

Board of Social Workers

Republic Act No. 4373

An Act to Regulate the Practice of Social Work and the Operation of Social Work Agencies in the Philippines and for Other Purposes

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

Article I DEFINITION OF TERMS

Section 1. *As used in this Act.*-

a. Social work is the profession which is primarily concerned with organized social service activity aimed to facilitate and strengthen basic social relationships and the mutual adjustment between individuals and their social environment for the good of the individual and of society **by the use of social work methods.**¹

b. A "social worker" as used in this Act is a practitioner who by accepted academic training and social work professional experience possesses the skill to achieve the objectives as defined and set by the social work profession, through the use of the basic methods and techniques of social work (case work, group work, and community organization) which are designed to enable individuals, groups and communities to meet their needs and to solve the problems of adjustment to a hanging pattern of society and, through coordinated action, to improve economic and social conditions, and is connected with an organized social work agency which is supported partially or wholly from government or community solicited funds.

c. A "social work agency" is a person, corporation or organization, private or governmental, that engages mainly and generally, or represents itself to engage in social welfare work, whether case work, group work, or community work, and obtains its finances, either totally or in part, from any agency or instrumentality of the government and/or from the community by direct or indirect solicitations and/or fund drives, and/or private endowment.

Article II ORGANIZATION OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS

Section 2. *Name and Composition of the Board* Within sixty days after the approval of this Act, there shall be created a Board of Examiners for Social Workers² hereinafter to be referred to as the Board, composed of a Chairman and four members who shall be appointed by the President of the Philippines³ with the consent of the Commission on Appointments⁴ from among social workers of recognized standing in the Philippines, and who, at the time of their appointment shall:

- a. Be a citizen and resident of the Philippines;
- b. Be at least thirty years of age and of good moral character;
- c. Possess a Master's Degree in Social Work (M.S.S.W., M.S.S., M.A.S.W., or its equivalent) conferred by a reputable school, college or university duly recognized by the government and *also by a duly accredited school, college or university abroad.*⁵
- d. Have had at least five years of practice in a social work agency in the case of a holder of Bachelor's Degree in Social Work or its equivalent, or at least two years of social work practice in the case of a holder of a Master's Degree in Social Work or its equivalent, after receiving the respective degree.
- e. Be a registered social worker duly qualified to practice social work under this Act: *Provided, however,* That this qualification shall not be required of the first appointees to the Board under this Act, and;
- f. Not be a member of the faculty of any school, college or university at the time of appointment; nor during the year immediately preceding the appointment to be a member of the Board conferring the Bachelor's and/or Master's degree in social work, or shall have any direct or indirect pecuniary interest in such institution.

Section 3. *Function and Duties of the Board.*- The Board shall have the following function and duties:

- a. To administer the provisions of this Act;
- b. To administer oaths in connection with the administration of this Act;
- c. To prepare the official seal of the Board ;
- d. To issue, suspend, and revoke certificates of registration for the practice of social work;

- e. To look into the conditions affecting the practice of social work in the Philippines, and, whenever necessary, adopt such measures as may be deemed proper for the maintenance of the good standing and the ethics of the profession of social work; and
- f. To investigate such violations of this Act or of the rules and regulations issued thereunder as may come to the knowledge of the Board, and, for this purpose, to issue *subpoena* and *subpoena duces tecum* to secure the appearance of witnesses and the production of documents in connection therewith.

Section 4. *Term of Office.*- The members of the Board shall hold office for a term of three years or until their successors shall have been appointed and duly qualified: *Provided*, That the members of the first Board appointed under this Act shall hold office for the following terms: the Chairman for three years, two members for two years, and two members for one year, which shall be specified in their appointment. Any vacancy occurring within the term of a member shall be filled for the unexpired portion of the term only. Each member of the Board shall qualify by taking the proper oath of office prior to entering upon the performance of his or her duties. No member shall succeed himself on the Board.

Section 5. *Executive Officer and Secretary of the Board.*⁶-

Section 6. *Compensation of the Board Members.*- The Chairman and members of the Board shall each receive as compensation the sum of ten pesos for each applicant examined.

Section 7. *Removal of Board Members.*- Any member of the Board may be removed by the President⁷ of the Philippines upon the recommendation of the Commissioner of Civil Service⁸ for continued neglect of duty, incompetence, unprofessional, unethical, immoral, or dishonorable conduct, for commission or toleration of irregularities in the examination, after having been given the opportunity to defend himself in a proper administrative investigation.

Section 8. *Rules and Regulations.*- Subject to the approval of the President of the Philippines⁹ and with the advice of the Commissioner of Civil Service¹⁰ the Board shall set ethical and professional standards for the practice of social work in general, and adopt such rules and regulations as may be necessary to carry out the provisions of this Act. Such standards, rules and regulations shall take effect thirty (30) days after publication in the Official Gazette.

Section 9. *Annual Report.*- The Board shall submit an annual report to the President¹¹ of the Philippines and to Congress¹² after the close of the fiscal year, giving a detailed account of the proceedings of the Board during the year and embodying such recommendations as the board may desire to make.

Article III EXAMINATION AND REGISTRATION OF SOCIAL WORKERS

Section 10. *Practice of Social work and appointment as social workers.*- Unless exempt from registration, no person shall practice or offer to practice social work in the Philippines as defined in this Act, or be appointed as a social worker or to any position calling for social worker in any social work agency whether private or government without holding a valid certificate of registration as a social worker issued by the Board of Examinees for Social Workers¹³: *Provided*, That registration shall not be required of recognized social workers or authorities on social work who are residents and/or citizens of other countries called in for consultations in any agency working with the United Nations and/ or similar international social agencies: *Provided, further*, That no provisions of this Act shall be construed to prejudice permanently appointed social workers who are employed in private or government social work agencies at the date of approval of this Act, who shall continue to enjoy right to promotion and salary increases, refinement benefits and other previously acquired rights: *Provided, furthermore*, That those who at the time of the effectivity on this Act, possess the qualifications enumerated in Section twelve and are actually engaged in the practice of social work for a period of five years in a social work agency recognized by the Community Chest, Council of Welfare Agencies, Philippine Youth Welfare Coordinating Council, or Social Welfare Administration,¹⁴ shall be exempted from taking the examination as provided herein if they register as social workers within a period of one year after the approval of this Act: *Provided, still further*, That those who before the effectivity of this Act are holding regular appointment to social work positions in the government service on a provisional status for lack of the educational qualifications required under this Act for the purpose of taking the Board examination and have rendered five years or more of continuous and satisfactory service in social work shall, within a period of ten years but not later than December thirty-first, nineteen hundred seventy-eight, be allowed to retain their positions in order to qualify as registered social workers under the provisions hereof: *And Provided*, finally, that any person who at the time of the effectivity of this amendatory Act possesses the qualifications enumerated in Section twelve hereof except that which is specified in subparagraph (d) of Section two hereof and who has been openly performing the functions of, or practising as, a social worker as defined in this Act for at least a total of ten years prior to the effectivity of this amendatory Act, shall be allowed to continue performing such functions or such practice in the same office or agency until he or she retires without the necessity of

examination for registration provided that an affidavit affirming the circumstances of such continuous practice or a certification by the Civil Service to the same effect is filed with the Board.

Section 11. *Holding of Examinations.*- Except as otherwise specifically allowed under the provisions of this Act, all applicants for registration as social workers shall be required to undergo a written examination which shall be given by the Board annually in Manila at such time and place as may be fixed by it, subject to the approval of the Commissioner of Civil Service¹⁶ and the President¹⁷ of the Philippines. Written or printed notices of such examination shall be mailed to each candidate who has filed his name and address with the Secretary of the Board at least thirty (30) days prior to the date of the examination.

Section 12. *Qualification of Applicants.*- In order to be admitted to take the social work examination, an applicant must, at the time of filing his or her application therefore, establish to the satisfaction of the Board that:

- a. He or she is a citizen of the Philippines;
- b. He or she is at least twenty-one years of age;
- c. He or she in good health and is of good moral character;
- d. He or she has received a diploma as a holder of a bachelor's degree or **master's degree** or its equivalent in social work from an institution, college or university duly accredited and legally constituted: **Provided, That the provisions of Republic Act Numbered Twenty-two hundred and sixty¹⁸ insofar as cultural minorities are concerned be applied; and**
- e. He or she has completed a minimum period of one thousand case hours of practical training in an established social work agency under the direct supervision of a fully trained and qualified social worker.¹⁹

Section 13. *Scope of Examination.*- The examination for the practice of social work in the Philippines shall consist of a written test, the scope of which shall be determined and prescribed by the Board, taking into consideration the curriculum of all the social work courses offered in schools legally constituted in the Philippines: *Provided, That no change or alteration in or addition to the subjects for examination shall be made within two years from the date of the promulgation of said subjects. It shall be the duty of the Board to prepare the schedule of subjects for examinations and to submit the same to the President²⁰ of the Philippines for approval through the Commissioner of Civil Service, ²¹ and to publish the same, as approved, at least three months before the date of the examination wherein they are to be used. Any alteration or amendment that may be made in said schedule shall likewise be approved by the President²² of the Philippines.*

Section 14. *Ratings in the Examination.*- In order to pass the examination, a candidate must obtain a general rating of at least seventy percent in the written test, with no rating below fifty percent in any subject.

Section 15. *Report of Results of Examination.*- The Board of Examiners for Social Workers²³ shall, within one hundred twenty days after the examination, report the ratings obtained by each candidate to the Commissioner of Civil Service²⁴ who shall, with his recommendation, submit such ratings to the President²⁵ of the Philippines.

Section 16. *Oath of Social Workers.*- All successful examinees shall be required to take a professional oath before the Board or before any person authorized to administer oaths, prior to entering upon the practice of social work in the Philippines.

Section 17. *Issuance of Certificates.*- Certificates of registration as a social worker shall be issued to all applicants who pass the examination, after approval of her or his ratings by the President²⁶ of the Philippines, and upon payment of the required fees. Every certificate of registration shall show the full name of the registrant and serial number, and shall bear the signatures of the members of the Board,²⁷ attested to by the Secretary of the Board, and duly authenticated with the official seal of the Board of Examiners for Social Workers.²⁸ The issuance of a certificate of registration by the Board to the registrant shall be evidence that the person named therein is entitled to all the rights and privileges of a registered social worker until said certificate, for just cause, is revoked temporarily or canceled.

Section 18. *Registration by Reciprocity.*- A certificate of registration may be issued without examination to social workers registered under the laws of any foreign state or country: *Provided, That the requirements for the registration or licensing of social workers in said foreign state or country, are substantially the same as those required and contemplated by this Act: And Provided, further, That the laws of such state or country grant the same privileges to Filipino social workers on the same basis as the subject or citizens of such foreign state or country.*

Section 19. *Fees for Examination and Registration.*- Applicants for examination for the social work profession shall pay an examination fee of fifty pesos. Successful applicants shall pay a registration fee of thirty pesos. All such fees shall be paid to the disbursing officer of the Civil Service Commission,²⁹ and such officer shall pay from the receipts thereof, all the authorized expenses of the Board, including the compensation of its Chairman and members.

Section 20. *Refusal to Issue Certificates in Certain Cases.*- The Board of Examiners for Social Workers³⁰ shall refuse to issue a certificate of registration to any person convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude, and to any person guilty of immoral or dishonorable conduct, or to one of unsound mind or suffering from an incurable or infectious disease. The Board shall give the applicant a written statement setting forth the reason or reasons for its action, which statement shall be incorporated in the records of the Board.

Section 21. *Revocation and Suspension of Certificates.* - The Boards shall also have the power to revoke or suspend the validity of a certificate of registration of a social worker for any of the causes mentioned in the preceding section, or for unprofessional conduct, malpractice, incompetency, or serious ignorance or negligence in the practice of social work, or for making use of fraud, deceit or falsity to obtain a certificate of registration. Certificates of registration shall be revoked only after due notice and hearing.

Section 22. *Reissuance of Revoked and Replacement of Lost Certificates.*- The Board may, for reasons of equity and justice, and upon proper application and explanation therefore, issue another copy of the certificate upon payment of ten pesos. A new certificate of registration to replace any certificate lost, destroyed, or mutilated may be issued subject to the rules of the Board upon payment of ten pesos (P10.00).

Article IV REGISTRATION OF SOCIAL WORK AGENCIES

Section 23. *Registration with the Social Welfare Administration.* No social work agency as defined herein shall separate and be accredited as such unless it shall first have registered with the Social Welfare Administration³¹ which shall then issue the corresponding registration certificate: *Provided*, That existing social work agencies at the time of approval of this Act shall have a period of one year within which to secure the corresponding certificate of registration. Before any social work agency shall be duly registered, the following requirements must have been complied with to the satisfaction of the Social Welfare Administrator:³²

1. That the applicant must be engaged mainly or generally in social work activity;
2. That the applicant has employed a sufficient number of duly qualified and registered social workers to supervise and take charge of its social work function in accordance with accepted social work standards;
3. That the applicant must show in a duly certified financial statement that at least sixty percent of its funds are disbursed for direct social work services; and
4. That the applicant keeps a social work record of all cases and welfare activities handled by it.

Section 24. *Financial aid by the government agency or instrumentality.*- No government agency or instrumentality shall give financial or other aid to any social work agency unless the agency has been duly registered with the Social Welfare Administration³³ in accordance with the preceding section.

Section 25. *Revocation of Certificate of Registration.*- The Certificate of Registration issued to any social work agency may be revoked if, after due investigation, the Social Welfare Administration³⁴ finds, that it has failed to perform the function as social work agency, or it has violated existing laws, rules and regulations.

Article V SUNDRY PROVISIONS RELATIVE TO THE PRACTICE OF SOCIAL WORK

Section 26. *Penal Provisions.*- The following shall be punished by a fine of not less than five hundred pesos nor more than two thousand pesos, or imprisonment for not less than one month nor more than two years, or both, in the discretion of the court;

- a. Any person who shall practice or offer to practice social work in the Philippines without being registered or exempted from registration in accordance with the provisions of this Act;
- b. Any person representing or attempting to use as his own, the certificate of registration of another;
- c. Any person who shall give any false or fraudulent evidence of any kind to the Board or any member thereof in obtaining a certificate of registration as a social worker;
- d. Any person who shall impersonate any registrant of like or different name;
- e. Any person who shall attempt to use a revoked or suspended certificate of registration;
- f. Any person who shall in connection with his or her name, otherwise assume, use or advertise any title or description tending to convey the impression that he or she is a social worker without holding a valid certificate;
- g. Any person who shall violate any provision of this Act;³⁵
- h. Any person, corporation or entity operating as a social work agency without the corresponding Certificate of Registration issued by the Social Welfare Administration.³⁶ (Redesignated a subparagraph (h) by Sec. 6, R.A. No. 5157)

Section 27. *Separability Clause*.- If any provision of this Act or the application of such provision to any person or circumstances is declared invalid, the Act or the application of such provision shall not be affected by such declaration.

Section 28. *Repealing Clause*.- All Acts, executive orders, rules and regulations or part thereof inconsistent with the provisions of this Act are hereby repealed.

Section 29. *Effectivity*.- This Act shall take effect upon its approval. Approved, June 19, 1965.