

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 NOV 14 P1:55

SENATE
S. No. 1507

RECEIVED BY: _____

Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
REGULATING THE PRACTICE OF MICROBIOLOGY IN THE PHILIPPINES AND
APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Microbiology is the scientific study of microorganisms and encompasses numerous subdisciplines including Virology, Bacteriology, Mycology, Phycology, Protozoology, Protistology, Immunology and Parasitology. It refers to a multi-disciplinary study of the structure, form and function of microorganisms such as bacteria, archaea, fungi, algae, protozoa, and acellular infectious agents. It covers several branches of biology such as physiology, molecular biology, genetics, ecology, evolutionary biology, systematics and other related fields such as cell biology, helminthology, immunology, molecular biology and biotechnology, parasitology, and plant pathology.

The benefits of Microbiology is seen in industrial fermentation, food safety, food and nutrient production; in Pharmaceuticals - for antibiotic, steroids, therapeutic enzyme production; in antimicrobial agents and resistance manufacturing; and disease prevention as well. It is also used in environmental protections, waste treatment, chemical detoxification and in oil extraction; and also in the quality management, in all product research and development of many agricultural, biological, clinical, medical, environmental, commercial and industrial products that humanity benefits from.

With the multi-faceted benefits of Microbiology and the ever-pervasive medical and public health threat posed by the countless number of harmful microbes present all around, there is a need for the practice and profession of Microbiology in the Philippines to be thoroughly developed and duly-regulated.

The Professional Regulation Commission's (PRC) mandate is to regulate and supervise the practice of the professionals who constitute a highly skilled manpower of the country. As the agency-in-charge of the professional sector, the PRC plays a strategic role in developing the corps of professionals for industry, commerce, governance and the economy, including those practitioners and professionals in the field of Microbiology in the Philippines.

The State recognizes the important role of microbiologists in national development. Hence, this Act aims to institutes a regulatory system that guarantees the delivery of technical services in a manner that ensures food safety and high quality of manufactured goods, prevents the rapid spread of microbially-caused diseases in human, plant and animal populations, and helps provide a safe and healthy environment for the general populace.

The State shall therefore endeavor to develop and nurture competent, ethical, globally competitive and well-rounded professionals and practitioners in the field of Microbiology in the Philippines, who shall observe the highest standard of excellence through a credible and relevant licensure examination administered and regulated by the PRC.


In this light, the immediate passage of this bill is highly recommended.


JINGGOY EJERCITO ESTRADA
Senator

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

1

2 Section 1. *Short Title.* – This Act shall be known as the "*Philippine Microbiology*
3 *Act.*"

4 Sec. 2. *Statement of Policy and Objectives.* – The State recognizes the
5 important role of microbiologists in national development. Hence, this Act institutes a
6 regulatory system that guarantees the delivery of technical services in a manner that
7 ensures food safety and high quality of manufactured goods, prevents the rapid
8 spread of microbially-caused diseases in human, plant and animal populations, and
9 helps provide a safe and healthy environment for the general populace. It also aims
10 to develop and nurture competent, ethical, globally competitive and well-rounded
11 professionals who shall observe the highest standard of excellence through a credible
12 and relevant licensure examination.

13

ARTICLE II

14

DEFINITION OF TERMS AND SCOPE OF PRACTICE

15

Sec. 3. *Definition of Terms.* – As used in this Act:

16

a) *Accredited Integrated Professional Organization (AIPO)* – refers to the

17

professional organization established for the benefit and welfare of

1 professionals of Microbiology, the advancement of the Microbiology profession
2 and attainment of other professional ends;

3 b) *Archaeal Biology* – refers to the scientific discipline that concerns the study of
4 the biology of archaea, a domain of organisms consisting of single, nucleus-
5 free cells, distinct from bacteria and eukaryotes.

6 c) *Bacteriology* – refers to the branch of Microbiology that specifically deals with
7 the Biochemistry, Physiology, Morphology, Evolution, Genetics, and Ecology
8 of bacteria which is the large domain of single-celled prokaryotic
9 microorganisms. Bacteriology also deals with the study of medically- and
10 industrially-significant bacteria, such as those which cause major infectious
11 diseases, food spoilage, and those which are able to ferment food or produce
12 valuable pharmaceuticals and enzymes.

13 d) *Clinical Microbiology* – refers to the branch of Microbiology that relates to the
14 diagnosis, treatment, management, and prevention of infectious diseases in
15 patients in hospital and clinical laboratories. It also includes hospital facility
16 environmental surveillance and monitoring in support of infection control and
17 safety programs as well as quality control. This field of practice encompasses
18 several different sciences applied to hospital and clinical laboratories, including
19 Bacteriology, Mycology, Virology, Parasitology, Immunology and molecular
20 diagnostics. It involves culture, analysis and identification of pathogenic and
21 other clinically relevant bacteria, fungi, viruses, and parasites isolated from
22 clinical specimens or other non-biological specimens, or both. It also involves
23 susceptibility testing to guide antimicrobial therapy and provide antibiograms
24 to the health facility or local community, or both to demonstrate the
25 prevalence of various pathogens and emerging antibiotic resistance.

26 e) *Environmental Microbiology* – refers to the branch of microbiology that deals
27 with study of indigenous microorganisms on earth, water, and air system and
28 their interactions with organic and inorganic pollutants and the application of
29 their products for the benefit of human health and welfare. It is the applied
30 part of microbial ecology which deals with the study of the interactions of
31 microorganisms with the biotic and abiotic environment.

- 1 f) *Medical Microbiology* – refers to the branch of microbiology that specifically
2 deals with the study of characteristics of pathogens, their modes of
3 transmission, mechanisms of infection and growth. It is also concerned with
4 the interactions of pathogens to hosts and the environment and the
5 applications of microorganisms for the improvement of health. For purposes
6 of this Act, clinical microbiology is excluded from the definition and scope of
7 medical microbiology.
- 8 g) *Microbiology* – refers to a multi-disciplinary study of the structure, form and
9 function of microorganisms such as bacteria, archaea, fungi, algae, protozoa,
10 and acellular infectious agents. It covers several branches of biology such as
11 physiology, molecular biology, genetics, ecology, evolutionary biology,
12 systematics and other related fields. Such as cell biology, helminthology,
13 immunology, molecular biology and biotechnology, parasitology, and plant
14 pathology.
- 15 h) *Mycology* – refers to the branch of microbiology that studies fungi such as
16 yeasts, molds and mushrooms. It is concerned with the physiology, taxonomy,
17 biochemistry, ecology, and genetic properties of fungi. Mycology also deals
18 with the significance and application of fungal species in medicine and
19 industry, from which antibiotics as well as other valuable secondary
20 metabolites are produced.
- 21 i) *Phycology* – refers to the branch of microbiology that studies algae, which is
22 a large group of chiefly aquatic macroscopic and microscopic unicellular
23 organisms similar to plants in terms of metabolism and structure. Phycology
24 studies the ultrastructure, biochemistry, metabolism and ecology of these
25 algae, such as different species of seaweeds, phytoplankton and a vast
26 number of others.
- 27 j) *Protozoology* – refers to the branch of microbiology that studies protozoa, a
28 diverse group of eukaryotic, heterotrophic microorganisms. It is concerned
29 with the taxonomy, physiology, evolution, biochemistry and metabolism of
30 protozoans. As several protozoans are disease-causing, protozoology is also
31 concerned with studying their modes of infection, transmission, life cycles, as
32 well as their interaction with their host organisms.

1 k) *Registered Microbiologist* – refers to a person who has been issued a
2 certificate of registration and professional identification card by the
3 Professional Regulatory Board for Microbiology created under Section 5 of this
4 Act.

5 l) *Virology* – refers to the branch of Microbiology that specifically deals with
6 viruses' sub-microscopic obligate intracellular parasites- and virus-like
7 particles, and subviral particles such as prions and viroids, which usually cause
8 diseases in animals, plants, and humans. Virology is the study of the
9 taxonomic classification and ultrastructure of these agents, their genetic
10 make-up, mode of infection, as well as their interactions with their respective
11 hosts.

12 *Sec. 4. Scope of Practice of the Microbiology Profession.* – The practice of
13 Microbiology refers to the profession requiring the application of fundamental and
14 known principles of Microbiology pertinent to the conditions and requirements of food
15 safety and manufacturing standards, disease prevention, environmental protection,
16 conservation and quality management. It includes the following:

- 17 a) Consultation, valuation, investigation and management services on the
18 identification of microbial agents in food, feed, human, plant and animal
19 diseases, and in environmental impact assessments;
- 20 b) Management or supervision and the preparation of designs, plans,
21 specifications, project studies and estimates for microbial-based processes
22 and related manufacturing and waste management facilities;
- 23 c) Conduct of research and development, training and extension work, and
24 consultancy services on the various areas of Microbiology, such as general
25 microbiology, food microbiology, agricultural microbiology, industrial
26 microbiology, veterinary microbiology, medical microbiology, aquatic
27 microbiology and environmental microbiology, and on microbiological
28 facilities/services, systems and technologies;
- 29 d) Microbiological testing and inspection of food, pharmaceutical, agricultural,
30 fishery and forest products;
- 31 e) Management, manufacturing and marketing of microbial and microbial-based
32 products. The marketing of the microbial and microbial-based products are

- 1 not exclusive to the practice of microbiology and can be undertaken by other
2 professions such as those acknowledged in Section 27;
- 3 f) Quality control on microbiological concerns including the manufacture of
4 foods, food additives, flavors, feeds, pharmaceuticals, cosmetics, biofuels, and
5 biofertilizers;
- 6 g) Teaching Microbiology subjects and offering degree programs and training
7 courses in Microbiology in Higher Educational Institutions (HEIs) in the
8 Philippines in conjunction with Section 11 of Republic Act No. 8981, otherwise
9 known as the PRC Modernization Act of 2000, and the rules and regulations
10 of the Commission of Higher Education (CHED); and
- 11 h) Employment with the government or with a private institution which requires
12 the knowledge and expertise of a registered microbiologist.

13 **ARTICLE III**

14 **CREATION OF THE PROFESSIONAL REGULATORY BOARD FOR** 15 **MICROBIOLOGY**

16 *Sec. 5. Creation and Composition of the Professional Regulatory Board for*
17 *Microbiology.* – There is hereby created a Professional Regulatory Board for
18 Microbiology hereinafter referred to as the Board under the administrative supervision
19 and control of the Professional Regulation Commission (PRC), which is under the Office
20 of the President (OP). The Board shall be composed of a Chairperson and two (2)
21 members, two (2) of whom must have at least five (5) years of teaching experience
22 in Microbiology. They shall be appointed by the President of the Republic of the
23 Philippines upon the recommendation of the PRC which shall select from a list of
24 nominees submitted by the AIPO consisting of three (3) nominees for each position.
25 The Board shall be organized not later than sixty (60) days from the effectivity of this
26 Act.

27 *Sec. 6. Qualifications of the Chairperson and Members of the Board.* – The
28 Chairperson and Members of the Board shall, at the time of appointment, possess the
29 following qualifications:

- 30 a) Must be a Filipino citizen;
- 31 b) Must not been convicted by a competent court of any offense involving moral
32 turpitude;

- 1 c) Must be a holder of at least a Master of Science Degree in Microbiology-related
2 fields conferred by a CHED recognized Philippine HEI or foreign university;
3 d) Must have at least ten (10) years of practice in Microbiology, either in
4 government or in any private institution; and
5 e) Must not have any financial interest, directly and indirectly, in any HEI
6 conferring academic degree necessary for admission to the practice of
7 Microbiology or where review classes in preparation for the Microbiology
8 licensure examination are being offered or conducted, nor shall one be a
9 member of the faculty or the administration thereof.

10 *Sec. 7. Term of Office for the Chairperson and Members of the Board.* – The
11 Chairperson and Members of the Board shall hold office for a term of three (3) years
12 from the date of appointment or until their successors shall have been qualified and
13 appointed. They may be reappointed for a second term. They shall take the proper
14 oath of office prior to assumption of office before a duly authorized officer.

15 *Sec. 8. Meetings of the Board.* – The Board shall have a regular meeting once
16 a month. Special meetings may also be held upon the call of the Chairperson or at the
17 request of the other two (2) of its Members. Reasonable notice of all meetings shall
18 be given in the manner prescribed by the rules of the Board.

19 *Sec. 9. Compensation and Allowances of the Board.* – The Chairperson and
20 Members of the Board shall receive compensation and allowances equivalent to those
21 being received by the Chairpersons and Members of existing professional regulatory
22 boards under the PRC as provided for in the General Appropriations Act.

23 *Sec. 10. Powers and Functions of the Board.* – The Board shall be vested with
24 the following powers and functions:

- 25 a) Promulgate, administer and enforce rules and regulations necessary to carry
26 out the provisions of this Act;
27 b) Prescribe the subjects in the licensure examination and their relative weights,
28 determine the syllabi and Table of Specifications (TOS) for the subjects on
29 which the examination questions shall be based on, and to submit the
30 examination results to the PRC;
31 c) Evaluate and approve applications for licensure examination;

- 1 d) Administer oaths and, issue certificates of registration and the professional
2 identification card to persons admitted to the practice of the profession of
3 Microbiology;
- 4 e) Monitor trends in and conditions affecting the practice of Microbiology and
5 adopt such measures as may be deemed necessary for the enhancement of the
6 profession and the maintenance of the highest professional, ethical and
7 technical standards, and for these purposes, inspect and monitor
8 establishments where microbiologists are practicing and HEIs where the
9 Microbiology courses are being offered, in coordination with the CHED;
- 10 f) Submit to the PRC an annual report at the close of each fiscal year on the
11 proceedings and accomplishments of the Board during the year as well as
12 recommendations for the purpose of upgrading and improving the conditions
13 affecting the practice of Microbiology in the Philippines;
- 14 g) Oversee the conduct of the Continuing Professional Development (CPD)
15 program for microbiologists;
- 16 h) Recommend measures necessary for the upgrading, enhancement,
17 development and growth of Microbiology in the Philippines;
- 18 i) Approve registration of microbiologists without examination; and
- 19 j) Issue special temporary permits to microbiologists of foreign nationalities
20 subject to the requirements and conditions prescribed by the Board.

21 The policies and resolutions, rules and regulations, orders, or decisions issued
22 or promulgated by the Board shall be subject to the review and approval of the PRC:
23 Provided, That the decisions, resolutions, and orders rendered by the Board which are
24 interlocutory in nature shall be subject to review on appeal.

25 *Sec. 11. Removal of Board Members.* – The Chairperson or any Member of the
26 Board may be suspended or removed from office by the President of the Republic of
27 the Philippines upon the recommendation of the PRC for neglect of duty,
28 incompetence, tolerance of irregularities in any examination given by the Board,
29 unprofessional or unethical conduct. Any such person shall be afforded due process
30 according to the laws of the Republic of the Philippines.

31 *Sec. 12. Supervision of the Board, Custodian of the Records, Secretariat and*
32 *Support Services.* – The Board shall be under the general supervision and

1 administrative control of the PRC. The PRC shall keep all the records of the Board,
2 including applications for examination papers and results, minutes of deliberations,
3 administrative cases and other investigative cases involving microbiologists.

4 **ARTICLE IV**

5 **EXAMINATION AND REGISTRATION**

6 *Sec. 13. Licensure Examination.* – Unless otherwise provided in the Act, every
7 applicant seeking to be registered and licensed as microbiologist shall take and pass
8 a written licensure examination to be given by the Board at least once a year in such
9 places and dates as the PRC may designate.

10 *Sec. 14. Qualifications for Examination.* – Any person applying for admission to
11 the licensure examination for microbiologist must be:

- 12 a) A citizen and resident of the Philippines: Provided, that citizen of a foreign
13 country may be allowed to take the examination, subject to the requirement of
14 reciprocity as approved for in Section 31 of this Act;
- 15 b) A person of good moral character;
- 16 c) A person who has not been convicted by a competent court of any offense
17 involving moral turpitude; and
- 18 d) A holder of a baccalaureate degree in Microbiology or Biology major in
19 Microbiology, or graduate degree in Microbiology, or any related field with
20 twenty-four (24) units of Microbiology, to include the courses covered in the
21 licensure exam.

22 *Sec. 15. Scope of Examination.* - The licensure examination for microbiology
23 shall cover six (6) subjects:

- 24 a) General microbiology;
- 25 b) Code of Ethics for Microbiology Profession;
- 26 c) Microbial Physiology;
- 27 d) Microbial Ecology;
- 28 e) Medical Microbiology; and
- 29 f) Applied Microbiology (Food and Industrial).

30 The Board, subject to the approval of the PRC, may revise the scope of
31 examination and any of the subjects and their syllabi to conform with technological
32 advances brought about by trends and developments in the profession.

1 *Sec. 16. Release of the Results of Examination.* – The Board shall release the
2 licensure examinations results within a period of three (3) days from the date the
3 examination, unless extended for a valid reason.

4 *Sec. 17. Rating in Examination.* – To pass the licensure examination for
5 Microbiology, an examinee must obtain a general average of at least seventy-five
6 percent (75%) and no rating lower than fifty percent (50%) in any subject. An
7 examinee with a general average of seventy five percent (75%), and with grade lower
8 than fifty percent (50%) in any subject, may retake the examination on the subject(s)
9 the examinee failed at, but not more than twice. If still unsuccessful after the second
10 time, an examinee shall be required to retake the entire examinations in which a
11 person failed, at most twice. If still unsuccessful after the second time, an examinee
12 shall be required to retake the entire examination. There is no limit to the number of
13 times an examinee who has failed the licensure examination can retake it.

14 *Sec. 18. Oath.* – All qualified registrants, whether or not they have taken and
15 passed the licensure examination shall take their oath of profession before the
16 chairperson or any Member of the Board, or any authorized officer of the PRC prior to
17 entering the practice of microbiology.

18 *Sec. 19. Issuance of the Certificate of Registration and Professional*
19 *Identification Card.* – The certificate of registration and professional identification card
20 shall be issued to a person who has complied with all the requirements for registration
21 under this Act. The certificate of registration shall serve as evidence that the
22 microbiologist can lawfully practice their profession. It shall remain in full force and
23 effect until withdrawn, revoked, or suspended in accordance with this Act.

24 A professional identification card bearing the registration number and date of
25 issuance, its expiry date, and the signature of the Chairperson of the PRC shall likewise
26 be issued to every qualified registrant. It shall be reissued after every three (3) years
27 upon compliance with all the requirements as may be prescribed by the Board and the
28 PRC.

29 *Sec. 20. Automatic Exemption from Examination for Microbiologists.* – Holders
30 of a Master's or Doctoral Degree in Microbiology or related fields from an HEI duly
31 recognized by the CHED, may apply for exemption as microbiologists without
32 examination from the Board. They must submit a copy of undergraduate and graduate

1 diplomas, transcripts and cover pages of MS Thesis or Doctoral Dissertation: Provided,
2 That such individual must show proof of having actively practiced the Microbiology
3 profession for at least five (5) years.

4 Sec. 21. *Registration Without Examination.* – The Board shall register without
5 examination any person who can present evidence or proof satisfactory to the Board
6 that:

- 7 a) The person is a Filipino citizen;
- 8 b) The person is of good moral character;
- 9 c) The person has obtained at least twenty-four (24) academic units in
10 Microbiology related courses from an HEI duly recognized by the CHED,
11 passed certification examination conducted by reputable, well established and
12 long-standing professional organization in Microbiology or its equivalencies in
13 the practice of Microbiology as assessed by the Board and has been actively
14 practicing Microbiology for at least five (5) years. For this purpose,
15 equivalencies shall refer to activities which may include participation or
16 attendance in trainings, scientific conferences and symposia on Microbiology
17 in the last five (5) years, research publications as prescribed by the Board or
18 national research awards in Microbiology, recognized innovations or solutions
19 to Microbiological problems in industry. All qualified applicants must apply for
20 registration within two (2) years from the effectivity of the rules and
21 regulations issued to implement this Act. Thereafter, anyone who wants to be
22 registered will have to take the examination, and those who are exempted
23 under Section 27 of this Act.

24 Sec. 22. *Refusal to Register.* – The Board may deny the application for
25 registration of any applicant who has been:

- 26 a) Convicted of any offense involving moral turpitude by a court of competent
27 jurisprudence;
- 28 b) Found guilty of immoral or dishonorable conduct after due investigation by
29 the Board;
- 30 c) Summarily adjudged guilty for violation of the general instructions to
31 examinees by the Board; and

1 d) Declared to be of unsound mind by a court of competent jurisprudence. In
2 refusing to register an applicant, the Board shall issue a written notice setting
3 forth the reasons for its action, duly keeping a copy of such notification in its
4 records.

5 Sec. 23. *Revocation or Suspension of the Certificate of Registration.* – The
6 Board shall have the power, after giving proper notice and hearing to the party
7 concerned, to suspend or revoke the practitioner's certificate of registration, or to
8 cancel the special temporary permit granted to a foreigner microbiologist for any of
9 the grounds or causes cited in Section 22 of this Act on any of the following grounds:

- 10 a) Violation of any provision of this Act, and the rules and regulations issued to
11 implement it, The Code of Ethics for the practice of Microbiology profession,
12 Code of Good Governance, Code of Technical Standards for the Practice of
13 Microbiology, or other policy measure of the Board or the PRC;
- 14 b) Perpetration or use of fraud in obtaining one's certificate of registration,
15 professional identification card, or special temporary permit;
- 16 c) Gross incompetence, negligence or ignorance resulting to death, injury or
17 damage;
- 18 d) Aiding or abetting the illegal practice of a non-registered and non-licensed
19 person by allowing another to use one's certificate of registration or
20 professional identification card, or both, or special temporary permit;
- 21 e) Practicing the profession during suspension from the practice; or
- 22 f) Proven addiction to drug or alcohol, impairing one's ability to practice the
23 profession, or declared with unsound mind by a court of competent
24 jurisdiction. In case of drug or alcohol addiction, a finding to this effect of a
25 medical or drug testing facility shall be sufficient. Any person, firm or
26 association may file charges in accordance with the provision of this section
27 against any registrant, or the Board may, on its own, investigate any of the
28 above-mentioned violations. An affidavit-complaint shall be filed together with
29 the affidavits of witnesses and other documentary evidence with the Board,
30 through the Legal Service Office. The Board may conduct an investigation,
31 *motu proprio*, on a matter relating to the commission of a violation: Provided,
32 that such decision to investigate shall be embodied in a formal charge to be

1 signed by at least majority of its members. The rules on administrative
2 investigation issued by the PRC shall govern the hearing or investigation
3 subject to applicable provisions of this Act, Republic Act No. 8981 and the
4 Rules of Court.

5 *Sec. 24. Reinstatement, Reissuance of Revoked Certificate of Registration,*
6 *Replacement of Lost or Damaged Certificate of Registration, Professional Identification*
7 *Card or Special Temporary Permit.* – The Board may, upon application and for reasons
8 deemed proper and sufficient, reinstate any suspended or revoked certificate of
9 registration and professional identification card of a registered microbiologist two (2)
10 years after the date of revocation, and in so doing, may, in its discretion, exempt the
11 applicant from taking another examination: Provided, That the suspended
12 microbiologist has established fitness to practice anew. The Board shall issue a
13 resolution to effect such reinstatement subject to the approval by the PRC.

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

18 *Sec. 25. Renewal of Professional Identification Card.* – A professional
19 identification card shall be renewed every three (3) years upon compliance of the
20 license microbiologist with the requirements imposed by the Board, such as the CPD
21 and payment of the corresponding fees.

22 *Sec. 26. Roster of Microbiologists.* – The Professional Registry Division of the
23 PRC shall keep a roster of duly registered and licensed microbiologists, indicating their
24 names, registration numbers, and other pertinent information. The Board shall
25 regularly update such roster and make it available to all interested parties subject to
26 the provisions of Republic Act No. 10173, otherwise known as the Data Privacy Act of
27 2012.

28 *Sec. 27. Practice of Microbiology in other Professions Registered with the*
29 *Professional Regulation Commission.* – In synergy and convergence with other
30 professions regulated by the PRC where Microbiology is an essential component of
31 their practice, Doctors of Medicine, Doctors of Veterinary Medicine, Medical

1 Technologists, Agriculturists, Pharmacists, and Food Technologists, among others,
2 shall continue to practice microbiology without need of registering under this Act.

3 *Sec. 28. Practice through issuance of Special Temporary Permits.* – Without
4 prejudice to the existing laws on the practice of professions by foreigners in the
5 Philippines and subject to the approval of the PRC and payment of fees, the Board
6 may issue a special temporary permit to practice Microbiology in the Philippines to the
7 following:

8 a) Foreign registered or licensed microbiologists, or a recognized expert in
9 Microbiology called in by the Philippine government or private institutions for
10 consultation or for any specific activity; and

11 b) Foreign registered or licensed microbiologists who have distinguished
12 themselves in their respective fields of specialization, and who are either
13 directly hired or employed as professors, lecturers or instructors in Microbiology
14 by Philippine schools, colleges, universities or research institutions: Provided,
15 That their practice of the profession shall be limited to the particular work for
16 which they have been commissioned: Provided further, that the special
17 temporary permit shall be valid for a maximum period of one (1) year, subject
18 to renewal at the discretion of the Board and the PRC.

19 **ARTICLE V**

20 **PRACTICE OF MICROBIOLOGY**

21 *Sec. 29. Prohibitions and Limitations in the Practice of Microbiology.* – No
22 person shall represent one's self in the Philippines as a microbiologist without a valid
23 certificate of registration and valid professional identification card, or a valid special
24 temporary permit; or make use of any word, letter, figure or sign whatsoever, tending
25 to convey the impression that one is a microbiologist, or advertise as qualified to
26 perform the work as such, without holding a valid certificate of registration in
27 accordance with the provisions of this Act, except as provided under Section 27 hereof.
28 However, persons currently employed as microbiologists or holding positions that
29 require them to perform the functions of a microbiologist shall be allowed to practice
30 for two (2) years after the promulgation of this Act, after which, they shall take the
31 licensure examinations required by existing law, before they can continue to practice
32 the Microbiology profession.

1 Sec. 30. *Code of Ethics.* – The Board, in consultation with the AIPO, shall
2 formulate the Code of Ethics for the practice of the Microbiology profession.

3 Sec. 31. *Foreign Reciprocity.* – No foreigner who is a licensed microbiologist
4 shall be allowed to practice the profession in the Philippines unless the country of such
5 licensed microbiologists grants the reciprocal authority to Filipino microbiologists to
6 practice the profession in that country, and to enjoy the same employment status and
7 privileges of its own citizens.

8 **ARTICLE VI**

9 **PENAL AND GENERAL PROVISIONS**

10 Sec. 32. *Penal Clause.* – Any person who shall violate any of the provisions of
11 this Act shall, upon conviction, be imposed with a fine of not less than Fifty thousand
12 pesos (Php50,000) but not more than One hundred thousand pesos (Php100,000), or
13 with imprisonment of not less than six (6) months nor more than five (5) years, or
14 both, at the discretion of the Court.

15 Sec. 33. *Funding Provisions.* – The Chairperson of the PRC shall immediately
16 include in the agency's program the implementation of this Act, the initial funding of
17 which shall be charged against the current year's appropriations of the PRC and
18 thereafter shall be included in the annual General Appropriations Act.

19 Sec. 34. *Implementing Rules and Regulations.* – Within ninety (90) days from
20 the effectivity of this Act, the Board shall, subject to the approval of the PRC, formulate
21 the necessary rules and regulations for its effective implementation.

22 Sec. 35. *Separability Clause.* – If any provision or part hereof is held invalid or
23 unconstitutional, the remainder of the law or the provision or part not otherwise
24 affected shall remain valid and subsisting.

25 Sec. 36. *Repealing Clause.* – Any law, presidential decree or issuance, executive
26 order, letter of instruction, administrative order, rule or regulation contrary to or
27 inconsistent with the provisions of this Act are hereby repealed, modified, or amended
28 accordingly.

29 Sec. 37. *Effectivity.* – This Act shall take effect fifteen (15) days after its
30 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,