

[REPUBLIC ACT NO. 11398, August 22, 2019]

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

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

ARTICLE I

TITLE, DECLARATION OF POLICY, OBJECTIVES
AND DEFINITION OF TERMS

SECTION 1. *Short Title.* - This Act shall be known as the "Philippine Fisheries Profession Act".

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to provide priority attention and support to professionalize the practice of the fisheries profession in the Philippines, which will be beneficial to sustain the food security and economic development of the country, and to upgrade the standards of fisheries education. These policies are provided for in Republic Act No. 8550, otherwise known as the "Fisheries Code of 1998" and Republic Act No. 8435, otherwise known as the "Agriculture and Fisheries Modernization Act of 1997".

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

SEC. 3. *Definition of Terms.* - As used in this Act:

- (a) Aquaculture refers to fishery operations involving all forms of farming fish and other aquatic plants and animals in fresh, brackish, and marine waters;
- (b) Aquatic resources refer to fish and other living resources of the aquatic environment that have or will have commercial value when utilized;
- (c) Fisheries refers to all activities relating to the science and act or business of fishing, culturing, preserving, processing, marketing, developing, conserving, and managing of aquatic resources and environment;

(d) Fisheries sector refers to the sector engaged in the production, growing, harvesting, processing, marketing, developing, conserving, and managing of aquatic resources and environment;

(e) Fisheries profession refers to the practice of the science and technical knowledge and skills of all areas of fisheries (catching, farming, processing, marketing, management, and conservation of aquatic resources and environment);

(f) Fisheries professional refers to a person who is technically qualified and competent to practice the fisheries by the Board and the Commission;

(g) Accredited and Integrated Professional Organization (AIPO) refers to an integrated national organization, association, or society that is granted accreditation by the Board and the Commission as the Accredited Integrated Professional Organization of Fisheries Professional; and

(h) Scope of examination refers to the range of topics or subjects provided by the Board in the syllabi of the four (4) areas of scope of examination for fisheries professionals in Sections 8(m) and 14 of this Act.

SEC. 4. *Scope and Practice of the Fisheries Profession.* - The scope and practice of the fisheries profession is the application of the fundamental and known principles of fisheries to the peculiar conditions and requirements of fisheries as an industry and as a field of science and shall include the following:

(a) Consultation, evaluation, investigation, and management services in fisheries:

(b) Preparation of fisheries design on inland, coastal and offshore hatcheries, and production systems; its plans, specifications, and project feasibility studies and estimates. Provide supervision, and management services to ensure the incorporation of prescribed plans, and specifications in creating the biological, and environmental requirements for normal growth of fish species and aquatic organisms during construction, installation, o operation, and maintenance of farm, outdoor and indoor facilities; on the operations and maintenance of post-harvest facilities, and equipment, including proper handling of fish catch in fishing vessel; and other fisheries facilities, systems and technologies, in collaboration/consultation with other disciplines;

(c) Conduct of research and development, training, and extension work in fisheries, aquatic resources, aquaculture, and post-harvest technologies;

(d) Management of fisheries resources, and manufacture of fishery products, marketing of fish and fishery products, or both;

(e) Teaching fisheries courses in higher institutions of learning in the Philippines recognized by the government;

(f) Study and treatment of fish diseases and parasites that affect fishing, post-harvest and aquaculture activities and projects;

(g) Employment in the government and private sectors where the positions require the knowledge and expertise of a fisheries professional except in small-scale

fisheries operations of municipal fisherfolk such as fishing, aquaculture, and fish processing where licensed fisheries professionals are not required;

(h) Administration, and conduct of licensure examination, and registration and licensing of fisheries professionals:

(i) Supervision, and regulation of the practice of the fisheries profession in the Philippines; and

(j) Upgrading of the fisheries profession and the professionalization of fisheries professionals.

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

ARTICLE II

PROFESSIONAL REGULATORY BOARD OF FISHERIES

SEC. 5. Creation and Composition of the Professional Regulatory Board of Fisheries.

- Within ninety (90) days after the effectivity of this Act, there shall be created the Professional Regulatory Board of Fisheries, hereinafter referred to as the Board, under the administrative supervision and control of the Professional Regulation Commission (PRC), hereinafter referred to as the Commission. The Board shall be composed of a Chairperson and four (4) members. Preferably, each member shall represent one of the four (4) fields of specialization listed in Section 14, Article III, hereof, to be appointed by the President of the Philippines from a list of three (3) recommendees of the Commission chosen from a list of four (4) nominees for each position submitted by the Accredited Integrated Professional Organization of Fisheries Professionals): *Provided*, That a member representing a field of specialization has at least a bachelor's degree in that particular field of specialization.

The Chairperson and the four (4) members of the Board must be registered professionals and issued with certificates of registration and professional identification cards at the time of their appointment.

SEC. 6. Qualifications of the Members of the Board. The Chairperson and members of the Board shall, at the time of their appointment, possess the following qualifications:

(a) Must be a natural born citizen and resident of the Philippines;

(b) Must be at least forty (40) years of age:

(c) Must be of proven integrity and of high moral and ethical values in one's personal as well as professional conduct;

(d) Must not have been convicted by a court in a final judgment in a crime involving moral turpitude;

(e) Must be a holder of a Bachelor's degree in the field of fisheries, or a holder of a Master or Doctorate degree in the field of fisheries from a school, college, or university recognized by the Government or abroad, and has been engaged in the practice of fisheries profession for at least ten (10) years before appointment;

(f) Must not be connected with any school, college, or university granting a degree that qualifies graduates of such degree for admission to the licensure examination for fisheries professionals; and

(g) Must not be an incumbent officer or trustee of the accredited professional organization for fisheries professionals.

SEC. 7. Term of Office. - The Chairperson and Members of the Board shall hold office for a term of three (3) years or until their successors shall have been qualified and appointed. They may, however, be appointed for a second term. Any vacancy in the Board shall be filled for the unexpired portion of the term only. Each member shall take an oath of office prior to the assumption of duties.

The incumbent Chairperson and members shall continue to serve until their replacements shall have been appointed and qualified.

SEC. 8. Powers and Functions of the Board. - The Board shall have the authority to:

(a) Promulgate, adopt, and issue rules and regulations to carry out the provisions of this Act;

(b) Administer and supervise the licensure examination for admission to the practice of the fisheries profession;

(c) Supervise and regulate the licensure, registration and practice of the fisheries profession;

(d) Administer the oath of a professional to the successful examinees in the licensure examination for fisheries professionals in appropriate mass oath-taking ceremonies to be held for the purpose;

(e) Register and issue certificates of registration to successful examinees in licensure examinations for fisheries professionals and to persons qualified to register as fisheries professionals without examination;

(f) Suspend, or revoke the certificate of registration and professional identification card of a fisheries professional for causes provided herein;

(g) Adopt an official seal of the Board as well as the seal of fisheries professionals;

(h) Adopt and promulgate a Code of Ethics and Standards of Practice for Fisheries Professionals;

(i) Look into the conditions affecting the practice of the fisheries profession and whenever necessary, adopt measures as may be deemed appropriate for the enhancement or maintenance of high professional and ethical standards of the practice of the fisheries profession;

(j) Ensure, in coordination with the Commission on Higher Education (CHED), that all educational institutions offering courses in fisheries education comply with the policies, standards and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library, and facilities, as well as to conform itself with the Philippine Qualifications Framework (PQF) necessary for education and training provisions in the conformance towards learning outcomes;

(k) Hear, try, and decide administrative cases involving violations of the provisions of this Act and its implementing ' rules and regulations (IRR) including the Code of Ethics and Standards of Practice for Fisheries Professionals and, for this purpose, issue *subpoena* and *subpoena duces tecum* to secure the appearance of witnesses and the production of documents and to testify in connection herewith;

(l) Enforce compliance with Republic Act No. 10912, otherwise known as "Continuing Professional Development Act of 2016". The Continuing Professional Development (CPD) law shall be mandatory for all fisheries professionals in coordination with the accredited national association of fisheries professionals;

(m) Prepare, adopt and issue, in consultation with the academe, the syllabi or tables of specification of the subjects for the licensure examinations and to amend the same; and

(n) To discharge and perform such other duties and functions as may be necessary to carry out the objectives and purposes of this Act.

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

SEC. 9. Compensation and Allowance of the Chairperson and Members of the Board.

- The Chairperson and members of the Board shall receive compensation and allowances comparable to the compensation and allowances received by the Chairperson and members of other Professional Regulatory Boards.

SEC. 10. Removal and Suspension of the Chairperson and Members of the Board. -

The President may, upon recommendation of the Commission, remove any member of the Board for any of the following causes:

(a) Negligence;

(b) Incompetence;

(c) Immoral, dishonorable or unprofessional conduct;

(d) Violation of, or abetting the violation of, the Code of Ethics and Standards of Practice for Fisheries Professionals; and