

- 33 (a) *Accredited Professional Organization (APO)* - as used in this Act shall refer to
34 the Philippine Association of Agriculturists, Inc. which was accredited by the
35 Professional Regulation Commission (PRC) as per Resolution No. 2000-63;
- 36 (b) *Agriculture* – refers to the art, science, ethics, management and
37 entrepreneurship in the production, processing, and distribution of agricultural
38 products and services;
- 39 (c) *Agriculturist* – shall refer to a person who is a graduate of a bachelor's degree
40 program in agriculture or any related programs performing any of the
41 specialized activities such as agronomy, horticulture, animal husbandry, crop
42 protection (entomology, plant pathology, weed science) plant breeding, soil
43 science, agricultural economics, agricultural business and marketing,
44 agricultural extension and is able to provide scientific, technical and policy
45 advice in implementing programs that would promote agriculture development;
- 46 (d) *Board* - shall refer to the Professional Regulatory Board for Agriculture hereby
47 created as the regulatory body, under the administrative, executive and policy
48 supervision of the Professional Regulation Commission, for the practice of
49 agriculture in the Philippines, with the powers, functions, and responsibilities
50 herein prescribed;
- 51 (e) *Commission* - shall refer to the Professional Regulation Commission (PRC)
52 created under R.A. No. 8991, known as the "PRC Modernization Act of 2000";
- 53 (f) *Licensed Agriculturist* – shall refer to any person who has passed the licensure
54 examination for agriculturist administered by the Board/Commission, or any
55 baccalaureate person with five years of experience in the practice of the
56 profession before the implementation of the AFMA of 1997 and approved by
57 the Board/ Commission, taken the oath of Agriculturist, and duly registered and
58 issued a Certificate of Registration and a valid Professional Identification Card.
59 A Licensed Agriculturist can affix the title "*Lic. Agr.*" after his/her name to
60 indicate the profession.
- 61 (g) *Practice of agriculture profession* – shall refer to activities, acts, services or
62 pursuits performed by PRC-registered and licensed professional agriculturists,
63 the scope thereof is prescribed and/or specified herein.

64 ARTICLE II

65 PROFESSIONAL REGULATORY BOARD FOR AGRICULTURE

66 **Section 5. Creation and Composition of the Professional Regulatory Board**
67 **for Agriculture** - There is hereby created a Professional Regulatory Board for
68 Agriculture hereinafter referred to as the "Board", under the supervision and
69 administrative control of the Professional Regulation Commission, to be composed
70 of a Chair and five (5) members, each member representing one of the six (6) fields
71 of specialization listed in Sec. 15, Article III, hereof, who shall be appointed by the

72 President of the Philippines from among a list of two (2) recommendees for each
73 position submitted by the Commission from a list of three (3) nominees for each
74 position submitted by the Philippine Association of Agriculturists, Inc. (PAA), the
75 Accredited Professional Organization within ninety (90) working days after the
76 approval of this Act. Other Professional Agricultural Organizations duly registered
77 with the Securities and Exchange Commission (SEC) may submit nominees
78 through the APO. The new Board shall be constituted within three (3) months from
79 the effectivity of this Act.

80 **Section 6. Qualifications of the Chair and Members of the Board** - The Chair
81 and Members of the Board must, at the time of their appointment;

- 82 (a) Be a Filipino citizen and resident of the Philippines;
- 83 (b) Be of good moral character and must not been convicted of any crime involving
84 moral turpitude;
- 85 (c) Be a member in good standing of the accredited professional organization of
86 agriculturists;
- 87 (d) Be a registered and licensed agriculturist with a valid Certificate of Registration
88 and Professional Identification Card with at least ten (10) years of experience
89 prior to his/her appointment:
- 90 (e) Not be a member of the faculty, whether full-time or part-time, of any school,
91 college or university where a regular and or review course in Agriculture is
92 taught, nor shall have any pecuniary interest in such institution; and
- 93 (f) Not be an incumbent officer of the accredited national organization of
94 agriculturists.

95 **Section 7. Scope and Practice of Agriculture** - Agriculture profession involves
96 services consisting of crop and animal production, processing and distribution.

97 An agriculturist shall be considered in the practice of agriculture if the nature and
98 character of his/her employment in the public or private enterprise requires
99 professional knowledge in the field of agriculture. He/she is also deemed in the
100 practice of the agriculture profession if he/she teaches or do research in agriculture
101 subjects in any university, college or school duly recognized by the government or
102 engaged in agriculture-related extension activities.

103 **Section 8. Powers and Functions of the Board** - The Board shall have the
104 following powers and functions:

- 105 (a) Promulgate, administer and enforce rules and regulations, including Code of
106 Ethics and Code of Technical Standards for Agriculturists for carrying out the
107 provisions of this Act.

- 108 (b) Supervise and regulate the licensure, registration and practice of the agriculture
109 profession;
- 110 (c) Determine and evaluate the qualifications of the applicants for registration with
111 or without the prescribed licensure examinations and for the issuance of special
112 or temporary permits;
- 113 (d) Prepare and modify the questions for examination and prescribe the syllabi of
114 the subjects for examination and their relative weight;
- 115 (e) Administer the oath of a professional and register successful examinees in the
116 licensure examination and issue the corresponding Certificate of Registration
117 and Professional Identification Card;
- 118 (f) Issue special or temporary permits to foreign agriculturists for specific projects
119 and for a specific duration of time;
- 120 (g) Look into the conditions affecting the practice of agriculture, adopt measures
121 for the enhancement of the profession and the maintenance of high
122 professional, technical and ethical standards, and conduct ocular inspection of
123 places where agriculturist practice their profession;
- 124 (h) In coordination with the Commission on Higher Education (CHED), examine
125 the prescribed facilities of universities or colleges, seeking permission to open
126 the course or program of agriculture in order to ensure that standards and
127 essential requirements for a qualified dean and faculty and adequate budget
128 are properly complied with and maintained;
- 129 (i) Investigate violations of this Act, its implementing rules and regulations and the
130 Code of Ethics for Agriculturists;
- 131 (j) Issue subpoena and subpoena duces tecum to secure the attendance of
132 respondents or witnesses or the production of documents relative to the
133 investigation conducted by the Commission;
- 134 (k) Prepare guidelines for the Continuing Professional Development (CPD) in
135 coordination with the accredited professional organization;
- 136 (l) Perform other powers, functions and duties as may be necessary to effectively
137 implement this Act.

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

143 **Section 9 - Term of Office** - The Chair and Members of the Board shall hold office

144 for a term of three (3) years from the date of their appointment until their
145 successors shall have been appointed and duly qualified; Provided, that the first
146 appointees to the Board after the effectivity of this Act shall hold office according
147 to the following terms: two (2) Members, one of whom shall be designated Chair
148 in the appointment, shall serve for three (3) years; two (2) Members shall serve for
149 two (2) years and two (2) Members shall serve for one (1) year.

150 The Chair and Members may, however, be reappointed for another term but in no
151 case shall serve for more than six (6) years.

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

154 **Section 10. Compensation and Allowance of the Chair and Members of the**
155 **Board** - The Chair and Members of the Board shall receive compensation and
156 allowances comparable to the compensation and allowances received by the Chair
157 and Members of other Professional Regulatory Boards under the Commission as
158 provided in the annual General Appropriation Act.

159 **Section 11. Suspension and Removal of the Chair and Members of the Board**
160 - The Chair or Member of the Board may be suspended or removed by the
161 President of the Philippines upon recommendation of the Commission for neglect
162 of duty, abuse of power, oppression, incompetence, unprofessional, unethical,
163 immoral or dishonorable conduct, commission or toleration of irregularities in the
164 conduct of examination or tampering of the grades therein, or for any final judgment
165 or conviction of any criminal offense involving moral turpitude by the court after
166 having been given the opportunity to defend himself/herself in a proper
167 administrative investigation.

168 **Section 12. Supervision of the Board, Custodian of its Records, Secretariat**
169 **and Support Services** - The Board shall be under the general supervision and
170 administrative control of the Commission. All records of the Board, including
171 application for examination, papers and results, minutes of deliberations,
172 administrative and other investigative cases involving agriculturists, shall be kept
173 by the Commission.
174 The Commission shall designate the Secretary of the Board and other support
175 services to implement the provisions of this Act subject to the usual government
176 accounting and auditing rules and regulations.

177 **Section 13. Annual Report** – The Board shall, within thirty (30) days from the
178 close of each calendar year, submit an annual report to the Commission, giving a
179 detailed account of its proceedings and accomplishments during the year and
180 recommending measures to be adopted with the end in view of upgrading and
181 improving the conditions and practice of the agriculture profession in the
182 Philippines.

183 **ARTICLE III**

184 **LICENSURE EXAMINATION AND REGISTRATION**

185 **Section 14. Licensure Examination** - Every applicant seeking to be registered
186 and licensed as Professional Agriculturist shall undergo an examination as
187 provided for in this Act. Examination for the practice of Agriculture profession in
188 the Philippines shall be given by the Board at least once every year in such places
189 and dates as the Commission may designate in accordance with the provisions of
190 Republic Act 8981.

191 **Section 15. Scope of Examination** - A written examination shall be given to the
192 licensure applicants for Agriculturists, which shall include but not limited to the
193 principles and practices of the following:

- 194 (a) Crop Science
195 (b) Animal Science
196 (c) Soil Science
197 (d) Crop Protection
198 (e) Agricultural Economics and Business; and
199 (f) Agricultural Extension and Communication

200 To conform with the technological and agricultural modernization, the Board may
201 re-cluster, re-arrange, modify, add or exclude any of the foregoing subjects as the
202 need arises.

203 **Section 16. Qualifications of Applicants for Examination** - In order to be
204 admitted to the Licensure Examination for agriculturist profession; a candidate
205 shall, at the time of filing his/her application, establish to the satisfaction of the
206 Board that:

- 207 (a) he/she is a citizen of the Philippines or a foreign country qualified to take the
208 examination as provided in the reciprocity provision of this Act;
- 209 (b) he/she is a holder of a Bachelor's Degree in Agriculture or any related course
210 from a school, college or university established or recognized by the
211 Government; Provided, that a holder of a graduate degree in Agriculture shall
212 be allowed to qualify within five (5) years from the effectivity of this Act; and
- 213 (c) he/she is of good moral character and must not have been convicted of any
214 crime involving moral turpitude.

215 **Section 17. Ratings in the Examination** - In order that a examinee may be
216 deemed to have successfully passed the examination, he/she must have obtained
217 an average of at least seventy-five percent (75%) in all subjects, with no rating
218 below sixty percent (60%) in any subject. However, if an examinee obtains a

219 weighted average rating of seventy-five percent (75%) or higher but obtained a
220 rating below sixty percent (60%) in any given subject/s, he/she shall be allowed to
221 take the examination in the subject or subjects where he obtained a grade below
222 sixty percent (60%) only once.

223 An examinee who fails to pass the examination for three (3) consecutive times
224 shall be required to undergo a review or refresher course from an institution duly
225 accredited by the Board before he/she can be allowed to re-take the examination.

226 **Section 18. Release of the Results of Examination** - The results of the Licensure
227 Examination shall be released by the Board within ten (10) days from the last day
228 of the examination.

229 **Section 19. Issuance of the Certificates of Registration and Professional**
230 **Identification Cards** - A Certificate of Registration shall be issued to examinees
231 who pass the licensure examination for Agriculturists subject to payment of fees
232 prescribed by the Commission. The Certificate of Registration shall bear the
233 signature of the Chairperson of the Commission and the Chair and Members of
234 the Board, stamped with the official seal of the Commission, indicating that the
235 person named therein is entitled to practice of the Agriculturists profession with all
236 the benefits and privileges appurtenant thereto; Provided that he/she shall be
237 allowed to practice the profession without the need of securing another license
238 from any government agency. The Certificate of Registration shall remain in full
239 force and effect until revoked or suspended in accordance with this Act. A
240 Professional Identification Card bearing the registration number, date of issuance,
241 expiry date, duly signed by the Chairperson of the Commission shall likewise be
242 issued to every registrant upon payment of the required fees. The Professional
243 Identification Card shall be renewed every three (3) years and upon satisfying the
244 requirements of the Board.

245 **Section 20. Refusal to Register** - The Board shall not register and issue a
246 Certificate of Registration to any successful examinee who has been convicted by
247 a court of competent jurisdiction of any criminal offense involving moral turpitude
248 or found guilty of immoral or dishonorable conduct after investigation by the Board
249 or has been declared to be of unsound mind. The reason for the refusal shall be
250 set forth in writing.

251 **Section 21. Revocation or Suspension of the Certificate of Registration,**
252 **Professional Identification Card or Cancellation of Temporary/Special Permit**
253 – The Board may, after giving proper notice of hearing to the party concerned,
254 revoke the Certificate of Registration and Professional Identification Card of an
255 Agriculturist or suspend him/her from the practice of the profession or cancel
256 his/her temporary/special permit for any of the causes or grounds under Section
257 20 or for unprofessional or unethical conduct, malpractice, or violation of any of the
258 provisions of this Act, its Implementing Rules and Regulations (IRR), and the Code
259 of Ethics for Professional Agriculturists.

260 **Section 22. Reinstatement, Reissuance or Replacement of Certificate of**
261 **Registration, Professional Identification Card and Temporary/Special Permit**
262 – The Board may, after two (2) years from the date of revocation of Certificate of
263 Registration, reinstate any revoked Certificate of Registration and reissue a
264 suspended Professional Identification Card. A new Certificate of Registration or
265 Professional Identification Card or temporary/special permit may be issued to
266 replace lost, destroyed or mutilated ones subject to such rules as may be
267 promulgated by the Board.

268 **Section 23. Roster of Professional Agriculturist** - The Board, in coordination
269 with the Accredited Professional Organization, shall prepare, update and maintain
270 a Roster of Professional Agriculturists, their residence and office addresses, dates
271 of registration or issuance of certificate and other data which the Board may deem
272 pertinent.

273 The roster shall be open to the public, copies of which shall be made available to
274 any party as may be deemed necessary.

275 **Section 24. Issuance of Special or Temporary Permit** - Upon application and
276 payment of the required fees and subject to the approval of the Commission, the
277 Board may issue special or temporary permits to professional agriculturists from
278 foreign countries whose services are urgently needed in the absence or
279 inadequacy of local professional agriculturists for the purpose of promoting or
280 enhancing the practice of the profession in the Philippines.

281 **Section 25. Foreign Reciprocity** - No foreign professional agriculturist shall be
282 admitted to the licensure examination or be given a Certificate of Registration or
283 Professional Identification Card and be entitled to any of the privileges under this
284 Act unless the country of which he/she is a citizen specifically allows Filipino
285 Agriculturists to practice within its territorial limits on the same basis as the citizens
286 of such foreign country.

287 **ARTICLE IV**

288 **PRACTICE OF AGRICULTURE PROFESSION**

289 **Section 26. Oath** -All successful examinees qualified for registration shall be
290 required to take an oath of profession before any Member of the Board or any
291 government official authorized by the Commission or any person authorized by law
292 to administer oaths prior to entering into the practice of Agriculture profession.

293 **Section 27. Act Constituting The Practice of Agriculture Profession** - Any
294 single act or transaction embraced within the provision of Section 7 hereof shall
295 constitute an act of engaging in the practice of Agriculture profession.

296 **Section 28. Prohibition Against the Unauthorized Practice of Agriculture**
297 **Profession** - No person shall practice the Agriculture profession in the Philippines
298 or offer himself/herself as Agriculturist, or use the title, word, letter, figure, or any

299 sign tending to convey the impression that one is an Agriculturist, or advertise or
300 indicate in any manner whatsoever that one is qualified to practice the profession
301 unless he/she has satisfactorily passed the licensure examination given by the
302 Board, except as otherwise provided in this Act, and is a holder of a valid Certificate
303 of Registration and Professional Identification Card or a valid special/temporary
304 permit duly issued to him/her by the Board and the Commission.

305 **Section 29. Prohibition Against Corporate Practice** – The practice of agriculture
306 is a professional service, admission to which shall be determined upon the basis
307 of individual and personal qualification. No firm, company, or association may be
308 registered or licensed as such for the practice of agriculture profession.

309 **Section 30. Position with Practice of the Agriculture Profession**. – Positions
310 in public or private entities, involving the practice of Agriculture, shall be occupied
311 by persons who are duly registered and Licensed Agriculturists, or with valid
312 Temporary/Special Permits that are issued under this Act.

313 **Section 31. Employment of Agriculturists in the Government** - In furtherance
314 of the national government's program for sustainable agricultural development,
315 there is a need to adopt mechanisms for the placement and employment of
316 agriculture graduates in the government sector.

317 Thus, it is hereby mandated that all municipalities shall require at least 80% of
318 created plantilla positions at the Municipal Agriculture offices be occupied by
319 licensed agriculturists. Likewise, all provinces shall require at least 50% of plantilla
320 positions at the offices of the Provincial Agriculturist be occupied by licensed
321 Agriculturists. The aforesaid agriculturist plantilla positions shall be occupied by a
322 licensed Agriculturist as defined in this Act.

323 Whenever necessary, national government agencies concerned in agriculture-
324 related activities must also require plantilla positions for agriculturists as they may
325 deem appropriate.

326 The Board shall initiate the development of Position Classification Standards to be
327 led by the Civil Service Commission, in collaboration with the Department of
328 Agriculture, the Department of Interior and Local Government, the Department of
329 Agrarian Reform, and the Department of Environment and Natural Resources, one
330 (1.) year after the approval of this Act in accordance with existing Salary
331 Standardization Laws.

332 **Section 32. Employment of Agriculturists in the Private Sector** – Inline with
333 the national government's program for sustainable agricultural development,
334 there is also a need to adopt alternative mechanisms for the placement and
335 employment of agriculture graduates in the private sector engaged in agriculture.

336 Thus, it is hereby mandated that all corporate farms with the following sizes of
337 operation shall require at least one (1) plantilla position for a licensed
338 agriculturists:

- 339 a) Farms with at least 50 hectares planted to agricultural crops,
340 b) Poultry farms with at least 5,000 chicken, or 2,000 ducks.
341 c) Livestock farms with at least 50 head of cattle/carabao, or 50-sow units, or
342 100 fattening pigs; or 100 head of goats;

343 Other corporations requiring agriculturists such as golf courses, agri tourist
344 facilities and the likes is also required to employ licensed agriculturists and are
345 required to employ a local counterpart for every foreign agriculturist and register
346 the same with the Commission.

347 **Section 33. Accredited Professional Organization** - All professional
348 agriculturists shall have one National Organization, which shall be recognized by
349 the Board and by the Commission as the one and only accredited professional
350 organization of agriculturists. A Professional Agriculturist duly registered with the
351 Board shall automatically become a member of the accredited professional
352 organization of Agriculturist and shall receive the benefits and privileges
353 appurtenant thereto. Membership in the accredited professional organization of
354 agriculturists shall not be a bar to membership in other associations of
355 Agriculturists.

356 **Section 34. Code of Ethics for Agriculture Profession** - The Board shall adopt
357 and promulgate the Code of Ethics and Code of Technical Standards which shall
358 be issued by the Accredited Professional Organization of Agriculturist.

359 **Section 35. Vested Rights: Automatic Registration of Agriculturists** – All
360 agriculturists who are registered and licensed at the time this Act takes effect shall
361 automatically be registered.

362 **ARTICLE V**

363 **PENAL AND FINAL PROVISIONS**

364 **Section 36. Penal Provision** - Any violation of this Act, including violations of
365 implementing rules and regulations, shall be meted the penalty of a fine of not less
366 than Fifty Thousand Pesos (P 50,000.00) or more than Five Hundred Thousand
367 Pesos (P500, 000.00), or imprisonment of not less than six (6) months nor more
368 than six (6) years, or both such fine and imprisonment upon the discretion of the
369 court.

370 **Section 37. Appropriations** – The Chairperson of the Professional Regulation
371 Commission shall immediately include in the Commission's programs the
372 implementation of this Act, the funding of which shall be included in the Annual

373 General Appropriations Act and thereafter.

374 **Section 38. Transitory Provisions** - The existing Board of Agriculture shall
375 continue to function in the interim until such time that the new Board shall be
376 constituted pursuant to this Act.

377 **Section 39. Implementing Rules and Regulations** - The Board, subject to the
378 approval by the Commission in coordination with the Accredited Professional
379 Organization, shall issue and promulgate the rules and regulations including the
380 Code of Ethics for Agriculturists needed to implement the provisions of this Act.

381 **Section 40. Separability Clause** - If any clause, sentence, paragraph or part of
382 this Act shall be declared unconstitutional or invalid, such judgment shall not affect,
383 invalidate or impair any other part of this Act.

384 **Section 41. Repealing Clause** - All laws, decrees, executive orders,
385 memorandum orders, and other administrative issuances and parts thereof which
386 are inconsistent with the provisions of this Act, are hereby modified, superseded
387 or repealed accordingly.

388 **Section 42. Effectivity** - This Act shall take effect fifteen (15) days following its
389 publication in the Official Gazette or in a major newspaper of general circulation in
390 the Philippines.