

SENATE

S. No. 1355

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PREPARED JOINTLY BY THE COMMITTEES ON CIVIL SERVICE AND  
GOVERNMENT REORGANIZATION, PUBLIC WORKS, FINANCE AND  
URBAN PLANNING, HOUSING AND RESETTLEMENT, WITH SENATORS  
OPLE, AQUINO-ORETA AND COSETENG AS AUTHORS THEREOF

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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

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

ARTICLE II

DEFINITION OF TERMS

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7 SEC. 2. *Definition of Terms.* - (a) Practice of Landscape  
8 Architecture - The practice of Landscape Architecture is the act of  
9 planning, designing, specifying, supervising and giving general  
10 administration and responsible direction to the functional, orderly and  
11 aesthetic arrangement, changing and development of natural scenery

1 and land areas to produce the most desirable effect for human use and  
2 enjoyment of various outdoor spaces which consist of landscape  
3 components and the softscape of plants such as gardens, sports fields,  
4 playgrounds, recreational grounds, camping sites, resorts, national and  
5 public parks, historical parks, and squares, memorial parks,  
6 subdivisions, parks and parkways, zoological and botanical gardens,  
7 greenbelts, cemeteries, plazas, patios, yards, outdoor shopping and  
8 pedestrian malls, promenades, sidewalks, roads and walkway systems,  
9 traffic islands, easements and circles, roof and open interior gardens  
10 and courts, and other open spaces; the protection, conservation and  
11 rehabilitation of the natural environment and scenery to enhance the  
12 ecological system and quality of life, such as, but not limited to:

- 13 (1) The act of planning sites and outdoor spaces;  
14 (2) Recommending on and formulating landscape  
15 development policies concerning visual resources,  
16 streetscapes, the rehabilitation of inner cities, slums and  
17 historical districts, parks and recreation items which are  
18 important components of area development plans at the local,  
19 regional and national levels and as components of area  
20 development and planning codes, zoning ordinances and other  
21 studies;  
22 (3) Consultation, oral advice and direction, conferences,  
23 evaluation, investigation, estimates, appraisals and assessment  
24 and landscape architectural and operational programming;  
25 (4) Schematic design, design studies and development,

1 concepts, and contract documents;

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

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

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

17 (8) The practice of landscape architecture shall also  
18 include all other works, projects and activities which require the  
19 professional competence of landscape architects, including  
20 teaching of landscape architecture subjects given in the  
21 licensure examinations for landscape architects; computer-aided  
22 design; the scientific, aesthetic and orderly coordination of all  
23 works and branches of the work, systems and processes  
24 necessary in order to enhance and safeguard life, health and  
25 property and the promotion and enrichment of the quality of

1 life; the landscape architecture design of engineered structures  
2 or any part thereof;

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

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

13 (b) Landscape Architect - refers to a natural person technically  
14 qualified to practice landscape architecture and who has been issued  
15 a valid certificate of registration and a valid professional license as  
16 such by the Board of the Landscape Architecture created under this  
17 Act and the Professional Regulations Commission.

18 ARTICLE III

19 BOARD OF LANDSCAPE ARCHITECTURE

20 SEC. 3. *Creation and Composition of a Board of Landscape*  
21 *Architecture.* - There is hereby created a Board of Landscape  
22 Architecture, hereinafter called the Board under the administrative  
23 control and supervision of the Professional Regulations Commission,  
24 hereinafter called the Commission, to be composed of a Chairperson  
25 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 his appointment, possess the following qualifications:

(a) Natural born citizen and resident of the Philippines;

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

(c) Holder of the degree of Bachelor of Landscape Architecture or related degrees like architecture, environmental planning and horticulture, with at least sixty (60) units of landscape architecture, 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 and a valid 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 and license pursuant to this Act;

(e) Must not, for a period of two (2) 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 institutions of learning;

(f) Must not, for a period of two (2) 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 criminal offense 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 reappointed 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: *Provided*, That if reappointed, the member shall only hold office for a term equivalent to his initial appointment. Each member of the Board shall qualify by taking the proper oath prior to entering upon the performance of his 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 Professional Regulation Commission and as may be provided for in the General Appropriations Act.

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

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

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

- 23 (a) To promulgate and adopt the rules and regulations necessary  
24 for carrying out the provisions of this Act;
- 25 (b) To supervise the registration, licensure and practice of

1 professional landscape architects in the Philippines;

2 (c) To administer oaths in connection with the administration of  
3 this Act;

4 (d) Issue, suspend, revoke, or reinstate the certificate of  
5 registration or professional license for the practice of the landscape  
6 architecture profession;

7 (e) To adopt an official seal of the Board;

8 (f) Monitor the conditions affecting the practice of landscape  
9 architecture and adopt such measure as may be deemed proper for the  
10 enhancement and maintenance of high professional, ethical and  
11 technical standards of the profession;

12 (g) To prescribe and/or adopt a Code of Ethical and Professional  
13 Standards for the practice of the landscape architecture profession;

14 (h) To hear and try administrative cases involving violation of  
15 this Act, its Implementing Rules and Regulations, the Code of Ethics  
16 for Professional Landscape Architects and for this purpose, to issue  
17 *subpoena* and *subpoena duces tecum* to secure the appearance of  
18 witnesses and the production of documents in connection therewith;

19 (i) Prescribe guidelines in the Continuing Professional Education  
20 (CPE) program in coordination with accredited association(s) for  
21 professional architects;

22 (j) Prepare, adopt, issue or amend the syllabi of the subjects for  
23 examinations by determining and preparing questions which shall be  
24 within the scope of the syllabi of the subject for examination, as well  
25 as through full computerization give and correct the licensure

1 examination subjects except landscape architectural design and  
2 planning, and release the examination results;

3 (k) Approve, issue, limit or revoke temporary license to practice  
4 Landscape Architecture;

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

10 (m) Discharge such other duties and functions as may be deemed  
11 necessary for the enhancement of the landscape architecture  
12 profession and the upgrading, development and growth of landscape  
13 architecture education in the Philippines.

14 SEC. 9. *Administrative Supervision of the Board, Custodian of*  
15 *its Records, Secretariat and Support Services.* - The Board shall be  
16 under the administrative supervision of the Commission. All records of  
17 the Board, including applicants for examination, administrative and  
18 other investigative cases conducted by the Board shall be under the  
19 custody of the Commission. The Commission shall designate the  
20 secretary of the Board and shall provide the Secretariat and other  
21 support services to implement the provisions of this Act.

22 SEC. 10. *Implementing Rules and Regulations.* - Within ninety  
23 (90) days from the approval of this Act, the Board, with the approval  
24 of the Commission, shall adopt and promulgate such rules and  
25 regulations to carry out the provisions of this Act as approved by the

1 Commission, which shall be effective fifteen (15) days following their  
2 publication in the *Official Gazette* or in two (2) major daily newspapers  
3 of general circulation whichever comes earlier.

4 SEC. 11. *Annual Report.* - The Board shall, at the close of each  
5 calendar year, submit an annual report to the President of the  
6 Philippines through the Professional Regulation Commission, giving a  
7 detailed account of its proceedings and accomplishments during the  
8 year and making recommendations for the adoption of measures that  
9 will upgrade and improve the conditions affecting the practice of  
10 landscape architecture in the Philippines.

#### 11 ARTICLE IV

#### 12 EXAMINATION, REGISTRATION AND LICENSE

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

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

21 (a) Citizen of the Philippines or citizen of a foreign country/state  
22 with which the Philippines has reciprocity in the practice of landscape  
23 architecture;

24 (b) Graduate of a baccalaureate or postgraduate degree in  
25 Landscape Architecture from an academic institution recognized by the

1 Commission on Higher Education (CHED) of the Philippines or  
2 accredited with either the International Federation of Landscape  
3 Architects or the American Society of Landscape Architects;

4 (c) Or in lieu of the preceding, a graduate of a baccalaureate  
5 degree in Architecture from an academic institution having at least  
6 twenty (20) units of landscape architecture design courses or with at  
7 least five (5) years experience in the field of landscape architecture; or  
8 a graduate of a baccalaureate degree in Horticulture from an academic  
9 institution having at least forty (40) units of landscape architecture  
10 design subjects or at least five (5) years experience in the field of  
11 landscape architecture: *Provided*, That this shall apply within ten (10)  
12 years after the passage of this Act; and

13 (d) He has not been convicted of any crime involving moral  
14 turpitude.

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

- 17 (1) Landscape Architectural Design and Planning;  
18 (2) Ecology and Nature Conservation;  
19 (3) Landscaping Technology and Materials;  
20 (4) Planting Design and Interior Plantscaping;  
21 (5) Professional Practice and Ethics; and  
22 (6) History of Landscape Architecture and Theory of Design.

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

1 SEC. 15. *Rating in the Board Examinations.* - To be qualified as  
2 having passed the Board examination for landscape architects, a  
3 candidate must obtain a weighted general average of seventy-five  
4 percent (75%), with no grades lower than sixty percent (60%) in any  
5 given subject. However, an examinee who obtains a weighted general  
6 average rating of seventy-five (75%) percent or higher but obtains a  
7 rating below sixty percent (60%) in any given subject must take a  
8 special examination in the subject or subjects where he obtained a  
9 grade below sixty percent (60%) within two (2) years from the date of  
10 his last examination: *Provided*, That if the examinee still fails to pass  
11 the subject after two (2) attempts, he must take the entire board  
12 examinations again: *Provided, further*, That if in the removal  
13 examination, the examinee gets a much lower grade such that if his  
14 weighted general average is recomputed, it becomes lower than the  
15 required seventy-five percent (75%), the examinee must take the entire  
16 board examinations again. The subject/s retaken must have each a  
17 rating of no less than seventy percent (70%) in order to qualify as  
18 having passed the examination.

19 SEC. 16. *Report of Ratings.* - The Board shall submit to the  
20 Commission the ratings obtained by each candidate within fifteen (15)  
21 days after the examination, unless extended for just cause. Upon the  
22 release of the results of the examination, the Board shall send by mail  
23 the rating received by each examinee at his given address using the  
24 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 the Professional Regulation Commission, prior to entering upon the practice of the landscape architecture profession.

SEC. 18. *Certificate of Registration and Professional License.* - A certificate of registration shall be issued to applicants who pass the examination for landscape architects subject to payment of registration fees.

The Certificate of Registration of professional 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, date of issuance, expiry date and 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 certificate of registration or his suspension from the practice of landscape architecture either after an administrative investigation or removal for cause of his name from the roster of landscape architects: *Provided, however,* That the Commission, as a ministerial matter, shall issue the proper identification card, upon payment of the appropriate amount, renewable every three (3) years.

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

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

(b) No officer or employee of the government, chartered cities and municipalities now or hereafter charged with the enforcement of laws, ordinances or regulations relating to the construction or alteration of the landscape, shall accept or endorse any landscape plans or specifications 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

1 other documents made by or under another landscape architect's  
2 supervision unless the same is made in such manner as to clearly  
3 indicate the part of such work or any function of landscape architecture  
4 practice not actually performed by him/her. The landscape architect in  
5 charge shall be fully responsible for all plans, specifications, and other  
6 documents issued under his/her seal or authorized signature. The  
7 Board shall formulate, adopt and promulgate all necessary rules and  
8 regulations for the effective implementation of the provisions relating  
9 to the design of the seal, the signing and sealing of drawings,  
10 specifications, report and other documents by landscape architects.

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

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

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

23 SEC. 20. *Indication of License and Professional Tax Receipt.* -

24 The Landscape Architect shall be required to indicate his Professional  
25 License number, the duration of validity, including the professional tax

1 receipt number on the documents he signs, uses or issues in  
2 connection with the practice of his profession.

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

14 SEC. 22. *Suspension and Revocation of Certificates,*  
15 *Cancellation of Temporary/Special Permits.* - The Board shall have the  
16 power, upon due notice and hearing, to revoke or suspend the  
17 certificate of registration of a landscape architect, or to cancel a  
18 temporary/special permit for any cause specified in the preceding  
19 Sections, or for the use or perpetuation of any fraud or deceit in  
20 obtaining a certificate of registration, or for incompetence, negligence  
21 or gross ignorance or for abetment of the illegal practice of landscape  
22 architecture, or chronic inebriety or habitual use of drugs; violation of  
23 the provisions of this Act, its implementing Rules and Regulations and/  
24 or in violations of Policies of the Board including the Code of Ethics  
25 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 Certificates and Licenses.* - The Board may, after the expiry of two (2) years from the date of revocation or suspension of a professional license, for reason of equity and justice or when the cause of revocation/suspension has disappeared or and for other reasons it may deem sufficient, entertain an application for a new professional license from a person whose 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 certificates of registration and licenses which have been lost after payment of the required fees.

#### ARTICLE V

#### PRACTICE OF LANDSCAPE ARCHITECTURE

SEC. 24. *Vested Rights: Automatic Registration of Practicing Landscape Architects.* - All practicing 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 have taken at least sixty (60) academic units of Landscape Architecture and have been practicing for ten (10) years prior to effectivity of this law;

(b) All registered architects who have been practicing Landscape Architecture for ten (10) years prior to effectivity of this law and who can show the proof of practice.

SEC. 26. *Practice Not Allowed for Firms and Corporations.* - The practice of landscape architecture is a professional service, admission to which is based on an individual's qualifications. No firm, company, partnership, association or corporation may be licensed as such for the practice of landscape architecture: *Provided, however,* That persons properly licensed and registered as landscape architects may among themselves, or with persons properly registered and licensed in any of the fields related to landscape architecture such as town/urban planning, civil engineering, architecture and interior design and forestry may form and obtain registration with the Securities and Exchange Commission for a firm, partnership, association or corporation using the terms such as 'Landscape Architects', 'Landscape Architects and Planners', 'Architects and Landscape Architects', or any such appropriate term but nobody shall be a member, partner or associate unless he is a duly registered and licensed design professional and the members who are landscape architects shall only render work and services proper for a landscape architect as defined in this Act. Such partnerships or corporation shall serve as vehicles for licensed professionals to practice their professions.

SEC. 27. *Professional Responsibility.* - The individual partners, stockholders or members shall be personally and jointly responsible and liable to the partnership or corporation for their respective acts in

the practice of their respective professions. The partnership or corporation shall be responsible and liable for all other contractual obligations of the partnership 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 profession.

SEC. 28. *Registration.* - Partnerships or corporations formed under this Act shall be registered with the Board of Landscape Architecture and any of the other related professional boards within the Professional Regulations Commission. Partnerships or corporations may be registered with a particular professional regulatory board only if it has partners, stockholders or members who are registered licensed professionals in that profession. The partnership or corporation can be used as a vehicle for practice only of the professions where it is registered.

SEC. 29. *Transitory Provisions.* - Partnerships or corporations offering landscape architectural services by itself or together with any other allied design and planning services, which are members of organizations comprising the Confederation of Filipino Consulting Organizations, the umbrella organization of consultants recognized by the National Economic Development Authority, are given two (2) years from the approval of this Act to comply with the requirements of this Act. They shall however register with the appropriate professional

regulatory boards of the Professional Regulations Commission on a provisional status.

SEC. 30. *Integration of the Landscape Architecture Profession.* - The landscape architecture profession shall be integrated into one (1) national organization, which shall be recognized by the Board and accredited by the Commission as the one and only one 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 and the Board's bylaws 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. 31. *Foreign Reciprocity.* - No foreign landscape architect shall be registered and issued a certificate of registration and a professional license to practice the landscape architecture profession or consultancy thereof or be entitled to any of the rights and privileges under this Act unless he can prove in the manner provided by the Rules of Court or by specific provisions of law or regulations, that the country of which he is a subject or citizen, in the spirit of reciprocity, 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. 32. *Coverage of Temporary/Special Permits.* - Foreign nationals who have gained entry in the Philippines to perform

1 professional services as landscape architects or consultants in foreign-  
2 funded, joint venture or assisted projects of the government, or  
3 employed, or engaged by Philippine or foreign contractors or private  
4 firms shall, before assuming his duties, functions and responsibilities,  
5 secure a special temporary permit from the Professional Regulation  
6 Commission through the Board of Landscape Architecture, and the  
7 Department of Labor and Employment to practice his profession in  
8 connection with the project to which he was commissioned, provided  
9 that certain conditions are satisfied as follows:

10 (a) That he is a citizen or subject of a country which specifically  
11 permits Filipino professional to practice his profession within its  
12 territorial limits on the same basis as the subjects or citizens of such  
13 foreign country or state;

14 (b) That he is legally qualified to practice landscape architecture  
15 in his own country, and that his expertise is necessary and  
16 advantageous to our own country particularly in the aspects of  
17 technology transfer and specialization; and

18 (c) Foreign nationals shall be required to work with a Filipino  
19 counterpart, and professional fees, services, and expenses of  
20 documentation pertaining to the project shall be shared by both.

21 (d) That he shall obtain an employment permit from the  
22 Department of Labor and Employment: *Provided*, That the employment  
23 permit may be issued to a nonresident alien or to the applicant employer  
24 after a determination of the nonavailability of a person in the  
25 Philippines who is competent, able and willing at the time of application

1 to perform the services for which the alien is desired: *Provided, further*,  
2 That the applicant's country of nationality observes reciprocal  
3 conditions for Filipino nationals.

4 Foreign and Filipino landscape architects shall jointly and  
5 severally bear all liabilities and taxes due the Philippine Government, if  
6 any, according to their participation in, or professional services  
7 rendered to the project.

8 SEC. 33. *Appropriations*. - Such sums as may be necessary to  
9 carry out the provision of this Act shall be included in the General  
10 Appropriations Act of the year following its enactment and thereafter.

#### 11 ARTICLE VI

#### 12 FINAL PROVISIONS

13 SEC. 34. *Enforcement*. - The Professional Regulation Commission  
14 shall be the enforcement agency of the Board. As such, the  
15 Commission shall implement the concerned provisions of this Act,  
16 enforce its implementing rules and regulations as adopted by the Board,  
17 conduct investigations for the Board on complaints against violators  
18 of this Act, its rules and regulations including violations of the Code  
19 of Conduct of Landscape Architecture and other policies of the Board.

20 SEC. 35. *Illegal Practice of Landscape Architecture and*  
21 *Penalties*. - No person shall practice landscape architecture in the  
22 Philippines or use the title 'Landscape Architect' or words, letters,  
23 figures, signs and cards or other means to indicate in any manner  
24 whatsoever that he is qualified to perform the work of a landscape  
25 architect such as by the use of titles such as 'Landscape Consultant',

1 'Landscape Designer', 'Landscape Engineer', 'Landscape Artist',  
2 'Landscape Agriculturist', 'Landscape Horticulturist', 'Landscape  
3 Planner', 'Land Planner', 'Site Planner' or similar terms that suggest the  
4 work of a landscape architect, unless he has been issued a certificate  
5 of registration and a professional license or a temporary permit by the  
6 Board of Landscape Architecture and the Commission.

7 Any person who shall practice or offer to practice landscape  
8 architecture in the Philippines without being registered or exempted  
9 from registration, or without a certificate of registration and a  
10 professional license or a temporary permit in accordance with the  
11 provisions of this Act; or any person presenting or attempting to use  
12 as his own the certificate of registration or professional license or seal  
13 of another; or any person who shall give any false or forged evidence  
14 of any kind to the Board or any of its members in obtaining a certificate  
15 of registration or professional license; or any person who shall falsely  
16 impersonate any registrant with like or different name; or any person  
17 who shall attempt to use a revoked or suspended certificate of  
18 registration or an invalid or expired professional license; or any person  
19 who shall use or advertise any title or description tending to convey  
20 the impression that he is a landscape architect when he is not; or any  
21 person who shall violate any provisions of this Act and of its rules and  
22 regulations and the Code of Ethics of the profession, shall upon  
23 conviction by the court, suffer penalties.

24 The penalties for the mentioned illegal practices shall be a fine  
25 of not less than Fifty thousand pesos (P50,000.00) nor more than Two

1 hundred thousand pesos (P200,000.00) or imprisonment of not less than  
2 six (6) months nor more than three (3) years or both at the discretion  
3 of the court: *Provided*, That if the violation is committed by an alien,  
4 he shall be immediately deported after payment of fine or service of  
5 sentence without any further proceedings.

6 SEC. 36. *Separability Clause*. - If any clause, provision,  
7 paragraph or part thereof shall be declared unconstitutional or invalid,  
8 such judgment shall not affect, invalidate or impair any other part  
9 hereof, but such judgment shall be merely confined to the clause,  
10 provision, paragraph or part directly involved in the controversy in  
11 which such judgment has been rendered.

12 SEC. 37. *Repealing Clause*. - All laws, decrees, executive orders  
13 and other administrative issuances and part thereof which are  
14 inconsistent with the provisions of this Act are hereby modified,  
15 superseded or repealed accordingly.

16 SEC. 38. *Effectivity*. - This Act shall take effect fifteen (15) days  
17 following its publication in the *Official Gazette* or in a major daily  
18 newspaper of general circulation in the Philippines, whichever is earlier.

Approved,