



SENATE
S.B. No. 1164

*19 NOV 11 P5 28

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Introduced by **SENATOR IMEE R. MARCOS**

**AN ACT PRESCRIBING THE PRACTICE OF PROFESSION OF FOREIGN
CITIZENS IN THE COUNTRY, PROVIDING A LIST THEREFOR,
AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Article 2, Section 18 of the 1987 Constitution provides that "*the State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.*". Section 20 of the same article further states that "*the State shall develop a self-reliant and independent national economy effectively controlled by Filipinos*".


The Negative List, as provided in Republic Act No. 7042 otherwise known as the "Foreign Investment Act of 1991", provides for the list of professions that foreign citizens may practice in the Philippines. However, this creates confusion since the "*Negative List*", as defined in the law, pertains to a list of areas of economic activity whose foreign ownership is limited to a maximum of forty percent (40%) of the equity capital of the enterprises engaged therein.

This bill seeks to remove the list of professions that foreigners can practice on the Negative List. As such, it transfers the responsibility of preparing the list from the National Economic and Development Authority (NEDA), upon approval by the President, to the Professional Regulation Commission (PRC), in coordination with the Department of Foreign Affairs (DFA) and the Department of Labor and Employment (DOLE). Such is in line with the mandate of the PRC to regulate the practice of professions in the Philippines. Given the abovementioned circumstances, the immediate passage of this bill is necessary.

IMEE R. MARCOS
Senator

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

1 SECTION 1. *Short Title.* – This Act shall be known as the "Practice of Profession
2 by Foreign Citizens Act of 2019."
3

4 Sec. 2. *Practice of Profession.* – Foreign citizens who are allowed by their home
5 countries to practice their profession in their respective countries may do so in the
6 Philippines subject to the rules in reciprocity. *Provided that,* such practice of said
7 profession/s is not limited by law to citizens of the Philippines.
8

9 Sec. 3. *List of Professions Allowed.* – Foreign citizens may practice the following
10 professions, due to reciprocity arrangements:
11

- 12 1. Accountancy (Section 34, RA No. 9298);
- 13 2. Aeronautical engineering (Section 14, PD No. 1570)
- 14 3. Agricultural and Biosystems engineering (Sections 15 and 31, RA No.
15 10915);
- 16 4. Agriculture (Section 27, PRC Resolution No. 2000-663);
- 17 5. Architecture (Section 13 and 27, RA No. 9266);
- 18 6. Chemical engineering (Section 30 RA No. 9297);
- 19 7. Chemistry (Sections 16, 18 and 34 RA No. 10657);

- 1 8. Civil engineering (Section 25, RA No. 544, as amended);
- 2 9. Customs broker (Section 25, RA No. 9280);
- 3 10. Dentistry (Sections 14 and 31, RA No. 9484);
- 4 11. Electrical engineering (Section 38, RA No. 7920);
- 5 12. Electronics engineering (Sections 13 and 33, RA No. 9292);
- 6 13. Electronics technician (Sections 13 and 33, RA No. 9292);
- 7 14. Environmental planning (Sections 18 and 28, RA No. 10587);
- 8 15. Fisheries (Section 27, PRC Resolution No. 2000-664);
- 9 16. Forestry (Sections 14 and 27, RA No. 10690);
- 10 17. Geodetic engineering (Section 26, RA No. 8560);
- 11 18. Geology (Sections 17 and 33, RA No. 10166);
- 12 19. Guidance and counselling (Sections 13 and 29, RA No. 9258);
- 13 20. Interior design (Sections 15 and 29, RA No. 10350);
- 14 21. Landscape architecture (Sections 13 and 29, RA No. 9053);
- 15 22. Librarianship (Sections 15 and 28, RA No. 9246);
- 16 23. Master plumbing (Section 21, RA No. 1378);
- 17 24. Mechanical engineering (Section 39, RA No. 8495);
- 18 25. Medical technology (Section 27, RA No. 5527, as amended);
- 19 26. Medicine (Section 9, RA No. 2382, as amended);
- 20 27. Metallurgical engineering (Sections 17 and 34, RA No. 10688);
- 21 28. Midwifery (Section 22, RA No. 7392);
- 22 29. Mining engineering (Sections 15, 16, and 28, RA No. 4274);
- 23 30. Naval architecture (Sections 13 and 31, RA No. 10698);
- 24 31. Nursing (Sections 13 and 20, RA No. 9173);
- 25 32. Nutrition and dietetics (Sections 15 and 31, RA No. 10862);
- 26 33. Optometry (Section 34, RA No. 8050);
- 27 34. Pharmacy (Sections 14 and 21, RA No. 10918);
- 28 35. Physical and occupational therapy (Sections 15 and 21, RA No. 5680);
- 29 36. Psychology (Sections 12, 13 and 24, RA No. 10029);
- 30 37. Real estate service (Section 24, RA No. 9646);
- 31 38. Respiratory therapy (Sections 13 and 34, RA No. 10024);
- 32 39. Sanitary engineering (Section 32, RA No. 1364);

- 1 40. Social work (Section 18, RA No. 4373, as amended);
2 41. Teaching at elementary and secondary levels (Sections 15 and 24, RA No.
3 7836, as amended);
4 42. Veterinary medicine (Sections 15 and 31, RA No. 9268); and
5 43. Other professions as may be provided by law or by treaty.
6

7 *Provided that,* corporate practice may be allowed in the following, subject to
8 the requirements, as provided by law:
9

- 10 1. Aeronautical engineering (Section 28, PD No. 1570);
11 2. Agricultural and Biosystems engineering (Section 29, RA No. 10915);
12 3. Architecture (Section 37, RA No. 9266);
13 4. Chemistry (Section 35, RA No. 10657);
14 5. Electronics engineering (Section 28, RA No. 9292);
15 6. Environmental planning (Section 25, RA No. 10587);
16 7. Forestry (Section 25, RA No. 10690);
17 8. Guidance and counselling (Section 27, RA No. 9258);
18 9. Interior design (Section 26, RA No. 10350);
19 10. Landscape architecture (Section 26, RA No. 9053);
20 11. Naval Architecture (Section 30 [g], RA No. 10698);
21 12. Psychology (Section 33, RA No. 10029);
22 13. Real estate service (Section 32, RA No. 9646);
23 14. Sanitary engineering (Section 30, RA No. 1364); and
24 15. Social work (Section 1[c], RA No. 4273, as amended).
25

26 Sec. 4. The Professional Regulation Commission (PRC), in coordination with the
27 Department of Foreign Affairs (DFA) and Department of Labor and Employment
28 (DOLE), shall annually update the list of professions allowed to be practiced in the
29 Philippines, as provided in Section 3 in this Act.
30

1 Sec. 5. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or
2 other issuances or parts thereof inconsistent with the provisions of this Act are hereby
3 repealed or modified accordingly.

4
5 Sec. 6. *Separability Clause.* – If any portion or provision of this Act is declared
6 unconstitutional, the remainder of this Act or any provision not affected thereby shall
7 remain in force and effect.

8
9 Sec. 7. *Effectivity.* – This Act shall take effect after fifteen (15) days following
10 the completion of its publication either in the Official Gazette or in a newspaper of
11 general circulation in the Philippines.

Approved,