

RULES GOVERNING THE STATUS OF THE PRESENT ACCREDITED PROFESSIONAL ORGANIZATIONS (APOS), ACCREDITATION OF NEW/FUTURE PROFESSIONAL ORGANIZATIONS, THE RENEWAL OF THE CERTIFICATES O...

PRC RESOLUTION NO. 2004-178, SERIES 2004, January 29, 2004

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WHEREAS, Section 5 of Republic Act No. 8981 provides that "[T]he Chairperson of the Commission, and the Commissioners as members thereof shall sit and act as a body to exercise general administrative, executive and policy-making functions of the Commission."

WHEREAS, Section 8 (p) of the "Rules and Regulations to Implement the Provisions of Republic Act No. 8981, the `PRC Modernization Act of 2000'" provides that one of the powers, functions and responsibilities of the Commission is to "[T]o exercise administrative supervision over the various Professional Regulatory Boards and its members".

WHEREAS, registered professionals under the regulation of the concerned Professional Regulatory Board (PRB for brevity), that the Professional Regulation Commission has administrative supervision there-over are or can be members of professional organization/s belonging to their discipline or profession;

WHEREAS, the Commission prior to the enactment of Republic Act 8981, otherwise known as the "PRC Modernization Act of 2000" and by virtue of the provisions of Article IX of the "Rules and Regulations Governing the Regulation and Practice of Professionals" as amended which was subsequently repealed by R.A. 8981, has accredited professional organizations, issuing thereto Certificates of Accreditation;

WHEREAS, there is an urgent need to promulgate a new set of rules to govern the continued recognition of the accreditation of the APOs and their use of same Certificates of Accreditation numbers, the renewal of the said certificates and the grounds for the cancellation or suspension of such certificates;

WHEREAS, after consultation with the APOs, the PRBs, and other affiliate organizations of professionals, the Commission, with the enactment of Republic Act 8981, deemed it proper to promulgate a new set of rules on accreditation;

NOW, THEREFORE, the Commission hereby RESOLVED, as it now RESOLVES, to issue and promulgate this Rules on the Status of the present Accredited Professional Organizations (APOs), Accreditation of new/future Professional Organizations, the Renewal of the Certificates of Accreditation, and their Cancellation/suspension as follows:

RULE 1. Status of Presently Accredited Professional Organizations. Professional organizations previously accredited by the Commission under Section 1, Article IX of the "Rules and Regulations Governing the Regulation and Practice of Professionals" promulgated pursuant to Section 5 (n) of Presidential Decree No. 223, shall continue to enjoy their accreditation with the same number. The list of these professional organizations accredited by the Commission or the Professional Regulatory Boards subject to the approval by the Commission is hereto attached as Annex "A"[*].

RULE 2. Accreditation of Professional Organization and Issuance of the Certificate of Accreditation. - In order to be accredited by the Professional Regulation Commission, a professional organization must meet the following requirements:

- It is established for the benefit and welfare of the professionals of one discipline, the advancement of their profession, and the attainment of other professional ends.
- Its membership is open to all registered professionals of the same discipline without discrimination, provided that those engaged in kindred trades or occupations may be admitted as associate members or any other kind of membership as provided in their By-laws.
- It is representative of the profession to which it seeks accreditation, i.e. the membership shall include more than 50% of the registered professionals who have been issued their current professional identification cards. However, if the professional organization is an integrated national organization of professionals pursuant to a professional regulatory law, this requirement is not applicable thereto.
- It is a duly registered non-stock corporation or association by Securities and Exchange Commission (SEC) with registered professionals belonging to one discipline to which it seeks accreditation.
- It has paid the prescribed accreditation fee.

In support of the above requirements, the professional organization shall submit the following documents:

- A notarized petition signed by the President of the professional organization stating, among others, that the organization was established for the benefit and for the advancement of the profession.
- List of officers of the professional organization.
- List of members indicating their respective Certificate of Registration/Professional Identification Card numbers and dates of registration.
- Original copy of latest certificate of registration issued by the Securities and Exchange Commission (SEC).
- Original copy of the professional organization's Constitution and By-laws.
- SEC certification of current registration and compliance with SEC rules.
- Latest audited financial statements including its chapter organizations.

After having satisfactorily met the requirements for accreditation, the Commission shall issue a Resolution approving its petition for accreditation and directing the issuance thereto of the Certificate of Accreditation upon payment of the prescribed accreditation fee. However, if there is a provision in the professional regulatory law requiring accreditation or recognition of the national integrated organization of professionals by the professional regulatory board and the Professional Regulation Commission, the concerned professional regulatory board shall issue a Board Resolution subject to approval by the Commission, approving its petition for accreditation and directing the issuance of a Certificate of Accreditation signed by the Chair and Members of the Board and the Chairperson of the Commission, upon payment of the prescribed accreditation fee.

The above rules shall not apply to existing accredited professional organizations unless they are to be now accredited by the Professional Regulatory Board and the Commission as the national integrated organization of professionals in accordance with the provisions on integration under the professional regulatory law.

RULE 3. Renewal of Certificate of Accreditation.

The accredited professional organization shall renew its Certificate of Accreditation once every three (3) years

after the date of the herein Resolution granting the petition for accreditation and the issuance of the said certificate upon submission of the requirements enumerated hereunder and payment of the prescribed fees provided that the certificate of accreditation has not been cancelled or revoked under any of the causes/grounds set forth in Rule 4 hereof:

- A notarized petition signed by the President for the renewal of the certificate of accreditation stating, among others, (a) that the professional organization continues to maintain the purpose for which it was established, i.e., for the benefit and the advancement of the profession; and (b) that the membership of the accredited professional organization does not fall below 50% of those who have been issued their cards for the current year, provided that, if the APO is an accredited integrated national organization pursuant to the professional regulatory law, this membership requirement shall not be applicable.
- List of current officers of the national organization including its chapters.
- Original copy of Certificate of Registration issued by the Securities and Exchange Commission (SEC).
- Copy of amended Articles of Incorporation and By-laws, if any.
- Copy of Financial Statement submitted to the SEC covering the period of three (3) years prior to renewal.
- Complete list of members indicating their PRC registration numbers and dates of registration.
- Report on significant achievements as a corporate body in attaining the objectives of the organization, in the enhancement of the welfare of its members and the stature/prestige of the profession to be signed by Board Directors/Trustee.
- Proof of payment of the prescribed renewal fee.

RULE 4. Cancellation of Accreditation. - A certificate of accreditation of an accredited professional organization shall be cancelled or suspended by the Commission or by the concerned professional regulatory board upon approval or concurrence by the Commission only after due hearing under any of the following grounds/causes:

- The accredited professional organization has ceased to possess any of the qualifications for accreditation.
- The accredited professional organization no longer served the best interest of the profession for which it was accredited.
- The membership of the accredited professional organization falls 50% or below of those who have been issued their annual registration cards for the current year.
- The accredited professional organization has committed acts inimical to its members and to the profession.
- The accredited professional organization has not renewed its certificate of accreditation after a lapse of an unreasonable period from the date of its renewability.
- The accredited professional organization and/or its chapter organizations has not submitted audited financial statements thereof.

RULE 5. Effect of Non-Renewal, Cancellation or Suspension of Accreditation. - an accredited professional organization whose certificate of accreditation has been cancelled or not renewed or whose accreditation has been suspended, cannot represent the profession for which such organization has been established during the period of suspension, cancellation or non-renewal of certificate.

RULE 6. Effectivity. - The herein Resolution shall become effective after fifteen (15) days following its publication in the Official Gazette or newspaper of general circulation.

RULE 7. Repeal/Amendment. - All rules, regulations, memoranda, circulars, or parts thereof in conflict with the provisions of these rules are hereby repealed or amended accordingly.

Adopted: 29 Jan. 2004

(SGD.) ANTONIETA FORTUNA-IBE

Chairperson

(SGD.) AVELINA DE LA REA-TAN

(SGD.) LEONOR TRIPON-ROSE

Commissioner

Commissioner

[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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