

[REPUBLIC ACT NO. 11131, November 08, 2018]

AN ACT REGULATING THE PRACTICE OF CRIMINOLOGY PROFESSION IN THE PHILIPPINES, AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 6506, OTHERWISE KNOWN AS "AN ACT CREATING THE BOARD OF EXAMINERS FOR CRIMINOLOGISTS IN THE PHILIPPINES"

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

ARTICLE 1

TITLE, POLICY, OBJECTIVES, TERMS AND PRACTICE

SECTION 1. *Title.* - This Act shall be known as "The Philippine Criminology Profession Act of 2018".

SEC. 2. *Statement of Policy.* - The State recognizes the importance of criminology profession in national security, public safety, peace and order, and in nation-building and development. Hence, it shall develop and nurture competent, virtuous, productive and well-rounded criminologists whose standards of professional practice and service shall be excellent, qualitative, world-class and globally competitive through sacred, honest, effective and credible licensure examinations, coupled with programs and activities that would promote professional growth and development.

SEC. 3. *Objectives.* - This Act. shall govern:

- (a) The examination, registration and licensure for criminologists;
- (b) The supervision, control and regulation of the practice of criminology;
- (c) The standardization and regulation of criminology education;
- (d) The development of the professional competence of criminologists through Continuing Professional Development (CPD): and
- (e) The integration of all criminology professional groups, and membership of all registered criminologists to the accredited professional organization.

SEC. 4. *Definition of Terms.* - As used in this Act, the following terms shall be defined as follows:

(a) *APO* refers to the Accredited Professional Organization of criminologists. that the Professional Regulatory Board of Criminology created hereunder and, hereinafter referred to as the Board, as the one and only recognized and accredited integrated national organization of criminologists, subject to the approval of the Professional Regulation Commission (PRC) hereinafter referred to as the Commission created under Republic Act No. 8981, otherwise known as the "PRC Modernization Act, of 2000":

(b) *Board* refers to the Professional Regulatory Board for Criminologists created hereunder;

(c) *CHED* refers to the Commission on Higher Education (CHED) created under Republic Act No. 7722. otherwise known as "Higher Education Act of 1994", in the formulation of policy standards, and monitoring of the criminology education in the country, which shall be assisted by the Criminology Technical Panel composed of the president of the APO, Chairperson of the

Board of Criminology, one (1) from the academe, and two (2) from the law enforcement, agencies;

(d) *Commission* refers to Professional Regulation Commission (PRC) hereinafter referred to as the Commission created under Republic Act No. 8981, otherwise known as the "PRC Modernization Act of 2000;

(e) *Criminology* refers to the scientific study of crimes, criminals, and victims, it also deals with the prevention, and solution of crimes;

(f) *Profession* refers to the art and science in the practice of criminology discipline; and ,

(g) *Registered criminologist* refers to a natural person who holds a valid certificate of registration and an updated professional identification card as criminologist issued by the Board and the Commission pursuant to this Act.

SEC. 5. *Scope of Practice.* — The practice of criminology shall include, but shall not be limited to, acts or activities performed:

(a) In line with the practice of profession or occupation as a law enforcement administrator, executive, adviser, consultant, officer, investigator, agent or employee in any private or government agencies performing law enforcement and quasi-police functions at the Philippine National Police (PNP), the National Bureau of Investigation (NBI), the Philippine Drug Enforcement Agency (PDEA), the Bureau of Fire Protection (BFP), the Bureau of Jail Management and Penology (BJMPj, the Provincial Jail, the Bureau of Corrections (BUCOR), the Probation and Parole Administration (PPA), the Bureau of Internal Revenue (BIR), the Bureau of Customs (BoC). the Bangko Sentral ng Pilipinas (BSP), other government and private banks, the Philippine Postal Corporation (PPC), the Sea and Air Marshalls. the VIP Security, Airport and Seaport Police, the National Intelligence Coordinating Agency (NICA). the Intelligence Service of the Armed Forces of the Philippines (ISAFP), and other intelligence service or agencies of the government exercising similar functions;

(b) In line with the practice of teaching profession such as those performed by a professor, instructor or teacher in any university, college or school duly recognized by the government of any of the following professional and component subjects of the criminology program: (1) Criminal Jurisprudence and Procedure; (2) Criminalistics; (3) Law Enforcement Administration; (4) Crime Detection and Investigation; (5) Correctional Administration: and (6) Criminal Sociology and Ethics, and other technical and specialized subjects in the criminology curriculum provided by the CHED;

(c) As a technician, examiner/criminalist, or specialist in dactyloscopy, questioned document, deoxyribonucleic acid (DNA), lie detection, firearms identification, forensic photography, forensic chemistry and other scientific crime detection and investigation;

(d) As a correctional administrator, executive, supervisor, or officer in any rehabilitation, correctional, and penal institution or facility, and in any community-based corrections, and rehabilitation agencies and/or programs;

(e) As a counsellor, consultant, adviser or researcher in any government or private agency on any aspect of criminological research or project involving the causes of crime, children in conflict with the law, treatment of offenders, police operations, law enforcement administration, scientific criminal investigation or public safety and national security administration; and

(f) As a private investigator, administrator, consultant or agent, or detective in any private security and investigation agency organized under the laws of the Philippines.

The Board, in consultation with the APO and the academe, subject to the approval of the Commission, may revise, exclude from or add to the above enumerated acts or activities as the need arises to conform with the latest trends in the practice of criminology in the country.

ARTICLE II

PROFESSIONAL REGULATORY BOARD FOR CRIMINOLOGISTS

SEC. 6. *Creation and Composition of the Professional Regulatory Board for Criminologists.* - There is hereby created a Professional Regulatory Board for Criminologists, a collegial body under the administrative supervision and control of the Commission, to be composed of a Chairperson and four (4) members appointed by the President of the Philippines from a list of three (3) recommendees for each position, chosen and ranked by the Commission from a list of three (3) nominees every position endorsed by the APO. The new Board shall be organized not later than six (6) months from the effectivity of this Act.

SEC. 7. *Qualifications of the Chairperson and Members of the Board.* - The Chairperson and each member shall, at the time of their appointment, possess all these qualifications:

- (a) Must be a natural-born Filipino citizen and a resident of the Philippines;
- (b) Must be of good moral character, good reputation and of sound mind and body;
- (c) Not convicted by a court of competent jurisdiction of any offense involving moral turpitude;
- (d) Must be a graduate of Bachelor of Science in Criminology, and a holder of a Post-Graduate Degree in Criminology or a lawyer in any reputable school recognized by the CHED;
- (e) Must be a registered criminologist with a valid certificate of registration and a valid professional identification card, having at least ten (10) years of practice in the profession prior to the appointment including no less than two (2) years teaching experience of criminology or law subjects in full-time or part-time capacity in the college of criminology or college of law recognized by the government, through the CHED;
- (f) Must be a member in good standing of the APO but not an officer or trustee thereof; and
- (g) Must not be a member of the faculty of any school, college or university where a regular class or review course in criminology is offered, nor a member of the staff of reviewers in a review school or center, and must not have any direct or indirect pecuniary interest in any such institution.

SEC. 8. *Term of Office.* - The Chairperson and members of the Board shall hold office for a term of three (3) years from the date of appointment or until their successors shall have been qualified and appointed. They may be reappointed to the same office for another term of three (3) years immediately after the expiry of their term: *Provided*, That the holding of such position shall not be more than two (2) terms nor more than six (6) years, whichever is longer: *Provided, further*, That the first Board under this Act shall hold these terms of office: the Chairperson for three (3) years, the first two (2) members for two (2) years, and the second two (2) members for one (1) year: *Provided, finally*, That any appointee to a vacancy with an unexpired period shall only serve such period. The Chairperson and the members shall duly take their oath of office.

SEC. 9. *Compensation, Allowances and Other Benefits.* - The Chairperson and members of the Board shall receive compensation, allowances and other benefits comparable to that being received by the Chairpersons and members of other Professional Regulatory Boards under the Commission as provided for under Section 10 of Republic Act No. 8981 and other existing laws.

SEC. 10. *Powers, Functions, Duties and Responsibilities of the Board.* - The Board shall exercise executive, administrative, rule-making and quasi-judicial powers in carrying out the provisions of this Act. It shall be vested with the following specific powers, functions, duties and responsibilities:

- (a) To administer, supervise, and monitor the conduct of the licensure examination, registration, membership in the APO and the practice of criminology in accordance with the provisions of this Act;
- (b) To receive complaints and decide the matter as to the malpractices and unethical conduct in the practice of the criminology profession;
- (c) To promulgate and issue rules and regulations implementing the provisions of this Act:
- (d) To promulgate and adopt Code of Ethics and Code of Good Governance for the practice of criminology;
- (e) To adopt an official seal of the Board;
- (f) To prescribe and promulgate guidelines on the conduct of a CPD program for criminologists in consultation with the APO:
- (g) To promulgate, adopt or amend the syllabi and tables of specifications of the subjects for the licensure examination/s in consultation with the APO, the academe and the CHED Technical Panel for Criminology, prepare questions for the licensure examination which shall strictly be within the scope of the syllabi of the subjects for examination, as well as administer and correct, and release the results of the licensure examinations;
- (h) To issue, suspend, revoke or reinstate the certificate: of registration of the registered criminologist or cancel temporary/special permit granted to foreign criminologist;
- (i) To administer oaths in the performance of its functions such as. but not limited to, the oath of a professional to successful examinees in licensure examination for criminologist together with the APO in an appropriate mass oath-taking ceremony to be held for the purpose;
- (j) To monitor the conditions affecting the practice of criminology and whenever necessary, adopt such measure as may be deemed proper for the enhancement: of the profession and the maintenance of high professional, ethical and technical standards; for this purpose, the members of the Board, duly authorized by the Commission, may conduct ocular inspection of establishments where criminology is practiced, and recommend sanction as it may deem proper to the appropriate government agency concerned;
- (k) To monitor all colleges and universities offering criminology program and recommend sanctions to the CHED or to other authorized government offices, for noncompliance with the policies, standards, and requirements as to faculty qualifications, laboratory, library, facilities and equipment, research outputs, curriculum and administration of the criminology education:
- (1) To hear and investigate cases on violations of this Act, its implementing rules and regulations (IRR), the Code of Ethics, the Code of Good Governance and other policies, and for this purpose, to issue summons, *subpoena ad testificandum* and *subpoena duces tecum* to alleged violators and/or witnesses to compel their attendance in such hearings or investigations and the production of documents in connection therewith:
- (m) To delegate to the Commission the hearing or investigation of cases against the alleged violators: *Provided*, That the hearing or investigation of cases wherein the issue or question involved strictly concerns the technical practice of criminology shall be presided over by at least one (1) member of the Board assisted by a Legal or Hearing Officer of the Commission:
- (n) To recommend to the Commission the endorsement of cases involving criminal violations of this Act, its IRR. and other laws to the Prosecution Office or appropriate government agency, for investigation and appropriate action:
- (o) To disqualify applicants for the licensure examination who has been previously convicted of a crime with finality involving moral turpitude. Hear and decide administrative cases against the examinees or registered criminologists if they have been convicted of a crime

involving moral turpitude: *Provided*, That if they are found guilty, the Board shall cancel their examination papers and/or preclude them from taking another licensure examination, or to revoke/suspend their certificates of registration and cause the surrender of their professional identification card subject to the rules and regulations of the PRC: *Provided, further*, That the decision of the Board shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision:

(p) To conduct, through the Legal or Hearing Officers, summary proceedings against the examinees who commit violations of this Act, its IRR, any of the Codes aforementioned, including violation of the General Instructions to Examinees, and to render summary judgment thereon which shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt, of notice of judgment or decision;

(q) To prepare an annual report of accomplishments on programs, projects and activities of the Board for submission to the Commission after the close of each calendar year and make appropriate recommendations to the Commission on issues or problems affecting the criminology profession; and

(r) To exercise such other powers as may be provided by law as well as those which may be implied from, or which are incidental or necessary to the effective carrying out of the express powers granted to the Board to achieve the objectives and purposes of this Act. The resolutions, rules and regulations and other policies issued and promulgated by the Board shall be subject for review and approval by the Commission.

However, the Board's decisions, resolutions or orders rendered in an administrative case shall be subject to review only if on appeal.

SEC. 11. *Grounds for Removal or Suspension of Board Chairperson-/Member.* - The President of the Philippines, upon he recommendation of the Commission, after due process and administrative investigation conducted by the Commission, may remove or suspend the Chairperson or member of the Board on any of the following grounds:

(a) Gross neglect, incompetence or dishonesty in the discharge of one's duty:

(b) Commission of any of the causes/grounds and the prohibited acts provided in this Act and the offenses in the Revised Penal Code, the Anti-Graft and Corrupt Practices Act and other laws:

(c) Manipulation or rigging of the results in the licensure examination for criminologists, disclosure of secret, and confidential information on the examination questions prior to the conduct thereof, or tampering of grades; and

(d) Conviction with final judgment of any crime involving moral turpitude. The Commission, in the conduct of the investigation, shall be guided by Section 7(s) of Republic Act No. 8981, the rules on administrative investigation, and the applicable provisions of the New Rules of Court.

SEC. 12. *Administrative Supervision of the Board; Provision of Support Services.* - The Board shall be under the administrative supervision of the Commission. The Commission shall keep all records of the Board including applications for examination, examination papers and results, minutes of deliberation and administrative cases. The Commission shall designate the Secretary of the Board and shall provide the other support services to the Board in order to implement the provisions of this Act.

ARTICLE III

EXAMINATION, REGISTRATION, CERTIFICATION AND LICENSURE