

**[ PRC BOARD OF AGRICULTURAL ENGINEERING  
RESOLUTION NO. 03, S. OF 2007, August 31, 2007  
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**RULES AND REGULATIONS IMPLEMENTING THE ASEAN MUTUAL  
RECOGNITION ARRANGEMENT ON ENGINEERING SERVICES -  
PROFESSIONAL AGRICULTURAL ENGINEERING SERVICES**

WHEREAS, the Governments of Brunei Darrusalam, the Kingdom of Cambodia, the Republic of Indonesia, Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, and the Socialist Republic of Viet Nam, Member Countries of the Association of South East Asian Nations (hereinafter collectively referred to as "ASEAN" or "ASEAN Member Countries" or singularly as "ASEAN Member Country") have entered last December 9, 2005 an ASEAN Mutual Recognition Arrangement on Engineering Services, which covers professional agricultural engineering services;

WHEREAS, the practice of agricultural engineering is a well recognized and established profession in the Philippines by virtue of Republic Act No. 8559, otherwise know as the "Philippine Agricultural Engineering Act of 1998";

WHEREAS, item 4.1.6 of the ASEAN Mutual Recognition Arrangement on Engineering Services provides the responsibilities of the Professional Regulatory Authority of the ASEAN Member Countries, and one of which is to prepare rules and regulations to enable the implementation of the said Arrangement;

WHEREAS, the Board of Agricultural Engineering and the Professional Regulation Commission referred to as Professional Regulatory Authority in Appendix I of the ASEAN Mutual Recognition Arrangement on Engineering Services are responsible in the regulation of the practice of agricultural engineering in the Philippines pursuant to R.A. No. 8559 (Philippine Agricultural Engineering Act of 1998) and R.A. No. 8981 (PRC Modernization Act of 2000);

NOW, THEREFORE, in view of the foregoing premises, the following rules and regulation are hereby promulgated to effectively implement the ASEAN Mutual Recognition Arrangement on Engineering Services, particularly on the professional agricultural engineering services:

**ARTICLE 1**

**Title and Objectives**

*SECTION 1. Title.* This Resolution shall be known and cited as the "Rules and Regulations Implementing the ASEAN Mutual Recognition Arrangement on Engineering Services - Professional Agricultural Engineering Services".

*SECTION 2. Objectives.* This Rules and Regulations is formulated and adopted to

prescribe the procedures in carrying out the implementation of the ASEAN Mutual Recognition Arrangement on Engineering Services particularly on Professional Agricultural Engineering Services and:

1.1 To facilitate mobility of agricultural engineering services professionals; and

1.2 To exchange information in order to promote adoption of best practices on standards and qualifications.

## ARTICLE 2 Definitions

*SECTION 3. Definitions.* In this Rules and Regulations, unless the context otherwise requires:

a. *Accreditation* refers to quality assurance of graduate agricultural engineers by the Board of Agricultural Engineering or its equivalent national bodies in other ASEAN countries

b. *Assessment or Evaluation* refers to particular processes for reporting or comparison of achievement against criteria, standards, or a benchmark.

c. *Benchmark* refers to an agreed level by which others can be measured.

d. *Certification* refers to the issuance of a certificate or license to those who have met specified requirements for registration.

e. *Country of Origin* refers to the Philippines.

f. *Criteria or Standards* refers to a specification of qualities required to be met.

g. *Agricultural Engineering Services* refers to the activities constituting the practice of agricultural engineering under Republic Act No. 8559, known as the Philippine Agricultural Engineering Act of 1998, and covers the following:

(1) Consultation, valuation, investigation and management services on agricultural engineering;

(2) Management or supervision and the preparation of engineering designs, plans, specifications, project studies and estimates for agricultural, aquaculture and fishery, and forest product machinery, agricultural buildings and structures, farm electrification and energy systems, agricultural processing equipment, irrigation and soils conservation systems and facilities, agricultural waste utilization systems and facilities;

(3) Conducting research and development, training and extension work, and consultancy services on agricultural engineering facilities/services, system and technologies;

(4) Testing, evaluation and inspection of agricultural, fishery and forest

product machinery and other related agricultural engineering facilities and equipment;

(5) Management, manufacturing and/or marketing of agricultural machinery and other related agricultural engineering facilities and equipment;

(6) Teaching, agricultural engineering subjects in institution of learning in the Philippines; and

(7) Employment with the government provided such item or position requires the knowledge and expertise of an agricultural engineer.

h. *Graduate Agricultural Engineer* refers to a natural person and a Filipino Citizen and has satisfactorily completed a higher education in agricultural engineering program in an institution recognized by the Commission on Higher Education.

i. *Host Country* refers to the Philippines where the ASEAN Chartered Professional Agricultural Engineer (ACPAE) applies to work, not in independent practice, but in collaboration with the local Professional Agricultural Engineer, where appropriate, to practice Agricultural Engineering.

j. *Professional Agricultural Engineer (also known as Practitioner)* refers to a natural person, a Filipino Citizen and is assessed by the Board of Agricultural Engineering as being technically, morally, and legally qualified to undertake independent professional agricultural engineering practice and is registered and licensed for such practice by the Board of Agricultural Engineering.

k. *Professional Regulatory Authority (PRA)* refers to the Board of Agricultural Engineering and the Professional Regulation Commission or its equivalent bodies in other ASEAN countries.

l. *Recognition* refers to acceptance by an authority of demonstration of compliance with requirements.

m. *Registered Foreign Professional Engineer (RFPE)* refers to an ASEAN Chartered Professional Engineer (ACPE) who has successfully applied to and is authorized by the Board of Agricultural Engineering to work, not in independent practice, but in collaboration with one or more Agricultural Engineers of the Philippines.

n. *Registration* refers to the process of placing on a Register those who meet specified requirements within a jurisdiction.

o. *Words* in the singular include the plural

### ARTICLE 3

#### Recognition, Qualifications, and Eligibility

**SECTION 4. Qualifications to Become an ASEAN Chartered Professional Agricultural Engineer (ACPAE)** - A Professional Agricultural Engineer who possesses the following qualifications can qualify to become an ASEAN Chartered Professional Agricultural

Engineer:

- a. completed an accredited agricultural engineering degree in an institution recognized by the Commission on Higher Education;
- b. possess a current and valid professional registration or licensing certificate to practice agricultural engineering in the Philippines issued either by the Board of Agricultural Engineering and the Professional Regulation Commission in accordance with existing policy on registration/licensing/certification of the practice of agricultural engineering or the Monitoring Committee pursuant to Article 4.2.2 and item 1.2 of Appendix II\* of the ASEAN Mutual Recognition Arrangement on Engineering Services;
- c. acquired practical and diversified experience of not less than seven (7) years after graduation, at least two (2) years of which shall be in responsible charge of significant agricultural engineering work as stipulated in Appendix III\*, D Example IV;
- d. in compliance with Continuing Professional Development (CPD) policy of the Country of Origin at a satisfactory level; and
- e. obtained certification from the Board of Agricultural Engineering and the Professional Regulation Commission with no record of serious violation on technical, professional or ethical standards, local and international, for the practice of agricultural engineering is eligible to apply to the ASEAN Chartered Professional Engineer Coordinating Committee (ACPECC) to be registered as an ASEAN Chartered Professional Agricultural Engineer (ACPAE) under the ASEAN Chartered Professional Agricultural Engineers Register (ACPAER).

*SECTION 5. ASEAN Chartered Professional Agricultural Engineer (ACPAE) - A Professional Agricultural Engineer who possesses the above qualifications and complies with the Guidelines on Criteria and Procedures as per Appendix I\* and satisfies the Assessment Statement as per Appendix II, may, upon acceptance and payment of fees, be emplaced on the ASEAN Chartered Professional Agricultural Engineers Register (ACPAER) and accorded the title of ASEAN Chartered Professional Agricultural Engineer (ACPE).*

*SECTION 6. Eligibility of an ASEAN Chartered Professional Agricultural Engineer (ACPAE) in Other ASEAN Countries to Practice in the Philippines.*

- a. An ASEAN Chartered Professional Agricultural Engineer (ACPAE) in other ASEAN Countries shall be eligible to apply to the Board of Agricultural Engineering and the Professional Regulations Commission to be registered as a Registered Foreign Professional Agricultural Engineer (RFPAE). The applicant shall submit with his application a sworn undertaking to:

- (1) be bound by local and international codes of professional conduct in accordance with the policy on ethics and conduct established and enforced by the Philippines;

(2) be bound by prevailing laws and regulations of the Philippines; and

(3) work in collaboration with local Professional Agricultural Engineers in the Philippines subject to its domestic laws and regulations governing the practice of agricultural engineering thereto.

b. Upon approval, the successful ASEAN Chartered Professional Agricultural Engineer (ACPAE) applicant in other ASEAN countries shall, subject to Philippine laws and regulations and where applicable, not making submissions to statutory authorities of the Philippines, be permitted to work as a Registered Foreign Professional Agricultural Engineer (RFPAE), not in independent practice, but in collaboration with designated Professional Agricultural Engineers in the Philippines, within such area of his own competency as may be recognized and approved by the Board of Agricultural Engineering.

#### ARTICLE 4

##### Professional Regulatory Authority, Monitoring Committee and ASEAN Chartered Professional Engineer Coordinating Committee

*SECTION 7. Professional Regulatory Authority (PRA).* The Board of Agricultural Engineering and the Professional Regulation Commission, referred to as the Professional Regulatory Authority shall be responsible for the following:

a. Consider applications from and authorize the ASEAN Chartered Professional Agricultural Engineers (ACPAs) to work as Registered Foreign Professional Agricultural Engineers (RFPAs), not in independent practice, but in collaboration with designated local Professional Agricultural Engineers in the Philippines subject to the domestic laws and regulations and where applicable, not making submissions to statutory authorities of the Philippines as provided for by the ASEAN Mutual Recognition Arrangement on Engineering Services;

b. Monitor and assess the professional practice of the Registered Foreign Professional Agricultural Engineers (RFPAs) and to ensure compliance with this Rules and Regulations;

c. Report to relevant local and international bodies developments in the implementation of the ASEAN Mutual Recognition Arrangement on Engineering Services;

d. Maintain high standards of professional and ethical practice in agricultural engineering;

e. Notify the ASEAN Chartered Professional Engineer Coordinating Committee (ACPECC) Secretariat promptly in writing when a Registered Foreign Professional Agricultural Engineer (RFPAE) has contravened the ASEAN Mutual Recognition Arrangement on Engineering Services, or when a Professional Agricultural Engineer who is also an ASEAN Chartered Professional Agricultural Engineer (ACPAE) is no longer qualified to undertake independent professional agricultural engineering practice in the Philippines, has not complied with Continuing Professional Development (CPD) policy of the Philippines at a satisfactory level, or has seriously violated technical, professional or ethical standards either in the Philippines whereby