

## RECORD OF THE SENATE

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MONDAY, DECEMBER 18, 2000

### RESUMPTION OF THE SESSION

*At 10:05 a.m., the session was resumed with the Senate President, Hon. Aquilino Q. Pimentel Jr., presiding.*

**The President.** The session is resumed. The Majority Leader is recognized.

**Senator Tatad.** I move that we proceed to the reading of the Fourth Additional Reference of Business.

**The President.** Is there any objection? *[Silence]* There being none, the motion is approved.

The Secretary will now read the Fourth Additional Reference of Business.

### FOURTH ADDITIONAL REFERENCE OF BUSINESS

#### COMMUNICATIONS

**The Acting Secretary** [Atty. Reyes]. Letter from Secretary Anecita G. Pasaylo of the Cebu Provincial Board, furnishing the Senate a copy of Res. No. 2663-2000, entitled

RESPECTFULLY URGING THE SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES TO TAKE COGNIZANCE OF AND TREAT WITH URGENCY SENATOR ROBERT S. JAWORSKI'S SENATE RESOLUTION NO. 796 WHICH CALLS FOR A RE-STUDY OF THE GOVERNMENT'S POLICY ON THE GRANTING OF PERMITS AND LICENSES TO OPERATORS OF CEMENT PLANTS AND QUARRYING SITES

**The President.** Referred to the Committee on Environment and Natural Resources

**The Acting Secretary** [Atty. Reyes]. Letter from Vice Mayor Sonia C. Pablo of the Sangguniang Bayan of Rizal, Occidental Mindoro, transmitting to the Senate S.B. Resolution No. 91-00, entitled

RESOLUTION SUPPORTING A BILL OF BOTH HOUSE OF SENATE AND THE HOUSE OF REPRESENTATIVES, AMENDING THE THREE YEARS REVISION PERIOD IN THE ASSESSMENT OF ALL REAL PROPERTIES IN THE PHILIPPINES TO FIVE YEARS REVISION PERIOD

**The President.** Referred to the Committee on Local Government

**The Acting Secretary** [Atty. Reyes]. Letter from Director Pepe B. Mateo, Al-Haj of the Commission on Audit, Region XI, Davao City, furnishing the Senate a copy of the Annual Audit Report on the results of the audit conducted by said office on the Panabo Water District, Davao del Norte for the years ended December 31, 1997 and December 31, 1998.

**The President.** Referred to the Committee on Finance

**The Acting Secretary** [Atty. Reyes]. Special Audit of Tanza Water District covering the accounts and operations for calendar years 1995 to 1998.

**The President.** Referred to the Committee on Finance

### COMMITTEE REPORTS

**The Acting Secretary** [Atty. Reyes]. Committee Report No. 503, submitted jointly by the Committees on Public Works; and Finance on House Bill No. 168, introduced by Representative Monfort, entitled

AN ACT CONVERTING THE POBLACION-SAPAO-NALUOYAN-DACUTAN BARANGAY ROADS IN THE FOURTH DISTRICT OF THE PROVINCE OF ILOILO INTO NATIONAL ROADS AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendments.

Sponsor: Senator Revilla

**The President.** To the Calendar for Ordinary Business

**The Acting Secretary** [Atty. Reyes]. Committee Report No. 504, submitted jointly by the Committees on Public Works; and Finance on House Bill No. 994, introduced by Representative Adiong, entitled

AN ACT CONVERTING THE BUBONG-CAROCOTAN-BUMBARAN-KALILANGAN PROVINCIAL ROAD LOCATED IN THE PROVINCES OF LANAO DEL SUR AND BUKIDNON INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendments.

Sponsor: Senator Revilla

While I do appreciate the need for a query, both time and the circumstances right now—holidays, last working week, et cetera—may not give us the ability to act fast. So I was wondering if the Majority Leader would want to raise it to the Senate as an Impeachment Court so that we can act fast on the matter and then we unbundle any such... The newspapers seem to admit that for security purposes they are monitoring our calls, and if this is not disputed they should be really cited for contempt.

So may we ask for a response from the Majority Leader. The same committee can still act as the committee that will put together such a contempt charge.

#### SUSPENSION OF SESSION

**Senator Tatad.** Mr. President, I move that we suspend the session.

**The President.** Is there any objection? *[Silence]* There being none, the session is suspended for one minute.

*It was 10:22 a.m.*

#### RESUMPTION OF SESSION

*At 10:24 a.m., the session was resumed.*

**The President.** The session is resumed. The Majority Leader is recognized.

**Senator Tatad.** In view of the remarks and proposal of Senator Roco, I move that we defer action on my motion so that we can take up this matter in caucus where we may explore all the various possibilities of acting on this more expeditiously.

**The President.** All right.

**Senator Biazon.** Mr. President.

**The President.** Sen. Rodolfo G. Biazon is recognized.

**Senator Biazon.** Thank you, Mr. President.

I think every one of us, senator-judges in the Impeachment Court, is aware that we are being watched, we are being cajoled, we are being threatened, we are being praised alternately. This we expect from the public. But if there is a hint of a proposition that government resources are being used to possibly influence us in the task that we have to do as judges of the Impeachment Court, then I think this is something that really must be looked into. And I go with the proposition of Senator Roco to not only have the Senate look into this as a Senate legislative Body but the Senate as a component of the Impeachment Court.

**The President.** Sen. Miriam Defensor Santiago has a reservation. No more? The lady senator does not want to avail herself of it? All right. Let us now act on the motion to suspend until...

Does the gentleman want to take this up in caucus?

#### MOTION OF SENATOR TATAD (To Refer the Matter of Citing for Contempt Wiretapping by Newspapers to Caucus)

**Senator Tatad.** Yes, Mr. President. I move that we refer it to the caucus.

**The President.** Is there any objection? *[Silence]* There being none, the motion is approved.

#### CONFERENCE COMMITTEE REPORT ON S. NO. 1355/H. NO. 7081 (Landscape Architecture Act)

**Senator Tatad.** Mr. President, we now have before us the Conference Committee Report on the disagreeing provisions of House Bill No. 7081 and Senate Bill No. 1355. I ask that Senator Flavie be recognized, on behalf of the Senate panel, to sponsor the report.

**The President.** Senator Flavie is recognized.

#### REPORT OF SENATOR FLAVIE

**Senator Flavie.** Mr. President, this is the joint explanatory statement of the conference committee on the disagreeing provisions of House Bill No. 7081 and Senate Bill No. 1355. Our chairperson is Sen. Anna Dominique M.L. Coseteng in whose behalf I am making the report, with the Senate panel composed of Sen. Blas F. Ople, Sen. Teresa Aquino-Oreta, Sen. Ramon B. Revilla, Sen. Rodolfo G. Biazon, and this representation.

Both the Senate and the House of Representatives' versions were adopted as the working draft because of the fact that the decision was to adopt certain provisions from each one, depending on the decision of the panel.

Most of the changes and attempt to reconcile, Mr. President, involved editorial matters which are listed. Let me just highlight the fact that there was a change or a decision to make it more manageable, the creation and composition of the board for the landscape architecture.

Also, there was a specific provision under Section 6 for compensation of board members which I read as follows: "The chairperson and members of the Board shall receive compensation comparable to the compensation received by existing

regulatory boards with the Commission in accordance with the PRC Modernization Act of 2000." This is to prevent misinterpretations as to how the compensation of board members would be administered.

There were also other editorial changes which replaced such words as "ethics" to "ethical" which are also mentioned in the Bicameral Conference Report.

There is a very important agreement regarding the rating in the board examinations which stipulates that the candidate to be qualified as "passed" must have a weighted average of 70 percent with no grades lower than 60 percent. However, an examinee who obtains a weighted general average rating of 70 percent or higher but obtains a rating below 60 percent in any given subject or subjects, where the examinee obtained a grade below 60 percent within two years from the date of his or her last examination, provided that if the examinee shall fail, still fails to pass the subject after two attempts, the examinee must take the entire Board examination. So this was clarified and made provisions for any one subject which would be below the allowed passing grade.

Section 22 of the House and Senate versions are basically the same. The said section was adopted with an amendment to the title which shall now read as follows:

**SEC. 22. Suspension and Revocation of Certificate OF REGISTRATION/PROFESSIONAL LICENSE AND Cancellation of Temporary/Special Permit.**

Then there is the important change in Section 25, Registration Without Examination, and the House version was adopted with amendment. The word "law" found in subsections (a) and (b) and in the last paragraph was deleted and substituted with the word ACT.

Under Section 27 (Professional Responsibility) of the Senate version was adopted with a minor amendment. The word ASSOCIATION was inserted between the words "partnership" and "corporation".

Section 30 of the House version was adopted without amendment as Section 31 and titled (Appropriations).

Section 31 of the House version and Section 34 of the Senate version are the same. It was adopted with amendment as Section 32 (*Enforcement*). The phrase "Code of Conduct" was deleted and substituted with the phrase "CODE OF ETHICS, CODE OF TECHNICAL STANDARDS".

Section 35 of the Senate version was adopted as Section 33 (Illegal Practice of Landscape Architecture and Penalties) with the following minor amendments:

(a) On the second paragraph, a slash (/) and the word "SPECIAL" was added to the word "temporary", thus the phrase shall read as "temporary/SPECIAL permit"

(b) On the same paragraph, the word "or" between the words "revoked" and "suspended" was deleted and replaced with a comma (.). On the same sentence, the words "or expired" were deleted.

Sections 34, 35 and 36 are the standard Separability, Repealing and Effectivity Clauses.

Finally, the conferees agreed to adopt the title of the House version which reads as follows:

**AN ACT REGULATING THE PRACTICE OF LANDSCAPE ARCHITECTURE IN THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

In case of conflict between the statements/amendments stated in this Joint Explanatory Statement and that of the provisions of the consolidated bill in the accompanying Conference Committee Report, the provisions of the latter shall prevail.

Mr. President, may I respectfully submit this Joint Explanatory Statement of the bicameral report on behalf of Sen. Anna Dominique M.L. Coseteng.

Thank you, Mr. President.

**The President.** Is there any objection or comment, or is there any other opinion?

**APPROVAL OF CONFERENCE COMMITTEE REPORT  
ON H. NO. 7081/S. NO. 1355**

**Senator Tatad.** Mr. President, I move that we adopt the Report.

**The President.** Is there any objection? [*Silence*] There being none, the motion is approved.

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*The following is the whole text of the Conf. Cttee. Report on H. No. 7081/S. No. 1355:*

**JOINT EXPLANATORY STATEMENT OF THE  
CONFERENCE COMMITTEE**

The Conference Committee of the Senate and House of Representatives on the disagreeing provisions of House Bill No. 7081 and Senate Bill No. 1355 submits the following joint statement to both

Houses in explanation of the amendments agreed upon by the Conferees and recommended in the accompanying Conference Committee Report:

- 1) Both the Senate and the House versions were adopted as the working draft.
- 2) Section 1 (Title) - The Conferees adopted the Senate version which shall read as follows:

Section 1. Title - This Act shall be known as the "Philippine Landscape Architecture Act of 2000."

- 3) Section 2 (Definition of Terms) *subsection a, number 1 to 10* of the House version was adopted with the following amendments:

- a) On subsection (a), the first letters of the words "*landscape architecture*" were capitalized. This shall be an omnibus amendment throughout the bill.
- b) On subsection (3), the word "*and*" between the words "assessment" and "landscape" was deleted and replaced with a comma.
- c) On subsection (7), the word "*direction*" between the words "reconstruction" and "enlargement" was deleted.

- 4) Section 2, *subsection (b)* is a consolidation of the House and Senate versions with the following amendments:

- a) The words "refers to" were deleted and replaced with the word "is."
- b) The word "*technically*" between the words "person" and "qualified" was deleted.
- c) The words "*and a valid*" after the words "certificate of registration" were also deleted and replaced with slash (/). Thus, the phrase "*certificate of registration as modified*" will now read "*CERTIFICATE OF REGISTRATION/PROFESSIONAL LICENSE*." This specific amendment shall be an omnibus amendment throughout the bill.
- d) The phrase "*and a valid professional identification card*" was inserted after the phrase "certificate of registration/professional license."

Thus, Section 2, *subsection (b)* as amended shall read as follows:

(b) Landscape Architect - IS a natural person qualified to practice Landscape Architecture who has been issued a valid certificate of registration/professional license and A VALID PROFESSIONAL IDENTIFICATION CARD as such by the Board of Landscape Architecture created under this Act and the Professional Regulation Commission.

- 5) Section 3 (Creation and Composition of a Board of Landscape Architecture) of the House version was adopted with minor amendment and shall read as follows:

SEC. 3. *Creation and Composition of a Board of Landscape Architecture.* - There is hereby created a Board of Landscape Architecture, hereinafter referred to as the Board, under the administrative control and supervision of the Professional Regulation Commission (PRC), hereinafter referred to as the Commission, to be composed of a Chairperson and two (2) members to be appointed by the President of the Philippines from a list forwarded by the Commission. Such a list shall have (5) nominees for each position, chosen, ranked in order of preference and submitted by the integrated and duly accredited national association of Landscape Architects in the Philippines. The Board shall be organized not later than six (6) months from the effectivity of this Act.

- 6) Section 4 (Qualifications of Members of the Board) of the House version was adopted with the following minor modifications:

- a) The word "*his*" between the words "of" and "appointment" was deleted.
- b) On subsection (d), the word "*and*" between the words "certificate" and "license" was deleted and replaced with slash (/).

- 7) Section 5 (Term of Office) of the House version was adopted with slight modification: the words "*entering upon*" between the words "prior to" and "the" were deleted.

- 8) Section 6 (Compensation of the Board Members) of the House and Senate version are the same and adopted with amendments. The phrases "Profession Regulation", "and as may be provided for in the General Appropriations Act" were deleted. Thus, Sec. 6 as amended shall now read as follows:

Section 6. *Compensation of the Board Members* - The Chairperson and members of the Board shall receive compensation comparable to the compensation received by existing regulatory boards with the Commission IN ACCORDANCE WITH THE "PRC MODERNIZATION ACT OF 2000."

9) Section 7 (Vacancy and Removal of Board Members), subsections *a* to *d* were adopted from the Senate version without amendment.

10) Section 8 (Powers and Duties of the Board), subsections *a* to *j* of the House version was adopted with the following amendments.

a) On subsection (g), the word "Ethical" was replaced with the word "ETHICS". Moreover, the phrase, "Professional Code of" was substituted with the phrase "A CODE OF TECHNICAL." Finally, the word "*profession*" after the phrase "landscape architecture" was deleted. Thus, subsection (g) as amended shall read as follows:

(g) To prescribe and/or adopt a Code of ETHICS and A CODE OF TECHNICAL Standards for the practice of Landscape Architecture.

b) On subsection (h), the word "*Professional*" between the words "for" and "Landscape Architects" was deleted.

c) On subsection (i), the word "*Professional*" between the words "for" and "Landscape" was deleted.

11) Section 9 (Administrative Supervision of the Board, Custodian of its Records, Secretariat and Support Services) of the House and Senate version are exactly the same. The said section was adopted without amendment.

12) Section 10 (Implementing Rules and Regulations) of the Senate version was adopted with the following amendment: the phrase "*as approved by the Commission*" between the words "Act" and "which" was deleted.

13) Section 11 (Annual Report) of the House and Senate versions are exactly the same. The said section was adopted without amendment.

14) Section 12 (Examination Required) of the House and Senate versions are exactly the same. The said section was adopted without amendment.

15) Section 13 (Qualifications of Applicant for Examination) of the Senate and House versions are basically the same. The said section was adopted with the following amendments:

a) On subsection (b), the phrase "*of the Philippines*" after the word "CHED" was deleted.

b) On subsection (d), the word "*he*" was deleted.

16) Section 14 (Scope of Examination) of the Senate and House versions are exactly the same. The said section was adopted without amendment.

17) Section 15 (Rating in the Board Examinations) is a consolidation of the House and Senate versions which shall read as follows:

Section 15. *Rating in the Board Examinations.* - To be qualified as having passed the Board examination for Landscape Architects, a candidate must obtain a weighted general average of seventy percent (70%), with no grades lower than sixty percent (60%) in any given subject. However, an examinee who obtains a weighted general average rating of seventy percent (70%) or higher but obtains a rating below sixty percent (60%) in any given subject or subjects where the examinee obtained a grade below sixty percent (60%) within two (2) years from the date of his/her last examination: *Provided*, That if the examinee still fails to pass the subject after two (2) attempts, the examinee must take the entire Board examinations again: *Provided, further*, That if, in the removal examination, the examinee gets a much lower grade such that if the general average is recomputed, it becomes lower than the required seventy percent (70%), the examinee must take the entire Board examinations again. The subject or subjects retaken must have each a rating of no less than seventy percent (70%) in order to qualify as having passed the examination.

18) Section 16 (Report of Ratings) of the House and Senate versions are exactly the same. The said provision was adopted with slight modification: after the word "his", a slash (/) and the word "*her*" were added, thus the phrase shall read as "*his/her*". This shall become an omnibus amendment throughout the entire bill.

19) Section 17 (Oath) of the House and Senate versions were exactly the same. The said section was adopted with a slight modification: the words "*entering upon*" between the words "prior to" and "the" were deleted.

20) Section 18 (Certificate of Registration/Professional License) of the Senate version was adopted with amendment. The phrase "the proper identification card, upon payment of the appropriate amount, renewable every three (3) years" found in the last sentence of the third paragraph was deleted. It was replaced with the phrase "A PROFESSIONAL IDENTIFICATION CARD AT THE OPTION OF THE PROFESSIONAL CONCERNED TO BE USED SOLELY FOR THE PURPOSE OF IDENTIFICATION UPON PAYMENT OF THE APPROPRIATE AMOUNT."

21) Section 19 (Seal and Use of Seal) of the House and Senate versions are basically the same. The said section was adopted with the following amendment:

- a) On subsection (a) the phrases "expired or" and "and/or unless his license has been renewed" were deleted.

22) Section 20 of the Senate version was adopted with the following amendments:

- a) On the title of the said section the word "License" was deleted and was replaced with "REGISTRATION". Also, the word "NUMBER" was added after the word "receipt".
- b) The phrase "professional license" was replaced with the word "REGISTRATION".
- c) The phrase "the duration of validity, including" was deleted.
- d) The phrase "he signs, uses, or issues" was deleted and substituted with the phrase "SIGNED, USED OR ISSUED".

Thus, Section 20 as amended shall read as follows:

Sec. 20. *Indication of REGISTRATION and Professional Tax Receipt NUMBER.* - The Landscape Architect shall be required to indicate his/her REGISTRATION number, the professional tax receipt number on the documents SIGNED, USED OR ISSUED in connection with the practice of his/her profession.

23) Section 21 (Refusal to Issue Certificate of Registration/Professional License) of the House version was adopted.

24) Section 22 of the House and Senate versions are basically the same. The said section was adopted with an amendment to the title, which shall now read as follows:

Sec. 22. *Suspension and Revocation of Certificate OF REGISTRATION/PROFESSIONAL LICENSE AND Cancellation of Temporary/Special Permit.*

25) Section 23 of the Senate version was adopted with minor amendment to the title: the words "Certificates" and "Licenses" were changed to singular nouns. Thus, the title of Sec. 23 as amended shall read as follows:

Sec. 23. *Reissuance of Revoked/Suspended Certificate/License.*

26) Section 24 (Vested Rights: Automatic Registration of Landscape Architects) of the House version was adopted without amendment.

27) Section 25 (Registration Without Examination) of the House version was adopted with amendment. The word "law" found in subsections (a) and (b) and in the last paragraph were deleted and substituted with the word "Act."

(h) Section 26 of the House and Senate versions were deleted and in lieu thereof, a new provision was adopted, which shall read as follows:

SEC. 26. *PARTNERSHIPS, ASSOCIATIONS AND CORPORATIONS ALLOWED TO PRACTICE.* - THE PRACTICE OF LANDSCAPE ARCHITECTURE IS A PROFESSIONAL SERVICE, ADMISSION TO WHICH IS BASED ON AN INDIVIDUAL'S QUALIFICATIONS. PERSONS PROPERLY REGISTERED/LICENSED AS LANDSCAPE ARCHITECTS MAY AMONG THEMSELVES, OR WITH PERSONS PROPERLY REGISTERED/LICENSED IN ANY FIELD RELATED TO LANDSCAPE ARCHITECTURE SUCH AS TOWN/URBAN PLANNING, CIVIL ENGINEERING, ARCHITECTURE AND INTERIOR DESIGN, FORESTRY AND OTHER FIELDS OF SPECIALIZATION, FORM AND OBTAIN REGISTRATION WITH THE SECURITIES AND EXCHANGE COMMISSION (SEC) FOR A PARTNERSHIP, ASSOCIATION, OR CORPORATION USING THE TERMS SUCH AS 'LANDSCAPE ARCHITECTS', 'LANDSCAPE ARCHITECTS AND PLANNERS', 'ARCHITECTS AND LANDSCAPE ARCHITECTS' OR ANY SUCH APPROPRIATE TERM; PROVIDED, THAT EIGHTY PERCENT (80%) OF THE MEMBERS OF THE PARTNERSHIP, ASSOCIATION OR CORPORATION ARE PERSONS PROPERLY

REGISTERED/LICENSED AS LANDSCAPE ARCHITECTS; *PROVIDED, FURTHER*, THAT ONLY DULY REGISTERED/LICENSED DESIGN PROFESSIONAL AND THE MEMBERS WHO ARE LANDSCAPE ARCHITECTS SHALL RENDER WORK AND SERVICES PROPER FOR A LANDSCAPE ARCHITECT AS DEFINED IN THIS ACT. SUCH PARTNERSHIPS, ASSOCIATIONS OR CORPORATIONS SHALL SERVE AS VEHICLES FOR LICENSED PROFESSIONALS TO PRACTICE THEIR PROFESSIONS UPON SUBMISSION OF THEIR SEC REGISTRATION DOCUMENTS TO THE BOARD.

29) Section 27 (Professional Responsibility) of the Senate version was adopted with a minor amendment. The word "*association*" was inserted between the words "*partnership*" and "*corporation*."

30) Section 27 of the House version and Section 30 of the Senate version are the same. The said provision was adopted without amendment as *Section 28 (Integration of the Landscape Architecture)*.

31) Section 28 of the House version and Section 31 of the Senate version are exactly the same. The said section was adopted without amendment as *Section 29 (Foreign Reciprocity)*.

32) Section 32 of the Senate version was adopted as *Sec. 30 (Coverage of Temporary/Special Permits)* with a minor amendment. The last paragraph which reads as follows: "*Foreign and Filipino Landscape Architects shall jointly and severally bear all liabilities and taxes due the Philippine Government, if any, according to their participation in, or professional services rendered to the project*" was transposed as the second sentence of subsection (c).

33) Section 30 of the House version was adopted without amendment as *Section 31 (Appropriations)*.

34) Section 31 of the House version and Section 34 of the Senate version are the same. The said provision was adopted with amendment as *Section 32 (Enforcement)*. The phrase "*Code of Conduct*" was deleted and substituted with the phrase "*CODE OF ETHICS, CODE OF TECHNICAL STANDARDS*".

35) Section 35 of the Senate version was adopted as *Section 33 (Illegal Practice of Landscape Architecture and Penalties)* with the following minor amendments:

(a) On the second paragraph, a slash (/) and the word "*special*" was added to the word "*temporary*," thus the phrase shall read as "*temporary/special permit*".

(b) On the same paragraph, the word "*or*" between the words "*revoked*" and "*suspended*" was deleted and replaced with a comma(.). On the same sentence, the words "*or expired*" were deleted.

36) Section 34, 35 and 36 are the standard Separability, Repealing and Effectivity Clauses.

37) The Conferees agreed to adopt the title of the House version which reads as follows:

"An Act Regulating the Practice of Landscape Architecture in the Philippines, Appropriating Funds Therefor and For Other Purposes"

In case of conflict between the statements/ amendments stated in this Joint Explanatory Statement and that of the provisions of the consolidated bill in the accompanying Conference Committee Report, the provisions of the latter shall prevail.

(Sgd.) HON. ANNA DOMINIQUE M. L. COSETENG  
*Chairperson, Senate Panel*

(Sgd.) HON. HARLIN CAST. ABAYON  
*Chairman, House Panel*

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#### CONFERENCE COMMITTEE REPORT

The Conference Committee on the disagreeing provisions of House Bill No. 7081, entitled

AN ACT REGULATING THE PRACTICE OF LANDSCAPE ARCHITECTURE IN THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

and Senate Bill No. 1355, entitled

AN ACT REGULATING THE PRACTICE OF LANDSCAPE ARCHITECTURE IN THE PHILIPPINES,

having met, after full and free conference, has agreed to recommend and do hereby recommend to their respective houses that House Bill No. 7081, in consolidation with Senate Bill No. 1355, be approved in accordance with the attached copy of the bill as reconciled and approved by the conferees:

*CONFEREES ON THE PART OF THE  
SENATE OF THE PHILIPPINES*

(Sgd.) HON. ANNA DOMINIQUE M.L. COSETENG

(Sgd.) HON. BLASF. OPLE

(Sgd.) HON. TERESA AQUINO-ORETA

(Sgd.) RAMON B. REVILLA

(Sgd.) HON. RODOLFO G. BIAZON

(Sgd.) HON. JUAN M. FLAVIER

*CONFEREES ON THE PART OF THE  
HOUSE OF REPRESENTATIVES*

(Sgd.) HON. HARLIN CAST. ABAYON

(Sgd.) HON. LUWALHATIR. ANTONINO

HON. HILARION J. RAMIRO JR.

(Sgd.) IGNACIO R. BUNYE

(Sgd.) HON. ELADIO M. JALA

(Sgd.) HON. JOSE APOLINARIO L. LOZADA JR.

**AN ACT REGULATING THE PRACTICE OF  
LANDSCAPE ARCHITECTURE IN THE  
PHILIPPINES**

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

**ARTICLE I  
TITLE**

**SECTION 1. Title.** - This Act shall be known as the  
"Philippine Landscape Architecture Act of 2000."

**ARTICLE II  
DEFINITION OF TERMS**

**SEC. 2. Definition of Terms.** - (a) "Scope of the  
practice of Landscape Architecture" refers to the act of  
planning, designing, specifying, supervising and giving  
general administration and responsible direction to the  
functional, orderly and aesthetic arrangement, changing  
and development of natural scenery and land areas to  
produce the most desirable effect for human use and

enjoyment of various outdoor spaces which consist of  
landscape components and the softscape of plants such  
as gardens, sports fields, playgrounds, recreational  
grounds, camping sites, resorts, national and public  
parks, historical parks, squares, memorial parks,  
subdivisions, parks and parkways, zoological and  
botanical gardens, greenbelts, cemeteries, plazas, patios,  
yards, outdoor shopping and pedestrian malls,  
promenades, sidewalks, roads and walkway systems,  
traffic islands, easements and circles, roof and open  
interior gardens and courts, and other open spaces; the  
protection, conservation and rehabilitation of the natural  
environment and scenery to enhance the ecological  
system and quality of life, such as, but not limited to:

(1) The act of planning sites and outdoor spaces;

(2) Recommending on and formulating landscape  
development policies concerning visual resources,  
streetscapes, the rehabilitation of inner cities, slums and  
historical districts, parks and recreation items which are  
important components of area development plans at the  
local, regional and national levels, and as components of  
area development and planning codes, zoning  
ordinances and other studies;

(3) Consultation, oral advice and direction,  
conferences, evaluation, investigation, estimates,  
appraisals and assessment, landscape architectural and  
operational programming;

(4) Schematic design, design studies and  
development, concepts, and contract documents;

(5) Preparation of preliminary technical, economic  
and financial feasibility studies of plans and project  
promotional services including preparation of specialized  
studies such as environmental impact assessments  
(EIA);

(6) Preparation of plans, specifications, bills of  
materials, cost estimates, general conditions and  
landscape work contract documents;

(7) Construction and project management; giving  
general management, administration, supervision,  
coordination and responsible direction to the planning,  
designing, construction, reconstruction, enlargement,  
renovation, repair, orderly removal or demolition,  
remodeling, alteration, preservation or restoration of  
landscape sites or structures including all their  
component sites and environs intended for private or  
public use;



(8) The practice of Landscape Architecture shall also include all other works, projects and activities which require the professional competence of Landscape Architects, including teaching of Landscape Architecture subjects given in the licensure examinations for Landscape Architects; computer-aided design; the scientific, aesthetic and orderly coordination of all works and branches of the work, systems and processes necessary in order to enhance and safeguard life, health and property, and the promotion and enrichment of the quality of life; the landscape architecture design of engineered structures or any part thereof;

(9) The planning, layout and utilization of spaces within and around buildings or structures including their sites; environment and urban design, site planning, outdoor space planning, landscape architectural detailing, landscape architectural lighting, laying out of associated mechanical, electrical, sanitary, plumbing and other utility systems, equipment and fixtures; and

(10) Site programming, grounds maintenance and administration, and landscape architectural conservation and restoration;

(b) "Landscape Architect" is a natural person qualified to practice Landscape Architecture and who has been issued a valid certificate of registration/professional license and a valid professional identification card as such by the Board of Landscape Architecture created under this Act and the Professional Regulation Commission.

### ARTICLE III BOARD OF LANDSCAPE ARCHITECTURE

SEC. 3. *Creation and Composition of a Board of Landscape Architecture.* - There is hereby created a Board of Landscape Architecture, hereinafter referred to as the Board, under the administrative control and supervision of the Professional Regulation Commission (PRC), hereinafter referred to as the Commission, to be composed of a Chairperson and two (2) members to be appointed by the President of the Philippines from a list forwarded by the Commission. Such a list shall have five (5) nominees for each position, chosen, ranked in the order of preference and submitted by the integrated and duly accredited national association of Landscape Architects in the Philippines. The Board shall be organized not later than six (6) months from the effectivity of this Act.

SEC. 4. *Qualifications of Members of the Board.* - A member of the Board shall, at the time of appointment, possess the following qualifications:

(a) A natural born citizen and a resident of the Philippines;

(b) Must be at least thirty-five (35) years of age;

(c) A holder of the degree of Bachelor of Landscape Architecture or its equivalent, conferred by a school, academy, college or university in the Philippines or abroad that is recognized and/or accredited by the Commission on Higher Education (CHED);

(d) A registered Landscape Architect with a valid certificate of registration/professional license and an active practitioner of Landscape Architecture for not less than ten (10) years prior to appointment, except the first Chair and members of the Board who shall be issued with the said certificate/license pursuant to this Act;

(e) Must not, for a period of three (3) consecutive years prior to appointment, be a member of the faculty of any school, academy, institute, college or university where a regular course in Landscape Architecture is being taught, nor have pecuniary interest in or administrative supervision over any such institution of learning;

(f) Must not, for a period of three (3) consecutive years prior to appointment, be connected with a review center or with any group or association where review classes or lectures in preparation for the licensure examination are offered or conducted at the time of appointment; and

(g) Has never been convicted of any crime involving moral turpitude.

SEC. 5. *Term of Office.* - The members of the Board shall hold office for a term of three (3) years after their appointment or until their successors shall have been appointed and qualified. Each member of the Board may be re-appointed for one full term of three (3) years. Of the members of the Board first appointed under this Act, one (1) member shall be appointed and hold office as Chairperson for three (3) years, one (1) member for two (2) years, and one (1) member for one (1) year. Each member of the Board shall qualify by taking the proper oath prior to the performance of his/her duties.

SEC. 6. *Compensation of the Board Members.* - The Chairperson and members of the Board shall receive compensation comparable to the compensation received by existing regulatory boards with the Commission in accordance with the "PRC Modernization Act of 2000."

SEC. 7. *Vacancy and Removal of Board Members.* - Any vacancy occurring in the membership of the term of a member shall be filled for the unexpired portion of the term only. The President, upon recommendation of the Commission, after giving the concerned member an opportunity to defend himself in a proper administrative investigation to be conducted by the Commission, may remove any member of the Board on the following grounds:

- (a) Neglect of duty or incompetence;
- (b) Violation or tolerance of the violation of this Act or the Code of Ethics for Landscape Architecture;
- (c) Final judgment of any criminal offense; and
- (d) Manipulation or rigging of the Landscape Architecture licensure examination results, disclosure of secret and confidential information on the examination questions prior to the conduct of the said examination or tampering of grades.

SEC. 8. *Powers and Duties of the Board.* - The policies, resolutions, rules and regulations, orders or decisions issued or promulgated by the Board shall be subject to the review and approval of the Commission. However, the Board's decisions, resolutions or orders rendered in administrative cases which are not interlocutory shall be subject to review only if on appeal. The Board shall exercise the following powers, functions, duties and responsibilities:

- (a) To promulgate and adopt the rules and regulations necessary for carrying out the provisions of this Act;
- (b) To supervise the registration, licensure and practice of professional Landscape Architects in the Philippines;
- (c) To administer oaths in connection with the administration of this Act;
- (d) To issue, suspend, revoke or reinstate the certificate of registration/professional license for the practice of the Landscape Architecture profession;
- (e) To adopt an official seal of the Board;

(f) To monitor the conditions affecting the practice of Landscape Architecture and adopt such measure as may be deemed proper for the enhancement and maintenance of high professional, ethical and technical standards of the profession;

(g) To prescribe and/or adopt a Code of Ethics and Code of Technical Standards for the practice of Landscape Architecture;

(h) To hear and try administrative cases involving violation of this Act, its implementing rules and regulations, the Code of Ethics for Landscape Architects 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;

(i) To prescribe guidelines in the Continuing Professional Education (CPE) program in coordination with accredited association(s) for Landscape Architects;

(j) To prepare, adopt, issue or amend the syllabi of the subjects for examinations by determining and preparing questions which shall be within the scope of the syllabus of the subject for examination, as well as through full computerization, give and correct the licensure examination subjects except landscape architectural design and planning, and release the examination results;

(k) To approve, issue, limit or revoke temporary license to practice Landscape Architecture;

(l) In coordination with the Commission on Higher Education (CHED), ensure that all higher educational, instruction and offerings of Landscape Architecture comply with the policies, standards and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library and facilities; and

(m) To discharge such other duties and functions as may be deemed necessary for the enhancement of the Landscape Architecture profession and the upgrading, development and growth of Landscape Architecture education in the Philippines.

SEC. 9. *Administrative Supervision of the Board, Custodian of its Records, Secretariat and Support Services.* - The Board shall be under the administrative supervision of the Commission. All records of the Board, including applications for examination, administrative and other investigative cases conducted by the Board

shall be under the custody of the Commission. The Commission shall designate the secretary of the Board and shall provide the Secretariat and other support services to implement the provisions of this Act.

SEC. 10. *Implementing Rules and Regulations.* - Within ninety (90) days from the approval of this Act, the Board, with the approval of the Commission, shall adopt and promulgate such rules and regulations to carry out the provisions of this Act which shall be effective fifteen (15) days following its publication in the *Official Gazette* or in two (2) major daily newspapers of general circulation, whichever comes earlier.

SEC. 11. *Annual Report.* - The Board shall, at the close of each calendar year, submit an annual report to the President of the Philippines through the Commission, giving a detailed account of its proceedings and accomplishments during the year and making recommendations for the adoption of measures that will upgrade and improve the conditions affecting the practice of Landscape Architecture in the Philippines.

#### ARTICLE IV EXAMINATION, REGISTRATION AND LICENSE

SEC. 12. *Examination Required.* - Except as otherwise specifically allowed in this Act, all applicants for registration for the practice of Landscape Architecture shall be required to undergo and pass a written technical examination as provided for in this Act subject to the payment of fees prescribed by the Commission.

SEC. 13. *Qualifications of Applicant for Examination.* - Every applicant for examination shall, prior to admission, establish the following requisites to the satisfaction of the Board:

(a) A citizen of the Philippines or a citizen of a foreign country/state with which the Philippines has reciprocity in the practice of Landscape Architecture;

(b) A graduate of baccalaureate or postgraduate degree in Landscape Architecture from an academic institution recognized by the CHED or accredited with either the International Federation of Landscape Architects (IFLA) or the American Society of Landscape Architects (ASLA);

(c) Or in lieu of the preceding, a graduate of a baccalaureate degree in Architecture from an academic institution having at least twenty (20) units of Landscape Architecture design courses or with at least five

(5) years experience in the field of Landscape Architecture; or a graduate of a baccalaureate degree in Horticulture from an academic institution having at least forty (40) units of Landscape Architecture design subjects or at least five (5) years experience in the field of Landscape Architecture: *Provided*, That this shall apply within ten (10) years after the passage of this Act; and

(d) Has not been convicted of any crime involving moral turpitude.

SEC. 14. *Scope of Examination.* - The examination for Landscape Architecture shall basically cover the following subjects:

(1) Landscape Architectural Design and Planning;

(2) Ecology and Nature Conservation;

(3) Landscaping Technology and Materials;

(4) Planting Design and Interior Plantscaping;

(5) Professional Practice and Ethics; and

(6) History of Landscape Architecture and Theory of Design.

The said subjects and their syllabi may be amended by the Board so as to conform to technological changes brought about by continuing trends in the profession.

SEC. 15. *Rating in the Board Examinations.* - To be qualified as having passed the Board examination for Landscape Architects, a candidate must obtain a weighted general average of seventy percent (70%), with no grades lower than sixty percent (60%) in any given subject. However, an examinee who obtains a weighted general average rating of seventy percent (70%) or higher but obtains a rating below sixty percent (60%) in any given subject or subjects must take the examination in the subject or subjects where the examinee obtained a grade below sixty percent (60%) within two (2) years from the date of his/her last examination: *Provided*, That if the examinee still fails to pass the subject after two (2) attempts, the examinee must take the entire Board examinations again: *Provided, further*, That, if in the removal examination, the examinee gets a much lower grade such that if the general weighted average is recomputed, it becomes lower than the required seventy percent (70%), the examinee must take the entire Board examinations again. The subject or subjects retaken must have each a rating of no

less than seventy percent (70%) in order to qualify as having passed the examination.

SEC. 16. *Report of Ratings.* - The Board shall submit to the Commission the ratings obtained by each candidate within fifteen (15) days after the examination, unless extended for just cause. Upon the release of the results of the examination, the Board shall send by mail the rating received by each examinee at his/her given address using the mailing envelope submitted during the examination.

SEC. 17. *Oath.* - All successful candidates in the examination shall be required to take an oath of profession before the Board or any government official authorized to administer oaths, prior to the practice of the Landscape Architecture profession.

SEC. 18. *Certificate of Registration/Professional License.* - A certificate of registration/professional license shall be issued to applicants who pass the examination for Landscape Architects subject to payment of registration fees.

The certificate of registration of Landscape Architects shall bear the signatures of the Chairperson of the Commission, the Chairperson and members of the Board stamped with the official seal, indicating that the person named therein is entitled to practice the profession with all the privileges allowed under this Act. The certificate shall remain in full force unless withdrawn, suspended or revoked under the provisions of this Act.

A professional license bearing the registration number and date of issuance duly signed by the Chairperson of the Commission shall likewise be issued to every registrant who has paid the required fees until the revocation of his/her certificate of registration or his/her suspension from the practice of Landscape Architecture either after an administrative investigation or removal for cause of his/her name from the roster of Landscape Architects: *Provided, however,* That the Commission, as a ministerial matter, shall issue a professional identification card at the option of the professional concerned to be used solely for the purpose of identification upon payment of the appropriate amount.

SEC. 19. *Seal and Use of Seal.* - A duly licensed Landscape Architect shall affix the seal approved by the Board on all plans, drawings, specifications and all other contract documents prepared by or under his/her direct supervision.

(a) Each registrant shall, upon registration, obtain the seal of such design as the Board may adopt and plans and specifications prepared by or under the supervision of a registered Landscape Architect, shall be stamped with the said seal. No person shall stamp or seal any document with the seal of a registrant after his/her professional license has lost its validity unless he/she has been reinstated to the practice.

(b) No officer or employee of the government, chartered cities and municipalities now or hereafter charge with the enforcement of laws, ordinances or regulations relating to the construction or alteration of the landscape shall accept or endorse any landscape plan or specification which have not been prepared and submitted in full accord with the provisions of this Act, nor shall any payment be approved by any such officer for any work, the plans and specifications of which have not been so prepared, signed and sealed by a duly licensed Landscape Architect: *Provided,* That the cost of construction or alteration of the landscape shall be more than Three hundred fifty thousand pesos (P350,000.00).

(c) No Landscape Architect shall sign his/her name, affix his/her seal or use any other method of signature on plans, specifications or other documents made by or under another Landscape Architect's supervision unless the same is made in such manner as to clearly indicate the part of such work or any function of Landscape Architecture practice not actually performed by him/her. The Landscape Architect in charge shall be fully responsible for all plans, specifications, and other documents issued under his/her seal or authorized signature.

The Board shall formulate, adopt and promulgate all necessary rules and regulations for the effective implementation of the provisions relating to the design of the seal, the signing and sealing of drawings, specifications, report and other documents by Landscape Architects.

(d) Drawings and specifications duly signed, stamped or sealed as instruments of service are the property and documents of the Landscape Architect, whether the project for which they were made is executed or not. No person without the written consent of the Landscape Architect or author of said documents shall duplicate or make copies of said documents for use in the repetition of and for other projects or buildings, whether executed partly or in whole.

(e) All drawings, specifications and other documents to be used for the construction, renovation or refurbishing of landscape works shall be signed and sealed by a licensed Landscape Architect.

Violation of any of the foregoing shall be a ground for administrative and/or criminal action.

SEC. 20. *Indication of Registration and Professional Tax Receipt Number.* - The Landscape Architect shall be required to indicate his/her registration number, the professional tax receipt number on the documents signed, used or issued in connection with the practice of his/her profession.

SEC. 21. *Refusal to Issue Certificates of Registration/Professional License.* - The Board shall refuse to register and/or issue a certificate of registration/professional license to any person who has been convicted by final judgment of a court of competent jurisdiction of any criminal offense involving moral turpitude, guilty of immoral or dishonorable conduct or judicially declared of unsound mind. It shall issue a written statement setting forth in detail the reasons for such action, a copy of which shall be incorporated in the records of the Board. A party whose rights are adversely affected by such action of the Board may apply for relief with the Court of Appeals after having exhausted administrative remedies.

SEC. 22. *Suspension and Revocation of Certificate of Registration/Professional License and Cancellation of Temporary/Special Permit.* - The Board shall have the power, upon due notice and hearing, to revoke or suspend the certificate of registration/professional license of a Landscape Architect, or to cancel a temporary/special permit for any cause specified in the preceding sections, or for the use or perpetuation of any fraud or deceit in obtaining a certificate of registration/professional license, or for incompetence, negligence or gross ignorance or for abetment of the illegal practice of Landscape Architecture, or chronic inebriety or habitual use of drugs; violation of the provisions of this Act, its implementing rules and regulations and/or in violations of policies of the Board including the Code of Ethics for Landscape Architects: *Provided, however,* That such action of the Board shall be subject to appeal to the Commission whose decision shall be final but without prejudice to the right of the aggrieved party to apply with the Court of Appeals for appropriate relief.

SEC. 23. *Reissuance of Revoked/Suspended Certificate/License.* - The Board may, after the expiry of two (2) years from the date of revocation or suspension of a certificate of registration/professional license, for reason of equity and justice or when the cause for revocation/suspension has disappeared or and for other reasons it may deem sufficient, entertain an application for a new certificate of registration/professional license from a person whose certificate/license has been revoked or suspended. In doing so, it may in its discretion, exempt the applicant from the necessity of undergoing an examination. It may also replace certificate of registration/professional license which has been lost after payment of the required fees.

#### ARTICLE V PRACTICE OF LANDSCAPE ARCHITECTURE

SEC. 24. *Vested Rights: Automatic Registration of Landscape Architects.* - All Landscape Architects who are registered at the time this Act takes effect shall automatically be registered.

SEC. 25. *Registration Without Examination.* - Any of the following persons may register as Landscape Architects without examinations:

(a) All Landscape Architects who had taken at least sixty (60) academic units of Landscape Architecture and had been practicing for ten (10) years prior to effectivity of this Act; and

(b) All architects and/or environmental planners, whether registered/licensed or not, who have been practicing Landscape Architecture for ten (10) years prior to effectivity of this Act and who can show proof of practice.

Their applications for registration shall be filed with the Board within two (2) years from the effectivity of this Act, subject to approval by the Commission.

SEC. 26. *Partnerships, Associations and Corporations Allowed to Practice.* - The practice of Landscape Architecture is a professional service, admission to which is based on an individual's qualifications. Persons properly registered/licensed as Landscape Architects may among themselves, or with persons properly registered/licensed in any field related to Landscape Architecture such as town/urban planning, civil engineering, architecture and interior design, forestry and other fields of specialization, form

and obtain registration with the Securities and Exchange Commission (SEC) for a partnership, association, or corporation using the terms such as Landscape Architects, Landscape Architects and Planners, Architects and Landscape Architects or any such appropriate term; *Provided, That*, eighty percent (80%) of the members of the partnership, association or corporation are persons properly registered/licensed as Landscape Architects; *Provided, further*, That only duly registered/licensed design professional and the members who are Landscape Architects shall render work and services proper for a Landscape Architect as defined in this Act. Such partnerships, associations or corporations shall serve as vehicles for licensed professionals to practice their professions upon submission of their SEC registration documents to the Board.

SEC. 27. *Professional Responsibility.* - The individual partners, stockholders or members shall be personally and jointly responsible and liable to the partnership, association or corporation for their respective acts in the practice of their respective professions. The partnership, association or corporation shall be responsible and liable for all other contractual obligations of the partnership, association, or corporation. The managing partner of the partnership or the president of the corporation, or their authorized representatives, shall be authorized to enter into contracts for such services. However, only a partner or stockholder who is a registered/licensed professional in a particular profession shall be responsible for and sign plans and documents involving the practice of his/her profession.

SEC. 28. *Integration of the Landscape Architecture Profession.* - The Landscape Architecture profession shall be integrated into one (1) national organization which shall be accredited by the Board subject to the approval by the Commission as the one and only integrated and accredited association of Landscape Architects. A Landscape Architect duly registered with the Board shall automatically become a member of the integrated national organization and shall receive the benefits and privileges provided for in this Act upon payment of the required fees and dues. Membership in the integrated organization shall not be a bar to membership in other associations of Landscape Architects.

SEC. 29. *Foreign Reciprocity.* - No foreign Landscape Architect shall be registered and issued a certificate of registration/professional license to practice

the Landscape Architecture profession or consultancy thereof or be entitled to any rights and privileges under this Act unless the country of which he/she is a subject or citizen specifically permits Filipino Landscape Architects to practice within its territorial limits on the same basis as the subjects or citizens of such foreign state or country.

SEC. 30. *Coverage of Temporary/Special Permits.*

- Foreign nationals who have gained entry in the Philippines to perform professional services as Landscape Architects or consultants in foreign-funded joint venture or assisted projects of the government, or employed or engaged by Philippine or foreign contractors or private firms shall, before assuming his duties, functions and responsibilities, secure a special/temporary permit from the Board, subject to the approval by the Commission, and the Department of Labor and Employment (DOLE) to practice his/her profession in connection with the project to which he/she was commissioned, provided that certain conditions are satisfied as follows:

(a) That he/she is a citizen or subject of a country which specifically permits Filipino professionals to practice his/her profession within its territorial limits on the same basis as the subjects or citizens of such foreign country or state;

(b) That he/she is legally qualified to practice Landscape Architecture in his/her own country, and that his/her expertise is necessary and advantageous to our own country particularly in the aspects of technology transfer and specialization;

(c) Foreign nationals shall be required to work with a Filipino counterpart, and professional fees, services, and expenses of documentation pertaining to the project shall be shared by both. Foreign and Filipino Landscape Architects shall jointly and severally bear all liabilities and taxes due the Philippine Government, if any, according to their participation in, or professional services rendered to the project; and

(d) That he/she shall obtain an employment permit from the Department of Labor and Employment: *Provided*, That the employment permit may be issued to a non-resident alien or to the applicant-employer after a determination of the non-availability of a person in the Philippines who is competent, able and willing at the time of application to perform the services for which the alien is desired: *Provided, further*, That the applicant's country of nationality observes reciprocal conditions for Filipino nationals.

SEC. 31. *Appropriations.* - Such sums as may be necessary to carry out the provision of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

ARTICLE VI  
FINAL PROVISIONS

SEC. 32. *Enforcement.* - The Commission shall be the enforcement agency of the Board. As such, the Commission shall implement the concerned provisions of this Act, enforce its implementing rules and regulations as adopted by the Board, conduct investigations for the Board on complaints against violators of this Act, its rules and regulations including violations of the Code of Ethics, Code of Technical Standards for Landscape Architecture and other policies of the Board.

SEC. 33. *Illegal Practice of Landscape Architecture and Penalties.* - No person shall practice Landscape Architecture in the Philippines or use the title Landscape Architect or words, letters, figures, signs and cards or other means to indicate in any manner whatsoever that he/she is qualified to perform the work of a Landscape Architect by the use of titles such as Landscape Consultant, Landscape Designer, Landscape Engineer, Landscape Artist, Landscape Agriculturist, Landscape Horticulturist, Landscape Planner, Land Planner, Site Planner, or similar terms that suggest the work of a Landscape Architect, unless the professional has been issued a certificate of registration/professional license or a temporary/special permit by the Board and the Commission.

Any person who shall practice or offer to practice Landscape Architecture in the Philippines without being registered or exempted from registration, or without a certificate of registration/professional license or a temporary/special permit in accordance with the provisions of this Act; or any person presenting or attempting to use as his/her own the certificate of registration/professional license or seal of another; or any person who shall give any false or forged evidence of any kind to the Board or any of its members in obtaining a certificate of registration/professional license; or any person who shall falsely impersonate any registrant with like or different name; or any person who shall attempt to use a revoked, suspended or invalid certificate of registration/professional license; or any person who shall use or advertise any title or description tending to convey the impression that he/she is a

Landscape Architect when he/she is not; or any person who shall violate any provisions of this Act and its rules and regulations and the Code of Ethics of the profession, shall upon conviction by the court suffer penalties.

The penalties for the mentioned illegal practices shall be a fine of not less than Fifty thousand pesos (P50,000.00), nor more than Two hundred thousand pesos (P200,000.00) or imprisonment of not less than six (6) months nor more than three (3) years, or both fine and imprisonment at the discretion of the court: *Provided*, That if the violation is committed by an alien, he/she shall be immediately deported after payment of fine or service of sentence without any further proceedings.

SEC. 34. *Separability Clause.* - If any clause, provision, paragraph or part thereof shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other part hereof, but such judgment shall be merely confined to the clause, provision, paragraph or part directly involved in the controversy in which such judgment has been rendered.

SEC. 35. *Repealing Clause.* - All laws, decrees, executive orders and other administrative issuances and part thereof which are inconsistent with the provisions of this Act are hereby modified, superseded or repealed accordingly.

SEC. 36. *Effectivity.* - This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or a major daily newspaper of general circulation in the Philippines.

Approved,

**Senator Tatad.** Mr. President, I move that we proceed to the Sixth Additional Reference of Business.

**The President.** Is there any objection? [*Silence*] There being none, the motion is approved.

The Secretary will please read the Sixth Additional Reference of Business.

THE SIXTH ADDITIONAL REFERENCE OF BUSINESS

COMMITTEE REPORTS

**The Acting Secretary** [Atty. Reyes]. Committee Report No. 509 prepared and submitted jointly by the Committees on Ways and Means; and Banks, Financial Institutions and Currencies on Senate Bill No. 2225 with Senator Enrile as author thereof, entitled