ADMISSION OF FOREIGNERS TO THE LICENSURE EXAMINATIONS AND THE PRACTICE OF THEIR PROFESSIONS

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WHEREAS, foreigners ineligible for registration in the Philippines on account of lack of citizenship or alienage, or lack of residence or other qualifications were allowed to sit in the licensure examinations pursuant to Commission Resolution No. 138 dated January 22, 1987, provided that they were graduates of bacalaureate, masteral or doctoral degrees from Philippine colleges or universities; that if successful, their names would not be included in the list of successful examinees for publication; and that their Reports of Ratings should indicate that they are not eligible for registration in the Philippines;

WHEREAS, the foregoing policy does not agree with the provisions of the professional regulatory laws that applicants shall be Filipino citizens or foreigners whose countries have reciprocity with the Philippines in the practice of the profession at the time of the examination;

WHEREAS, the said requirement has to be strictly imposed, inasmuch as the taking of a licensure examination is already an exercise of a privilege which ought to be granted to Filipino citizens or foreigners if allowed by law;

WHEREAS, the implementation of Res. No. 138 would enable the beneficiary-foreigners, especially those who permanently reside in the Philippines or those who do not actually go back to their own countries to practice their professions In the Philippines through deceptive or fraudulent misrepresentation, e.g., use of falsified certificates of registration and/or professional licenses or use of falsified reports of rating by those who failed the examinations;

WHEREAS, the non-further implementation of Res. No. 138 Is a preventive measure against the perpetration of such illegal practice or falsification; and

WHEREAS, under Sec. 5(a) and (b) of P.D. No. 223, as amended, the Commission is empowerd to prescribe and adopt a rule or policy that will enhance the standard of professional practice and improve Its public service;

NOW, THEREFORE, by virtue of its quasi-legislative (rule-making) power under Sec. 5(n) of P.D. No. 223, as amended, the Commission hereby RESOLVED, as It now so RESOLVES, not to admit a foreigner — whether graduate in the Philippines or abroad — to sit and take the licensure examination, unless at the filing of his application for examination, the Board has an established reciprocity in the practice of the profession between the Philippines and his country/state.

FURTHER, RESOLVED, that in addition to the passing of his examination and compliance with other legal requirements, he has to establish at least a 3-year permanent residence In the Philippines prior to his registration.

FURTHERMORE, RESOLVED, this Resolution shall be effective after fifteen (15) days following its publication in the Official Gazette or any newspaper of general circulation, whichever is earlier.

FINALLY, RESOLVED, that the herein resolution be widely circularized and disseminated to all concerned through the Department of Education, Culture and Sports and the Association of State Colleges and Universities.

Adopted: 27 July 1994

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(Sgd.) HERMOGENES P. POBRE
Commissioner

(Sgd.) ARMANDO C. PASCUAL
Associate Commissioner

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