

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

23 JUL 25 P 2:51

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SENATE
S. No. 2349

Introduced by Senator MANUEL "LITO" M. LAPID

AN ACT
EXEMPTING QUALIFIED OVERSEAS FILIPINO WORKERS (OFWS) FROM
THE COVERAGE OF REPUBLIC ACT NO. 10912, OTHERWISE KNOWN AS
THE CONTINUING PROFESSIONAL DEVELOPMENT ACT OF 2016

EXPLANATORY NOTE

This bill seeks to exempt Overseas Filipino Workers (OFWs) from complying with Republic Act No. 10192, more commonly known as the Continuing Professional Development (CPD) Act.

The CPD Act, enacted in 2016, was intended to ensure the continuous professional growth and development of various licensed professionals in the Philippines. It mandates the completion of a certain number of CPD units and the submission of evidence of compliance for renewal of professional licenses. While this act serves a noble purpose in promoting professional excellence, its application to OFWs is highly impractical and burdensome.

It is essential to recognize that OFWs are individuals who have chosen to work abroad, away from their families and homeland, to provide for their loved ones and contribute to the nation's economy. The nature of their work, predominantly in sectors such as healthcare, engineering, teaching, and other professions, demands an exceptional level of expertise and competency. However, it is crucial to acknowledge that OFWs are primarily employed and practicing their professions in foreign countries, not within the jurisdiction of the Philippines.

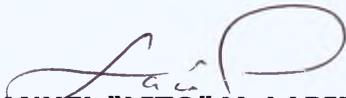
Requiring OFWs to comply with the CPD Act places an unnecessary burden on these hardworking individuals who are already facing numerous challenges in their overseas employment. They dedicate their time and energy to adapt to different cultural contexts, face language barriers, and meet the stringent demands of their respective work environments. Moreover, they often work long hours in demanding conditions, leaving little time or opportunity to pursue CPD activities and meet the prescribed requirements.

The current provisions of the CPD Act do not take into account the unique circumstances faced by OFWs. The cost associated with attending CPD seminars, workshops, or training programs, which are often conducted in the Philippines, presents a financial burden for OFWs who must cover their own travel expenses and forego income during their short visits. Additionally, the geographical distance between their workplace abroad and the Philippines poses practical difficulties in attending CPD activities.

The exemption of OFWs from complying with the CPD Act aligns with the principles of fairness, recognition, and consideration for their invaluable contributions to the nation's economy. By exempting OFWs from this requirement, we demonstrate our sincere appreciation for their sacrifices and the important role they play in uplifting the lives of their families and fellow countrymen.

This proposed measure seeks to exempt Qualified OFWs from the CPD requirements. This bill likewise mandates the Professional Regulatory Commission (PRC) to establish a CPD compliance program for Filipino professionals who were previously exempted from compliance and wish to resume their practice here in the Philippines.

In view of the foregoing, early passage of this bill is earnestly requested.


MANUEL "LITO" M. LAPID
Senator



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THE CONTINUING PROFESSIONAL DEVELOPMENT ACT OF 2016

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

Section 1. Section 3 of Republic Act No. 10912 is hereby amended to read as follows:

"Sec.3. Definition of Terms. – The following terms shall be defined under this Act:

"xxx.

(X) QUALIFIED OVERSEAS FILIPINO WORKERS (OFWS) REFERS TO FILIPINO PROFESSIONAL WHO ARE ENGAGED IN THE PRACTICE OF THEIR PROFESION EXCLUSIVELY OUTSIDE THE PHILIPPINES WITH A SERVICE CONTRACT OF A LEAST THREE (3) YEARS OR HAS BEEN PRACTICING THEIR PROFESSION OUTSIDE OF THE PHILIPPINES FOR A PERIOD OF THREE (3) CONSECUTIVE YEARS."

Sec. 2. Section 10 of Republic Act No. 10912 is hereby amended to read as follows:

1 *Sec. 10. CPD as Mandatory Requirement in the Renewal*
2 *of Professional License and Accreditation System for the Practice*
3 *of Professions.* – The CPD Is hereby made as a mandatory
4 requirement in the renewal of the PICs of all registered and
5 licensed professionals under the regulation of the PRC, EXCEPT
6 WITH REGARD TO QUALIFIED OVERSEAS FILIPINO WORKERS
7 AS DEFINED IN SECTION 2, PARAGRAPH (X) OF THIS ACT.

8 A PROFESSIONAL WHO IS PRACTICING OR WHO
9 INTENDS TO PRACTICE HIS/HER PROFESSION IN COUNTRIES
10 COVERED BY BILATERAL, REGIONAL OR INTERNATIONAL
11 AGREEMENTS IN WHICH CPD IS A RECOGNITION AND
12 ELIGIBILITY REQUIREMENT, SUCH AS THE ASEAN MUTUAL
13 RECOGNITION AGREEMENTS (MRAs), SHALL COMPLY WITH
14 THE REQUIREMENTS OF THIS ACT.

15 *Sec. 3.* A new Section 10-A of Republic Act No. 10912 is hereby inserted to read
16 as follows:

17 *Sec. 10-A. CPD Compliance for Returning Professionals.* –
18 The Professional Regulatory Commission shall establish a CPD
19 compliance program for returning professionals who were
20 exempted as Qualified Overseas Filipino Workers in prior
21 compliance periods and wish to resume the practice of their
22 professions in the Philippines.

23 *Sec. 4. Implementing Rules and Regulations.* – The Professional Regulatory
24 Commission shall promulgate the necessary amendments to the Implementing Rules
25 and Regulations of R.A. No. 10912 within ninety (90) days after the effectivity of this
26 Act.

27 *Sec. 5. Separability Clause.* – If any part or provision of this Act is held invalid
28 or unconstitutional, the remaining parts or provisions not affected shall remain in full
29 force and effect.

1 *Sec. 6. Repealing Clause.* – All laws, decrees, orders, rules, and regulations,
2 and other issuances or parts thereof, which are contrary to or inconsistent with this
3 Act are hereby repealed, amended, or modified accordingly.

4 *Sec. 7. Effectivity.* – This Act shall take effect fifteen (15) days after its
5 publication in the Official Gazette or in a newspaper of general circulation.

6 *Approved,*