

Republic of the Philippines
Professional Regulation Commission
Manila

Resolution No. 01
Series 2001

**RULES AND REGULATIONS TO IMPLEMENT THE
PROVISIONS OF REPUBLIC ACT NO. 8981,
THE PRC MODERNIZATION ACT OF 2000.**

Pursuant to Section 17 of Republic Act No. 8981, the *PRC Modernization of Act of 2000*, the following rules and regulations are hereby promulgated to implement the provisions of the said Act.

Rule I
TITLE, POLICY STATEMENT, DEFINITION OF TERMS

Section 1. Title. This Rules and Regulations shall be known as the *Rules and Regulations Implementing the Provisions of Republic Act No. 8981*, otherwise known as *The PRC Modernization of 2000*. For brevity, it may be cited as *IRR of the PRC Modernization Act of 2000*.

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

These rules shall be interpreted in the light of the Statement of Policy found in Section 2 of Republic Act No. 8981, as restated above.

Sec. 3. Definition of Terms. As used in this Rules and Regulations, unless specifically provided in the various professional regulatory or other laws, the following terms shall be understood to mean:

- a) *Accredited Professional Organization (APO)* refers to a professional organization which may now or hereafter be accredited by the Commission.
- b) *Board* refers to a Professional Regulatory Board (PRB) created by law, decree, or other issuance pursuant to law to regulate a specific profession or group of professions.
- c) *Commission* refers to the Professional Regulation Commission created under Republic Act No. 8981.
- d) *Foreign Professional* refers to foreign nationals who, being licensed professionals in their own countries, are allowed to practice their respective

professions in the Philippines under the provisions of subsections (j) and (l) of Section 7 of Republic Act No. 8981.

e) *Modernization* refers not only to the computerization of all licensure examinations given by the various professional boards including the registration of professionals and other operations of the Commission, but also to the adoption and application of new techniques and technologies in the regulatory and executive functions of the Commission and the Professional Regulatory Boards.

f) *Practicing Professional* refers to persons who are engaged in the practice of their respective professions or are performing acts or activities, whether regularly or occasionally, including those holding positions in the government or in private firms, companies or corporations, whose duties require knowledge and application of their respective professions as defined in the various regulatory laws.

g) *Professional* refers to a person whose name and registration/professional license number is entered in the Commission registry book and computerized data as one who (is) legally authorized to practice his profession.

Rule II

THE PROFESSIONAL REGULATION COMMISSION: ITS ORGANIZATION, POWERS AND FUNCTIONS

Sec. 1. *The Professional Regulation Commission.* - The Professional Regulation Commission is a three-man commission created under the provisions of Republic Act No. 8981, hereafter referred to as the Commission, which shall be attached to the Office of the President of the Philippines for general direction and coordination.

Sec. 2. *Composition of the Commission.* - 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 re-appointment to start from the time they assume office.

Sec. 3. *Vacancies.* - Any vacancy occurring before the expiration of the term of a Commissioner shall be filled only for the unexpired portion of the 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.

Sec. 4. *Qualifications of Chairperson or Commissioner.* - The Chairperson or Commissioners 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 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 the 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.

Sec. 6. *Powers and Functions of the Commission Chairperson.* – 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 executive exercise of the powers, functions, and responsibilities of the Commission.

Sec. 7. *Compensation and Other Benefits.* – All officials and employees of the Commission shall receive their compensations, allowances, including other fringe benefits in accordance with Republic Act No. 6758, as amended: *Provided*, That the Chairperson shall receive compensation and allowances equivalent to the Department Secretary while the Commissioners shall receive compensation and allowances equivalent to that of an Undersecretary: *Provided*, further, That the retirement benefits of the Chairperson and the Commissioners shall be in accordance with Republic Act No. 3595.

Sec. 8. *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 various professions and occupations under its jurisdiction including the enhancement and maintenance of professional and occupational standards and ethics, through programs for continuing professional development, among others, and the enforcement of the functions, and enforcement of the rules and regulations relative thereto: *Provided*, That this shall not diminish the powers, functions and responsibilities granted by the different professional regulatory laws to the various Boards to promulgate professional, occupational, and ethical standards as well as to administer, implement and enforce the same.

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: *Provided*, That, all contracts shall be entered into in accordance with accounting and auditing rules and regulations.

c) To review, revise and approve resolutions, embodying policies promulgated by the 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 subject to the provisions of the various professional regulatory laws.

d) In the exercise of its functions to establish and maintain a high standard of admission to the practice of all professions and ensure the integrity of its licensure examinations:

1. To administer and conduct the licensure examinations of the various regulatory boards in accordance with the rules and regulations promulgated by the Commission.

2. To determine and fix the places and dates of examinations, subject to the provisions of the various professional regulatory laws; use publicly or privately owned buildings and facilities for examination purposes.

3. To conduct more than one (1) licensure examination per year subject to the provisions of the various professional regulatory laws: *Provided*, That, when there are two (2) or more examinations given in a year, at least one (1) examinations 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 shall furnish, at the beginning of the calendar year, an annual Master Schedule of Examinations to schools, colleges and universities, public and private, offering courses for licensure examinations.

4. To require, upon the recommendation of the Board concerned, the completion of a refresher course where the examinee has failed three (3) times to pass an examination, except as otherwise provided by law.

5. To approve the results of examinations and the release of the same.

6. To 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.

7. To publish the list of successful examinees in a newspaper of nationwide circulation within the Philippines, not later than forty-eight (48) hours from the release of the same by the Commission.

8. To provide schools, colleges and universities, public and private, offering courses for licensure examinations, upon their request in writing and upon their payment of the prescribed fees, with copies of the sample test questions on examinations recently conducted by the Commission, within six (6) months from date of the release of the examination results. Copies of the syllabi or terms/tables of specifications of subjects for licensure examinations may also be furnished the above parties upon their request in writing and upon their payment of the prescribed fees.

9. To 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) In the exercise of its power to admit successful examinees to the practice of the profession or occupation:

1. To admit the successful examinees to the practice of the profession or occupation.

2. To cause the entry of the names of the successful examinees to the practice of profession or occupation in its registry book and computerized database.

3. To 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: *Provided*, 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.

4. To ministerially issue, at the option of the professional concerned 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 Watch-keeping (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 issuance/regulations to the contrary notwithstanding.

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 No. 6758 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

i) 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 result 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.

k) To approve, upon recommendation of the Professional Regulatory Board concerned, the registration without examination and the issuance of the corresponding certificate of registration and professional identification card 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 their respective rules.

l) To authorize any officer of the Commission to administer oaths

m) In the exercise of its authority to supervise the practice of the regulated professions:

1. 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.

2. To ensure that the terms and conditions for their practice or of their employment are strictly complied with.

3. 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 imposed pursuant to the provisions of Section 16 of Republic Act No. 8981, when the foreign national was hired and allowed to practice his/her profession without permit.

4. To file, upon compliance with the requirements of due process, a request with the Bureau of Immigration and Deportation (BID) for deportation of foreign nationals who violate the provisions of Republic Act No. 8981 and the various regulatory laws.

5. To supervise professionals who were former citizens of the Philippines and who had been registered and issued a certificate of registration and a professional identification card prior to their naturalization as foreign citizens, who may, while in the country on a visit, sojourn or permanent residence, practice their profession: *Provided*, That, prior to the practice of their profession they shall have first been issued a special permit and updated professional identification card by the Board concerned subject to approval by the Commission and upon payment of the permit and annual registration fees.

n) To monitor the performance of schools in licensure examinations and publish the results thereof in a newspaper of nationwide circulation.

o) To adopt and institute a comprehensive rating system for universities, colleges, and training institutes based on the passing ratio and overall performance of students in board examinations.

p) To exercise administrative supervision over the various professional regulatory boards and its members.

q) To adopt and promulgate such rules and regulations as may be necessary to effectively implement policies with respect to the regulation and practice of the professions.

r) To implement the program for the full computerization of all licensure examinations given by the various professional regulatory boards including the registration of professionals not later than the year 2003 and other operations of the Commission.

s) To investigate and decide administrative matters involving officers and employees under the jurisdiction of the Commission.

t) To investigate *motu proprio* or upon the filing of a verified complaint, any member of the Professional Regulatory Boards for neglect of duty, incompetence, unprofessional, unethical, immoral or dishonorable conduct, commission of irregularities in the licensure examinations which taint or impugn the integrity and authenticity of the results of the said examinations and, if found guilty, to revoke or suspend their certificates of registration and professional licenses/identification cards and to recommend to the President of the Philippines their suspension or removal from office as the case may be.

u) To issue summons, *subpoena* and *subpoena duces tecum* in connection with the investigation of cases against officials and employees of the Commission and the members of the Professional Regulatory Boards.

v) To hold in contempt an erring party or person only upon application with a court of competent jurisdiction.

w) To call upon or request any department, instrumentality, office, bureau, institution or agency of the government including local government units to render such assistance as it may require, or to coordinate or cooperate in order to carry out, enforce or implement the professional regulatory policies of the government or any program or activity it may undertake pursuant to the provisions of Republic Act No. 8981.

For the orderly implementation of this provision, the Commission may enter into a Memorandum of Agreement with the different departments, instrumentalities, offices, bureaus, institutions or agencies of the government including local government units,

providing for the procedures to be followed whenever there is such a call or request for assistance, coordination or cooperation.

x) To initiate an investigation, upon complaint under oath by an aggrieved party, of any person, whether a private individual or professional, local or foreign, who practices the regulated profession or occupation without being authorized by law, or without being registered with and licensed by the concerned regulatory board and issued the corresponding license/professional identification card or temporary or special permit, or who commits any of the prohibited acts provided in the regulatory laws of the various professions, which acts are criminal in nature, and if the evidence so warrants, to forward the records of the case to the office of the city or provincial prosecutor for the filing of the corresponding information in court by the lawyers of the legal services of the Commission who may prosecute said case/s upon being deputized by the Secretary of Justice.

y) To prepare an annual report of accomplishments on the programs, projects and activities of the Commission during the year for submission to Congress after the close of its calendar year and make appropriate recommendations on issues and/or problems affecting the Commission, the Professional Regulatory Board, and the various professions under its jurisdiction.

z) To perform such other functions and duties as may be necessary to carry out the provisions of this Act, the various professional regulatory laws, decrees, executive orders and other administrative issuance.

Sec. 9. Regional Offices. – The Commission is hereby authorized to create regional offices as may be necessary to carry out their functions mandated under Republic Act No. 8981.

Rule III

THE PROFESSIONAL REGULATORY BOARDS

Sec. 1. Powers, Functions and Responsibilities of the Various Professional Regulatory Boards –

a) To regulate the practice of the professions in accordance with the provisions of their respective professional regulatory laws subject to administrative supervision by the Commission. Except as may be specifically provided in the professional regulatory law, the Board shall be subject to the administrative control of the Commission.

b) To monitor the conditions affecting the practice of the profession or occupation under their respective jurisdictions and whenever necessary, adopt such measures as may be deemed proper for the enhancement of the profession or occupation and/or the maintenance of high professional, ethical and technical standards,.

1. To conduct, when duly authorized by the Commission with deputized employees of the Commission, ocular inspection in industrial, mechanical, electrical or chemical plants or establishments, hospitals, clinics, laboratories, testing facilities, mines and quarries, other engineering facilities, whether public or private, where registered/licensed professionals are employed or need to be employed

2. To conduct inspections in the case of schools, in coordination with the Commission on Higher Education (CHED).

For this purpose, the Boards, through the Commission and the CHED, shall enter into a Memorandum of Agreement for the detailed procedure to be undertaken relative to the coordination between the Boards and the CHED regarding the procedure, frequency and manner of the ocular inspections and other related procedures.

c) To hear and investigate cases arising from violations of their respective laws, the rules and regulations promulgated thereunder and their Codes of Ethics and, for this purpose, may issue summons, *subpoena* and *subpoena duces tecum* to alleged violators and/or witnesses to compel their attendance in such investigations or hearings.

1. To delegate the hearing or investigation of administrative cases filed before them except in cases where the issue or question involved strictly concerns the practice of the profession or occupation, in which case, the hearing shall be presided over by at least one (1) member of the Board concerned assisted by a Legal or Hearing Officer of the Commission, subject to the applicable provisions of the specific professional regulatory laws.

2. To conduct, through the Legal Officers of the Commission, summary proceedings on minor violations of their respective regulatory laws, violations of the rules and regulations issued by the boards to implement their respective laws, including violations of the general instructions to examinees committed by examinees, and render summary judgment thereon.

3. To render judgments or decisions in all administrative investigations and hearings as collegial body and by a majority vote of all its members, subject to subject to the applicable provisions of the specific professional regulatory law: *Provided, That*, such judgments or decisions shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;

d) Subject to final approval by the Commission:

1. To recommend registration without examination and the issuance of corresponding certificate of registration and professional identification card 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; or

2. To recommend 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.

3. To recommend the issuance of special permits and updated personal identification cards and upon payment of the permit and annual registration fees to professionals who were former citizens of the Philippines, who had been registered and issued a certificate of registration and a professional identification card prior to their naturalization as foreign citizens, and who while in the country on a visit, sojourn or permanent residence, desire to practice their professions.
- e) After due process, to suspend, revoke certificates of registration or licenses for causes provided by law or reissue, reinstate the same.
- f) To prepare, adopt and issue the syllabi or tables of specifications of the subjects for examinations in consultation with the academe
 1. To determine and prepare the questions for the licensure examinations which shall strictly be within the scope of the syllabus or table of specifications of the subject for examination.
 2. To score and rate the examination papers with the name and signature of the Board member concerned appearing thereon and submit the results in all subjects duly signed by the members of the Board to the Commission within ten (10) days from the last day of examination unless extended by the Commission for justifiable cause/s.
 3. Subject to the approval by the Commission, determine the appropriate passing general average rating in an examination if not provided for in the law regulating the profession; and
- g) To prepare an annual report of accomplishments on programs, projects and activities of the Board during the year for submission to the Commission after the close of each calendar year and make appropriate recommendations on issues or problems affecting the profession to the Commission.

Sec. 2. Compensation of the Members of the Professional Regulatory Boards – The members of the Professional Regulatory Boards shall receive compensation equivalent to, at least, two salary grades lower than the salary grade of the Commissioners: *Provided*, That the Chairperson of the Regulatory Board shall receive a monthly compensation of two salary steps higher than the members of the Board, and: *Provided, further*, That they shall be entitled to other allowances and benefits provided under existing laws; and: *Provided finally*, That this section shall be implemented in accordance with the Circular to be issued jointly by the Department of Budget and Management (DBM) and the Commission.

Rule IV MISCELLANEOUS PROVISIONS

- Sec. 1. Person to Teach Subjects for Licensure Examination on all Professions**
- a) All subjects for licensure examinations shall be taught by persons who are holders of valid certificates of registration and valid professional licenses of the profession and who comply with the other requirements of the CHED.
 - b) For the effective implementation of this requirement, the Boards, through the Commission, shall, within sixty (60) days from the effectivity of this Rules and Regulations, furnish the CHED with a listing of the various subjects included in the

licensure examinations, together with copies of the syllabi or tables of specifications of the subjects for examination.

c) Within sixty (60) days from receipt of the transmittal by the Commission, the CHED shall circularize to all schools, colleges and universities with course offerings leading to degrees that may qualify graduates with such degrees for admission to a licensure examination, copies of the listing of the various subjects included in all licensure examinations, together with copies of the syllabi or tables of specifications of the subjects for examination. The CHED shall also disseminate to the abovementioned schools, colleges, and universities any further qualification requirements it may impose for those who would teach subjects for licensure examinations.

d) Effective First Semester of School Year 2003-2004, school administrators shall ensure that only those who have met the requirements stated in the above paragraph (a) shall be allowed to teach subjects for licensure examination on all professions.

e) Effective January 1, 2009, all transcripts of records for five (5) year tertiary courses, which are subject to licensure examinations, shall reflect the certification under oath by the registrar that all subjects for licensure examinations were taught by persons who are qualified under the above paragraph (a).

f) It shall be the duty of the school administration to ensure compliance with the requirements under the above paragraph (a). The school administrator and/or faculty member who violate/s the provisions of this section may be subject to administrative and/or criminal charges under the appropriate provisions of existing laws.

Sec. 2. Assistance of Law Enforcement Agency –

a) Any law enforcement agency shall, upon call or request of the Commission or of any Professional Regulatory Board, render assistance in enforcing the regulatory law of the profession including the rules and regulations promulgated thereunder by prosecuting the violators thereof in accordance with law and the rules of court.

b) For orderly implementation of this provision, the Commission may enter into a Memorandum of Agreement with each law enforcement agency providing for the procedures to be followed for the call or request for assistance.

Sec. 3. Appropriations – The amount necessary to carry out the initial implementation of this Act shall be charged against the current year's appropriations of the Professional Regulation Commission. Thereafter, such sums as may be necessary for the continued implementation of Republic Act No. 8981 shall be included in the succeeding General Appropriations Act (GAA).

Sec. 4. Authority to Use Income – In addition to the annual appropriations of the Commission provided under the Annual General Appropriations Act, the Commission is hereby authorized to use its income not exceeding the amount of Forty-five million pesos (P45,000,000.00) a year for a period of five (5) years after the effectivity of this Act to implement the program for full computerization of the operations of the Commission, in accordance with the existing laws and rules and regulations on the procurement of computer hardware and software requirements, and subject to the usual accounting and auditing requirements.

Rule V PENALTIES

Sec. 1. Penalties for Manipulation and Other Corrupt Practices in the Conduct of Professional Examinations –

(a) Any person who manipulates or rigs licensure examination results, secretly informs or makes known licensure examination questions prior to the conduct of the examination or tampers with the grades in professional licensure examinations shall, upon conviction, be punished by imprisonment of not less than six (6) years and one (1) day to not more than twelve (12) years or a fine of not less than Fifty thousand pesos (P50,000.00) to not more than One hundred thousand pesos (P100,000.00) or both such imprisonment and fine, at the discretion of the court.

(b) In case the offender is an officer or employee of the Commission or a member of the regulatory board, he/she shall be removed from office and shall suffer the penalty of perpetual absolute disqualification from public office in addition to the penalties prescribed in the preceding section of this Act;

(c) The penalty of imprisonment ranging from four (4) years and one (1) day to six (6) years or a fine ranging from Twenty thousand pesos (P20,000.00) to not more than Forty-nine thousand pesos (P49,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon the accomplices. The penalty of imprisonment ranging from two (2) years and one (1) day to four (4) years or a fine ranging from Five thousand pesos (P5,000.00) to not more than Nineteen thousand pesos (P19,000.00), or both imprisonment and fine, at the discretion of the court, shall be imposed upon the accessories.

Sec. 2. Penalties for Violations of Section 7, subparagraph (1) of Republic Act No. 8981 by Heads of Government Agencies or Officers of Private Entities/Institutions

– Any head of a government agency or officer(s) of a private firm/institution who violates subparagraph (1), Section 7 of Republic Act No. 8981 shall be punished by imprisonment of not less than six (6) months and one (1) day to not more than six (6) years, or a fine of not less than Fifty thousand pesos (P50,000.00) to not more than Five hundred thousand pesos (P500,000.00) or both such imprisonment and fine, at the discretion of the court.

Rule VI SEPARABILITY CLAUSE, REPEALING PROVISIONS AND EFFECTIVITY

Sec. 1. *Separability Clause* – If any provision of this Rules and Regulations or the application of such provision to any person or circumstances is declared invalid or unconstitutional, the remainder of this Act or application of such provisions to other persons or circumstance/s shall not be affected by such declaration.

Sec. 2. *Repealing Clause* – a) The following laws are repealed by Republic No. 8981:

1. Republic Act. No. 546
2. Presidential Decree No. 223, as amended by Presidential Decree No. 657
3. Republic Act No. 5181

4. Executive Order No. 266, Series of 1995.

b) The following laws/issuances are repealed and/or amended by Republic No. 8981:

1. Section 23 (h) of Republic Act No. 7836, Section 4 (m & s). Section 23 of Republic Act No. 7920, and Section 29 of Republic Act No. 8050, insofar as it requires completion of the requirements of the Continuing Professional Education (CPE) as a condition for the renewal of the licenses.

2. All other laws, orders, rules and regulations or resolutions and all part/s thereof inconsistent with the provisions of Republic Act No. 8981.

c) Any issuances by the Professional Regulation Commission or by the Professional Regulatory Boards as approved by the Commission or by the Chairperson of the Commission, including resolutions, memorandum orders, office orders/circulars, etc., or any part thereof which is/are in conflict with the provisions of this Rules and Regulations are deemed superseded or modified accordingly.

Sec. 3. Effectivity – This Rules and Regulations shall take effect after fifteen (15) days following its publication in the *Official Gazette* or in two (2) newspapers of nationwide circulation in the Philippines, whichever is earlier.

PROMULGATED in the City of Manila, Philippines, on this 15th day of February 2001.

(Sgd.) HERMOGENES P. POBRE
Chairperson
Professional Regulation Commission

(Sgd.) EMILIA T. BONCODIN
Secretary
Department of Budget Management

(Sgd.) ESTER A. GARCIA
Chairperson
Commissioner on Higher Education

(Sgd.) RODOLFO R. PENALOSA
President
Philippine Association of
Board Examiners (PABE)
Representatives of Various PRBs

(Sgd.) NELSON Q. IRASGA
President
Philippine Federation of
Professional Associations (PFPA)
Representative of Various APOs

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