



Republic of the Philippines  
Professional Regulation Commission  
Manila



RESOLUTION NO. 2013-775  
Series of 2013

**REVISED RULES AND REGULATIONS IN ADMINISTRATIVE INVESTIGATIONS**

**WHEREAS**, it is imperative to revise the existing rules and regulations governing administrative investigations in the Professional Regulation Commission (Commission) and the Professional Regulatory Boards (Boards), promulgated pursuant to Sec. 7 (d), (p) and (s) and Sec. 9 (c) of Republic Act No. 8981, otherwise known as the "PRC Modernization Act of 2000", and the Professional Regulatory Laws, to achieve a fair, expeditious and inexpensive disposition of cases filed with the Commission and the Boards.

**NOW, THEREFORE**, the Commission resolves to adopt and promulgate the following Revised Rules and Regulations Governing Administrative Investigations in the Commission and the Boards:

**ARTICLE I**  
**GENERAL PROVISIONS**

Sec. 1. **Title.** – The Rules shall be known and cited as the "**Revised Rules in Administrative Investigations**".

Sec. 2. **Scope.** – The Rules are issued in the exercise of the quasi-judicial function of the Commission or the Board to conduct an investigation of cases against a Chairman, Vice-Chairman or Member of the Board; a registered and licensed professional; a juridical person allowed to practice a profession; a holder of a special temporary permit; an examinee; an applicant for examination; or an applicant for registration without examination.

Sec. 3. **Construction.** - The Rules shall be liberally construed to promote the objective of a just, speedy and inexpensive determination of cases. The Commission and the Boards shall not be bound by technicalities but shall proceed to hear and decide cases in a most expeditious manner to determine the facts of each case consistent with justice and equity.

Sec. 4. **Nature of Action.** – The administrative investigations shall be fact-finding and summary, and intended primarily to determine if the Chairman, Vice-Chairman or Member of the Board is fit to continue as such; the registered and licensed professional or juridical person, or holder of Special Temporary Permit is still qualified and competent to continue practicing the profession; or the Applicant or Examinee is qualified to be admitted to the practice of his profession.

Sec. 5. **Suppletory Application of the Revised Rules of Court.**- Unless otherwise provided in the Rules, the Revised Rules of Court shall be suppletorily applicable in the administrative investigations. However, technical errors in the admission of the evidence which do not prejudice the substantive rights of the parties shall not vitiate the proceedings.

Sec. 6. **Jurisdiction.** - Service of summons with a copy of the complaint or formal charge shall vest the Commission or the Board with jurisdiction over the person of the respondent and the power to hear and decide the case even if he subsequently leaves the Philippines or fails to appear during the hearings of the case.

The Legal and Investigation Division of the Central Office, and the Regional Office shall ensure that the Commission or the concerned Board has jurisdiction over the person of the respondent and over the subject matter of the complaint.

Sec. 7. **Due Process.** - The respondent shall be informed of the charge/s against him, entitled to be represented by counsel or to be heard in person, to have a speedy and public trial, and to confront and to cross-examine witnesses against him.

Sec. 8. **Rules of Procedure.**- The Rules shall uniformly apply to administrative investigations conducted in the Central Office and in the Regional Offices of the Commission.

Sec. 9. **Prohibited Pleadings and Motions.** - The following pleadings, motions and petitions shall be considered mere scraps of paper in the cases covered by the Rules:

- a. Motion to dismiss the complaint except on the ground of lack of jurisdiction over the subject matter or the person of the respondent;
- b. Motion for a bill of particulars;
- c. Motion for a new trial or for reopening of trial;
- d. Petition for relief from judgment;
- e. Motion for extension of time to file pleadings, affidavits or any other papers;
- f. Second or subsequent motions for reconsideration;
- g. Motion for reconsideration against any interlocutory order issued by the Commission and the Board;
- h. Reply and rejoinder; and
- i. Demurrer to evidence

Sec. 10. **Delegation of Hearing.** - The hearing of the administrative cases may be delegated to any lawyer of the Commission. The lawyers of the Commission may act as either Hearing Officers, or Special Prosecutors in *motu proprio* investigations. In addition thereto, lawyers of the Commission and members of the Boards may administer oaths as may be necessary in taking the testimony of a party or a witness.

The lawyers of the Commission or any member of the Board shall have the power to exclude from the hearing room any person, party, witness or legal counsel who, during the hearing, disrupts the proceedings or conducts himself/herself in a disorderly manner. Such person, party, witness or legal counsel may be cited for contempt if he still creates disturbance outside the hearing room.

Sec. 11. **Presence of a Board Member.**— The presence of a member of the Board shall be required in cases involving the practice of the profession. However, the Board may in its discretion waive the presence of any member during the hearings except in cases where the issue or question involved strictly concerns the practice of the profession or occupation.

Sec. 12. **Pendency of Another Case.**— The filing or pendency of a criminal and/or civil case before a court of law or an administrative case before another quasi-judicial body against a Chairman, Vice-Chairman or Member of the Board; a registered and licensed professional; a juridical person allowed to practice a profession; a holder of a special temporary permit; an examinee; an applicant for examination; and an applicant for registration without examination shall neither suspend nor bar the proceedings of the latter. The Commission or the Board shall independently proceed with the investigation and shall render its decision without awaiting the final decision of the Court or the other quasi-judicial body.

Sec. 13. **Cases Covered.** - The administrative investigations shall cover any of the grounds provided under the pertinent professional regulatory laws and Republic Act No. 8981, or the "PRC Modernization Act".

Sec. 14. **Imposable Penalty.** – The Commission shall revoke or suspend the certificate of registration of a member of the Board and recommend to the President of the Philippines his suspension or removal from office, as the case may be.

If found guilty by the Board, the respondent professional or juridical person shall be meted the penalty of revocation or suspension of the Certificate/s of Registration or reprimand. The revocation or suspension of the Certificate/s of Registration and/or the Professional Identification Card; and in the case of marine officers, the STCW Certificates, if applicable, shall cause the surrender thereof to the Board within ten (10) days from the finality of the decision.

The penalty on a holder of a special temporary permit shall be the cancellation of the special temporary permit in accordance with the concerned Professional Regulatory Law and Sec. 7 (I) of R.A. No. 8981 with a recommendation for deportation.

The imposable penalty on an examinee shall be the cancellation of examination papers; withholding the results of his licensure examination and/or deferment of registration; or debarment from taking a licensure examination within a specified period or any future licensure examination. On an applicant, the imposable penalty shall be denial or cancellation of his application or deferment of his registration, as the case may be.

Sec. 15. **Contempt.** – A petition for contempt may be filed with the Regional Trial Court having territorial jurisdiction over the office of the Commission or Regional Office for improper acts or conduct committed against the Commission or the Board or any member thereof, or a lawyer of the Commission.

Sec. 16. **Proof of Service.** - All pleadings subsequent to a complaint must show proof of service upon the adverse party. A pleading without proof of service shall not be accepted or acted upon by the Commission or the Board.

## **ARTICLE II COMPLAINT**

Sec. 1. **Complaint.** – A complaint shall be verified, or embodied in an affidavit, either of which shall have a certification of non-forum shopping.

Sec. 2. **Who May File.** – A complaint shall be filed by any person, or a duly authorized representative, for any violation of law, rules and regulations, instructions or policies of the Commission or the Board. The Commission or the Board may *motu proprio* initiate an administrative investigation.

Sec. 3. **Where to File a Complaint.**– A complaint may be filed at the Legal and Investigation Division of the Central Office or at the Regional Office of the Commission having territorial jurisdiction over the parties: *Provided*, however, that, if there is no lawyer in the said Regional Office, the complaint may be filed in the nearest Regional Office where there is a lawyer of the Commission.

Sec. 4. **Form and Contents.**– The complaint must be written in a clear, simple and concise language to inform the respondent of the nature and cause of the charge against him and to enable him to intelligently prepare his defense or answer. The complaint shall contain the following:

- a. Full names and complete addresses of the complainant and the respondent;
- b. The respondent's profession together with his Certificate of Registration or special temporary permit number and date of issuance, if known;
- c. In case the respondent is an examinee, the licensure examination he has applied for or taken, and the date/s thereof, if known by the complainant; or in the case of an applicant for registration without examination, the profession he applied for;
- d. A brief narration of the material facts which show the acts or omissions allegedly committed by the respondent constituting the charge, offense or cause of action;
- e. The disciplinary action prayed for; and
- f. Certified true copies of documentary evidence, and the affidavit/s of witness/es, if any.

Sec. 5. **Number of Copies.** – The complaint together with the documentary evidence and affidavit/s of witness/es, if any, shall be filed in three (3) legible copies plus such number as there are respondents. The affidavit/s required to be submitted shall state facts only of direct personal knowledge to the affiant and shall show the competence of the affiant to testify to the matters stated therein. A violation of the foregoing requirement shall be a ground for excluding the affidavit, or portion thereof, from the record.

Sec. 6. **Withdrawal of the Complaint.** – A complaint may be withdrawn by the complainant in writing and under oath at any time before the case is submitted for decision. The Commission or the Board shall forthwith dismiss the case unless it is necessary to disregard such withdrawal and to prosecute the case in the interest of the public, for the protection of the standards of the profession, or in view of the obvious merit of the case.

**Sec. 7. *Dismissal of the Complaint.***— A complaint shall be dismissed outright on any of the following grounds:

- a. No jurisdiction over the person of the respondent or the subject matter of the complaint
- b. No legal capacity of the complainant to sue
- c. No cause of action stated in the complaint

### **ARTICLE III CONCILIATION PROCEEDINGS**

**Sec. 1. *Conciliation.*** — A verified complaint against a professional, a juridical person or a holder of a special temporary permit, an examinee or an applicant for registration without examination shall be conciliated except in cases involving acts or omissions resulting to death or injury to persons, or serious impairment of the public interest.

**Sec. 2. *Assignment to a Conciliator.*** - Within five (5) days upon receipt of the complaint, the complaint shall be forwarded to the conciliation unit of the Commission.

**Sec. 3. *Conciliation conference and proceedings.*** —The complaint upon its receipt shall be referred to the designated conciliator who shall promptly initiate a conciliation conference within five (5) days. The conciliator shall assist the parties to arrive at a settlement. For expeditious proceedings, the conciliator shall:

- a. Clarify the issues and narrow down the disagreements
- b. Validate the positions and relief sought
- c. Encourage parties to generate options and enter into stipulations, or to arrive at acceptable solutions and voluntary settlement.

**Sec. 4. *Period for conciliation proceedings and appearance of parties.***— Unless the parties agree otherwise, conciliation proceedings shall be carried out and terminated within thirty (30) days from receipt of the complaint.

The parties shall appear at all times. Lawyers may be allowed to attend the conference only to render advice to the parties.

Where the complainant or respondent fails to appear in two (2) meetings despite due notice, the conciliator shall make a report to the Board within five (5) days. The Board shall dismiss the complaint with prejudice for non-appearance of the complainant in the two (2) meetings. On the other hand, the Board shall order the docketing of the case where the respondent failed to appear in the said two (2) meetings.

**Sec. 5. *Pre-termination of Conciliation.*** The conciliation proceedings may be terminated at any time within the 30-day period, due to the following reasons:

- a. Failure to appear by one or both parties for two (2) consecutive meetings
- b. Failure to reach a settlement or agreement by the parties
- c. Pre-termination upon agreement of the parties

d. Entering into a settlement or compromise agreement by the parties

In cases of failure to reach an agreement, the conciliator shall make a report within five (5) days from termination, indicating therein the reasons for such failure. The conciliator shall submit the report accompanied by a copy of the complaint to the legal and investigation division. The complaint shall be docketed after payment of the required fees, and the case shall be assigned to a hearing officer. Summons shall be issued upon the respondent, and his name shall be included in the control list of the Commission.

Sec. 6. **Compromise Agreement.** – In case of amicable settlement, the conciliator shall reduce the agreement into writing, have the parties understand the contents thereof and sign the same in his presence, and attest the document to be the true and voluntary act of the parties.

The conciliator shall make a report within five (5) days and endorse the compromise agreement to the Board for approval.

Sec. 7. **Confidentiality of Conciliation Proceedings.** The conciliation proceedings shall be confidential.

The confidentiality of information arising from the conciliation proceedings may be waived in writing by both parties.

#### ARTICLE IV SUMMONS

Sec. 1. **Issuance of Summons.**– Summons shall be issued together with the copy of the complaint or formal charge requiring the respondent to file his counter-affidavit or verified answer within fifteen (15) days from receipt thereof.

Service of summons may be made through private courier at the expense of the complainant.

Sec. 2. **Counter-Affidavit or Verified Answer.**– The counter-affidavit or verified answer with the documentary evidence and affidavit/s of witness/es, if any, shall also include a statement indicating whether he elects a formal investigation or waives his right thereto and submits the case for decision based on the pleadings.

A copy of the counter-affidavit or verified answer shall be served upon the complainant.

Sec. 3. **Service of Summons with Complaint or Formal Charge.**– The summons with complaint or formal charge shall be served personally or through registered mail at the address indicated in the complaint or in the records of the Commission. If service cannot be made personally, it may be effected by leaving a copy thereof at the respondent's residence with some person of suitable age and discretion residing therein. Service by registered mail shall be complete upon actual receipt by the respondent; *Provided, however,* that if he fails to claim his mail from the post office,

service shall take effect upon the expiration of five (5) days from the date of first notice of the postmaster.

Sec. 4. ***Failure to Serve Summons.*** – The complaint shall be archived with notice to the complainant if the summons cannot be served after three (3) attempts to serve at the address indicated in the complaint or in the records of the Commission.

Sec. 5. ***Order of Default.*** – An order of default shall be issued for failure of the respondent to file his counter-affidavit or verified answer within fifteen (15) days from receipt of summons. Thereupon, an *ex-parte* presentation of evidence shall be allowed, and judgment shall be rendered thereon.

## **ARTICLE V SERVICE OF NOTICES, MOTIONS, ORDERS, JUDGMENTS AND PLEADINGS**

Sec. 1. ***Service of Notices, Motions, Orders, Judgments and Pleadings.***– Service of notices, orders, motions, judgments, and pleadings may be made either personally or by registered mail to the parties and to their counsel. Service to counsel is service to the party he represents.

Sec. 2. ***When Notice/Motion/Pleading Deemed Filed.*** – A notice/motion/pleading personally submitted shall be deemed filed on the date stamped thereon; or, if sent by registered mail, on the date shown by the postmark on the envelope which shall be attached to the records of the case.

## **ARTICLE VI PRE-TRIAL CONFERENCE**

Sec. 1. ***Pre-trial Conference.*** - A mandatory pre-trial conference shall be set within thirty (30) days from receipt by the Commission or the Board of the counter-affidavit or verified answer. The notice of pre-trial conference shall be served upon the parties and their respective counsel.

Sec. 2. ***Filing of Pre-trial brief.*** – The parties shall file their pre-trial briefs not less than three (3) days before the date of the pre-trial conference, which shall contain, among others:

- a. A statement of their willingness to enter into an amicable settlement, indicating the desired terms thereof, if allowable;
- b. A summary of admitted facts and proposed stipulation of facts;
- c. The issues to be tried or resolved;
- d. The documents or exhibits to be presented, stating the purpose and the corresponding markings thereof;
- e. The number, names and complete addresses of the witness/es, and the substance of their respective testimonies;
- f. The dates of hearing, if there be a need for further hearing, to complete the testimonial evidence which shall not be more than ninety (90) days from start of the presentation of evidence by either party;
- g. Willingness to submit the case for decision on the basis of position papers; and

h. Such other matters for the prompt disposition of the case.

Any reservation made by either party to present additional witness/es or documents shall be subject to the discretion of the Commission or the Board.

Failure to file the pre-trial brief at least three (3) days before the date of pre-trial conference shall have the same effect as failure to appear at the pre-trial conference.

**Sec. 3. Failure to Appear at Pre-trial Conference.** – The failure of the complainant and/or his counsel to appear at the pre-trial conference shall cause the dismissal of the case. On the other hand, failure on the part of the respondent and/or his counsel to appear shall be a cause to allow the complainant to present evidence *ex-parte* and for judgment to be rendered on the basis thereof.

**Sec. 4. Matters to be Considered.** – During the pre-trial conference, the parties shall consider the following:

- a. Possibility of an amicable settlement, if allowable;
- b. Stipulation of facts;
- c. Simplification of issues;
- d. Identification and marking of exhibits;
- e. Limitation of the number of witnesses, their names and the substance of their respective testimonies;
- f. Dates of trial which shall be completed within ninety (90) days from start of the presentation of evidence by either party;
- g. Agreement to dispense with the presence of a member of the Board in cases involving the practice of the profession;
- h. Submission of the case for decision on the basis of position papers; and
- i. Such other matters for the prompt disposition of the case.

**Sec. 5. Pre-Trial Order.** - Within fifteen (15) days from termination of the pre-trial conference, a pre-trial order shall be issued detailing the stipulations and admissions of the parties, and other matters taken up therein. The pre-trial order shall explicitly define and limit the issues to be tried should the action proceed to trial, and the contents thereof shall govern the subsequent proceedings of the case unless modified before trial to prevent manifest injustice.

**Sec. 6. Summary Judgment.**– In lieu of a hearing, the Board may require the parties to submit their verified position papers, furnishing each other copies thereof, within fifteen (15) days from the date of pre-trial conference, or receipt of the order from the Board. The verified position paper shall contain only those charges, defenses and other claims contained in the affidavits and pleadings filed by the parties. Any additional relevant affidavit and/or documentary evidence may be attached by the parties to their position papers. On the basis of the position papers, affidavits and other pleadings filed, the case can be considered submitted for resolution.

Failure of any party to submit his verified position paper when required by the Board shall be deemed a waiver thereof. The case shall be deemed submitted for decision.



## **ARTICLE VII TRIAL**

Sec. 1. ***Trial.*** – The trial shall proceed as follows:

- a. Presentation by the complainant and witnesses ;
- b. Cross examination of the complainant and his witnesses, followed by re-direct examination of the complainant and his witnesses and re-cross examination by the respondent;
- c. Presentation by the respondent of evidence in support of his defense;
- d. Cross examination of the respondent and witnesses, followed by re-direct examination of the respondent and witnesses and re-cross examination by the complainant; and
- e. Rebuttal and sur-rebuttal evidence, subject to the discretion of the Commission or the Board.

Sec. 2. ***Judicial Affidavit/s in lieu of direct testimonies.*** –The Judicial Affidavit Rule pursuant to A.M. No. 12-8-8 SC shall apply.

Sec. 3. ***Motion for Postponement.*** – A motion for postponement in writing shall be filed and furnished the adverse party at least five (5) days prior to the scheduled hearing sought to be postponed.

Either party is granted a maximum of two (2) postponements during the whole proceedings regardless of the number of the complainant/s or respondent/s. Any further postponement shall be denied. Failure on the part of a party to appear at the scheduled hearing shall be considered a waiver of his right to cross-examine the witness/es presented by the other party or to adduce his evidence.

Sec. 4. ***Continuous trial until termination.*** – Trials shall be conducted on the dates set and agreed upon during the pre-trial conference. The schedule of the trials shall be strictly followed without further notice.

Sec. 5. ***Appearance and Withdrawal of Counsel.***– A counsel shall manifest in writing his appearance, stating:

- a. his full name;
- b. the receipt number of the current payment of membership dues to the Integrated Bar of the Philippines;
- c. Roll of Attorneys;
- d. Professional Tax Receipt with date and place of issue;
- e. MCLE compliance with date of issue; and
- f. Complete address where he can be served with notices and pleadings.

Any appearance or pleading of a counsel without complying with the above requirements shall not be recognized. Any withdrawal of counsel shall be in writing with the conformity of the party he represents and copy furnished the adverse party.

Sec. 6. ***Request for Subpoena.***– A party shall make a written request to the Commission or the Board for the issuance of the necessary subpoena *ad testificandum* or subpoena *duces tecum* at least ten (10) days before the scheduled hearing.

Sec. 7. **Issuance of Subpoena.**- The hearing officer may issue the requested subpoena *ad testificandum* to compel the attendance of witness/es or subpoena *duces tecum* to compel the production of documents or things.

## **ARTICLE VIII DECISION**

Sec. 1. **Decision.** – A decision shall be rendered within six (6) months from the date of service of summons and within thirty (30) days from the date of Order declaring the case submitted for decision.

In the case of an appeal, the Commission shall render a decision or resolution within ninety (90) days from the perfection of the appeal. The decision or resolution of the Commission is final and executory, unless appealed to the Court of Appeals.

The decision shall be in writing and signed by at least a majority of the members of the Commission or the Board, unless a unanimous decision is required by law. It shall contain clearly and distinctly the findings of facts and of the law upon which the said decision is based.

Sec. 2. **Motion for Reconsideration.**- A party aggrieved by a decision, order or resolution may file a motion for reconsideration within fifteen (15) days from receipt of the decision, order or resolution. Only one motion for reconsideration shall be entertained. A second or subsequent motion for reconsideration shall not be acted upon and shall not stop the running of the reglementary period to appeal.

A motion to extend the reglementary period to file a motion for reconsideration shall not be allowed.

No motion for reconsideration shall be entertained unless it is for any of the following causes:

- a. Fraud, accident, mistake, or excusable negligence which ordinary prudence could not have guarded against and by reason of which the aggrieved party has probably been impaired of his rights;
- b. Newly discovered evidence which he could not, with reasonable diligence, have discovered and produced at the hearing, and which if presented would probably alter the result; and
- c. Imposition of excessive penalty, or insufficiency of the evidence to justify the decision, or the decision is against the law or not in accordance with the facts presented.

Sec. 3. **Transmittal of Decision.** – The decision or resolution shall be transmitted to the parties and/or counsel.

## **ARTICLE IX APPEAL**

Sec. 1. **Appeal, Period Non-Extendible.** – The decision or order of the Board that completely disposes of the case shall be final and executory after the lapse of fifteen (15) days from receipt thereof without an appeal being perfected or taken by either party. The aggrieved party may file a notice of appeal to the Commission together with the appellant's brief or memorandum on appeal, copy furnished the adverse party, within fifteen (15) days from receipt of the decision or order, and shall pay the appeal and legal research fees.

The period for perfecting the appeal shall be non-extendible.

Sec. 2. **Appeal and Legal Research Fees.** – The appellant shall pay the prescribed appeal and legal research fees. Failure to pay the appeal and legal research fees within the period for appeal shall be a ground for the dismissal thereof.

Sec. 3. **When Appeal Deemed Filed.** – A notice of appeal personally submitted shall be deemed filed on the date stamped thereon, or, if sent by registered mail, on the date shown by the postmark on the envelope which shall be attached to the records of the case.

Sec. 4. **Evaluation of Appeal.** – Before a decision or order is elevated on appeal to the Commission, the Board shall first ascertain whether the appeal is not from an interlocutory order and whether the requirements for perfecting an appeal are complied with.

An appeal from an interlocutory order shall be dismissed. Failure to comply with the requirements for perfecting of an appeal shall also cause the dismissal of the appeal.

Sec. 5. **Requirements for Perfection of Appeal.** – An appeal shall be deemed perfected upon compliance with the following requirements:

- a. Notice of appeal stating the specific material date when the decision, order or resolution was received;
- b. Three (3) legible copies of brief or memorandum on appeal which shall set forth concisely a statement of the matters involved, the issues raised, the specification of errors of fact or law, or both, allegedly committed by the Board, and the reasons or arguments relied upon for the allowance of the appeal;
- c. Proof of service of a copy of the brief or memorandum on appeal upon the adverse party; and
- d. Official receipt of payment of the appeal and legal research fees attached to the notice of appeal.

Sec. 6. **Action on the Appeal.**– The adverse party shall be required to submit an appellee's brief by the Head of the Regulations Office upon authority of the Commission within fifteen (15) days from receipt of an Order from the Commission. Thereafter, the appeal shall be considered submitted for decision or resolution.

Sec. 7. **Records on Appeal.**– The records of the case shall remain with the Commission until the decision shall have been executed.

## **ARTICLE X EXECUTION OF DECISION, ORDER AND RESOLUTION**

Sec. 1. **Execution.** – Execution shall issue as a matter of right, only after a decision, order or resolution that finally disposes of the action or proceeding shall have become final and executory. The records of the case shall be forwarded to the Legal and Investigation Division after execution of the decision, order or resolution for consignment to the archives.

Sec. 2. **Execution by the Legal and Investigation Division.** – Decisions, orders or resolutions of the Commission or the Board which have become final and executory shall be immediately enforced and executed through the Legal and Investigation Division, in coordination with the concerned Accredited Professional Organizations/Accredited and Integrated Professional Organizations and government agencies.

Sec. 3. **Surrender of Certificate of Registration, STCW Certificates and Professional Identification Card.** – The Chairman, or a duly designated member of the Board, shall sign the certification attesting to the surrender of the Certificate of Registration, Professional Identification Card, Special Temporary Permit and/or STCW Certificates upon those who have been imposed the penalty of suspension or revocation.

In cases where the professional has failed to surrender the Certificate of Registration, Professional Identification Card, Special Temporary Permit and/or STCW Certificates, his practice of the profession after the decision or order becomes final and executory, shall be deemed illegal.

The Legal and Investigation Division shall be responsible for the safekeeping of the surrendered Certificates of Registration, Professional Identification Card and/or STCW Certificates.

## **ARTICLE XI MISCELLANEOUS PROVISIONS**

Sec. 1. **Separability Clause.** - If any provision or part of the Rules is declared invalid or unconstitutional by a competent authority, the other provisions or parts thereof not affected shall remain in full force and effect.

Sec. 2. **Repealing Clause.** - PRC Res. No. 06-342(A), series of 2006 is hereby repealed. All other issuances inconsistent herewith are likewise repealed or modified accordingly.

Sec. 3. **Effectivity.** – The Rules shall take effect after fifteen (15) days upon its full publication in the Official Gazette or in a newspaper of general circulation.

Three (3) certified copies shall be filed with the U.P. Law Center.

  
**TERESITA R. MANZALA**  
Chairperson

  
**JENNIFER JARDIN-MANALILI**  
Commissioner

**VACANT**  
Commissioner

G-CHO-COM1/O-COM2/O-ASCOM/O-REG/O-SECPRBLID  
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