

**[ REPUBLIC ACT NO. 8981, December 05, 2000 ]**

**AN ACT MODERNIZING THE PROFESSIONAL REGULATION  
COMMISSION, REPEALING FOR THE PURPOSE PRESIDENTIAL  
DECREE NUMBERED TWO HUNDRED AND TWENTY-THREE,  
ENTITLED "CREATING THE PROFESSIONAL REGULATION  
COMMISSION AND PRESCRIBING ITS POWERS AND  
FUNCTIONS," AND FOR OTHER PURPOSES**

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

SECTION 1. *Title.* - This Act shall be called the "PRC Modernization Act of 2000."

SEC. 2. *Statement of Policy.* - The State recognizes the important role of professionals in nation-building and, towards this end, promotes the sustained development of a reservoir of professionals whose competence has been determined by honest and credible licensure examinations and whose standards of professional service and practice are internationally recognized and considered world-class brought about by regulatory measures, programs and activities that foster professional growth and advancement.

SEC. 3. *Professional Regulation Commission.* - There is hereby created a three-man commission to be known as the Professional Regulation Commission, hereinafter referred to as the Commission, which shall be attached to the Office of the President for general direction and coordination.

SEC. 4. *Composition.* - The Commission shall be headed by one (1) full-time Chairperson and two (2) full-time Commissioners, all to be appointed by the President for a term of seven (7) years without reappointment to start from the time they assume office. Appointments to a vacancy that occurs before the expiration of the term of a Commissioner shall cover only the unexpired term of the immediate predecessor. At the expiration of the term of the Chairperson, the most senior of the Commissioners shall temporarily assume and perform the duties and functions of the Chairperson until a permanent Chairperson is appointed by the President.

The Chairperson or Commissioner shall be at least forty (40) years of age, holding a valid certificate of registration/ professional license and a valid professional identification card or a valid certificate of competency issued by the Commission or a valid professional license issued by any government agency, familiar with the principles and methods of professional regulation and/or licensing and has had at least five (5) years of executive or management experience: *Provided, That*, one (1) of the Commissioners must be a past Chairperson/member of a Professional Regulatory Board.

SEC. 5. *Exercise of Powers and Functions of the Commission.* - The Chairperson of the Commission, and the Commissioners as members thereof shall sit and act as a body to exercise general administrative, executive and policy-making functions of the Commission. The Commission shall establish and maintain a high standard of admission to the practice of all professions and at all times ensure and safeguard the integrity of all licensure examinations.

The Chairperson shall act as the presiding and chief executive officer of the Commission. As presiding officer, he/she shall preside over the meetings of the Commission sitting as a collegial body. As chief executive officer of the Commission, he/ she shall be responsible for the implementation of the policies and the programs adopted by the Commission for the general administration of the Commission. He/she shall perform such other activities which are necessary for the effective exercise of the powers, functions and responsibilities of the Commission.

SEC. 6. *Compensation and Other Benefits.* - The Chairperson shall receive compensation and allowances equivalent to that of a Department Secretary while the Commissioners shall receive compensation and allowances equivalent to that of an Undersecretary. The Chairperson and the members of the Commission shall be entitled to retirement benefits provided under Republic Act Numbered Fifteen Hundred and Sixty-Eight, as amended by Republic Act Numbered Three Thousand Five Hundred and Ninety-Five.

SEC. 7. *Powers, Functions and Responsibilities of the Commission.* - The powers, functions and responsibilities of the Commission are as follows:

- a. To administer, implement and enforce the regulatory policies of the national government with respect to the regulation and licensing of the various professions and occupations under its jurisdiction including the enhancement and maintenance of professional and occupational standards and ethics and the enforcement of the rules and regulations relative thereto;
- b. To perform any and all acts, enter into contracts, make such rules and regulations and issue such orders and other administrative issuances as may be necessary in the execution and implementation of its functions and the improvement of its services;
- c. To review, revise, and approve resolutions, embodying policies promulgated by the Professional Regulatory Boards in the exercise of their powers and functions or in implementing the laws regulating their respective professions and other official actions on non-ministerial matters within their respective jurisdictions;
- d. To administer and conduct the licensure examinations of the various regulatory boards in accordance with the rules and regulations promulgated by the Commission; determine and fix the places and dates of examinations; use publicly or privately owned buildings and facilities for examination purposes; conduct more than one (1) licensure examination: *Provided, That*, when there are two (2) or more examinations given in a year, at least one (1) examination shall be held on weekdays (Monday to Friday): *Provided, further, That*, if only one (1) examination is given in a year, this shall be held only on weekdays: *Provided, finally, That*, the Commission is also authorized to require the completion of a refresher course where the examinee has failed to pass three (3) times, except as otherwise provided by law; approve the results of examinations and the release of the same; adopt measures to preserve the

integrity and inviolability of licensure examinations; appoint supervisors and room watchers from among the employees of the government and/or private individuals with baccalaureate degrees, who have been trained by the Commission for the purpose and who shall be entitled to a reasonable daily allowance for every examination day actually attended, to be determined and fixed by the Commission; publish the list of successful examinees; provide schools, colleges and universities, public and private, offering courses for licensure examinations, with copies of sample test questions on examinations recently conducted by the Commission and copies of the syllabi or terms of specifications of subjects for licensure examinations; and impose the penalty of suspension or prohibition from taking licensure examinations to any examinee charged and found guilty of violating the rules and regulations governing the conduct of licensure examinations promulgated by the Commission;

- e. To admit the successful examinees to the practice of the profession or occupation; cause the entry of their names on its registry book and computerized database; issue certificates of registration/professional license, bearing the registrant's name, picture, and registration number, signed by all the members of the Board concerned and the Chairperson, with the official seal of the Board and the Commission affixed thereto which certificate shall be the authority to practice; and at the option of the professional concerned, ministerially issue the professional identification card, to be used solely for the purpose of identification, upon payment of the appropriate amount: *Provided, That, marine deck and marine engineer officers shall also be issued endorsement certificates exclusively by the Commission pursuant to the 1978 and 1995 Standards of Training, Certification and Watchkeeping (STCW) Convention, to the exclusion of any other government agency, Section 1(2) of Executive Order No. 149, Series of 1999 and provisions of other existing laws, executive orders, administrative issuances/ regulations to the contrary notwithstanding: Provided, further, That, once a certificate of registration/professional license, or certificate of competency, in the case of marine deck and engine officers are issued, this cannot be withdrawn, cancelled, revoked, or suspended except for just cause as may be provided by law after due notice and hearing;*
- f. To have custody of all the records of the various Boards, including examination papers, minutes of deliberation, records of administrative cases and investigations and examination results for control and disposition;
- g. To determine and fix the amount of fees to be charged and collected for examination, registration, registration without examination, professional identification card, certification, docket, appeal, replacement, accreditation, including surcharges and other fees not specified under the provisions of Republic Act Numbered Four Hundred Sixty-Five as amended by Republic Act Numbered Sixty-Five Hundred and Eleven or to charge and collect reasonable fees at the rates higher than the rates provided thereunder subject to the approval by the Office of the President;
- h. To appoint subject to the Civil Service laws, rules, and regulations, officials and employees of the Commission necessary for the effective performance of its functions and responsibilities; prescribe their duties and fix their compensation subject to the provisions of Republic Act Numbered Six Thousand Seven Hundred and Fifty-Eight and allowances including other fringe benefits; and to assign and/or reassign personnel as the exigency of the service requires subject to the Civil Service laws, rules and regulations; and to organize or

reorganize the structure of the Commission; and create or abolish positions or change the designation of existing positions in accordance with a staffing pattern prepared by it and approved by the Office of the President upon the recommendation of the Department of Budget and Management (DBM) to meet the changing conditions or as the need arises: *Provided, That, such changes shall not affect the employment status of the incumbents, reduce their ranks and/or salaries nor shall rest in their separation from the service;*

- i. To submit and recommend to the President of the Philippines the names of licensed/registered professionals for appointment as members of the various Professional Regulatory Boards from among those nominated to fill up vacancies pursuant to the provisions of Executive Order No. 496, Series of 1991;
- j. Upon recommendation of the Professional Regulatory Board concerned, to approve the registration of and authorize the issuance of a certificate of registration/license and professional identification card with or without examination to a foreigner who is registered under the laws of his state or country and whose certificate of registration issued therein has not been suspended or revoked: *Provided, That, the requirements for the registration or licensing in said foreign state or country are substantially the same as those required and contemplated by the laws of the Philippines and that the laws of such foreign state or country allow the citizens of the Philippines to practice the profession on the same basis and grant the same privileges as those enjoyed by the subjects or citizens of such foreign state or country: Provided, further, That, the Commission may, upon recommendation of the Board concerned, authorize the issuance of a certificate of registration/license or a special temporary permit to foreign professionals who desire to practice their professions in the country under reciprocity and other international agreements; consultants in foreign-funded, joint venture or foreign-assisted projects of the government, employees of Philippine or foreign private firms or institutions pursuant to law, or health professionals engaged in humanitarian mission for a limited period of time: Provided, finally, That, agencies, organizations or individuals whether public or private, who secure the services of a foreign professional authorized by law to practice in the Philippines for reasons aforementioned, shall be responsible for securing a special permit from the Professional Regulation Commission (PRC) and the Department of Labor and Employment (DOLE) pursuant to PRC and DOLE rules;*
- k. To authorize any officer of the Commission to administer oaths;
- l. To supervise foreign nationals who are authorized by existing laws to practice their professions either as holders of a certificate of registration and a professional identification card or a temporary special permit in the Philippines; to ensure that the terms and conditions for their practice or of their employment are strictly complied with; to require the hiring or employing government agency or private entity/institution to secure a temporary special permit from the concerned Board subject to approval by the Commission and to file a criminal complaint against the head of the government agency or officers of the said private entity/institution, who shall be liable under the penalty provided for in the concerned professional regulatory law or the penalty imposed pursuant to this Act, when the professional was hired and allowed to practice his/her profession without permit; to file upon due process request for deportation with the Bureau of Immigration and Deportation (BID); and to supervise professionals who were former citizens of the Philippines and who had been registered and issued a certificate of registration and a