


SIXTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )

Office of the Secretary

14 AUG 13 P12:01

SENATE

S. No. 2357

RECEIVED 13:01 

**Introduced by Senator Antonio "Sonny" F. Trillanes IV**

**AN ACT**

**STRENGTHENING, MODERNIZING AND INTERNATIONALLY ALIGNING THE PRACTICE OF AGRICULTURAL ENGINEERING IN THE COUNTRY INTO AGRICULTURAL AND BIOSYSTEMS ENGINEERING, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8559 OTHERWISE KNOWN AS THE "PHILIPPINE AGRICULTURAL ENGINEERING ACT OF 1998"**

**EXPLANATORY NOTE**

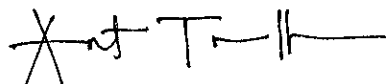
Agricultural Engineers play a very important role in national development. In cognizance of this, the Philippine Congress enacted in 1998, Republic Act No. 8559 otherwise known as the "Philippine Agricultural Engineering Act of 1998". Fifteen years following its passage, the Philippine Agricultural Engineering Profession is faced with many technological developments and global issues and concerns that the government need to respond to and align with, for Filipino professionals to become more competitive.

Worldwide, the Agricultural Engineering Profession have transformed into Agricultural and Biosystems Engineering, a profession which ensures the necessities in life: safe and plentiful food to eat, pure water to drink, clean fuel and energy sources, and safe and healthy environment to live.

In preparation for the upcoming ASEAN Economic Community in 2015, the Philippines, through the Board of Agricultural Engineering, Philippine Society of Agricultural Engineers and the National Agricultural and Fishery Council, hosted the 1<sup>st</sup> ASEAN Conference on Agricultural and Bioystems Engineering (ACABE) last September 24-27, 2013 in Manila Hotel, Manila. During the said conference, the delegates adopted the "ASEAN Agricultural and Biosystems Engineering Framework for Cooperation and Complementary Action in support to ASEAN Food Security and Climate Change Adaptation and Mitigation" which the Philippines is committed to support and implement. This cooperation framework seeks to harmonize and align globally, the practice of agricultural engineering in ASEAN into Agricultural and Biosystems Engineering.

The strengthening of the practice of agricultural engineering in the country into agricultural and biosystems engineering is one of the major legislative agenda under the Philippine Agricultural Engineering Profession Road Map 2013-2020 adopted by the Board of Agricultural Engineering and the Professional Regulation Commission last year. This is to further empower the Filipino Agricultural Engineers in helping achieve Food Security and Sufficiency, protection of the environment and in Climate Change Mitigation and Adaptation Program and for global practice.

In view of the foregoing, approval of this measure is earnestly sought.

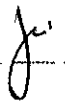


**ANTONIO "SONNY" F. TRILLANES IV**  
*Senator*

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

**ARTICLE I**

**GENERAL PROVISIONS**

1        **SECTION 1. Title.** - This Act shall be known as the "*Philippine Agricultural and*  
2        *Biosystems Engineering Act of 2014*".

3        **SEC. 2. Statement of policy.** - It is hereby declared the policy of the State to promote,  
4        strengthen and regulate the practice of agricultural and biosystems engineering profession in the  
5        Philippines by instituting measures that will result in relevant agricultural and biosystems  
6        engineering education and better career prospects for agricultural and biosystems engineers.

7  
8        Likewise, the State hereby guarantees the application and delivery of agricultural and  
9        biosystems engineering services to accelerate, agricultural and fishery modernization, food and  
10       water security and safety, bio-energy, natural resources conservation, environmental protection  
11       and human health and safety through adequate and well trained agricultural and biosystems  
12       engineers throughout the country.

13  
14       **SEC. 3. Coverage of this Act.** - This Act shall cover the following aspects of the practice  
15       of the profession:

16  
17       a.       Examination, registration and licensure of agricultural and biosystems engineers;

- 1 b. Supervision, control and regulation of the practice of agricultural and biosystems  
2 engineering;  
3
- 4 c. Development, upgrading and updating of the curriculum of the agricultural and  
5 biosystems engineering profession; and  
6
- 7 d. Development and improvement of the professional competence and practice of  
8 agricultural and biosystems engineers through, among others, continuing professional  
9 education and development.  
10

11 **SEC. 4. *Definition of Terms.*** - As used in this Act, the following terms shall mean:

- 12 (a) Agricultural and Bio-systems Engineering refers to the application of engineering  
13 science and designs to the processes and systems involved in the sustainable production  
14 and post-production of safe food, feed, fiber, timber and bio-energy and management of  
15 environment and natural resources;  
16
- 17 (b) Agricultural and Biosystems Engineer refers to a person who is registered and licensed  
18 to practice agricultural and biosystems engineering in the country and who holds a valid  
19 certificate of registration and professional identification card from the Board of  
20 Agricultural and Biosystems Engineering and the Professional Regulation Commission;  
21
- 22 (c) Professional Regulation Commission refers to the government agency described under  
23 Republic Act No. 8981, hereinafter referred to as the "Commission";  
24
- 25 (d) Professional Regulatory Board of Agricultural and Biosystems Engineering refers to the  
26 administrative body created by law to supervise and regulate the practice of the  
27 agricultural and biosystems engineering and the ultimate authority in the practice of the  
28 agricultural and biosystems engineering profession in the Philippines and shall  
29 hereinafter be referred to as the "Board";  
30
- 31 (e) Accredited Professional Organization refers to the professional organization of  
32 agricultural and biosystems engineers duly accredited by the Professional Regulatory  
33 Board of Agricultural and Biosystems Engineering and the Professional Regulation  
34 Commission, hereinafter referred to as "APO";  
35

1 (f) Commission on Higher Education refers to the government agency created to lead,  
2 promote, and regulate higher/tertiary education in the Philippines created under Republic  
3 Act No. 7722, hereinafter referred to as "CHED"; and  
4

5 (g) Bachelor of Science in Agricultural and Biosystems Engineering refers to the tertiary or  
6 higher education program which provides graduates with a Baccalaureate Agricultural  
7 and Biosystems Engineering Degree and shall hereinafter be referred to as BSABE.  
8 This program is effectively promulgated under enabling Policies, Standards, and  
9 Guidelines (PSG) issued by the Commission on Higher Education.  
10

11 **SEC. 5. *Scope of Practice of Agricultural and Bio-systems Engineering***- The practice  
12 of Agricultural and Biosystems Engineering within the meaning and intent of this Act shall  
13 embrace, but not be limited to, the following:  
14

15 (a) *Preparation of engineering designs, plans, specifications, project studies, feasibility*  
16 *studies and estimates for agricultural, fishery, aquaculture and biosystems machinery,*  
17 *farm-to-market roads, buildings and structures, electrification and energy systems,*  
18 *processing facilities and equipment, waste utilization and management system and*  
19 *facilities, and irrigation, drainage and soil and water conservation systems and facilities,*  
20 *and agrometeorological systems;*  
21

22 (b) *Supervision or management on the construction, operation and maintenance of*  
23 *agricultural, fishery, aquaculture and biosystems machinery, farm-to-market roads,*  
24 *buildings and structures, electrification and energy systems, processing facilities and*  
25 *equipment, waste utilization and management system and facilities, and irrigation,*  
26 *drainage and soil and water conservation systems and facilities, and agrometeorological*  
27 *systems;*  
28

29 (c) *Valuation, appraisal, investigation, inspection and technical audit on agricultural,*  
30 *fishery and biosystems machineries and equipment, structures and facilities;*  
31

32 (d) *Program/Project Development and Management, Planning and Consultancy Services on*  
33 *agricultural and biosystems engineering undertakings;*

34 (e) *Conduct of research and development, training and extension work on agricultural and*  
35 *biosystems engineering;*  
36

- 1 (f) Testing, evaluation and inspection of agricultural, fishery, aquaculture and biosystems  
2 machinery and other related agricultural and biosystems engineering facilities and  
3 equipment;  
4
- 5 (g) Manufacture, distribution, installation and sale of agricultural, fishery and biosystems  
6 machinery and other related agricultural and biosystems engineering facilities and  
7 equipment;  
8
- 9 (h) Teaching of agricultural and biosystems engineering subjects in institutions of learning in  
10 the Philippines;  
11
- 12 (i) Preparation and evaluation of farm development plans, farm suitability maps and land  
13 use maps/reports agriculture, livestock, fishery, aquaculture production and processing;  
14
- 15 (j) Training and supervision of agri-fishery machinery technicians and operators of agri-  
16 fishery machinery service centers; and agricultural and biosystems engineering  
17 technicians and operators in agricultural, fishery and biosystems plants,  
18 establishments, facilities and projects;  
19
- 20 (k) Employment with the government and private firms and establishments, *Provided*, That  
21 such item or position requires the knowledge and expertise of an Agricultural and  
22 Biosystems Engineer, or its duties and responsibilities covers the scope of practice of an  
23 agricultural and biosystems engineering; and  
24
- 25 (l) Participation in the preparation of environmental studies for agricultural, fisheries, agro-  
26 industrial and biosystems projects and its monitoring under the environmental impact  
27 assessment (EIA) system.  
28

29 The Board, subject to approval of the Commission, may add to, or exclude from, this  
30 section any activity or act of professional practice, or revise it as the need arises to conform to  
31 the changes and new developments brought about by the latest trends in Agricultural and  
32 Biosystems Engineering; and perform other acts or conduct other activities that may be  
33 determined by the Board, subject to approval by the Commission, in light of the trend of the  
34 practice of the profession.

1 **ARTICLE II**  
2 **PROFESSIONAL REGULATORY BOARD OF**  
3 **AGRICULTURAL AND BIOSYSTEMS ENGINEERING**  
4

5 **SEC 6. *Creation and Composition of the Board.*** - There is hereby created a Professional  
6 Regulatory Board of Agricultural and Biosystems Engineering to be composed of a Chairman  
7 and two (2) Members under the administrative control and supervision of the Commission.  
8 They shall be appointed by the President of the Philippines from a list of three (3)  
9 recommendees for each position which were ranked by the Commission from a list of five (5)  
10 nominees for each position submitted by the duly Accredited Professional Organization of  
11 Agricultural and Biosystems Engineers in the Philippines. The Board shall be organized within  
12 six (6) months after the effectivity of this Act.  
13

14 **SEC 7. *Qualifications of Members of the Board.*** - A member of the Board shall, at the  
15 time of their appointment, possess the following qualifications:  
16

- 17 (a) A Filipino citizen and resident of the Philippines;  
18  
19 (b) At least thirty-five (35) years of age;  
20 (c) A holder of Bachelor's Degree in Agricultural and Biosystems Engineering or its  
21 equivalent, conferred by a school, academy, college or university in the Philippines or  
22 abroad that is accredited by the Commission on Higher Education (CHED);  
23  
24 (d) A registered Agricultural and Biosystems Engineer with a valid professional license and an  
25 active practitioner for not less than ten (10) years prior to his appointment;  
26  
27 (e) Not, for a period of three (3) consecutive years prior to the appointment, be a member of the  
28 faculty of, directly or indirectly, any school, academy, institute, college or university where  
29 a regular course in Agricultural Engineering or Agricultural and Biosystems Engineering is  
30 being taught, nor have any pecuniary interest in or administrative supervision over any such  
31 institutions of learning;  
32  
33 (f) Not, for a period of three (3) consecutive years prior to the appointment, be connected with  
34 a review center or any group or association where review classes or lectures in preparation  
35 for the licensure examination are offered or conducted at the time of appointment; and  
36  
37 (g) Has never been convicted of any offense involving moral turpitude.

1           **SEC. 8. Term of Office.** The Chairman and two Members of the Board shall hold office  
2 for a term of three (3) years from the date of their appointment and until their successors shall  
3 have been appointed and qualified. The first Board under this Act shall hold these terms of  
4 office: the Chairman for three (3) years; the first Member for two (2) years; and the second  
5 member for one (1) year; *Provided, that any appointee to a vacancy with an unexpired term shall*  
6 *only serve such period.*

7           The Chairman or a Member of the Board may be reappointed to their positions for  
8 another term of three (3) years immediately after the expiry of their terms; *Provided, further,*  
9 *That the holding of such position shall not be for more than two (2) terms nor more than six (6)*  
10 *years, whichever is longer. The Chairman and two Members of the Board shall take their oath*  
11 *of office prior to entering upon the performance of duty.*

12           **SEC. 9. Compensation and Allowances of the Board.** - The Chairman and Members of  
13 the Board shall receive compensation and allowances comparable to the compensation and  
14 allowances being received by the Chairmen and members of existing Professional Regulatory  
15 Boards under the Commission as provided for in the General Appropriations Act.

16           **SEC. 10. Vacancy and Removal of Board Members.** - Any vacancy occurring in the  
17 Board within the term of a member shall be filled for the unexpired portion of the term only. The  
18 President may remove the Chairman or any member of the Board on the following grounds:

- 19
- 20 (a) Neglect of duty;
- 21
- 22 (b) Violation or tolerance of the violation of this Act or the Code of Ethics for agricultural  
23 and biosystems engineering; and
- 24
- 25 (c) Final judgment of crimes involving moral turpitude.
- 26

27           The Chairman or Member concerned shall be given due notice and hearing where his  
28 right to be heard and to defend himself, assisted by counsel, shall be respected in the proper  
29 administrative investigation.

30

31           **SEC. 11. Powers and Duties of the Board.** - The Board shall exercise the following  
32 specific powers, functions and duties:

- 33 (a) Promulgate and adopt the rules and regulations necessary for carrying out the provisions  
34 of this Act;
- 35

- 1 (b) Supervise the registration, licensure and practice of Agricultural and Biosystems  
2 Engineers in the Philippines;  
3
- 4 (c) Administer oaths to successful examinees entering the practice of Agricultural and  
5 Biosystems Engineering;  
6
- 7 (d) Issue the certificate of registration to successful examinees;  
8
- 9 (e) Issue, suspend or revoke the license for the practice of the Agricultural and Biosystems  
10 Engineering profession;  
11
- 12 (f) Adopt an official seal of the board;  
13
- 14 (g) Look into the conditions affecting the practice of the Agricultural and Biosystems  
15 Engineering profession through the conduct of ocular inspections and monitoring of  
16 agricultural and biosystems engineering offices, plants or establishments both public  
17 and private, and in the case of schools, in coordination with the Commission on Higher  
18 Education (CHED); and, whenever necessary, adopt such measures, including  
19 promulgation of agricultural and biosystems engineering standards, rules and regulations  
20 and best practices as may be deemed proper for the enhancement and maintenance of  
21 high professional and ethical standards of the profession.  
22
- 23 (h) Prescribe and/or adopt, and enforce a Code of Ethical and Professional Standards for the  
24 practice of agricultural and biosystems engineering profession.  
25
- 26 (i) Hear and try administrative cases involving violations of this Act, its implementing rules  
27 and regulations, the code of ethics for agricultural and biosystems engineers and for this  
28 purpose, to issue subpoena and subpoena duces tecum to secure the appearance of  
29 witnesses and the production of documents in connection therewith;  
30
- 31 (j) Prescribe guidelines in the Continuing Professional Education/Development Program in  
32 coordination with the Accredited Association for Professional Agricultural and  
33 Biosystems Engineers;  
34
- 35 (k) Ensure, in coordination with the Commission on Higher Education (CHED), that all  
36 educational institutions offering agricultural and biosystems engineering program  
37 comply with the policies, standards and requirements of the course prescribed by CHED  
38 in the areas of curriculum, faculty, library and facilities;



- 1 (l) Prepare, adopt, issue or amend the syllabi of the subjects for examinations in consultation  
2 with the academe; determine and prepare questions for the licensure examination which shall  
3 strictly be within the scope of the syllabi of the subjects for examinations; and administer,  
4 correct and release the result of the licensure examinations;  
5
- 6 (m) Approve, issue, limit or revoke temporary license to practice agricultural and biosystems  
7 engineering;  
8
- 9 (n) Issue a cease and desist order to any person, associations, partnership or corporation  
10 engaged in violation of any provision of this Act, any agricultural and biosystems  
11 engineering standards or rules duly promulgated by the Board as part of the rules  
12 governing the practice of agricultural and biosystems engineering in the Philippines;
- 13 (o) Punish for contempt of the board, both direct and indirect, in accordance with the  
14 pertinent provision of and penalties prescribed by the rules of court;  
15
- 16 (p) Perform regulatory, administrative, and quasi-legislative functions as, mandated under  
17 R.A. No. 8981 otherwise known as the Professional Regulation Commission  
18 Modernization Act, and such other functions as may be necessary in order to implement  
19 the provisions of this Act; and  
20
- 21 (q) Discharge such other duties and functions as may be deemed necessary for the  
22 enhancement of the agricultural and biosystems engineering profession and the  
23 upgrading, development and growth of agricultural and biosystems engineering education  
24 in the Philippines.  
25

26 All policies, resolutions, rules and regulations of the board shall be subject to the  
27 review and approval of the Commission.  
28

29 **SEC. 12. *Supervision of the Board; Custodian of its Records, Secretariat and Support***  
30 ***Services.*** - The Board shall be under the administrative supervision of the Commission. All  
31 records of the Board, including applications for examination, examination papers and results,  
32 minutes of deliberation, administrative cases and other investigations involving agricultural and  
33 biosystems engineers shall be kept by the Commission.  
34

35 The Commission shall designate the Secretary of the Board and shall provide the  
36 secretariat and other support services to implement the provisions of this Act.



1 (c) Agricultural and Biosystems Structures and Environment Engineering which include:  
2 agricultural structures engineering, forest products engineering, design and management  
3 of agricultural and biosystem structures, and bio-environmental design;

4  
5 (d) Agricultural and Bioprocess Engineering which include refrigeration and cold storage,  
6 agri-industrial and biosystems application of electrical energy and electronics,  
7 agricultural products process engineering, and food and bio-based products process  
8 engineering;

9  
10 (e) Fundamentals of Agricultural, Fishery, Ecological and Environmental Sciences;

11  
12 (f) Mathematics and Basic Engineering Principles; and

13  
14 (g) Laws, Professional Standards and Ethics.

15 The said subjects and their syllabi may be amended by the Board so as to conform to  
16 technological changes brought about by continuing trends in the profession.

17 **SEC. 18. Rating in the Board Examinations.** - To be qualified as having passed the  
18 Board examination for agricultural and biosystems engineers, a candidate must obtain a general  
19 weighted average of seventy percent (70%), with no grades lower than fifty-five percent (55%)  
20 in any given subject. However, an examinee who obtains a general weighted average rating of  
21 seventy percent (70%) or higher but obtains a rating below fifty-five percent (55%) in any given  
22 subject must take the examination in the subject or subjects where he obtained a grade below  
23 fifty-five percent (55%).

24  
25 **SEC. 19. Report of Ratings.** - The Board shall submit to the Commission the ratings  
26 obtained by each candidate within twenty (20) days after the examination, unless extended for  
27 just cause. Upon the release of the results of the examination, the Board shall send by mail the  
28 rating received by each examinee at his given address using the mailing envelope submitted  
29 during the examination.

30 **SEC.20. Re-examination.** - An applicant who fails to pass the examination for the third  
31 time shall be allowed to take another examination only after the lapse of one (1) year.

32 **SEC. 21. Oath.** - All successful candidates in the examination shall be required to take  
33 their oath before the Board or any government official authorized to administer oaths, prior to  
34 entering upon the practice of the agricultural and biosystems engineering profession.

1           **SEC. 22. Issuance of Certificate of Registration and Professional Identification Card.**

2 (a) A Certificate of Registration shall be issued to those who are registered after payment of fees  
3 prescribed by the Commission. It shall bear the signatures of the Chairperson of the Commission  
4 and of the Chairperson and Members of the Board, stamped with the official seal of the  
5 Commission and of the Board, certifying that the person named therein is entitled to the practice  
6 of the profession, with all the privileges appurtenant thereto. Until withdrawn, revoked or  
7 suspended in accordance with this Act, the Certificate of Registration shall remain in full force  
8 and effect.

9  
10 (b) A Professional Identification Card bearing the registration number and its validity  
11 and expiry dates duly signed by the Chairperson of the Commission shall likewise be issued to  
12 every registrant who has paid the prescribed fees, and has submitted a certificate of membership  
13 in good standing from the APO and proof of completion of the CPE requirements. The said card  
14 shall be renewed every three (3) years upon mandatory proof of completion of continuing  
15 professional education.

16 Once registered, the Agricultural and Biosystems Engineer may use Engr. as the official  
17 appendage title. No person shall practice agricultural and biosystems engineering in the country  
18 unless such person has secured a license to practice agricultural and biosystems engineering in  
19 the manner herein provided.

20  
21           **SEC. 23. Refusal to Register.** – The Board shall not register any successful applicant for  
22 registration with or without licensure examination who has been:

23  
24 (a) convicted of an offense involving moral turpitude by a court of competent jurisdiction;

25  
26 (b) found guilty of immoral or dishonorable conduct by the Board;

27  
28 (c) adjudged guilty for violation of the General Instructions to Examinees by the Board; and

29  
30 (d) declared of unsound mind by a court of competent jurisdiction.

31  
32 In refusing such registration, the Board shall give the applicant a written statement  
33 setting forth the reasons therefor and shall file a copy thereof in its records.

34  
35           **SEC. 24. Revocation or Suspension of the Certificate of Registration and Cancellation**  
36 **of Temporary/Special Permit.** – The Board shall have the power, upon notice and hearing, to  
37 revoke or suspend the Certificate of Registration of a registered and licensed agricultural and  
38 biosystems engineer or to cancel a Temporary/Special Permit granted to a foreign agricultural

1 and biosystems engineer, for the same grounds enumerated in Section 23 of this Act, except  
2 paragraph (c) hereof, and any of the following grounds:

- 3
- 4 (a) Violation of any provision of this Act, Implementing Rules and Regulations, Code of  
5 Ethics, Code of Technical Standards for the practice of agricultural and biosystems  
6 engineering, and of policies and regulatory measures of the Board and/or the  
7 Commission, and Code of Good Governance;
- 8
- 9 (b) Perpetration or use of fraud in obtaining his/her Certificate of Registration, Professional  
10 Identification Card, Temporary/Special Permit;
- 11
- 12 (c) Gross incompetence, negligence or ignorance in the conduct of the profession resulting  
13 to death, injury of persons and/or damage to property;
- 14
- 15 (d) Unjustified refusal to join or to remain a member in good standing of the APO;
- 16
- 17 (e) Unjustified or unexplained neglect or failure to pay the annual registration fees for five  
18 (5) consecutive years;
- 19
- 20 (f) Unjustified or unexplained non-renewal of the Professional Identification Card after the  
21 lapse of five (5) years;
- 22
- 23 (g) Aiding or abetting the illegal practice of a nonregistered and unlicensed agricultural and  
24 biosystems engineer by, among others, allowing him/her to use his/her Certificate of  
25 Registration and/or Professional Identification Card or his/her Temporary/Special  
26 Permit;
- 27
- 28 (h) Illegally practicing the profession during his/her suspension from the practice thereof;  
29 and
- 30 (i) Addiction to a drug or alcohol impairing his/her ability to practice his/her profession or  
31 declared with unsound mind by a court of competent jurisdiction;

32 The Board shall periodically evaluate the aforementioned grounds and revise or add new  
33 ones as the need arises subject to approval by the Commission in order to meet the trends and  
34 developments in the profession.

1           **SEC. 25. Reissuance of Revoked Certificate of Registration, Replacement of Lost or**  
2 **Damaged Certificate of Registration, Professional Identification Card or Temporary/Special**  
3 **Permit.** – The Board may, upon petition, reinstate or reissue a revoked Certificate of  
4 Registration after two (2) years from the effectivity of the revocation, which is the date of  
5 surrender of the said certificate and/or the Professional Identification Card to the Board and/or  
6 the Commission. The Board may not require the holder thereof to take another licensure  
7 examination. The petitioner shall prove to the Board that he/she has valid reasons to resume the  
8 practice of his/her profession. For the grant of his/her petition, the Board shall issue a Board  
9 Resolution subject to approval by the Commission.

10

11           A duplicate copy of a lost Certificate of Registration, Professional Identification Card or  
12 Temporary/Special Permit may be reissued in accordance with the rules thereon and upon  
13 payment of the prescribed fee therefor.

14

15

#### ARTICLE IV

16

#### **PRACTICE OF AGRICULTURAL AND BIOSYSTEMS ENGINEERING**

17

18           **SEC. 26. Vested Rights: Automatic Registration of Practicing Agricultural and**  
19 **Biosystems Engineers.** - All agricultural engineers who are registered under Republic Act No.  
20 8559 at the time this Act takes effect shall automatically be registered as Agricultural and  
21 Biosystems Engineers.

22

23           **SEC. 27. Seal and Use of Seal.** - (a) Each registrant shall, upon registration, obtain the  
24 seal of such design as the Board may adopt. Plans and specifications prepared by, or under the  
25 direct supervision of a registered agricultural and biosystems engineer, shall be stamped with  
26 said seal during the validity of the professional license. No person shall stamp or seal any  
27 document with the seal of a registrant after his professional license has expired or lost its validity  
28 unless he has been reinstated to the practice and/or unless his license has been renewed.

29 (b) No officer or employee of the government, chartered cities, provinces and municipalities  
30 now or hereafter charged with the enforcement of laws, ordinances or regulations relating  
31 to the implementation, construction, repair, operation and maintenance, testing and  
32 evaluation of agricultural, livestock, fishery, aquaculture and biosystems buildings,  
33 structures, machineries and equipment, processes and systems shall accept or endorse  
34 any plans or specifications which have not been prepared and submitted in full accord  
35 with the provisions of this Act, nor shall any payment be approved by any such Officer  
36 for any work, the plans and specifications of which have not been so prepared, signed  
37 and sealed by a duly registered agricultural and biosystems engineer. This provision shall

1 be enforced by the Department of Public Works and Highways and Local Building  
2 Officials in the issuance of building permits and certificate of occupancy relative to the  
3 implementation of the National Building Code, and by all concerned national  
4 government entities and local government units in the procurement and in the discharge  
5 of their regulatory and auditing functions pertaining to agricultural, livestock, fishery,  
6 aquaculture and biosystems structures, machineries and facilities.

- 7 (c) No agricultural and biosystems engineer shall sign his name, affix his seal or use any  
8 other method of signature of plans, specifications or other documents made by or under  
9 another agricultural and biosystems engineer's supervision unless the same is made in  
10 such manner as to clearly indicate the part of such work actually performed by him, and  
11 no person, except the agricultural and biosystems engineer In-Charge shall sign for any  
12 branch of the work or any function of agricultural and biosystems engineering practice  
13 not actually performed by him. The agricultural and biosystems engineer In-Charge shall  
14 be fully responsible for all plans, specifications and other documents issued under his  
15 seal or authorized signature.

16 The Board shall formulate, adopt and promulgate all necessary rules and regulations for  
17 the effective implementation of the provisions relating to the design of the seal, the  
18 signing and sealing of drawings, reports and other documents by agricultural and  
19 biosystems engineers.

- 20 (d) Drawings and specifications duly signed, stamped or sealed as instruments of service are  
21 the property and documents of the agricultural and biosystems engineer, whether the  
22 projects for which they were made is executed or not. No person, without the written  
23 consent of the agricultural and biosystems engineer or author of said documents, shall  
24 duplicate or make copies of said documents for use in the repetition of and for other  
25 projects or buildings, whether executed partly or in whole.

- 26 (e) All drawings, specifications and other documents and reports to be used for the design,  
27 construction, test and evaluation, research and extension of agricultural, livestock,  
28 fishery, aquaculture and bio-systems structures, machineries, equipments, processes and  
29 systems shall be signed and sealed by a licensed agricultural and biosystems engineer.

30 Violation of any of the foregoing shall be grounds for administrative and/or criminal  
31 action.

1           **SEC. 28. *Indication of License and Professional Tax Receipt.*** - The agricultural and  
2 biosystems engineer shall be required to indicate his Professional License Number, the duration  
3 of its validity, including the professional tax receipt number on the documents he signs, uses or  
4 issues in connection with the practice of his profession.

5  
6           **SEC 29. *Firms, Partnerships, Corporations, Cooperatives, Associations and***  
7 ***Foundations engaged in Agricultural and Biosystems Engineering Practice.*** - A firm,  
8 partnership, corporation, association or foundation may engage in the practice of agricultural and  
9 biosystems engineering in the Philippines; *Provided*, That it complies with the following  
10 requirements:

11 (a) The firm, partnership, corporation, cooperatives or association applies for and is issued a  
12 certificate of registration by the Board and the Commission to engage in the practice of  
13 agricultural and biosystems engineering in the Philippines: *Provided*, That the majority  
14 of the partners of the partnership are registered and licensed agricultural and biosystems  
15 engineers: *Provided, further*, That the majority of the members of the board of directors  
16 or members of corporations are registered and licensed agricultural and biosystems  
17 engineers; and

18 (b) The practice of the firm, partnership, corporation or association in agricultural and  
19 biosystems engineering shall be carried out by duly registered and licensed agricultural  
20 and biosystems engineers.

21           **SEC. 30. *Integration of Agricultural and Biosystems Engineers.*** - The agricultural and  
22 biosystems engineering profession shall be integrated into one (1) national organization  
23 registered with Securities and Exchange Commission which shall be recognized by the Board  
24 and by the Commission as the one and only integrated and accredited association of agricultural  
25 and biosystems engineers. An agricultural and biosystem engineer duly registered with the  
26 Board shall automatically become a member of the integrated and accredited association of  
27 agricultural and biosystems engineers, and shall receive the benefits and privileges appurtenant  
28 thereto upon payment of the required fees and dues. Membership in the integrated and accredited  
29 association shall not be a bar to membership in other associations of agricultural and biosystems  
30 engineers.

31  
32           **SEC. 31. *Foreign Reciprocity.*** - No foreign agricultural and biosystems engineer shall  
33 be issued a temporary license to practice the agricultural and biosystems engineering profession  
34 or consultancy thereof or be entitled to any of the rights and privileges under this act unless the  
35 country of which he is a subject or citizen specifically permits Filipino agricultural and



1 biosystems engineers to practice within its territorial limits on the same basis as the subjects or  
2 citizens of such foreign state or country.

3

4 **SEC. 32. *Special/Temporary Permits for Foreign Agricultural and Biosystems***  
5 ***Engineers.*** – The practice of foreign agricultural and biosystems engineers in the Philippines  
6 shall be limited to natural persons only and shall be governed by the provisions of Republic Act  
7 No. 8981, otherwise known as the “Professional Regulation Commission (PRC) Modernization  
8 Act of 2000”: *Provided*, That any foreign national who has gained entry in the Philippines to  
9 perform professional services as an agricultural and biosystems engineer or render such services  
10 or prepare or produce such documents are within the scope of practice of agricultural and  
11 biosystems engineers as set forth in this Act, such as, but not limited to, being a consultant in  
12 foreign-funded or assisted projects of the government or employed or engaged by Filipino or  
13 foreign contractors or private firms, whether or not the nomenclature of his/her profession is  
14 specifically called in his/her country of nationality as agricultural and biosystems engineer, but  
15 who does not meet or wish to comply with the requirements for admission to take the licensure  
16 examinations shall, before assuming the duties, functions and responsibilities as agricultural  
17 and biosystems engineer or consultant, secure a temporary/special permit from the Board,  
18 subject to the approval of the Commission and the Department of Labor and Employment  
19 (DOLE), to practice his/her profession in connection with the project to which he/she was  
20 commissioned: *Provided, further*, That the following conditions are satisfied:

- 21 (a) That he/she is a citizen or subject of a country which specifically permits Filipino  
22 professionals to practice their profession within the territorial limits on the same basis as  
23 the subjects or citizens of such foreign country or state;
- 24 (b) That he/she is legally qualified to practice agricultural and biosystems engineering in  
25 his/her own country, and that his/her expertise is necessary and advantageous to the  
26 Philippines, particularly in the aspects of technology transfer and specialization;
- 27 (c) That he/she shall be required to work with a Filipino counterpart, a natural person who is  
28 a registered and licensed agricultural and biosystems engineer, and professional services  
29 fees and expenses of documentation pertaining to the project shall be proportionately  
30 shared by both foreign and Filipino agricultural and biosystems engineers, including  
31 liabilities and taxes due to the Philippine government, if any, relative to his/her  
32 participation therein, or professional services rendered to the project in accordance with  
33 established rules and regulations; and
- 34 (d) That he/she shall obtain an employment permit from the DOLE: *Provided*, that the  
35 employment permit may be issued to a non-resident alien or to the applicant-employer

1 after the determination of the Commission and the Board of the non-availability of a  
2 person in the Philippines who is competent, able and willing at the time of application to  
3 perform the services for which the foreign expert is being invited.

4 **SEC. 33. *Positions in Government and Private Firms and Establishments with***  
5 ***Agricultural and Biosystems Engineering functions.*** - only licensed and registered agricultural  
6 and biosystems engineers shall be appointed or designated to agricultural engineer or  
7 agricultural and biosystems engineer positions, head or assistant head of agricultural or  
8 agricultural and biosystems or agricultural and fisheries engineering or aquaculture engineering  
9 group, unit, division, bureau, department and branch in all National Government Departments  
10 or Agencies, government owned and controlled corporations, local government units and state  
11 colleges and universities, and all other positions in the government and concerned private  
12 firms and establishments whose main functions and responsibilities constitute the practice of  
13 *agricultural and biosystems engineering pursuant to this Act. Appointments made thereafter in*  
14 *violation hereof shall be considered null and void. The Civil Service Commission (CSC) and the*  
15 *Board of Agricultural Engineering shall promulgate qualification standards for these positions*  
16 *including those positions whose duties and functions constitute the practice of agricultural and*  
17 *biosystems engineering in all government instrumentalities. The Board in consultation with the*  
18 *Civil Service Commission and the Department of Labor and Employment shall promulgate rules*  
19 *and regulations to implement this provision.*

20  
21 **SEC. 34. *Personnel Required-*** All offices, firms and establishments, either government  
22 or private, and farmers organizations and cooperatives engaged in the production, processing,  
23 handling and marketing of agriculture, livestock, fishery, aquaculture and biosystems products  
24 and likewise implementing projects on irrigation, farm mechanization, postharvest facilities and  
25 agricultural and biosystems infrastructures shall employ the required number and/or engage the  
26 services of agricultural and biosystems engineers based on the standards and guidelines to be  
27 promulgated by the Board; *Provided*, That there shall be no understaffing and/or overloading of  
28 agricultural and biosystems engineers. The ratio of agricultural and biosystems engineers to  
29 clientele shall be such as to reasonably effect a sustained quality of agricultural and biosystems  
30 engineering services at all times without overworking the agricultural and biosystems engineers.

31 **SEC. 35 . *National Career Progression Program.*** – There shall be an institutionalized  
32 national agricultural and biosystems engineering career progression program to be formulated  
33 by the Board in consultation with the Accredited Professional Organization (APO), Civil Service  
34 Commission and concerned government agencies: *Provided*, That any agricultural and  
35 biosystems engineer before being allowed to work in specialty areas to perform beyond  
36 generalist function or have specific specialties, must finish the formal education and training  
37 towards specialization, possess recognized practice competencies and must be certified by the

1 Board and must be a member of a relevant and accredited agricultural and biosystems specialty  
2 organization: *Provided, further,* That agricultural and biosystems engineering specialty  
3 organizations shall be recognized and certified by the Board.  
4  
5

## 6 ARTICLE V

### 7 AGRICULTURAL AND BIOSYSTEMS ENGINEERING EDUCATION AND 8 CONTINUING PROFESSIONAL EDUCATION/ DEVELOPMENT 9

10 **SEC 36. *Curriculum Development and Updating-*** The Board and the Commission on  
11 Higher Education shall develop and continuously update the Agricultural and Biosystems  
12 Engineering Curriculum in accordance with required competencies on the practice of the  
13 profession prescribed under this Act, and in order to align with international standards of  
14 agricultural and biosystems engineering education and practice, and to become responsive to the  
15 industry requirements.  
16

17 **SEC. 37. *Rationalization and Upgrading Program-*** The Commission on Higher  
18 Education, in collaboration with the Board, Department of Agriculture, Technical Education  
19 and Skills Development Authority and the Department of Education and in consultation with  
20 the industry and stakeholders, shall formulate and implement a Rationalization and Upgrading  
21 Program on Agricultural and Biosystems Engineering Education in the country with the end in  
22 view of upgrading and modernizing school facilities and equipment, faculty development and  
23 training, provision of scholarships, developing ladderized program on agricultural and  
24 biosystems engineering and other developmental undertakings to produce globally competitive  
25 agricultural and biosystems engineering graduates and professionals.  
26

27 In line with this, all concerned Higher Education Institutions (HEIs) shall formulate and  
28 implement their Agricultural and Biosystems Engineering Education Competitiveness Road Map  
29 as part of the Philippine Agricultural and Biosystems Engineering Profession Road Map/Master  
30 Plan and shall serve as one of the basis in the provision of grants from the government for the  
31 upgrading the program.  
32

33 **SEC. 38. *Career Guidance and Advocacy-*** The Board and the Commission, in  
34 collaboration with the Department of Labor and Employment, Philippine Overseas Employment  
35 Administration, Commission on Higher Education, Department of Education, and the  
36 Department of Agriculture, Accredited Professional Organization and other concerned  
37 government agencies and private organizations, shall formulate and implement a Career  
38 Guidance and Advocacy Program on Agricultural and Biosystems Engineering. The Program

1 shall include the conduct of research studies on the supply and demand and qualifications of the  
2 agricultural and biosystems engineering profession both local and abroad and employment  
3 promotion/assistance for Filipino agricultural and biosystems engineers.  
4

5 **SEC. 39. Continuing Professional Education/Development-** The Board and the  
6 Commission, in consultation with the academe, APO, concerned government agencies and  
7 stakeholders, shall prescribe guidelines in the implementation of the Continuing Professional  
8 Education/Development (CPE/CPD) programs for Agricultural and Biosystems Engineers  
9

10 The CPD credit units earned by an agricultural and biosystems engineer shall be applied  
11 for its equivalency in the training requirement for the promotion of positions in the government  
12 agencies and private firms and the teaching positions in academic institutions, and in the  
13 accreditation for ASEAN Chartered Professional Engineer, APEC Engineer and other  
14 international accreditations.

## 15 ARTICLE VI

### 16 ENFORCEMENT OF THIS ACT AND PENAL PROVISIONS

17  
18 **SEC. 40. Enforcement.** - The Commission shall be the enforcement agency of the  
19 Board. As such, the Commission shall implement the concerned provisions of this Act, enforce  
20 its implementing rules and regulations as adopted by the Board, conduct investigations on  
21 complaints, including violations of the Code of Ethics and Professional Standards of the  
22 profession, and prosecute when so warranted.

23 Furthermore, all duly constituted law enforcement agencies and offices of national,  
24 provincial, city or municipal government or of any political subdivision thereof, shall upon the  
25 call or request of the Board or the Commission, render assistance in enforcing the provisions of  
26 this Act and to prosecute any person violating the provisions of the same. Any person may bring  
27 before the Commission, Board, or the aforementioned officers of the law, cases of illegal  
28 practice or violations of this act committed by any person or party.

29 The Board shall assist the Commission in filing the appropriate charges through the  
30 concerned prosecution office in accordance with law and rules of court.

31 **SEC. 41. Penalties.** - In addition to the administrative sanctions imposed under this Act,  
32 any person who violates any of the provisions of this Act, or committed any of the following  
33 acts shall, upon conviction, be penalized by a fine of not less than one hundred thousand pesos  
34 (P100,000) nor more than five hundred thousand pesos (P500,000), or imprisonment of not less  
35 than six (6) months nor more than five (5) years, or both fine and imprisonment at the discretion  
36 of the court :

- 1 a. Engaging in the practice of agricultural and biosystems engineering in the Philippines  
2 without being registered or without conforming with the provisions of this Act;
- 3 b. Presenting or attempting to use as his/her own the certificate of registration and/ or  
4 professional identification card of another registered agricultural and biosystems  
5 engineer, or a holder of a temporary/special permit;  
6
- 7 c. Giving any false or forged evidence of any kind to the board, or impersonating any  
8 registered agricultural and biosystems engineer or a holder of a temporary/special  
9 permit;
- 10 d. Using a revoked or suspended certificate of registration; or an expired or un-renewed  
11 professional identification card or temporary/special permit;  
12
- 13 e. Using in connection with his/her name or otherwise assuming, using or advertising any  
14 title or description tending to convey the impression that he/she is an agricultural and  
15 biosystems engineer without holding a valid certificate or registration and professional  
16 identification card or a valid temporary/special permit; and  
17
- 18 f. Implementing or causing the implementation of any plans and designs not prepared and  
19 signed by a registered agricultural and biosystems engineer in those cases where this Act  
20 requires that these be prepared and signed by a such a registered agricultural and  
21 biosystems engineer.  
22

23 In case the offender is a corporation, partnership, association, foundation or juridical  
24 person, the penalty of imprisonment shall be imposed on the agricultural and biosystems  
25 engineer-in-charge jointly and in solidarity with the responsible professionals as well as the  
26 controlling officer or officers thereof responsible for permitting or causing the violation.  
27

## 28 **ARTICLE VII**

### 29 **TRANSITORY AND FINAL PROVISIONS**

30  
31 **SEC. 42. *Transitory Provision.*** – The incumbent Chairperson and Members of the Board  
32 shall, in an interim capacity, continue to carry out their functions under the provisions of this Act  
33 without need for new appointments as Chairperson and Members thereof until the first Board,  
34 created under this Act, shall have been constituted or organized pursuant thereto.  
35

36 **SEC. 43. *Implementing Rules and Regulations.*** – Subject to the approval of the  
37 Commission, the Board shall adopt and promulgate such rules and regulations to carry out the

1 provisions of this Act, which shall be effective thirty (30) days following its publication in the  
2 Official Gazette or in any major daily newspaper of general circulation.

3         **SEC. 44. *Separability Clause.*** - If, for any reason or reasons, any part or provision of  
4 this Act shall be declared or held to be unconstitutional or invalid, other provision or provisions  
5 hereof which are not affected thereby shall continue to be full force and effect.

6  
7         **SEC. 45. *Repealing Clause.*** - All laws, decrees, executive orders and other  
8 administrative issuances and parts thereof which are inconsistent with the provisions of this Act  
9 are hereby modified or superseded. Republic Act No. 8559 is hereby repealed.

10

11         **SEC. 46. *Effectivity.*** - This Act shall take effect fifteen (15) days following its  
12 publication in the Official Gazette or in any major daily newspaper of general circulation in the  
13 Philippines, whichever comes first.

*Approved,*