



Republic of the Philippines  
Professional Regulation Commission  
Manila

PROFESSIONAL REGULATION COMMISSION

Memorandum Order No. 03

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November 10, 2016

TO: CHAIRPERSONS AND MEMBERS OF THE PROFESSIONAL REGULATORY  
BOARDS

OFFICIALS AND EMPLOYEES OF THE PROFESSIONAL REGULATION  
COMMISSION

SUBJECT: REVISED GUIDELINES IN IMPLEMENTING SECTION 7 (J), (L) AND  
SECTION 16 OF REPUBLIC ACT NO. 8981, OTHERWISE KNOWN AS THE  
"PRC MODERNIZATION ACT OF 2000", AND THE PERTINENT PROVISIONS  
OF THE PROFESSIONAL REGULATORY LAWS (PRLs), THE GENERAL  
AGREEMENT ON TRADE-IN-SERVICES (GATS), AND OTHER  
INTERNATIONAL AGREEMENTS ON THE PRACTICE OF FOREIGN  
PROFESSIONALS IN THE PHILIPPINES

This Memorandum Order is hereby issued to prescribe standard requirements and procedure in the implementation of Sections 7 (j), (l) and 16 of R. A. No. 8981 or the PRC Modernization Act of 2000, and the pertinent provisions of the Professional Regulatory Laws (PRLs), the General Agreement on Trade-in-Service (GATS) and other international agreements on the practice of foreign professionals in the Philippines.

I. **LEGAL BASES**

The practice of foreign professionals in the Philippines is governed by the following laws, policies and regulations:

1. **Section 7 (j) of R. A. No. 8981:**

**Section 7. Powers, Functions and Responsibilities of the Commission.** – The powers, functions and responsibilities of the Commission are as follows: (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.*

2. **Section 7 (I) of R. A. No. 8981:**

(I) 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 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;

3. **Section 16 of R. A. No. 8981:**

**Section 16. Penalties for Violation of Section 7–Subparagraph (1) 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 Section 7 – subpar. (1) of this Act 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 at the discretion of the court.

4. **Professional Regulatory Laws (PRLs)** provide for the requirements and conditions in the issuance of Certificates of Registration (CORs) and Professional Identification Cards (PICS) as well as Special Temporary Permits (STPs) to foreign professionals desiring to practice in the Philippines; and
5. **General Agreement on Trade-in-Services (GATS) and other international, regional, multilateral and bilateral agreements, including the ASEAN Mutual Recognition Arrangements (MRAs)**, to which the Philippines is a signatory provide that foreign nationals may be allowed to practice their professions in the Philippines, subject to the terms and conditions therein stipulated.

II. **DEFINITION OF TERMS**

As used in this Guidelines, the following terminologies shall mean:

1. **Foreign professional** refers to a natural person who is a citizen of a foreign state or country and who is a registered and licensed professional in a state or country other than the Philippines;
2. **Practice of profession** refers to an activity or undertaking that is within the defined scope of practice of a profession under the pertinent regulatory law;

3. **Certificate of Registration (COR) and Professional Identification Card (PIC)** refers to the documents issued by the Commission to a foreign national who has satisfied all the legal requirements for such issuance, which may include passing the appropriate licensure examination;
4. **Reciprocity** refers to Section 7 (j) of R. A. No. 8981 which prescribes the conditions for the registration or licensure of foreign nationals with or without examination;
5. **Special Temporary Permit (STP)** refers to the privilege granted to a foreign professional to practice in the Philippines for a limited period of time, subject to the limitations and conditions provided for by law;
6. **Humanitarian Mission** refers to any relief operation or other similar activity which is conducted during emergency situations such as calamity, war or natural or man-made disasters; and
7. **Medical, Dental, or Surgical Mission** refers to any other activity that is conducted under normal circumstances by an individual or group of health workers and/or professionals for the purpose of providing medical or other healthcare services outside of a hospital, clinic or healthcare setting.

### III. Requirements for the Issuance of a Certificate of Registration (COR), Professional Identification Card (PIC) and Special Temporary Permit (STP)

#### A. Certificate of Registration (COR) and Professional Identification Card (PIC)

##### 1. Registration with Examination

A foreign national shall be admitted to the professional licensure examination and be issued a COR and PIC, if he/she can establish to the satisfaction of the Board concerned and the Commission that there exists reciprocity for the practice of the profession between the Philippines and his/her state or country. Reciprocity is established if the following conditions are met: (1) the requirements for the registration or licensing in the foreign state or country are substantially the same as those required and contemplated by the laws of the Philippines; and (2) the laws of such foreign state or country allow 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.

For this purpose, the foreign applicant shall be required to submit the following documents:

- 1.1 a letter or any document signed by and under the official seal of the appropriate official of the foreign state or country requesting the Board Chairperson concerned to allow the foreign applicant to take the licensure examination and that by express provision of the law of the foreign state or country or international treaty, agreement or covenant to which the applicant's state or country is a signatory, the citizens of the Philippines are allowed to take the licensure examination and to register as a professional in such foreign state or country;
- 1.2 an official copy of the foreign law or treaty, agreement or covenant officially translated in the English language, if applicable;
- 1.3 original or certified true copy of the transcript of records or equivalent document of the course for the licensure examination issued by the institution of higher learning where the foreign applicant graduated: *Provided*, that the documents must also be certified by the Commission on Higher Education (CHED) to be equivalent to the pertinent course accredited/recognized in the Philippines;
- 1.4 a duly accomplished Application Form for the licensure examination;

- 1.5 any competent proof of citizenship; and
- 1.6 other requirements as may be prescribed under the applicable regulatory law.

## **2. Registration without Examination**

If allowed under the pertinent professional regulatory law, a foreign national shall be issued a COR and PIC without need of examination if he/she can establish to the satisfaction of the Board concerned and the Commission that: (1) he/she is registered or licensed as a professional under the laws of a foreign state or country; (2) the requirements for the registration and licensing of professionals in such foreign state or country are substantially the same as those provided for under Philippine laws; and (3) the laws of such foreign state or country grant the same privileges to professionals registered in the Philippines on the same basis as the subjects or citizens of such foreign state or country.

To qualify for registration without examination, the applicant has to submit the following documentary requirements:

- 2.1 a letter or any document signed by and under the official seal of the appropriate official of the foreign state or country requesting the Board Chairperson concerned to allow the foreign applicant to register without examination pursuant to the provisions of the applicable regulatory law, coupled with a declaration/statement that the requirements for the registration and licensing of professionals in such foreign state or country are substantially the same as those provided for under Philippine laws;
- 2.2 an official copy of the foreign law or treaty, agreement or covenant as proof of reciprocity, officially translated in the English language, if applicable;
- 2.3 any competent proof of citizenship; and
- 2.4 an official document showing that the applicant is a registered and licensed professional in such foreign state or country or any equivalent document.

## **B. Special Temporary Permit (STP)**

A foreign national shall be issued an STP, upon submission of the following documentary requirements:

### **1. For foreign professionals to practice in the Philippines under reciprocity and other international agreements**

- 1.1 a duly accomplished STP Application Form;
- 1.2 an official copy of the foreign law or international agreement to which the Philippines and the foreign state or country are both signatories establishing the existence of reciprocity for the practice of the profession; and
- 1.3 an official document showing that the applicant is a registered and licensed professional in the foreign state or country or any equivalent document.

### **2. For foreign professionals to be engaged as consultants in foreign-funded, joint venture or foreign-assisted projects of the government**

- 2.1 a duly accomplished STP Application Form;
- 2.2 a copy of the Contract of Employment or Services, or Memorandum of Agreement between the government agency and the foreign professional, indicating the terms of reference, nature of engagement, scope, duration and other project or contract details; and

2.3 an official document showing that the applicant is a registered and licensed professional in the foreign state or country or any equivalent document.

**3. For foreign professionals to be employed by Philippine or foreign private firms or institutions**

3.1 a duly accomplished STP Application Form;

3.2 a copy of the Contract of Employment or Services, or Memorandum of Agreement between the private firm or institution and the foreign professional, indicating the terms of reference, nature of engagement, scope, duration and other project or contract details; and

3.3 an official document showing that the applicant is a registered and licensed professional in the foreign state or country or any equivalent document.

**4. For foreign professionals to engage in humanitarian or medical, dental or surgical missions for a limited period of time**

4.1 a duly accomplished STP Application Form;

4.2 letter request for the issuance of the STP to the foreign professional for the conduct of humanitarian or medical, dental or surgical mission, indicating the date and venue of the mission; and

4.3 an official document showing that the applicant is a registered and licensed professional in the foreign state or country or any equivalent document.

All official documents that are issued or executed abroad must be authenticated by the Philippine Embassy/Consulate/Legation in the state or country where the same was issued or executed.

**IV. FEES**

The corresponding processing fees for the issuance of COR, PIC and STP shall be paid by the applicant: *Provided*, that the COR, PIC or STP shall only be issued upon payment of the prescribed registration or permit fee, as the case may be.

**V. PROCEDURE IN THE PROCESSING OF APPLICATIONS FOR THE ISSUANCE OF CERTIFICATES OF REGISTRATION, PROFESSIONAL IDENTIFICATION CARDS AND SPECIAL TEMPORARY PERMITS**

**A. Applications for the issuance of CORs, PICs and STPs under reciprocity and other international agreements under Part III A (1) (2) and B (1)**

1. An applicant for the issuance of COR, PIC or STP shall submit his/her application, with all the supporting documents, to the International Affairs Division (IAD) which shall undertake the initial assessment of the documents as to their completeness. Actions/decisions on the application by the processing clerk and head of the IAD shall be noted in the Action Sheet appearing in the Application Form.
2. The IAD shall endorse the application with complete documents to the Board concerned within two (2) days from receipt.
3. The Board, through a Resolution signed by at least majority of its Members, shall act on the endorsed application for the issuance of CORs and PICs (with examination) within five (5) days from receipt or longer but in no case later than ten (10) days before the date of the licensure examination. In the case of applications for registration without examination and the STP, the Board shall likewise act on the same within five (5) days from receipt.
4. The signed Board Resolution shall be endorsed to the Commission which shall act thereon within three (3) days from the date of receipt.

5. The Resolution approving the application shall be forwarded to the Application Division for the issuance of the Notice of Admission (NOA) or to the Registration Division for the issuance of the COR and PIC (in the case of registration without examination) to the applicant. In the case of STP, the Resolution approving the application shall be forwarded to the IAD for the issuance of the STP Certificate to the applicant.

**B. Applications for the issuance of STPs under Part III B (2), (3) and (4)**

1. An applicant for the issuance of STP shall submit his/her application, with all the supporting documents, to the IAD which shall undertake the initial assessment of the documents as to their completeness. Actions/decisions on the application by the processing clerk and head of the IAD shall be noted in the Action Sheet appearing in the STP Application Form.
2. The IAD shall endorse the application with complete documents to the Board concerned, through its Focal Person, within two (2) days from receipt thereof.
3. The Board Focal Person shall act on the endorsed application and submit his/her actions/decisions thereon to the IAD within two (2) days from receipt of the same.
4. The IAD shall prepare the STP Certificate of the applicant whose application has been approved by the Board Focal Person. The STP Certificate, accompanied with the filled-out Action Sheet, shall be forwarded to the Board Chairperson and Commission Chairperson for their signatures.
5. The signed STP Certificate shall be forwarded to the IAD for issuance to the applicant.

Please refer to "**Annex A**" for the work process.

**C. General Rules on the processing of applications for the COR, PIC or STP**

**1. Responsibility and Accountability of the Persons Processing the Application**

The processing clerk of the IAD shall be responsible in ensuring the completeness of the documents submitted by the applicants per the established checklist of requirements. The head of the IAD shall validate the signature of the processing clerk as appearing in the Action Sheet.

The heads of the IAD, Application Division and Registration Division shall be respectively accountable for the preparation, management and control of all STP Certificates, NOAs, CORs and PICs that are to be issued based on the approved applications.

**2. Notification to all Members of the Board on Pending Applications for the Issuance of COR, PIC or STP**

The IAD shall email the names of the applicants for the issuance of COR, PIC or STP to all the Members of the Board upon the filing of the applications therefor. It shall be the duty of every Member of the Board to submit in writing to the IAD and the Board Focal Person his/her comment or objection thereto within two (2) days from the date that the same was emailed to him/her. Failure to do so will not bar the approval of the application and the issuance of the corresponding COR, PIC or STP to the successful applicant.

**D. Special Rules in the Processing of Applications for issuance of STPs to foreign consultants in foreign-funded, joint venture or foreign-assisted projects of the government; foreign professionals employed by Philippine or foreign private firms or institutions; and foreign professionals engaged in humanitarian or medical, dental or surgical missions for a limited period of time under Part III B (2), (3) and (4)**

**1. Board and Commission Ratification**

All applications approved by the Board Focal Person shall be subsequently ratified by the Board concerned through a Resolution passed for that purpose. The names and the application documents of all those who have been issued STPs, upon the action of the Board Focal Person, shall be submitted on a monthly basis to the Board for ratification. The Board Resolution shall also be subject to ratification by the Commission.

**2. Disapproval of STP applications**

All applications which have been disapproved by the Board Focal Person shall be returned to the IAD for proper notification to the applicant. The aggrieved party may file a Motion for Reconsideration (MR) of the decision with the Board. The Board shall rule on the MR not later than three (3) days from the date of receipt thereof. In resolving the MR, the Board may either override the decision of the Board Focal Person and consequently direct that the application be given due course, or sustain the decision of the Board Focal Person disapproving the application. In the latter case, the applicant may file an appeal to the Commission to set aside the Board's decision.

**3. Accountability of the Board Focal Person**

The basis of the authority and accountability of the Board Focal Person is the Resolution signed by the Board *en banc* designating him/her in such capacity. For this purpose, the Board concerned shall prescribe the minimum standards to be observed by the Board Focal Person in the evaluation of applications for the STP. Any and all actions and/or decisions on the STP applications of the Board Focal Person shall be binding upon all Members of the Board. In similar vein, any and all liabilities and accountabilities accruing from any action and/or decision of the Board Focal Person respecting the STP applications shall devolve to the rest of the Members of the Board unless shown to be patently illegal, arbitrary or unconstitutional, in which case, the liability or accountability therefor shall be personal to the former.

**4. Custody of STP Certificates and the Resolutions on Ratification**

The IAD and the Records and Management Division (RMD) shall have the custody of all issued STP Certificates and Resolutions on Ratification, respectively.

**E. Request for STP Exemption or Exclusion**

Any interested party may apply for an exemption or exclusion from the STP requirement by citing clear factual and/or legal basis for the request.

Such request shall be acted and decided upon by the Board *en banc* within fifteen (15) days from its receipt. The letter granting or denying the request shall specifically state the reason/s or ground/s therefor.

All resolutions, orders, circulars and other issuances inconsistent herewith are hereby repealed or amended accordingly.

This Memorandum Order shall take effect upon its approval.



**TEOFILO S. PILANDO, JR.**  
Chairman

O-CH/O-COMMI-O-COMMII/D-LGL/D-IAD/D-SPRB  
TSP/ATCC/YDR/ERII/LLPV/LTB



PROCEDURE IN THE PROCESSING OF APPLICATIONS FOR THE ISSUANCE OF CERTIFICATES OF REGISTRATION, PROFESSIONAL IDENTIFICATION CARDS AND SPECIAL TEMPORARY PERMITS

Category		Steps			
Application for the issuance of COR and PIC (with examination)	The applicant shall submit the application, with all the supporting documents, to the International Affairs Division (IAD) within the prescribed deadline.	The IAD shall make the initial evaluation of the application documents submitted and shall endorse the pre-evaluated application to the Board concerned within two (2) days from receipt.	The Board, through a Resolution signed by at least majority of its Members, shall act on the endorsed application within five (5) days from receipt or longer but in no case later than ten (10) days before the date of the examination.	The Board shall endorse its Resolution to the Commission which shall act thereon within three (3) days from receipt.	The Resolution approving the application shall be forwarded to the Application Division which shall issue the corresponding Notice of Admission (NOA) to the applicant.
Application for the issuance of COR and PIC (without examination)	The applicant shall submit the application, with all the supporting documents, to the IAD.	The IAD shall make the initial evaluation of the application documents submitted and shall endorse the pre-evaluated application to the Board concerned within two (2) days from receipt.	The Board, through a Resolution signed by at least majority of its Members, shall act on the endorsed application within five (5) days from receipt.	The Board shall endorse its Resolution to the Commission which shall act thereon within three (3) days from receipt.	The Resolution approving the application shall be forwarded to the Registration Division which shall issue the corresponding COR and PIC to the applicant.

<b>Application for the issuance of STP under reciprocity and under international agreements</b>	The applicant shall submit the application, with all the supporting documents, to the IAD.	The IAD shall make the initial evaluation of the application documents submitted and shall endorse the pre-evaluated application to the Board concerned within two (2) days from receipt.	The Board, through a Resolution signed by at least majority of its Members, shall act on the endorsed application within five (5) days from its receipt.	The Board shall endorse its Resolution to the Commission to which shall act thereon within three (3) days from receipt.	The Resolution approving the application shall be forwarded to the IAD which shall issue the STP Certificate to the applicant.
<b>Applications for the issuance of STP to engage as consultant in foreign-funded, joint venture or foreign-assisted projects of the government</b>	The applicant shall submit the application, with all the supporting documents, to the IAD.	The IAD shall make the initial evaluation of the application documents submitted and shall endorse the pre-evaluated application to the Board concerned, through its Focal Person, within two (2) days from receipt.	The Board Focal Person shall act on the endorsed application and submit his/her action / decision thereon to the IAD within two (2) days from receipt. IAD shall proceed to prepare the STP Certificate of the applicant whose application has been approved by the Board Focal Person.	The IAD shall endorse the STP Certificate and the filled-out Action Sheets to the Board Chairperson and Commission Chairperson for their signatures.	The signed STP Certificate shall be forwarded to the IAD which shall issue the same to the applicant.
<b>Applications for the issuance of STP to be employed by Philippine or foreign private firms or institutions</b>	The applicant shall submit the application, with all the supporting documents, to the	The IAD shall make the initial evaluation of the application documents	The Board Focal Person shall act on the endorsed application and submit his/her	The IAD shall endorse the STP Certificate and the filled-out Action	The signed STP Certificate shall be forwarded to the IAD which shall issue the

	International Affairs Division (IAD).	submitted and shall endorse the pre-evaluated application to the Board concerned, through its Focal Person, within two (2) days from receipt	action / decision thereon to the IAD within two (2) days from receipt. IAD shall proceed to prepare the STP Certificate of the applicant whose application has been approved by the Board Focal Person.	Sheets to the Board Chairperson and Commission Chairperson for their signatures.	same to the applicant.
<b>Applications for the issuance of STP to engage in humanitarian or medical, dental or surgical missions for a limited period of time</b>	The applicant shall submit the application, with all the supporting documents, to the IAD.	The IAD shall make the initial evaluation of the application documents submitted and shall endorse the pre-evaluated application to the Board concerned, through its Focal Person, within two (2) days from receipt	The Board Focal Person shall act on the endorsed application and submit his/her action / decision thereon to the IAD within two (2) days from receipt. IAD shall proceed to prepare the STP Certificate of the applicant whose application has been approved by the Board Focal Person.	The IAD shall endorse the STP Certificate and the filled-out Action Sheets to the Board Chairperson and Commission Chairperson for their signatures.	The signed STP Certificate shall be forwarded to the IAD which shall issue the same to the applicant.