



# AMCHAM PHILIPPINES

The American Chamber of Commerce of the Philippines, Inc.

October 3, 2011

**HONORABLE**

**ANDRES SALVACION, JR.**

Chairman

Committee on Civil Service and Professional Regulation

House of Representatives

Quezon City

Dear Mr. Chairman:

I am writing regarding the bills scheduled to be heard by your committee on Wednesday, October 5, 2011. These are:

- House Bills 100, 1616 & 5067 – Regulating the education and licensure of physicians and the practice of medicine in the Philippines, repealing for the purpose RA 2382, as amended, otherwise known as the Medical Act of 1959 (Reps. Janette Garin, Mar-Len Abigail Binay and Alfredo Marañon III);
- House Bill 2831 – Expanding the scope of the practice of midwifery, amending for the purpose RA 7392, otherwise known as the Philippine Midwifery Act of 1992 (Rep. Janette Garin);
- House Bills 401, 2716, 2665 & 2701 – Regulating and modernizing the practice of chemistry in the Philippines, repealing for the purpose RA 754, which regulates the practice of chemistry in the Philippines (Reps. Juan Edgardo Angara, Florencio 'Bem' Noel and Angelo Palmones);
- House Bills 3019, 3389, 4052 & 4825 – Regulating the practice of pharmacy in the Philippines, repealing for the purpose RA 5921, as amended, otherwise known as the Pharmacy Law (Reps. Salvador Escudero III, Rufus Rodriguez, Jane Castro and Diosdado Macapagal Arroyo);
- House Bill 260 – Abolishing the age requirement for applicants taking the board examination for social workers, providing for the continuing social work education and upgrading the sundry provisions relative to the practice of social work (Rep. Roilo Golez);
- House Bill 2194 – Amending Sec. 12 (b) of RA 4373, which regulates the practice of social work and the operation of social work agencies in the Philippines (Rep. Salvador Escudero III); and
- House Bill 3852 – Regulating the practice of criminology profession in the Philippines, repealing for the purpose RA 6506, which creates the Board of Examiners for Criminologists in the Philippines and appropriating funds therefor (Rep. Rufus Rodriguez).

2<sup>nd</sup> Floor, Corinthian Plaza Building, 121 Paseo de Roxas, Makati City, 1229 Philippines • P.O. Box 2562, CPO Makati City 1299, Philippines  
Telephone: +63 (2) 818-7911 • Fax: +63 (2) 811-3081 • E-mail: [amcham@amchamphilippines.com](mailto:amcham@amchamphilippines.com) • [www.amchamphilippines.com](http://www.amchamphilippines.com)  
[www.arangkadaphilippines.com](http://www.arangkadaphilippines.com) • [www.investphilippines.info](http://www.investphilippines.info)

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The above bills repealing or amending the existing laws on these profession either retain or contain a reciprocity provision – granting foreigners the right to practice the particular profession in the Philippines provided that their countries grant Filipinos the same right.

May I respectfully reiterate the importance of keeping this provision in the bill when it is reported out by your committee.

The constitution creates a policy bias in favor of Philippine citizens, but not a strict legal barrier to the participation of foreign professionals. Although the constitutional language states that “the practice of all professions in the Philippines shall be limited to Filipino citizens,” this statement is immediately followed by “save in cases prescribed by law.”

There are 47 laws governing the practice of specific professions, and 42 contain “reciprocity” provisions allowing foreigners to practice their profession in the Philippines, provided their countries of origin also allow Filipinos to practice these. Five laws regulating criminologists, environmental planners, foresters, pharmacists, and radio and x-ray technologists state the profession is restricted to Philippine nationals and contain no reciprocity provision. (Please see attached Table.)


We commend your Committee for regularly conducting hearings on bills regulating the practice of various professions. We are pleased to know that of the five laws restricted to Filipino nationals your committee has already initiated deliberations on the four. A reciprocity provision is included in the Environmental Planning bill which has been approved by Congress on Third Reading. The bill on Forestry was heard by your Committee last week and the bills on Pharmacy and Criminology are currently before the Committee. We are hopeful that the hearing on the radio and x-ray technology bill will be scheduled soon. With the inclusion of a reciprocity provision on these bills, Congress will, in effect, make the Constitutional provision restricting the practice of profession to Filipino nationals a dead letter.

The reduction of restrictions on foreign professionals practicing in the Philippines is a priority issue that needs to be addressed to enhance the competitiveness of the Philippines and to level the playing field in the economy. This is of the highest importance if the Philippines is to enter into new free trade agreements with the United States and with Europe which allow the free movement of trade in services and exchanges with providers of professions.

We strongly support policies geared towards a level playing field for Filipino and foreign business partnering for the faster development of the Philippines.

Mr. Chairman, thank you for considering our views.

Regards,



**JEFFREY C. WOODRUFF**  
Executive Director