

Board of Agriculture



PRC RESOLUTION No. 2000-663 Series of 2000

CREATION OF THE BOARD OF AGRICULTURE UNDER THE PROFESSIONAL REGULATION COMMISSION AND FOR OTHER PURPOSES

WHEREAS, Sec. 75 of Republic Act No. 75 of Republic Act No. 8435 known as the "Agriculture and Fisheries Modernization Act of 1997" provides for the creation of the Board of Agriculture in the Professional Regulation Commission (PRC) to upgrade the agriculture profession.

WHEREAS, the Department of Agriculture issued the Rules and Regulations Implementing Republic Act No. 8435 on May 13, 1998.

WHEREAS, Sec. 75 of said Rules and Regulations directs the PRC to create and operationalize the Board of Agriculture under its administrative supervision and control, and the prescription of its powers and functions and other related matters on the licensing and regulation of the practice of the agriculture profession.

WHEREFORE, the Commission, in compliance with the provisions of the Rules and Regulations implementing R.A. No. 8435, particularly Sec. 75.1 thereof, in relation to its powers under Sec. 5 of Presidential Decree No. 223, as amended, resolved as it hereby resolves to create the Board of Agriculture under its administrative supervision and control and to prescribe its powers and functions relative to the licensing and regulation of the practice of the agriculture profession as follows:

ARTICLE I TITLE

SEC. 1. TITLE.- This Resolution shall be known and cited as the Resolution Creating the Board of Agriculture.

ARTICLE II OBJECTIVES AND DEFINITIONS

SEC. 2. OBJECTIVES. - This Resolution provides for and shall govern:

- a) the administration and conduct of licensure examination, registration and licensing of agriculturists;
- b) the supervision and regulation of the practice of the agriculture profession in the Philippines; and
- c) the upgrading of the agriculture profession and the professionalization of agriculturists.

SEC. 3. DEFINITIONS. - As used in this Resolution, the following terms shall mean:

- a) **Agriculture-** shall refer to the art, science and business of cultivation of the soil, planting of crops, growing of trees, raising of livestock and poultry including the harvesting of such farm products and other farm activities and practices performed in conjunction with such farming operations by persons whether natural or juridical.
- b) **Practice of the Agriculture Profession-** shall refer to the application of known and fundamental principles peculiar to the condition and requirements of agriculture as a field of science, as an industry and/or business which shall include, but not limited to the following:
 1. Consultation, evaluation, investigation and management services requiring the application of knowledge in agriculture and its components.
 2. Preparation of plans, specifications, project feasibility studies and estimates and other management services in the production of crops, raising of livestock and poultry, planting of trees and marketing agriculture products.
 3. Conduct research and studies in the areas of soil analysis and conservation, crop production, breeding of livestock and poultry and tree planting.
 4. Conduct training and extension work in agricultural crop production, poultry and livestock raising and tree planting.
 5. Management and/or marketing services related to agriculture as a business or industry.
 6. Teaching agriculture subjects in schools, colleges and universities established or recognized by the Government.
 7. Employment in the private and government sectors where such employment requires the knowledge and expertise of a licensed agriculturist.
- c) **Agriculturist-** refers to a person who is technically qualified and competent to practice the agriculture profession and who has been issued a certificate of registration and professional license as agriculturist by the Board and the Commission.



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- d) **Agricultural Sector**- refers to the sector engaged in the cultivation of the soil, planting of crops, growing of trees, raising of livestock and poultry including post-harvest handling, primary processing and marketing of such farm products and other farm activities and practices.
- e) **Board**- refers to the Board of Agriculture.
- f) **Commission** - refers to the Professional Regulation Commission.

ARTICLE III BOARD OF AGRICULTURE

SEC. 4. Creation and Composition of the Board.-

There is hereby created a Board of Agriculture to be composed of a Chairman and five (5) Members, each Member representing one of the six (6) fields of specialization listed in Sec. 15, Article IV, hereof, to be appointed by the President of the Philippines from a list of three (3) recommendees of the Professional Regulation Commission for each position chosen from a list of five (5) nominees for each position submitted by the accredited integrated association of agriculturist; Provided, that a Member representing a field of specialization has a bachelor's degree in that particular field of specialization.

The Chairman and the five (5) Members, who shall be professionally qualified agriculturists, shall be automatically registered as agriculturists and issued certificates of registration and professional licenses upon payment of the required fees and have taken the oath of a professional.

SEC. 5. Qualifications of Board Members.- The Chairman and Members of the Board of Agriculture 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 at least be forty (40) years of age.
- c) Must be of proven integrity and possessed of high moral and ethical values in his personal as well as professional conduct.
- d) Must not have been convicted in a final judgment of a crime involving moral turpitude.
- e) Must be a holder of at least a degree of Bachelor of Science in Agriculture, preferably with a master's

degree in agriculture obtained from a school, college or university established or recognized by the Government or from abroad and has been engaged in the practice of the agriculture profession for at least ten (10) years before his 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 agriculturists either as administrative official/employee or faculty member or as owner, partner or stockholder.
- g) Must not be connected with any review center or nay entity conducting review classes for candidates in licensure examinations for agriculturists either as owner, partner or stockholder or reviewer.

SEC. 6. Term of Office.- The Chairman and Members of the Board shall hold office for a term of three (3) years from the date of their appointment until their successors shall have been appointed and duly qualify; Provided, that the first appointees to the Board shall hold office according to the following terms: two (2) Members, one of whom shall be designated Chairman in the appointment, shall serve for three (3) years; two (2) Members shall serve for two (2) years and two (2) Members shall serve for one (1) year.

The Chairman and Members may be re-appointed for another term but in no case shall serve for more than six (6) years.

In case of vacancy in the Board occurring within the term of a Member, the appointee shall serve only for the unexpired portion of the term.

SEC. 7. Compensation of the Members of the Board. - The Chairman and Members of the Board shall receive compensation and allowances comparable to the compensation and allowances being received by the Chairmen and Members of existing Professional Regulatory Boards under the Professional Regulation Commission as provided in the annual General Appropriations Act.

SEC. 8. Removal of Members. - 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 any provision of this Resolution or the Code of Ethics for

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- Agriculturists;
- e) conviction in a final judgment of a crime involving moral turpitude.

The right of the respondent to due process and be assisted by counsel in an investigation shall be respected and upheld. The President may, also upon recommendation of the Commission, preventively suspend a Member under administrative investigation.

SEC. 9. Powers and Functions of the Board.-

The Board of Agriculture shall have the following powers and functions:

- a) To promulgate, adopt and issue rules and regulations to carry out and/or implement the provisions of this Resolution;
- b) To give and supervise the licensure examination for admission to the practice of the agriculture profession;
- c) To administer the oath of a professional to successful examinees in licensure examinations for agriculturists in appropriate mass oath-taking ceremonies to be held for the purpose;
- d) To register and issue certificates of registration to successful examinees in licensure examinations for agriculturists and to persons qualified to register as agriculturists without examination;
- e) To suspend or revoke the certificate of registration and professional license of an agriculturist for causes provided herein;
- f) To adopt an official seal of the Board as well as the seal of agriculturists;
- g) To promulgate, adopt and issue a Code of Ethics for Agriculturists and a Code of Professional Standards for the Practice of the Agriculture Profession;
- h) To look into the conditions affecting the practice of the agriculture profession and, whenever necessary, to adopt such measures as may be deemed appropriate for the enhancement or maintenance of high professional and ethical standards of the practice of the agriculture profession;
- i) To ensure, in coordination with the Commission on Higher Education (CHED), that all educational institutions offering courses in agriculture and agricultural technology shall comply with the policies, standards and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library and facilities;
- j) To hear/try and decide administrative cases involving violations of the provisions of this Resolution and its Implementing Rules and Regulations including the Code of Ethics for Agriculturists and Code of Professional Standards for the Practice of the Agriculture Profession and, for

this purpose, to issue subpoena and subpoena duces tecum to secure the appearance of witnesses and the production of documents and to testify in connection herewith.

- k) To prescribe guidelines for the implementation of its continuing professional education programs for agriculturists in coordination with the accredited integrated association of agriculturists.
- l) To prepare, adopt and issue, in consultation with the academe, the syllabi or terms of specifications of the subjects for licensure examination and to amend the same.
- m) To discharge and perform such other duties and functions as may be necessary to carry out the objectives and purposes as well as the provisions of this Resolution.

Except in matters which are ministerial in nature, all policies and functions of the Board embodied in Resolutions shall be subject to the review and approval of the Commission.

SEC. 10. Supervision of the Board; Custodian of its Records, Secretarial and Support Services. - The Board shall be under the administrative supervision and control of the Commission. All records of the Board including applications for examination, examination papers and results, minutes of deliberation, administrative cases and other investigations involving examinees and agriculturists shall be kept and subjects to the disposition of the Commission.

The Commission shall provide secretarial and support services to the Board for the efficient and effective implementation of the provisions of this Resolution.

SEC. 11. Annual Report.- The Board shall, within thirty (30) days from the close of each calendar year, submit an annual report to the President of the Philippines, thru the Professional Regulation Commission, of its proceedings and accomplishments during the preceding year and make recommendations for the adoption of measures that will upgrade and improve the conditions affecting the practice of the agriculture profession in the Philippines.

ARTICLE IV EXAMINATION AND REGISTRATION

SEC. 12. Examination Required. - all applicants for registration for the practice of the agriculture profession shall be required to undergo and pass a written examination as provided herein.



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SEC. 13. Qualifications of Applicants for Examination. - Each applicant for examination shall establish to the satisfaction of the Board that:

- a) He/She is a citizen of the Philippines.
- b) He/She is of good moral character
- c) He/She must not have been convicted in a final judgment of a crime involving moral turpitude.
- d) He/She is a graduate of the degree of Bachelor of Science in Agriculture or Bachelor of Agricultural Technology from a school, college or university established or recognized by the Government.

SEC. 14. Fraudulent Application. - The Board may suspend or revoke a certificate of registration and professional license already issued, if a registrant has been proved or found to have made misrepresentation/s in his application for examination.

SEC. 15. Scope of Examination. - The examination for agriculturists shall basically cover the following fields of specialization:

- 1) Crop and Soil Sciences
- 2) Crop Protection
- 3) Animal Science
- 4) Agricultural Economics and Marketing
- 5) Agricultural Extension and Communication
- 6) Post-Harvest Technology

The Board may recommend to the CHED charges in the said subjects to conform with modern and advanced technologies in agriculture. The Board shall not give examinations in the said subjects unless applicants for examination have enrolled and passed such subjects.

SEC. 16. Ratings in the Board Examination. To pass the licensure examination for agriculturists, a candidate must obtain a weighted general average of seventy-five percent (75%) with no grade lower than sixty percent (60%) in any given subject/s. However, if an examinee obtains a weighted general average rating of seventy-five percent (75%) or higher but obtained a rating below sixty percent (60%) in any given subject/s, he/she shall be allowed to take the examination in the subject or subjects where he obtained a grade below sixty percent (60%) only once.

SEC. 17. Report of Ratings. - The Board shall submit to the Commission the rating obtained by each candidate in the licensure examination within at least twenty (20) days after the examination in the last subject unless extended by the Commission for just cause/s. Upon the release of the results of the examination, the Board, thru the Rating Division of the Commission, shall send by mail the rating obtained by each examinee at his given address using the mailing envelope with postage stamp submitted during the examination.

SEC. 18. Re-Examination. - An applicant who fails to pass the examination for the third time shall be allowed to take another examination only after the lapse of one (1) year.

SEC. 19. Oath of Agriculturists. - All successful examinees in the licensure examination for agriculturists including persons who are qualified to register as agriculturists without examination shall be required to take the oath of a professional in person before the Board in oath-taking ceremonies held for the purpose prior to entering the practice of the agriculture profession. Any successful examinee may, for just and good cause shown, be allowed to take the oath of a professional before any Member of the Board or any person authorized by law to administer oaths.

SEC. 20. Certificate of Registration and Professional License. - A certificate of registration shall, after personally signing the Roll of Agriculturists and payment of the required fees, be issued to successful examinees as well as to persons who qualified to register as agriculturists without examination.

The Certificate of registration of an agriculturist shall bear the picture of the registrant permanently attached and the signatures of the Chairman and Members of the Board and the Chairman of the Commission with the official seal of the Board being affixed thereto indicating that the person named therein is a registered agriculturist and authorized to practice the agriculture profession.

A professional license duly signed by the Chairman of the Commission shall likewise be issued to the registered agriculturist after payment of the annual registration fees for three (3) consecutive years. The license bearing the number of the licensee's certificate of registration including the date of issuance and date of expiration of said license shall serve as evidence that the registered agriculturist is legally authorized to practice his profession during the period of its validity.

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SEC. 21. Seal and Use of Seal. - Every agriculturist shall obtain a seal of such design as the Board shall adopt and approved, which shall be affixed to or impressed upon all documents, records, papers and/or instruments prepared by/or under the direct supervision of, or issued by registered agriculturists. The seal shall be used by the agriculturist only during the period of the validity of his license.

SEC. 22. Indication of License and Privilege Tax Receipt. - Every registered agriculturist shall be required to indicate the number of his professional license, the dates of issuance and expiration including the number of his privilege tax receipt, the date and place of issue on any and all documents that he signs, issues or uses in connection with the practice of his profession.

SEC. 23. Grounds for the Suspension or Revocation of Certificate of Registration and Professional License. - The Board may, upon due notice and hearing, suspend or revoke the certificate or registration and the professional license of the agriculturist upon the grounds provided herein, including but not limited to the following:

- a) use or perpetration of any fraud or deceit in obtaining a certificate of registration;
- b) incompetence;
- c) negligence;
- d) immoral, dishonorable or unprofessional conduct;
- e) malpractice or illegal practice of the agriculture profession;
- f) violation of or abetting the violation of the provisions of this Resolution, its Implementing rules and Regulation or violation of the Code of Ethics for Agriculturists or the Code of Professional Standards for the Practice of the Agriculture Profession,

The decision of the Board may be appealed to the Commission within fifteen (15) days from notice of judgment.

ARTICLE V PRACTICE OF THE AGRICULTURE PROFESSION

SEC. 24. Practice of the Agriculture Profession.- The practice of the agriculture profession is a professional service admission to which shall be determined upon the bases of the individual's personal qualifications. No firm, company, partnership, association or corporation may be registered or licensed to practice the agriculture profession; Provided,

however, that persons registered and licensed as agriculturists may, among themselves, form a firm, partnership or association using the term "Agriculturists" and obtain registration with the Securities and Exchange Commission (SEC) or with the appropriate agency of the Government, as the case may be. Nobody shall be allowed to be a member, partner or associate in such firm, partnership or association unless he is a duly registered and licensed agriculturist.

SEC. 25. Registration of Agriculturist Without Examination.- Upon approval of application and payment of the required fees, certificate of registration and professional license shall be issued to the applicant for registration without examination who can prove to the satisfaction of the Board that:

A. He/She graduated from a school, college or university established or recognized by the Government with the degree of Bachelor of Science in Agriculture or Bachelor in Agricultural Technology or their closely related degrees, namely: Bachelor of Science in Agribusiness; Bachelor of Science in Agricultural Chemistry; Bachelor of Science in Agricultural Economics; Bachelor of Science in Agricultural Education; Bachelor of Science in Agricultural Engineering; Bachelor of Science in Agricultural Extension; Bachelor of Science in Animal Husbandry or Bachelor of Science in Food Technology, and has accomplished any of the following:

- 1) Passed an examination given by the Civil Service Commission (CSC) in any of the fields of specialization in agriculture and has served the agriculture industry in either public or private capacity for not less than five (5) years prior to the effectivity of R.A. No. 8435 or
- 2) Obtained the degree of Master of Agriculture or Master of Arts in Teaching Elementary Agriculture or Master of Science in any of the fields of specialization in agriculture and has served the agriculture industry in either public or private capacity for not less than three (3) years before the effectivity of R.A. No. 8435 or
- 3) Obtained the degree of Doctor of Philosophy in any of the fields of specialization in agriculture and has served the agriculture industry in either public or private capacity for not less than two (2) years before the effectivity of R.A. No. 8435.

SEC. 26. Integration of Agriculturists.- After the registration of persons qualified to register as agriculturists without examination and/or the registration of successful examinees in licensure examination for



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agriculturists, the Board of Agriculture shall initiate the integration of all registered agriculturists into one (1) national association or organization of agriculturists which shall be registered with the Securities and Exchange Commission (SEC) and recognized by the Board and accredited by the Commission as the one (1) and only accredited integrated association of agriculturists.

Upon registration with the Board, every agriculturist shall automatically become a member of the accredited integrated national association or organization of agriculturists and shall be qualified to receive the benefits and privileges appurtenant to such membership.

SEC. 27. Foreign Reciprocity.- No foreigner shall be admitted to sit in the licensure examination for agriculturists and/or be registered as agriculturist and issued a license or a temporary special permit to practice the agriculture profession under this Resolution unless he proves in the manner provided in the law creating the Professional Regulation Commission, that by specific provision of law of the country of which he is a citizen, allows citizens of the Philippines to practice the agriculture profession after an examination or without examination on terms of strict and absolute equality with the citizens of said country including the unconditioned recognition of prerequisite degrees issued by institutions of learning established or recognized the Government of the Republic of the Philippines.

SEC. 28. Fund Assistance.- The Secretary of Agriculture shall allocate from the initial appropriations of the Department of Agriculture provided in Section 111 of R.A. No. 8435, known as the Agriculture and Fisheries Modernization Act of 1997 the amount of Ten Million (P10,000,000.00) Pesos to be disbursed for the operation of the Board of Agriculture authorized to be created in the Professional Regulation Commission pursuant to Section 75 of the said Act for a period of one (1) year from its creation which shall include personal services, maintenance and other operating expenses and capital outlay.

Thereafter, such sums as are necessary for the continued operation of the Board shall be included in the Annual Appropriations of the Professional Regulation Commission.

SEC. 29. Implementing Rules and Regulations.- The Board shall adopt, promulgate and Issue the Rules and Regulations to implement or carry out the provisions of this Resolution, subject to the approval of the Commission.

SEC. 30. Effectivity. - This Resolution shall take effect after thirty (30) days following its publication in the Official Gazette or in a newspaper of general circulation in the Philippines, whichever is earlier.

Done in the City of Manila, Philippine, this 15th day of May 2000.

HERMOGENES P. POBRE
Commission Chairman

ALFONSO G. ABAD AVELINA DE LA REA-TAN
Associate Commissioner Associate Commissioner

ATTESTED:

EDGARDO J. ANGARA
Secretary, Department of Agriculture

Resolution No. 02 **Series of 2002**

RULES AND REGULATIONS IMPLEMENTING PRC RESOLUTION NO. 2000-663 (Re: Creation of the Board of Agriculture as mandated by Section 75 of R.A. No. 8435, otherwise known as "The Agriculture and Fisheries Modernization Act of 1997" as implemented by the Rules and Regulations issued by the Department of Agriculture)

Pursuant to Section 29 of PRC Resolution No. 2000-663, the following Rules and Regulations is hereby adopted, promulgated and issued to carry out the provisions of the said Resolution.

ARTICLE I **TITLE, PURPOSES AND DEFINITION OF TERMS**

Section. 1. Title. - This Resolution shall be known and cited as the "*Rules and Regulations Implementing PRC Resolution No. 2000-663.*"

SEC. 2. Purpose. - This Rules and Regulations is formulated and adopted to prescribe the guidelines and procedures to be followed and observed in carrying out the provisions of PRC Resolution No. 2000-663 and specifically:

- a. To ensure the efficient administration and maintain a reliable and honest licensure examination for registration of Agriculturists;
- b. To effectively supervise and regulate the practice of the Agriculture profession in the Philippines;
- c. To ensure, in coordination with the Commission on