

[**PRESIDENTIAL DECREE No. 1286, January 20, 1978**]

REGULATING THE PRACTICE OF NUTRITION AND DIETETICS IN THE PHILIPPINES, AND FOR OTHER PURPOSES.

WHEREAS, Republic Act No. 2674, an Act to regulate the practice of dietetics in the Philippines took effect on June 18, 1960;

WHEREAS, since the effectivity of said Act, significant changes have evolved along the delivery of nutritional services in hospitals and other health care institutions; and

WHEREAS, the provisions of Republic Act No. 2674 regulating merely as it does the practice of dietetics proved inadequate to meet the fast changing needs of promoting the nutritional well-being of individuals and groups within the framework of community life, hence, there is an imperative need to regulate not only the practice of dietetics but also that of nutrition.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in my by the Constitution, do hereby order and decree:

SECTION 1. *Title of Decree.* This Decree shall be known and cited as the "Nutrition and Dietetics Decree of 1977.

SEC. 2. *Definitions.* The following definitions, unless the context otherwise requires, shall govern in the application and construction of this Decree:

(a) Board The Board of Nutrition and Dietetics

(b) Commission The Professional Regulation Commission created under Presidential Decree No. 223.

(c) Nutrition The science of foods, the nutrients and other substances therein, their action, interaction, and balance in relation to health and disease and the process by which the organism ingests, digests, absorbs, transports, utilizes and excretes food substances. In addition, nutrition must be concerned with certain social, economic, cultural and psychological implications of food and eating.

(d) Dietetics refers primarily to the therapeutic and food service aspects of the delivery of nutritional services in hospitals and other health care institutions.

(e) Nutritionist dietitian A person who is qualified to practice nutrition and dietetics as provided for under this Decree.

SEC. 3. *Creation and Composition of the Board.* There is hereby created a Board of Nutrition and Dietetics, herein referred to as the Board under the Commission. It shall be composed of a Chairman and two members, all to be appointed by the President of the Philippines upon the recommendation of the Commission from among nutritionists-dietitians of recognized standing in the Philippines nominated by the accredited professional organization of nutritionist-dietitians in the Philippines, and who, at the time of their appointment, shall:

(a) be a citizen and resident of the Philippines;

- (b) be at least thirty (30) years of age, and of good moral character;
- (c) be a holder of a bachelor's, masters or doctorate degree conferred by a reputable and legally constituted school, college, or university with nutrition, dietetics community nutrition or Public Nutrition as their major field of study;
- (d) have at least five (5) years experience in the field of nutrition and dietetics, immediately prior to his appointment;
- (e) be a registered nutritionist-dietitian except the members of first Board who should be registered dietitians;
- (f) not be a member of the faculty of any school, college, or university, conferring a bachelor's degree with nutrition, dietetics or community nutrition as a major study at the time of appointment nor during the year immediately preceding appointment as member of the Board. Neither should she have any direct or indirect pecuniary interest in such institutions.

SEC. 4. *Powers and Duties of the Board.* The Board is vested with authority conformably with the provisions of this Decree, to:

- (a) Administer the provisions of this Decree;
- (b) Administer oaths in connection with the administration of this Decree;
- (c) Issue, suspend and revoke certificates of registration for the practice of nutrition and dietetics;
- (d) Look from time to time, into the conditions affecting the practice of the profession in the Philippines, and whenever necessary adopt such measures as may be deemed proper for the maintenance of high standards of professional practice. Approval of licenses for hospitals by the Bureau of Medical Services shall be subject to recommendation of the Board on the complete facilities and dietetics staffing of said hospitals;
- (e) Approve hospitals, institutions or agencies where practical training could be given;
- (f) Investigate such violations of this Decree of the regulations issued thereunder as may come to the knowledge of the Board and, for this purpose, issue subpoena duces tecum to secure the attendance of witnesses and production of documents in connection with the charges presented to the Board;
- (g) Establish and administer a code of ethics and fair practice for nutritionist-dietitians in the Philippines;
- (h) Subject to the approval of the Commission, promulgate such rules and regulations as may be necessary to carry out the provisions of this Decree.

SEC. 5. *Refusal to Issue a Certificate in Certain Cases.* The Board shall refuse to issue a certificate of registration to any person convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude, or any person guilty of immoral or dishonorable conduct, or of unsound mind, or suffering from incurable infectious disease and in such case the Board shall give to the applicant a written statement setting forth the reason for its action, which statement shall be incorporated in the record of the Board.

SEC. 6. *Revocation and Suspension of Certificates.* The Board may after giving proper notice and hearing to the party concerned, revoke or suspend a certificate of registration for any of the causes mentioned in the next preceding paragraph, or for unprofessional conduct, malpractice, incompetency or serious ignorance or malicious negligence in the practice of nutrition and dietetics; or for making use of fraud, deceit, or false statement to obtain a certificate of registration; or for habitual use of intoxicating drink, drugs or medicines causing him to become incompetent to practice nutrition and dietetics; or for the employment of a person who is not qualified to do the work that under this Decree can be done only by persons who have certificates of resignation to practice nutrition and dietetics in the Philippines.

SEC. 7. *Appeal from Judgment.* The decision of the Board shall become final after thirty days from the date of promulgation unless within said period any interested party has perfected an appeal to the Commission whose decision shall be final, subject to the usual appeal to the Office of the President.

SEC. 8. *Reinstatement and Replacement of Certificates.* The Board may, upon application and for reasons deemed proper and sufficient, issue another registration certificate in lieu of one previously revoked, and in so doing, it may in its discretion, exempt the applicants from taking another examination. A new certificate to replace any certificate lost, destroyed or mutilated may be issued subject to the applicable law and rules of the Board.

SEC. 9. *Term of Office.* The members of the Board shall hold office for a term of three years after appointment or until the successor shall have been appointed and duly qualified but not to exceed two terms or six years. Interim vacancies in the Board shall be filled for the unexpired term only.

SEC. 10. *The Commission and All Records of the Board.* The Commission shall conduct the examinations given by the Board according to the rules and regulations promulgated by the former. All records of the Board, including examination papers, minutes of deliberations, and records of administrative proceedings and investigations shall be kept by the Commission.

SEC. 11. *Compensation of the Board.* The members of the Board shall each receive as compensation the sum of fifteen (15) pesos for each applicant examined but shall not less than three thousand six hundred (P3,600) pesos per annum nor more than twenty four thousand (P24,000) pesos per annum as provided for in Republic Act Four Hundred Sixty Five, as amended. Any nutritionist-dietitian in the service of the government of the Philippines appointed as member of the Board shall receive the compensation herein provided in addition to his salary.

SEC. 12. *Removal of Board Members.* The President of the Philippines upon recommendation of the Commission may suspend or remove any member of the Board for neglect of duty, incompetence, commission or tolerance or irregularities in the examinations, malpractice, or unprofessional, unethical, immoral or dishonorable conduct, after having given the member concerned an opportunity to be heard and/or to defend himself in a proper administrative investigation: Provided, That during the investigation, the President shall have the power to suspend such member under investigation and appoint a temporary member in his place.

SEC. 13. *Publication in the Official Gazette.* All rules, regulations and code of ethics promulgated by the Board under the provisions of this Decree shall be published in the Official Gazette, and shall be effective fifteen days after publication therein.