

TREATY ON ACADEMIC DEGREES AND THE EXERCISE OF PROFESSIONS BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE SPANISH STATE

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Note: The Treaty was concurred in by the Senate, S.R. No. 95, May 19, 1949. The Philippine Instrument of ratification was signed by the President, January 5, 1951. The Treaty entered into force, January 5, 1951 upon the exchange of ratification between the parties. It was proclaimed by the President, Proc. No. 302, S. 1952.

Reference: This Treaty is also published in I DFA TS No. 4, p. 13. The presidential proclamation is published in 48 O.G. p. 6 (Jan. 1952).

The Government of the Republic of the Philippines and the Government of the Spanish State, wishing to draw more closely the ties of friendship which bind the two countries, have resolved to conclude a Treaty on the Mutual Recognition of the Validity of Academic Degrees, the Mutual Accreditation of Courses of Study in their Curricula and the Reciprocal Treatment in the exercise of Professions, between the Philippines and Spain, and, for this purpose, have agreed upon the following provisions:

ARTICLE I

The nationals of both countries who shall have obtained degrees or diplomas to practice the liberal professions in either of the Contracting States, issued by competent national authorities, shall be deemed competent to exercise said professions in the territory of the Other, subject to the laws and regulations of the latter. When the degree or diploma of Bachelor, issued by competent national authorities allows its holder without requiring further evidence of proficiency to pursue normally higher course of study, he shall also be deemed qualified to continue his studies in the territory of either Party in conformity with the applicable laws and regulations of the State which recognizes the validity of the title or diploma in question, and with the rules and regulations of the particular educational institution in which he intends to pursue his studies.

ARTICLE II

In order that the degree or diploma referred to in the preceding article shall produce the effects mentioned therein, it is hereby agreed:

1st. That it be issued or confirmed and duly legalized by the competent authorities in conformity with the applicable laws and regulations of the other Party where it is to be recognized.

2nd. That the one presenting it must prove by means of a certificate issued by the nearest Legation or Consulate of his own country that he is the same person to whom the academic degree or diploma has been issued.

ARTICLE III

The nationals of each of the two countries who shall have obtained recognition of the validity of their academic degrees by virtue of the stipulations of this Treaty, can practice their professions within the territory of the Other, by applying for the necessary authority to this effect from the Spanish Ministry of Labor or from the competent

body or authority in the Philippines, as the case may be, which authorities shall grant always the application, subject to the provisions of applicable laws and regulations governing alien labor and the practice of each profession, under a revocable permit, and the application shall be denied only in exceptional cases for justifiable cause that affects personally the petitioner. The persons thus authorized to practice their professions shall be subject to all the regulations, laws, taxes and fees imposed by the State upon its own nationals.

ARTICLE IV

It is understood, however, that the diploma or academic degree issued by the competent authorities of one of the two countries in favor of a national of either of the two High Contracting Parties, shall not entitle the holder thereof to practice or hold in the country other than his own, profession or position which are now or may hereafter be, reserved by the constitution, law, or regulations, to its own nationals.

ARTICLE V

Without prejudice to both Governments transmitting to each other their respective curricula or having a reciprocal understanding with respect to whatever administrative details that might seem necessary, the studies of academic subjects completed by the nationals of either of the two countries in the territory of one of the two High Contracting Parties, may be accredited in the educational institutions of the Other, with the same academic weight or value as they have in the country where they were undertaken, by applying to the Minister or Secretary of Education, as the case may be, of the country where the interested party desires to be given credit. The applicant shall state his wishes and shall attach to his application his birth certificate, school certificates, and other supporting papers duly certified and authenticated, with which to show that he has completed his studies in educational institutions whose examinations or certificates of proficiency are officially valid, and that he is the same person to whom the said certificates and documents have been issued. The Minister or Secretary of Education, as the case may be, shall decide in each case, subject to the rules and regulations on the matter of the particular educational institution concerned, in which the applicant intends to pursue his studies, the equivalence in academic weight to be given to the studies completed by the applicant as compared to similar official studies or curricula of the country where said studies shall be given credit.

ARTICLE VI

The Present Treaty shall be in force for ten years from the day of the exchange of ratifications thereof, and if upon the expiration of the first ten years, neither of the High Contracting Parties shall have announced by official notification to the other, its intention to terminate said Treaty it shall remain in force for another ten years and so on until denounced.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

DONE in duplicate in Manila on 4th of March, 1949.

FOR THE GOVERNMENT OF THE REPUBLIC

OF THE PHILIPPINES:

ELPIDIO QUIRINO

FOR THE GOVERNMENT OF THE

SPANISH STATE:

TEODOMIRO AGUILAR Y SALAS

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