

**Republic of the Philippines
Congress of the Philippines
Metro Manila**

Sixteenth Congress

Second Regular Session

Begun and held in Metro Manila, on Monday, the twenty-eighth day of July, two thousand fourteen.

[REPUBLIC ACT NO. 10690]

AN ACT REGULATING THE PRACTICE OF FORESTRY IN THE PHILIPPINES AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED SIX THOUSAND TWO HUNDRED THIRTY-NINE (R.A. NO. 6239), KNOWN AS "THE FORESTRY PROFESSION LAW"

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

ARTICLE I

TITLE, POLICY, OBJECTIVES, TERMS AND SCOPE OF PRACTICE

SECTION 1. *Title.* – This Act shall be known as "The Forestry Profession Act".

SEC. 2. *Statement of Policy.* – The State recognizes the importance of professional foresters in nation building and development. Hence, it shall develop and nurture competent, ethical, globally competitive and well-rounded professional foresters who shall observe the highest standards of excellence, and whose professionalism shall be fostered through the administration of transparent, credible and relevant licensure examinations, a system of registration and self-regulation, and through continuing education.

SEC. 3. *Objectives.* – This Act shall govern:

- (a) The examination, registration and licensure of professional foresters;
- (b) The supervision, control and regulation of the practice of forestry in the Philippines;
- (c) The development and upgrading of the curriculum;
- (d) The development of the professional competence of foresters through mandatory Continuing Professional Development (CPD); and
- (e) The integration of the forestry profession.

SEC. 4. *Definition of Terms.* – As used in this Act:

(a) *Accredited Professional Organization (APO)* refers to the organization integrating all associations, federations, and groups of licensed foresters that have been accredited by the Professional Regulatory Board for Foresters to be created hereunder, subject to the approval of the Professional Regulation Commission (PRC) created under Republic Act No. 8981, known as the "PRC Modernization Act of 2000", as amended;

(b) *Forestry* refers to the art, science, practice, and business of sustainable management of forest and forestland resources for the production of goods and services and the enhancement of benefits and values of such resources to provide the needs of the present and future generations; and

(c) *Professional forester* refers to a registered and licensed natural person who holds a valid certificate of registration and a valid professional identification card issued by the Professional Regulatory Board for Foresters and the PRC pursuant to this Act.

SEC. 5. *Scope of Practice of Forestry.* – The practice of forestry shall include the following:

(a) Different aspects of actual or supervisory activities or services such as the parametric classification of lands of the public domain and subclassification and capability determination of forestlands; inventory of forest or timber and other forest products; reconnaissance and survey of road locations and quarry sites; planning and implementing of harvesting operations and timber improvement; scaling and grading of, and manifesting taxes on logs and derivative wood products as well as other forest products preparation of designs, plans and specifications of forest products processing plants; treatment of wood and other forest products; inspection and investigation of harvesting and processing plants; preparation, certification or authentication, or both, of log and lumber dealers, sawmill operators and other mill test reports; planning and implementation of forest nursery, afforestation, reforestation, industrial and community-based tree plantation, tree farm and agroforestry farm projects; planning and implementation of forest parks, wilderness areas, coastal areas and other protected area systems development; planning and implementation of forest protection systems, forest and soil resources conservation measures; and conduct of environmental risk scoping and environmental impact assessment;

(b) The preparation and conduct of feasibility studies pertaining to natural forest and plantation forest management, watershed management, range or grazing land management, wildlife and biodiversity systems management, wood technology and timber engineering, wood products manufacturing and marketing management, and technical or management consultancy;

(c) The conduct of forest experiments, research and development, training and extension concerning forestry, and the teaching of forestry subjects in any accredited college or school of forestry;

(d) Government institutional activities or services wherein the principal policy and strategy is forestry, and the practice of professional forestry is essential, such as in the undertaking, supervision, or administration of studies, programs, stations, centers, community/provincial/regional offices, and such other activities or services that, by law, should be inherently exercised by professional foresters; and

(e) Forestry activities and services required by local government units, private corporations, foundations, nongovernment organizations, and foreign assisted projects.

The Professional Regulatory Board for Foresters, subject to approval by the PRC, may revise, exclude from, or add to the above enumerated acts or activities as the need arises to conform to the latest trends in the practice of forestry.

ARTICLE II

CREATION OF THE PROFESSIONAL REGULATORY BOARD FOR FORESTERS

SEC. 6. *Creation and Composition of the Professional Regulatory Board for Foresters.* – There is hereby created a collegial body under the administrative supervision and control of the PRC, which shall be called the Professional Regulatory Board for Foresters, hereinafter referred to as the Board. The Board shall be composed of a Chairperson and two (2) members to be appointed by the President of the Republic of the Philippines from a list of three (3) recommendees for each position, chosen and submitted by the PRC from a list of five (5) nominees for every position endorsed by the APO.

SEC. 7. *Qualifications of Members of the Board.* – At the time of their respective appointments, the members of the Board, including the Chairperson, must:

- (a) Be a natural born Filipino citizen and a resident of the Philippines;
- (b) Be of good moral character;
- (c) Not be convicted by a court of competent jurisdiction of an offense involving moral turpitude;
- (d) Be a holder of a Bachelor's Degree in Forestry, preferably with a Masteral or Doctorate Degree in Forestry conferred by a duly licensed school, college or university recognized by the Commission on Higher Education (CHED);
- (e) Be a registered forester with a valid certification of registration and a valid professional identification card, and with at least ten (10) years of practice prior to appointment;
- (f) Be a member in good standing of the APO;
- (g) Not be a member of the faculty of any school, college or university where a regular or review course in forestry is offered, not a member of a staff of reviewers in a review school or center, and does not have any direct or indirect pecuniary interest in any such institution; and
- (h) Not be an officer or trustee of the APO.

SEC. 8. *Term of Office of the Members of the Board.* – The Chairperson and members of the Board shall hold office for a term of three (3) years from the date of appointment or until their successors shall have been qualified and appointed. They may be reappointed in the same office for another term of three (3) years immediately after the expiry of their term: *Provided*, That the holding of such position shall not be more than two (2) terms or not more than six (6) years: *Provided, further*, That the first Board appointed under this Act shall hold these terms of office: the Chairperson for three (3) years; the first member for two (2) years; and the second member for one (1) year: *Provided, finally*, That an appointee to a vacancy shall serve only the unexpired portion of the term of office. The Chairperson and the members shall take their oaths of office before a duly authorized officer.

SEC. 9. *Compensation, Allowances of the Board Members.* – The Chairperson and members of the Board shall receive compensation, allowances, and other benefits comparable to those of the chairpersons and members of other professional regulatory boards under the PRC.

SEC. 10. *Powers, Functions, Duties and Responsibilities of the Board.* – The Board shall exercise executive and administrative rule-making and quasi-judicial powers to carry out the provisions of this Act. It shall be vested with the following specific powers, functions, duties, and responsibilities:

- (a) To regulate the practice of forestry in accordance with the provisions of this Act;
- (b) To adopt and promulgate the Code of Ethics, the Code of Good Governance, and the Code of Technical Standards for the Practice of Forestry;
- (c) To adopt an official seal of the Board;
- (d) To prescribe and promulgate guidelines on the mandatory CPD for foresters in consultation with the APO;
- (e) To prescribe and promulgate the syllabi/table of specifications for the subjects in the licensure examination in consultation with the academe and the CHED;
- (f) To issue or cancel temporary or special permits granted to foreign foresters;
- (g) To adopt a program for walk-in licensure examination, if necessary;
- (h) To evaluate and approve applications for licensure examination;
- (i) To prepare questions for the subjects in the licensure examination, give and correct the examination, and release their results;
- (j) To register qualified persons for the practice of forestry, and issue thereto certificates of registration and professional identification cards;
- (k) To administer oaths;
- (l) To monitor the conditions affecting the practice of forestry through ocular inspections of establishments where foresters are practicing, and adopt such measures as may be deemed proper for the enhancement and maintenance of high professional, moral, ethical, and technical standards;
- (m) To enter into a memorandum of agreement with the CHED and the PRC to ensure that all higher educational instructions and offerings of degree, course, or program comply with the policies, standards, and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library, and facilities;
- (n) To ensure quality forestry education by examining the facilities of universities or colleges offering Bachelor of Science in Forestry seeking permission to open forestry courses, and ensuring that these comply with the requirements set by the CHED. The authority to open or close colleges or universities offering BS Forestry shall be vested on the CHED upon the written recommendation of the Board;
- (o) To hear and investigate cases on violations of this Act, its implementing rules and regulations (IRR), the Code of Ethics, the Code of Good Governance, the Code of Technical Standards for the practice of forestry, and other policies and, for this purpose, to issue summons, subpoena *ad testificandum* and subpoena *duces tecum* to alleged violators and witnesses to compel their attendance in hearings or investigations;
- (p) To delegate the hearing or investigation of cases against the alleged violators: *Provided*, That the hearing or investigation of cases wherein the issue or question strictly involves concerns over the technical practice of forestry shall be presided over by at least one (1) member of the Board assisted by a Legal or Hearing Officer of the PRC;
- (q) To endorse cases involving criminal violations of this Act and other laws, its IRR, and other policies, to the Prosecution Office for investigation;

(r) To decide administrative cases against examinees or registered foresters: *Provided*, That upon the finding of guilt, the examination papers of the examinees shall be cancelled and they shall be barred from taking another licensure examination: *Provided, further*, That in the case of registered foresters, their certificate of registration shall be suspended and revoked: *Provided, furthermore*, That the effectivity of the penalty shall only commence from the date of surrender of the certificates together with the professional identification cards: *Provided, finally*, That the decision of the Board shall, unless appealed to the PRC, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;

(s) To reissue or reinstate revoked or suspended certificates of registration and unexpired professional identification cards to the holders thereof: *Provided*, That the revoked certificates of registration shall only be reissued after the lapse of the period provided in this Act: *Provided, further*, That the Board shall issue a resolution thereon subject to the approval of the PRC, after the fitness to practice anew the forestry profession is satisfactory established: *Provided, finally*, That the suspended certificate of registration shall only be reissued upon the expiration of the period imposed in the decision of the Board;

(t) To conduct, through the legal or hearing officers, summary proceedings on minor violations of this Act, its IRR, any of the codes aforementioned, the general instructions to examinees, and to render summary judgment thereon which shall, unless appealed to the PRC, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;

(u) To prepare an annual report of accomplishments, programs, projects, and activities of the Board during the year of submission to the PRC after the close of each calendar year, and to make appropriate recommendations to the Commission on issues or problems affecting the forestry profession;

(v) To discharge other implied, incidental, necessary powers, duties, functions, and responsibilities to effectively carry out the provisions of this Act and its policies or measures and the achievement of its objectives; and

(w) To issue and promulgate rules and regulations implementing the provisions of this Act.

The rules and regulations, codes, and other policies embodied in a resolution issued and promulgated by the Board shall be subject to review and approval by the PRC. However, the Board's decision, resolution, or order rendered in an administrative case which is not interlocutory shall be subject to review only on appeal to the PRC or the regular courts.

SEC. 11. *Grounds for Removal or Suspension of Board-Chairperson/Member.* – The President of the Philippines, upon the recommendation of the PRC, after giving the Chairperson or a member of the Board an opportunity to defend oneself in an administrative investigation conducted by the PRC, may remove or suspend the official on any of the following grounds:

(a) Gross neglect, incompetence or dishonesty in the discharge of one's duty;

(b) Violation of any of the causes, grounds, and the prohibited acts provided in this Act, and the offenses in the Revised Penal Code, the Anti-Graft Corrupt Practices Act, and other laws; and

(c) Manipulation or rigging of the licensure examination results for foresters, disclosure of secret and confidential information on the examination questions prior to the conduct thereof, or tampering of grades.

The PRC, in the conduct of the investigation, shall be guided by Section 7(s) of Republic Act No. 8981, as amended, otherwise known as the “PRC Modernization Act of 2000”, the rules on administrative investigation, and the applicable provisions of the Rules of Court.

SEC. 12. *Custodian of its Records, and Provision of Support Services.* – The PRC shall keep all records of the Board including applications for examination, examination papers and results, minutes of deliberations, and administrative cases. The PRC shall designate a Secretary of the Board who shall assist the Board in the implementation of the provisions of this Act.

ARTICLE III

EXAMINATION, REGISTRATION, CERTIFICATION, AND LICENSURE

Sec. 13. *Licensure Examination Requirement.* – Except as otherwise specifically allowed under this Act, applicants for registration for the practice of forestry shall be required to pass a licensure examination as provided for in this Act in such places and dates as the PRC may designate in a Resolution mandating the Master Schedule for all licensure examinations, in accordance with Section 7(d) of Republic Act No. 8981, as amended.

SEC. 14. *Qualifications of an Applicant for the Licensure Examination.* – An applicant for the licensure examination for foresters shall satisfactorily prove possession of the following qualifications:

(a) Philippine citizenship, or in the case of a foreigner, citizenship of a country or state that has a reciprocity agreement with the Philippines on the practice of forestry;

(b) Good moral character;

(c) Bachelor’s degree in forestry or forest products engineering, or agroforestry conferred by a school, college, or university recognized and duly accredited by the CHED, or a graduate of Bachelor’s degree in forest product engineering, or Bachelor of Science in Agroforestry with at least seventy (70) units of core subjects in forestry and related subjects; and

(d) No conviction of an offense involving moral turpitude by a court of competent jurisdiction.

SEC. 15. *Subjects for Licensure Examination.* – The licensure examination for foresters shall include the following:

(a) Forest Ecosystem;

(b) Forest Policy and Governance;

(c) Forest Engineering and Utilization; and

(d) Forest Resource Management.

The Board, subject to the approval of the PRC, may revise or exclude any of the subjects in their syllabi, and add new ones as the need arises to conform to technological changes brought about by trends and developments in the profession.

SEC. 16. *Rating in the Licensure Examination.* – To pass the foresters licensure examination, a candidate must obtain a general or weighted average rating of seventy-five percent (75%).

SEC. 17. *Report of Rating.* – The Board shall submit to the PRC the ratings obtained by the candidate not later than ten (10) days after the last day of the examination, unless it is extended for a valid cause.

SEC. 18. *Oath.* – All successful candidates in the licensure examination shall take their oath of profession before the Chairperson or any member of the Board, or any authorized officer of the PRC, or any person authorized by law to administer oaths, prior to entering upon the practice of forestry.

SEC. 19. *Issuance of Certificate of Registration and Professional Identification Card.* – A certificate of registration shall be issued to those who pass the licensure examination, subject to payment of fees prescribed by the PRC and the Chairperson and members of the Board, stamped with the official seal of the PRC and of the Board, certifying that the person named therein is entitled to practice the profession with all the privileges appurtenant thereto. Until withdrawn, revoked, or suspended in accordance with this Act, it shall remain in full force and effect.

A professional identification card bearing the registration number and date of issuance, its expiry date, and the signature of the Chairperson of the PRC shall likewise be issued to every registrant who has paid the prescribed fee. It shall be reissued after every three (3) years upon payment of the prescribed fees.

SEC. 20. *Refusal to Register.* – The Board shall not register any successful examinee in the foresters licensure examination who has been:

- (a) Convicted of an offense involving moral turpitude by a court of competent jurisdiction;
- (b) Found guilty of immoral or dishonorable conduct by the Board;
- (c) Summarily adjudged guilty for violation of the general instructions to examinees by the Board; and
- (d) Declared of unsound mind by a court of competent jurisdiction.

In refusing such registration, the Board shall give the applicant a written statement setting forth the reasons therefor and shall file a copy thereof in its records.

SEC. 21. *Revocation or Suspension of the Certificate of Registration and Cancellation of Temporary /Special Permit.* – The Board shall have the power, upon notice and hearing, to revoke or suspend the certificate of registration of a registered forester or to cancel a temporary or special permit granted to a foreigner forester, for violation of any of the grounds or causes in Section 20 of this Act, except (c) thereof and any of the following grounds:

- (a) Violation of a provision of this Act, its IRR, Code of Ethics, Code of Good Governance, Code of Technical Standards for the Practice of Forestry, policy, and measure of the Board or the Commission;

- (b) Perpetration or use of fraud in obtaining one's certificate of registration, professional identification card, temporary or special permit;
- (c) Gross incompetence, negligence or ignorance resulting to death, injury or damage;
- (d) Refusal to join or to remain a member in good standing of the APO;
- (e) Neglect or failure to pay the registration fees for three (3) consecutive years;
- (f) Aiding or abetting the illegal practice of a non-registered and licensed person by allowing another to use one's certificate of registration or professional identification card, or both, and temporary or special permit;
- (g) Illegally practicing the profession during one's suspension;
- (h) Proven addiction to drug or alcohol, impairing one's ability to practice the profession, or declared with unsound mind by a court of competent jurisdiction. In case of drug or alcohol addiction, a finding to this effect of a medical or drug testing facility shall be sufficient; and
- (i) Noncompliance with the CPD requirement, unless one is exempted therefrom for the renewal of the professional identification card.

Any person, firm or association may file charges in accordance with the provision of this section against any registrant, or the Board may, on its own, investigate any of the abovementioned violations. An affidavit-complaint shall be filed together with the affidavits of witnesses and other documentary evidence with the Board through the Legal and Investigation Office. The Board may conduct an investigation, *motu proprio*, on a matter relating to the commission of a violation: *Provided*, That such decision to investigate shall be embodied in a formal charge to be signed by at least majority of its members. The rules on administrative investigation issued by the PRC shall govern the hearing or investigation subject to applicable provisions of this Act, Republic Act No. 8981, as amended, and the Rules of Court.

SEC. 22. Reissuance of Revoked Certificate of Registration, Replacement of Lost or Damaged Certificate of Registration, Professional Identification Card or Temporary/Special Permit. – The Board may, upon petition, reinstate or reissue a revoked certificate of registration after two (2) years from the effectivity of the period for revocation, which is the date of surrender of the certificate and professional identification card if still valid, to the Board and the PRC. The Board may not require the holder thereof to take another licensure examination. The petitioner shall prove to the Board that there are valid reasons to practice the profession. The Board shall issue a Board resolution for granting the petition, subject to the approval of the PRC.

In the case of a lost or damaged certificate of registration, professional identification card or temporary/special permit, the same may be issued upon application of the valid license holder in accordance with the prescribed procedure and subject to the payment of the prescribed fees.

SEC. 23. Nonpayment of the Annual Registration Fees. – The Board shall suspend a registered forester from the practice of the profession for nonpayment of the registration fees for three (3) consecutive years from its last or previous year of payment. The resumption of the forester's practice shall commence only upon payment of the delinquent fees plus surcharges and interest and, in accordance with the rules of the PRC. The three (3)-year suspension period may be interrupted upon written notice about the discontinuance of one's practice and surrender of the certificate of registration to the Board and the PRC.

SEC. 24. *Vested Rights: Automatic Registration.* – All foresters registered at the time of effectivity of this Act shall be deemed automatically registered under this Act. Henceforth, they shall seek the renewal of their registration according to the requirements set forth in this Act.

Certificates of registration and professional identification cards or temporary/special permits held by such persons in good standing at the time of the effectivity of this Act shall have the same force and effect as though they were issued on or after the effectivity of this Act.

ARTICLE IV

PRACTICE OF FORESTRY

SEC. 25. *Lawful Practitioners of Forestry.* – The following natural persons and juridical persons shall be authorized to practice the forestry profession:

(a) Natural persons:

(1) Duly registered foresters and holders of valid certificates of registration and valid professional identification cards issued by the Board and the PRC pursuant to this Act; and

(2) Holders of valid temporary or special permits issued by the Board and the PRC to foreign licensed foresters pursuant to this Act.

(b) Juridical persons:

(1) Single proprietorship whose owner and staff are registered foresters;

(2) Partnership duly registered with the Securities and Exchange Commission (SEC) as professional partnership pursuant to the New Civil Code, and composed of partners who are all duly registered foresters;

(3) Corporation duly registered with the SEC as engaged in the practice of forestry with officers and Board of Directors who are all registered foresters; and

(4) Association duly registered with the SEC as nonprofit and nonstock corporation whose officers, Board of Trustees, and members are all registered foresters.

These juridical persons shall also be registered with the Board and the PRC in accordance with duly issued rules and regulations.

SEC. 26. *Issuance and Use of Seal.* – All registered foresters shall obtain a seal of a design and make as the Board shall authorize and direct: *Provided*, That the serial number of the certificate of registration issued by the Board shall be included in the seal. Documents prepared by or under direct supervision of a registered or professional forester shall be stamped with the latter's seal, such as reports, certifications, contracts, studies, plans, surveys, returns, technical descriptions, inventory data, maps, drawings, sketches, lay-outs, exhibits, proposal or offer of services, tests and analyses, and other documents that may henceforth be the subject of such acts upon the recommendation of the APO concerned and by the resolution of the Board. It shall be unlawful for any person to stamp any document with the said seal after the certificate of registration is revoked.

SEC. 27. *Foreign Reciprocity.* – No foreigner shall be allowed to take the licensure examination for foresters, register, or receive one's certificate of registration and

professional identification card, or practice forestry in the Philippines unless the requirements for the licensure examination and the registration and practice of forestry imposed under the laws and regulations in one's foreign country or state are substantially the same as those required and contemplated by the Philippine laws and regulations, and unless the said foreign laws and regulations allow Philippine citizens to practice forestry within the territory of the said foreign country or state on the same basis, and grant the same privileges as those enjoyed by the citizens, subjects or nationals thereof.

SEC. 28. *Practice Through Temporary/Special Permit.* – Subject to the approval of the PRC and the payment of fees it has prescribed, the Board may issue a temporary or special permit to the following:

(a) Registered or certified foresters from foreign countries or states whose services are either for a fee or for free, if:

(1) They are internationally known foresters or experts in any branch or specialty of forestry; and

(2) Their services are urgently and importantly necessary for lack or inadequacy of available local specialists or experts for the promotion or advancement of the practice of forestry through transfer of technology.

(b) Licensed foresters from foreign countries or states employed as exchange professors in a branch or specialty of forestry in schools, colleges or universities offering the course of forestry.

The permit shall be valid for a period of not more than one (1) year subject to renewal, and shall indicate the branch or specialty of forestry being practiced, and the specific place of practice such as a center, school, college or university offering the course of forestry. The Board shall promulgate, subject to the approval of the PRC, rules and regulations on the implementation of this particular section.

SEC. 29. *Integration of Forester Organizations.* – All registered foresters and their professional organizations or groups shall be integrated into one (1) national organization of foresters that is duly registered with the SEC. The Board shall accredit, subject to the approval of the PRC, the said organization as the one and only integrated and accredited national organization of foresters. All foresters whose names appear in the Registry Book of Foresters shall *ipso facto* become members thereof and shall receive therefrom all the benefits and privileges upon payment of APO membership fees and dues. However, membership in an affiliate organization of foresters shall not be barred.

SEC. 30. *Roster of Foresters.* – The Board shall prepare and maintain a roster of the names, residence or office address of all registered foresters which shall be updated annually in cooperation with the APO, indicating therein the status of the certificate of registration, professional identification card, and APO membership, whether valid, inactive due to death or other reasons, delinquent, suspended or revoked. The said roster shall be conspicuously posted within the premises of the PRC, and the information therefrom made available to the public upon inquiry or request.

SEC. 31. *Indication of Numbers: Certificate of Registration, Professional Tax Receipt, and Accredited Professional Organization (APO) Membership.* – A forester's certificate of registration number and its date of issuance; the current professional identification card's expiry; the number of the professional tax receipt issued to the forester; the forester's APO membership number and the date of issuance; and the official receipt number and date of payment, whether annual or lifetime, shall be stated on all

documents the forester signs, uses, or issues in connection with the practice of the profession.

SEC. 32. *Mandatory Continuing Education on Forestry.* – Within six (6) months from the passage of this Act, the Board shall issue the rules on mandatory continuing education for forestry practitioners. Failure to comply with said rules shall result in the automatic suspension of professional registration until such time that the forestry practitioner is able to complete all the required education units.

SEC. 33. *Posting of Certificate of Registration, Professional Identification Card, or Temporary/Special Permit.* – The certificate of registration, professional identification card of a forester, or temporary or special permit in its original or authenticated copy shall be posted in a conspicuous place in the forester's office.

SEC. 34. *Positions in Public or Private Offices Involving Practice of the Forestry Profession.* – Positions in public or private entities, including educational institutions involving the practice of the forestry profession, shall be occupied by persons who are duly registered foresters with valid certificates of registration and valid professional identification cards, or valid temporary or special permits issued under this Act.

ARTICLE V

PENAL AND GENERAL PROVISIONS

SEC. 35. *Penal Clause.* – Any person who shall commit any of the following acts shall be perpetually disqualified to practice the profession:

(a) Practicing forestry without a valid certificate of registration and a valid professional identification card, or a valid temporary or special permit;

(b) Attempting to use or using the seal, certificate of registration and professional identification card of a registered forester, or temporary or special permit issued to a foreign forester;

(c) Abetting the illegal practice of forestry by an unregistered or unauthorized person;

(d) Securing through false information or fraudulent means certificate of registration and professional identification card, or temporary or special permit;

(e) Impersonating a registered forester or a holder of a temporary or special permit; and

(f) Violating any provision of this Act or the IRR thereof.

SEC. 36. *Act Not Affecting Other Professions.* – This Act shall not affect or prevent the practice of any other legally recognized profession.

SEC. 37. *Enforcement.* – In carrying out the provisions of this Act, the Board shall be assisted by the PRC, the APO, duly constituted government agencies and authorities, and private organizations in the industry. A memorandum of agreement between agencies or organizations may be executed.

SEC. 38. *Funding Provisions.* – The Chairperson of the PRC shall include in the PRC's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SEC. 39. *Transitory Provision.* – The incumbent Board shall, in an interim capacity, continue to operate or function by carrying out the provisions of this Act without new

appointments of the Chairperson and members thereof until the first Board created under this Act shall have been constituted or organized pursuant thereto.

SEC. 40. *Implementing Rules and Regulations.* – The Board of Foresters, subject to the approval of the PRC, shall prescribe, promulgate, and issue a Board resolution on the IRR of this Act after consultation with the APO, other agencies, and concerned private organization in the industry not later than the ninetieth (90th) day from the effectivity of this Act.

SEC. 41. *Separability Clause.* – If any provision, section, or part of this Act shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other provision, section, or part hereof, but shall be merely confined to the provision, section, or part thereof that is directly involved in the issue upon which judgment has been rendered.

SEC 42: *Repealing Clause.* – Republic Act No. 6239 is hereby repealed. Laws, decrees, orders, letters of instruction, rules and regulations, or other issuances, and parts thereof inconsistent with the provisions of this Act are likewise repealed or modified accordingly.

SEC. 43. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

(Sgd.) **FRANKLIN M. DRILON**
President of the Senate

(Sgd.) **FELICIANO BELMONTE JR.**
*Speaker of the House
of Representatives*

This Act was passed by the House of Representatives as House Bill No. 5707 on May 25, 2015 and concurred in and adopted by the Senate as an amendment to Senate Bill No. 2055 on August 11, 2015.

(Sgd.) **OSCAR G. YABES**
Secretary of the Senate

(Sgd.) **MARILYN B. BARUA-YAP**
*Secretary General
House of Representatives*

Approved: **OCT 23 2015**

(Sgd.) **BENIGNO S. AQUINO III**
President of the Philippines