rating of seventy-five percent (75%) or
14 higher but obtained a rating below sixty percent (60%) in any given subject/s, he/she shall be
15 allowed to take the examination in the subject/s where a grade below sixty percent (60%) was
16 obtained. This removal shall be availed of only once.

17 **SEC. 19. *Report of Ratings.*** - The Board shall submit to the Commission the rating
18 obtained by each examinee in the licensure examination within a period of ten (10) days after the
19 examination in the last subject unless extended by the Commission for just and valid cause/s.

20 **SEC. 20. *Report on the Performance of Examinees in Licensure Examination.*** - The
21 Board, through the Commission, may recommend to the Commission on Higher Education
22 (CHED) the following:

- 23 a. The schools, colleges or universities whose successful examinees in three (3)
24 consecutive licensure examination for Fisheries Technologists is less than eight
25 percent (8%) of the total number of its candidates who took the licensure
26 examinations shall be recommended for close monitoring of their fisheries program;
27 and
- 28 b. The names of schools, colleges, or universities whose successful examinees in five
29 (5) successive licensure examination for Fisheries Technologists is less than eight
30 percent (8%) of the total number of its examinees in each of the licensure examination
31 taken shall be published in newspapers, and their fisheries course/ program shall be
32 recommended for closure.

33 **SEC. 21. *Issuance of Certificate of Registration and Professional License.*** - A
34 certificate of registration shall be issued to examinees that passed the licensure examination for
35 Fisheries Technologists, as well as to a person that qualified to register as fisheries professional
36 without examination, subject to the payment of fees prescribed by the Commission. The
37 Certificate of Registration, which indicates that the person named therein is entitled to practice as

1 Fisheries Professional with all the benefits and privileges pertaining thereto, shall bear the
2 signature of the Chairperson of the Commission and the Chairman and Members of the Board,
3 and the seal of the Commission and the Board. *Provided*, That he/she shall be allowed to practice
4 the profession without the need of securing another license from any government agency. The
5 Certificate of Registration shall remain in full force and effect until revoked or suspended in
6 accordance with this Act. A Professional Identification Card bearing the registration number, and
7 date of issuance, shall be renewed every three (3) years and upon satisfying the requirements of
8 the Board and Continuing Professional Education.

9 **SEC.22. *Non-issuance of Certificate of Registration and Professional Identification***
10 ***Card*** – The Board shall not register and issue a Certificate of Registration to any successful
11 examinee that has been convicted by a court of competent jurisdiction of any criminal offense
12 involving moral turpitude, or has been found guilty of immoral or dishonorable conduct after
13 investigation by the Board, or has been declared to be of unsound mind. The reason for the
14 refusal shall be set forth in writing.

15 **SEC. 23. *Revocation or Suspension of the Certificate of Registration, Professional***
16 ***Identification Card or Cancellation of Temporary / Special Permit*** – The Board may, after
17 giving proper notice of hearing to the party concerned, revoke the Certificate of Registration and
18 Professional Identification Card of a Fisheries Professional or suspend him/her from the practice
19 of the profession or cancel his/her temporary/special permit for unprofessional or unethical
20 conduct, malpractice, negligence, incompetence, or violation of any of the provisions of this Act,
21 its Implementing Rules and Regulations (IRR), Code of Ethics/Professional Standards for
22 Fisheries Professionals, and Code of Good Governance.

23 **SEC. 24. *Reinstatement, Re-issuance, or Replacement of Certificate of Registration,***
24 ***Professional Identification Card and Temporary/Special Permit*** – The Board may, after two
25 (2) years from the date of revocation of Certificate of Registration, reinstate any revoked
26 Certificate of Registration and reissue a suspended Professional Identification Card.

27 **SEC. 25. *Continuing Professional Education***. – The Board shall implement a Continuing
28 Professional Education program in fisheries for purposes of renewal of registration and licenses
29 as Fisheries Professionals.

30 **SEC. 26. *Registration of Fisheries Professionals without Examination*** – Upon approval
31 of the application and payment of the prescribed fees, certificate of registration and professional
32 identification card shall be issued to the applicant for registration without examination who can
33 prove to the satisfaction of the Board that items a, b, or c below has been met:

34 a. He/she has at least a bachelor's degree in any field of fisheries from a school, college
35 or university established or recognized by the Government; *Provided*, That the
36 applicant has passed any of the civil service examination in fisheries, or has been
37 granted eligibility by the Civil Service Commission by virtue of PD 907, or passed

1 the Career Service (Professional) examination given by the Civil Service
2 Commission; *Provided further*, That the applicant has served the fisheries industry in
3 public or private capacity for five (5) years before the effectivity of Republic Act
4 8550;

- 5 b. He/she has a graduate degree(master or doctorate) in fisheries or closely related fields
6 such as marine biology, oceanography/limnology, food
7 science/technology/engineering, fish taxonomy, biotechnology as applied in fisheries,
8 aquatic biology, fishing boat design/engineering, aquatic resource management, fish
9 health, fish nutrition, or fish chemistry from a school, college or university,
10 established or recognized by the Government; *Provided*, That the applicant has served
11 the fisheries industry in public or private capacity for at least ten (10) years; *Provided*
12 *further*, That the applicant has published five (5) research and highly technical papers
13 in reputable journals, books and proceedings within the ten-year service in fisheries;
- 14 c. He/she is a graduate of at least a bachelor's degree in fisheries from a school, college
15 or university, established or recognized by the Government; *Provided*, That the
16 applicant has served the fisheries industry (private sector) for a total of ten (10) years;
17 *Provided further*, That he/she can show proof of achievements, awards,
18 commendations, or promotions of deserving performance and has published at least
19 two (2) technical papers in fisheries.

20 The applicants are given one (1) year after the approval and publication of the
21 Implementing Rules and Regulations of this Act to register as Fisheries Professionals without
22 examination.

23 **SEC. 27. Roster of Fisheries Professionals.**— The Board, in coordination with the
24 Accredited Professional Organization, shall prepare, update and maintain a Roster of Fisheries
25 Professionals, their residence and office addresses, dates of registration or issuance of certificate,
26 and other data which the Board may deem relevant.

27 The roster shall be open to the public; copies of which shall be made available to any
28 party as may be deemed necessary.

29 **SEC. 28. Issuance of Temporary/Special Permit.**— Upon application and payment of the
30 required fee and subject to the approval of the Commission, the Board may issue temporary or
31 special permits to fisheries professionals from foreign countries whose services are urgently
32 needed in the absence or inadequacy of local fisheries technologists for the purpose of promoting
33 or enhancing the practice of the fisheries profession in the Philippines.

34 **SEC. 29. Foreign Reciprocity.**— No foreigner shall be admitted to sit in the licensure
35 examination for fisheries professionals and/or be registered as fisheries professional and issued a
36 certificate of registration and professional identification card under this Act, unless he qualifies
37 in the manner provided in the law creating the Professional Regulation Commission, that by

1 specific provision of law of the country of which he is a citizen, allows citizens of the Philippines
2 to practice the fisheries profession after an examination or without examination on terms of strict
3 and absolute equality with the citizens of the said country including unconditional recognition of
4 prerequisite degrees issued by institutions of higher learning established and recognized by the
5 Government of the Philippines.

6 **SEC. 30. *Seal and Use of Seal.***— Every Fisheries Professional shall obtain a seal of such
7 design as the Board shall adopt and approve which shall be impressed upon all documents,
8 records, papers and/or instruments prepared by/or under the direct supervision of or issued by a
9 registered Fisheries Professional only during the period of the validity of his professional
10 identification card.

11 **SEC. 31. *Indication of Number, Certificate of Registration, Professional Tax Receipt,***
12 ***and APO Membership Official Receipt.*** — Every registered Fisheries Professional shall be
13 required to indicate the number of his certificate of registration, professional identification card,
14 the date of issuance and expiration of said card including the number of his professional tax
15 receipt, its date and place of issue, and APO Membership Official Receipt Number on any and
16 all documents that he signs, uses or issues in connection with the practice of the Fisheries
17 Profession.

18 ARTICLE IV

19 PRACTICE OF THE FISHERIES PROFESSION

20
21 **SEC. 32. *Oath.*** — All successful examinees and those qualified for registration without
22 examination shall be required to take an oath of profession before any member of the Board or
23 any officer of the Commission authorized by it, or any person authorized by law to administer
24 oaths prior to entering into the practice of the fisheries profession.

25 **SEC. 33. *Acts Constituting the Practice of the Fisheries Profession.*** — Any single act or
26 transaction embraced within the provision of Section 5 hereof shall constitute an act of engaging
27 in the practice of the fisheries profession.

28 **SEC. 34. *Prohibition Against the Unauthorized Practice of the Fisheries Profession.***—
29 No person shall practice the fisheries profession in the Philippines or offer himself/herself as
30 Fisheries Professional, or use the title, word, letter, figure or any sign tending to convey the
31 impression that one is a Fisheries Professional, or advertise or indicate in any manner whatsoever
32 that one is qualified to practice the profession, unless he/she has satisfactorily passed the Board
33 licensure examination for Fisheries Professionals, or registered as a Fisheries Professional
34 without examination, except as otherwise provided in this Act, and is a holder of a valid
35 Certificate of Registration and a Professional Identification Card or a valid temporary/special
36 permit duly issued to him/her by the Board and the Commission.

1 **SEC. 35. *Prohibition Against Corporate Practice.*** – The practice of fisheries
2 professionals is a professional service, admission to which shall be determined upon basis of
3 individual and personal qualification. No firm, company, or association may be registered or
4 licensed as such for the practice of the fisheries profession.

5 **SEC. 36. *Prohibition Against Hiring Unlicensed Fisheries Professionals.***– Government
6 agencies, educational institutions, private corporations/companies, and entrepreneurs in fisheries
7 are prohibited from hiring unlicensed Fisheries Professionals whose work is defined in Section 5
8 of this Act.

9 **SEC. 37. *Accredited Professional Organization.*** – All Fisheries Professionals shall have
10 one National Organization, duly registered with the Securities and Exchange Commission, that
11 shall be recognized by the Board subject to the approval by the Commission as the one and only
12 accredited professional organization of Fisheries Professionals. Its members must only be
13 licensed fisheries professionals. A Fisheries Professional duly registered with the Board shall
14 automatically be a member of the accredited professional organization of fisheries professionals
15 and shall receive the benefits and privileges appurtenant thereto upon payment of membership
16 fees thereof. Membership in the accredited professional organization of fisheries professionals
17 shall not be a bar to membership in other organizations of fisheries.

18 **SEC. 38. *Code of Ethics and Professional Standards.***– The Board shall adopt and
19 promulgate the Code of Ethics and the Code of Professional Standards for Fisheries
20 Professionals which shall be issued by the Accredited Professional Organization of Fisheries
21 Professionals.

22 **SEC. 39. *Vested Rights: Automatic Registration of Fisheries Professionals.*** – All
23 Fisheries Technologists who are registered and licensed under Resolution 01(Series of 2002) of
24 the Board of Fisheries, PRC, entitled “Rules and Regulations Implementing PRC Resolution No.
25 2000-664, As Amended” (Creation of the Board of Fisheries as mandated by Section 115 of R.A.
26 8550, otherwise known as the Fisheries Code of 1998”) at the time this Act takes effect shall
27 automatically be registered as Fisheries Professionals.

28

29

ARTICLE V

30

PENAL AND FINAL PROVISIONS

31

32 **SEC. 40. *Penal Provisions.***- Any violation of this Act, including the violations of the
33 Implementing Rules and Regulations thereof, shall be meted the penalty of a fine of not less than
34 Fifty Thousand Pesos (Php 50,000.00) or more than Five Hundred Thousand Pesos (Php
35 500,000.00), or imprisonment of not less than six (6) months, or both upon the discretion of the
36 court.

1 **SEC. 41. *Appropriation.*** - There shall be an initial appropriation of Twenty Million
2 Pesos (Php 20,000,000.00) to be disbursed for the operation of the Board of Fisheries which shall
3 include personal services, maintenance and other operating expenses and capital outlay. In
4 succeeding years the Chairperson of the Professional Regulation Commission shall immediately
5 include in the Commission's programs the implementation of this Act, the funding of which shall
6 be included in the Annual General Appropriations Act and thereafter.

7 **SEC. 42. *Transitory Provision.*** - The existing Board of Fisheries shall continue to
8 function in the interim without another appointment until such time that the new Board shall
9 have been constituted pursuant to this Act.

10 **SEC. 43. *Implementing Rules and Regulations.***- The Board shall, subject to the
11 approval of the Commission, adopt, promulgate and issue the Implementing Rules and
12 Regulations, in coordination with the accredited professional organization and other fisheries
13 institutions, to implement or carry out the provisions of this Act.

14 **SEC. 44. *Separability Clause.*** - If any clause, sentence, paragraph, or part of this Act
15 shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair
16 any other part of this Act.

17 **SEC. 45. *Repealing Clause.*** - Section 115 of R.A. 8550 and Section 75 of R.A. 8435
18 and PRC Resolution No. 2000-664, Series of 2000 are hereby repealed. All other laws, decrees,
19 executive orders, and other administrative issuances and parts thereof which are inconsistent
20 with the provisions of this Act are hereby modified, superseded or repealed accordingly.

21 **SEC. 46. *Effectivity.*** This Act shall take effect fifteen (15) days following its full and
22 complete publication in the Official Gazette or in any major newspaper of general circulation in
23 the Philippines.

Approved,