

[REPUBLIC ACT NO. 10912, July 21, 2016]

AN ACT MANDATING AND STRENGTHENING THE CONTINUING PROFESSIONAL DEVELOPMENT PROGRAM FOR ALL REGULATED PROFESSIONS, CREATING THE CONTINUING PROFESSIONAL DEVELOPMENT COUNCIL, AND APPROPRIATING FUNDS THEREFOR, AND FOR OTHER RELATED PURPOSES

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

ARTICLE I

TITLE, POLICY AND DEFINITION OF TERMS

SECTION 1. *Title.* – This Act shall be known as the “Continuing Professional Development Act of 2016”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to promote and upgrade the practice of professions in the country. Towards this end, the State shall institute measures that will continuously improve the competence of the professionals in accordance with the international standards of practice, thereby, ensuring their contribution in uplifting the general welfare, economic growth and development of the nation.

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

(a) *Accreditation* refers to the formal or official approval granted to a person, a program or an organization, upon meeting essential requirements of achievement standards, including qualifications or unit(s) of a qualification, usually for a particular period of time, as defined by an accrediting agency:

(b) *AIPO/APO* refers to the Accredited Integrated Professional Organization or the Accredited Professional Organization in a given profession:

(c) *ASEAN Qualifications Reference Framework or AQR* refers to the device that enables comparisons of qualifications across ASEAN Member States:

(d) *ASEAN Mutual Recognition Arrangement or ASEANMRA* refers to a regional arrangement entered into by the ASEAN Member States, predicated on the mutual recognition of qualifications, requirements met, licenses and certificates granted, experience gained by professionals, in order to enhance mobility of professional services within the region:

(e) *Competence* refers to an ability that extends beyond the possession of knowledge and skills, which include cognitive, functional, personal and ethical competence:

(f) *Continuing Professional Development or CPD* refers to the inculcation of advanced knowledge, skills and ethical values in a post-licensure specialization or in an inter- or multidisciplinary field of study, for assimilation into professional practice, self-directed research and/or lifelong learning:

(g) *CPD Council* refers to a body created to promote and ensure the continuous improvement of professionals, in accordance with national, regional and international standards of practice;

(h) *CPD credit unit* refers to the value of an amount of learning that can be transferred to a qualification achieved from formal, informal or nonformal learning setting, where in credits can be accumulated to predetermined levels for the award of a qualification;

(i) *CPD Program* refers to a set of learning activities accredited by the CPD Council such as seminars, workshops, technical lectures or subject matter meetings, nondegree training lectures and scientific meetings, modules, tours and visits, which equip the professionals with advanced knowledge, skills and values in specialized or in an inter- or multidisciplinary field of study, self-directed research and/or lifelong learning;

(j) *CPD Provider* refers to a natural or juridical person accredited by the CPD Council to conduct CPD Programs;

(k) *Formal learning* refers to educational arrangements such as curricular qualifications and teaching-learning requirements that take place in education and training institutions recognized by relevant national authorities, and which lead to diplomas and qualifications;

(l) *Informal learning* refers to learning that occurs in daily life assessed, through the recognition, validation and accreditation process, and which can contribute to a qualification;

(m) *Learning outcomes* refer to what a learner can be expected to know, understand and/or demonstrate as a result of a learning experience;

- (n) *Lifelong learning* refers to learning activities undertaken throughout life for the development of competencies and qualifications of the professional;
- (o) *Nonformal learning* refers to learning that has been acquired in addition or alternatively to formal learning, which may be structured and made more flexible according to educational and training arrangements;
- (p) *Online learning activities* refer to structured or unstructured learning initiatives, which make use of the internet and other web-based Information and Communications Technology solutions;
- (q) *Pathways and Equivalencies* refer to mechanisms that provide access to qualifications and assist professionals to move easily and readily between the different education and training sectors, and between these sectors, and the labor market, through the Philippine Credit Transfer System;
- (r) *Philippine Qualifications Framework or PQF* refers to the quality assured national system for the development, recognition and award of qualifications at defined levels, based on standards of knowledge, skills and values, acquired in different ways and methods by learners and workers;
- (s) *Prior learning* refers to a person's skills, knowledge and competencies that have been acquired through work experience, training, independent study, volunteer activities and hobbies, that may be applied for academic credit, as a requirement of a training program or for occupational certification;
- (t) *Professional* refers to a person who is registered and licensed to practice a regulated profession in the Philippines and who holds a valid Certificate of Registration and Professional Identification Card (PIC) from the Professional Regulation Commission (PRC);
- (u) *Qualification* refers to a status gained after a person has been assessed to have achieved learning outcomes or competencies in accordance with the standard specified for a qualification title, and is proven by a document issued by a recognized agency or body;
- (v) *Quality assurance* refers to planned and systematic processes that provide confidence in the design, delivery and award of qualifications within an education and training system, and is a component of quality management that is focused on ensuring that quality requirements will be fulfilled; and
- (w) *Self-directed learning* refers to learning activities such as online training, local/international seminars/nondegree courses, institution/company-sponsored training programs, and the like, which did not undergo CPD accreditation but maybe applied for and awarded CPD units by the respective CPD Council.

ARTICLE II

CPD PROGRAMS, COUNCILS AND SECRETARIAT

SEC. 4. *Strengthening the CPD Program.* – There shall be formulated and implemented CPD Programs in each of the regulated professions in order to:

- (a) Enhance and upgrade the competencies and qualifications of professionals for the practice of their professions pursuant to the PQF, the AQRF and the ASEANMRAs;
- (b) Ensure international alignment of competencies and qualifications of professionals through career progression mechanisms leading to specialization/sub-specialization;
- (c) Ensure the development of quality assured mechanisms for the validation, accreditation and recognition of formal, nonformal and informal learning outcomes, including professional work experiences and prior learning;
- (d) Ensure maintenance of core competencies and development of advanced and new competencies, in order to respond to national, regional and international labor market needs; and
- (e) Recognize and ensure the contributions of professionals in uplifting the general welfare, economic growth and development of the nation.

SEC. 5. *Nature of CPD Programs.* – The CPD Programs consist of activities that range from structured to nonstructured activities, which have learning processes and outcomes.

These include, but are not limited to, the following:

- (a) Formal learning;
- (b) Nonformal learning;
- (c) Informal learning;
- (d) Self-directed learning;

(e) Online learning activities; and

(f) Professional work experience.

SEC. 6. *Powers, Functions and Responsibilities of the PRC and the Professional Regulatory Boards (PRBs).* – The PRC and the PRBs shall undertake the overall implementation of the CPD Programs, and for this purpose, shall:

- (a) Organize CPD Councils for each of the regulated professions and promulgate guidelines for their operation;
- (b) Review existing and new CPD Programs for all of the regulated professions;
- (c) Formulate, issue, and promulgate guidelines and procedures for the implementation of the CPD Programs;
- (d) Coordinate with the academe, concerned government agencies, and other stakeholders in the implementation of the CPD Programs and other measures provided under this Act; and
- (e) Coordinate with concerned government agencies in the development of mechanisms and guidelines, in the grant and transfer of credit units earned from all the learning processes and activities, pursuant to this Act.

SEC. 7. *CPD Council.* – There is hereby created a CPD Council in each of the regulated professions, which shall be under the supervision of the concerned PRB. Every CPD Council shall be composed of a chairperson and two (2) members.

The chairperson of the CPD Council shall be the member of the PRB so chosen by the PRB concerned to sit in the CPD Council.

The first member shall be the president or officer of the AIPO/APO duly authorized by its Board of Governors/Trustees. In the absence of the AIPO/APO, the PRB concerned shall submit within ten (10) working days from notification of such absence, a list of three (3) recommendees from the national professional organizations. The PRC shall designate the first member within thirty (30) days from receipt of the list.

The second member shall be the president or officer of the national organization of deans or department chairpersons of schools, colleges or universities offering the course requiring the licensure examination. In the absence of such organization, the PRB concerned shall submit, within ten (10) working days from notification of such absence, a list of three (3) recommendees from the academe. The PRC shall designate the second member within twenty (20) working days from receipt of the list.

The term of office of the chairperson of the CPD Council shall be coterminous with his/her incumbency in the PRB unless sooner replaced by the PRB concerned through a resolution, subject to the approval of the PRC. The first and second members shall have a term of office of two (2) years unless sooner replaced through a resolution by the AIPO/APO concerned or the organization of deans or heads of departments, respectively. However, members of the CPD Council who are appointed by the PRC may be replaced before the end of the two (2)-year period, upon the recommendation of the PRB through a resolution.

SEC. 8. *Powers, Functions and Responsibilities of the CPD Council.* – The CPD Council for each profession shall:

- (a) Ensure the adequate and appropriate provision of CPD Programs for their respective profession;
- (b) Evaluate and act on applications for accreditation of CPD Providers and their CPD Programs;
- (c) Monitor and evaluate the implementation of the CPD Programs;
- (d) Assess and/or upgrade the criteria for accreditation of CPD Providers and their CPD Programs on a regular basis;
- (e) Develop mechanisms for the validation, accreditation and recognition of self-directed learning, prior/informal learning, online learning, and other learning processes through professional work experience;
- (f) Conduct researches, studies and benchmarking for international alignment of the CPD Programs;
- (g) Issue operational guidelines, with the approval of the PRC and the PRB concerned; and
- (h) Perform such other functions related or incidental to the implementation of the CPD.

SEC. 9. *Secretariat.* – A CPD Council Secretariat is hereby created at the PRC Central and Regional Offices to provide technical, administrative and operational support to the CPD Councils and the PRBs in the implementation of the CPD Programs. The CPD Council Secretariat shall be headed by an Executive Director to be appointed by the PRC.

ARTICLE III

CPD PROGRAM IMPLEMENTATION AND MONITORING

SEC. 10. *CPD as Mandatory Requirement in the Renewal of Professional License and Accreditation System for the Practice of Professions.* – The CPD is hereby made as a mandatory requirement in the renewal of the PICs of all registered and licensed professionals under the regulation of the PRC.

SEC. 11. *Recognition of Credit Units.* – All duly validated and recognized CPD credit units earned by a professional shall be accumulated and transferred in accordance with the Pathways and Equivalencies of the PQF.

SEC. 12. *Career Progression and Specialization.* – The PRC and the PRBs, in consultation with the AIPO/APO, the Civil Service Commission (CSC), other concerned government agencies and industry stakeholders, shall formulate and implement a Career Progression and Specialization Program for every profession. The Career Progression and Specialization Program shall form part of the CPD.

SEC. 13. *Role of Concerned Government Agencies and the Private Sector.* – All concerned government agencies and private firms and organizations employing professionals shall include the CPD as part of their human resource development plan and program.

ARTICLE IV

FINAL PROVISIONS

SEC. 14. *Funding.* – The implementation of the provisions of this Act shall be immediately included in the PRC programs, the funding of which shall be included in its annual submissions for inclusion in the annual General Appropriations Act.

The funding requirement herein mentioned shall be used for the regular operations of the CPD Councils, including the monitoring of the conduct of the CPD Programs.

The PRC shall review and approve the proposed budget for each CPD Council, taking into consideration the reasonable expenses that will be incurred for travel, honorarium/allowances, and per diems, when attending official CPD Council meetings or performing other related functions assigned to them.

SEC. 15. *Implementing Rules and Regulations.* – The PRC and the PRBs, in consultation with the AIPO/APO and other stakeholders, shall promulgate the implementing rules and regulations (IRR) within six (6) months from the effectivity of this Act. However, a PRB may prescribe its own requirements or procedure relating to the CPD as may be pertinent and applicable to the specific profession: *Provided*, That the same does not contravene any of the provisions of this Act and its IRR.

SEC. 16. *Fraud Relating to CPD.* – Fraudulent acts relating to the implementation and enforcement of this Act shall be punishable under the pertinent provisions of the Revised Penal Code, the New Civil Code and other applicable laws.

In addition to the penalties prescribed in the aforementioned laws, a professional who is adjudged guilty of any fraudulent act relating to the CPD shall also be meted with the penalty of suspension or revocation of his/her PRC Certificate of Registration and/or Certificate of Specialization.

In case of a government official or employee who is party to any fraudulent act relating to the CPD, he/she shall also be subject to the administrative penalties that may be imposed under the anti-graft laws, the Administrative Code and the Code of Conduct of Public Officials and Employees.

SEC. 17. *Separability Clause.* – If any part or provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SEC. 18. *Repealing Clause.* – All laws, decrees, executive orders and other administrative issuances or parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 19. *Effectivity.* – This Act shall take effect fifteen (15) days following its complete publication in the *Official Gazette* or in two (2) newspapers of general circulation in the Philippines.

Approved,

(Sgd.) **FELICIANO BELMONTE JR.**
*Speaker of the House
of Representatives*

(Sgd.) **FRANKLIN M. DRILON**
President of the Senate

Senate Bill No. 2581, which was approved by the Senate on August 3, 2015, was adopted as an amendment to House Bill No. 6423 by the House of Representatives on May 23, 2016.

(Sgd.) **MARILYN B. BARUA-YAP**
*Secretary General
House of Representatives*

(Sgd.) **OSCAR G. YABES**
Secretary of the Senate

Approved:

BENIGNO S. AQUINO III
President of the Philippines

Lapsed into law on JUL 21 2016
Without the signature of the President
In accordance with Article VI, Section
27 (1) of the Constitution