RULES AND REGULATIONS IMPLEMENTING R.A. NO. 9053, THE “PHILIPPINE LANDSCAPE ARCHITECTURE ACT OF 2000”

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Pursuant to Section 10, Article III of Republic Act No. 9053, known as the "Philippine Landscape Architecture Act of 2000", the following Rules and Regulations are hereby adopted and promulgated to effectively carry out its provisions.

ARTICLE I
Title and Definition of Terms

RULE 1. Title. — This Resolution shall be known and cited as the IMPLEMENTING RULES AND REGULATIONS OF THE PHILIPPINE LANDSCAPE ARCHITECTURE ACT OF 2000 (IRRPLA).

RULE 2. Definition of Terms. — Unless the contrary is provided, the following terms shall be understood to mean:

a. Commission refers to the Professional Regulation Commission (PRC) created by R.A. No. 8981.

b. Commission Chairperson refers to the Chairperson of the Professional Regulation Commission.

c. Board refers to the Board of Landscape Architecture created by R.A. No. 9053.

d. Board Chairman refers to the Chairman of the Board of Landscape Architecture.

e. CHED refers to the Commission on Higher Education.

f. CPE means Continuing Professional Education.

g. CPEC refers to the Continuing Professional Education Council.

h. IFLA refers to the International Federation of Landscape Architects.

i. Landscape Architecture refers to the functional, orderly and esthetic 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 hardscape components and the softscape of plants such as gardens, sports fields, playgrounds, recreational grounds camping sites, resorts, national and public parks, historical parks and 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.

j. Landscape Architect refers to a natural person who has been issued a certificate of registration/professional license and a professional identification card by the Board of Landscape Architecture and the Commission.

k. Practice of Landscape Architecture is the act of planning, designing, specifying, supervising and giving general administration and responsible direction to the functional, orderly and esthetic arrangement and development of outdoor spaces which contribute to the enhancement and safeguarding of life, health, heritage

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and property as well as the promotion and enrichment of the quality of life. Practice of Landscape Architecture includes but is not necessarily limited to the following activities:

(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 historic districts, parks and recreation items which are important components of are development and planning codes, zoning ordinances and other studies;

(3) Consultation, oral advice and direction, conferences, evaluation, investigation, estimates, appraisals and assessment and 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 projects, promotional services including the 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, direction, 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 of public use;

(8) All other works and activities which require the professional competence of Landscape Architects, including the teaching of Landscape Architecture subjects given in the licensure examinations for Landscape Architects; computer-aided design (CAD); the scientific, esthetic and orderly coordination of all works and branches of the work, systems and processes necessary in order to enhance and safeguard life, health, heritage and property and the promotion and enrichment of the quality of life; the landscape design of engineered structure 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 architecture 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.

(l) Accredited Professional Association refers to the Philippine Association of Landscape Architects (PALA) as the integrated national organization of Landscape Architects in the Philippines accredited by the Commission.

ARTICLE II
Official Seal of the Board

RULE 3. Official Seal of the Board. — The Board shall adopt an official seal. The Official seal shall bear the design and words appearing on the attached sheet marked as Annex "A" and made an integral part hereof. All Certificates of Registration issued to Landscape Architects and other official documents as may be determined by the Board shall bear the seal of the Board.

ARTICLE III

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Composition, Qualifications, Appointment, Terms of Office of Members and Filling of Vacancies in the Board

RULE 4. Composition of the Board. — The Board of Landscape Architecture shall be composed of a Chairperson and two (2) Members who shall be appointed by the President of the Philippines from a list forwarded by the Commission. Such a list to be submitted by the duly accredited integrated national association of Landscape Architects in the Philippines shall have five (5) nominees for each position chosen and ranked in the order of preference.

RULE 5. Qualifications of Members of the Board. — Nominees for appointment as Chairperson and Members of the Board shall, at the time of their appointment, have the following qualifications:

a. A natural-born citizen and resident of the Philippines;

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

c. A holder of a degree in 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 the certificate of registration/license pursuant to R.A. No. 9053;

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 any 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 examinations are offered or conducted at the time of appointment;

g. Has never been convicted of any crime involving moral turpitude, and

h. Must be a member in good standing of the duly accredited and integrated association of Landscape Architects in the Philippines.

RULE 6. Term of Office. — The Members of the Board shall hold office for a term of three (3) years until their successors 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, one Member shall hold office as Chairperson for three (3) years, one Member for two (2) years and one Member for one (1) year. Each Member of the Board shall qualify by taking the proper oath prior to his assumption of duty.

RULE 7. Compensation of Board Members. — The Chairman and Members of the Board shall receive compensation comparable to the compensation being received by Members of existing Regulatory Boards with the Professional Regulation Commission and as may be provided for in the General Appropriations Act.

RULE 8. Filling of Vacancy in the Board. — Any vacancy occurring in the Board within the term of a Member shall be filled only for the unexpired portion of the term.

ARTICLE IV
Meeting of the Board, Duties and Responsibilities of the Chairman and Members of the Board

RULE 9. Board as a Collegial Body. — The Chairman and Members of the Board shall act as a collegial body on

all matters involving the exercise of its powers and duties as well as the implementation of policies laid down in R.A. No. 9053. Action on such matters by the Board, except decisions in administrative cases, shall be effective only when approved by the Commission.

RULE 10. Meetings of the Board. — The Board shall hold regular meetings to transact official business at least once a month within the premises of the commission or in such other venues as determined by the Board and authorized by the Chairperson of the Commission. Special meetings may be called by the Chairman or the two (2) Members of the Board. The Chairman shall preside over the meetings of the Board and in his or her absence, the senior Member, if any, or the Member so designated by the Chairman.

RULE 11. Duties and Functions of the Chairman. — The Chairman shall be the head of the Board. As such, he shall equitably assign all subjects for examination to all Members of the Board; designate the Member who shall preside during any hearing or investigation of administrative cases of Landscape Architects where technical issues in the practice of the profession are involved, assign Members who shall perform the visitorial duties of the Board.

The Chairman shall be responsible for the assignment of other duties and responsibilities to the Members and for the supervision and management of their work. The Chairman shall be the official spokesperson of the Board in the Commission and in his absence, the senior Member, if any, or the Member so designated by him.

RULE 12. Decisions, Orders or Resolutions and Other Issuances of the Board. — In the promulgation of decisions and orders in administrative cases which are not interlocutory, or in the adoption of a rule, regulation or policy or in implementing the other provisions of R.A. No. 9053, the Board shall meet en banc, deliberate on matters before it and thereafter, vote personally. The presence of a quorum shall be sufficient to deliberate and act upon the items on the agenda and majority vote shall be required for the validity of the act. The presence of at least two (2) Members shall constitute a quorum and the vote of two (2) Members shall constitute a majority vote.

Any action of the Board meeting en banc except a decision or order in an administrative case shall be valid and enforceable only after it shall have been approved by the Commission. Resolutions or issuances of the Board for the, purpose of enforcing or implementing the provisions of R.A. No. 9053 or which affects the public in general shall be published in the Official Gazette or in a newspaper of general circulation.

RULE 13. Enforcement and Implementation of R.A. No. 9053. — In enforcing and implementing the provisions of R.A. No. 9053, its implementing rules and regulations and in the performance of its functions, duties and responsibilities, the Board shall be assisted by the Commission through its offices, divisions, sections and units.

RULE 14. Meetings and Official Business with the Commission. — Unless the presence of the entire Board is required, the Board's Chairman shall represent the Board in meetings with the Chairperson of the Commission and in official transactions with the Commission. In the absence of the Board Chairman, the senior Member, if any, or the Member so designated by the Chairman shall represent him in meetings with the Chairperson of the Commission and in official business/es to be transacted with the Commission.

RULE 15. Interpretation of the Provisions of this Act, its Implementing Rules and Regulations and Code of Ethics for Landscape Architects Issued by the Board. — At first instance, the Board may resolve any issue arising from the implementation of the provisions of R.A. No. 9053 in the form of opinions issued by the Board through its Chairman. It may also issue opinions on questions arising from the implementation of the Rules and Regulations of R.A. No. 9053 and the Code of Ethics for Landscape Architects. The Board may request the Commission, through its Chairman, to elevate difficult questions of law to the Department of Justice for legal opinion.

RULE 16. Written Authority of the Commission Chairperson Bring Out Papers, Records and Documents Outside

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Commission Premises. — The Board shall act on all papers, communications, certificates, cases or other documents within the premises of the Commission. Action on such matters outside the premises of the Commission shall be with the written permission of the Chairperson of the Commission.

RULE 17. Action on Ministerial Matters. — Matters requiring action which are ministerial in nature shall be done and made by the Board's Chairman.

RULE 18. Records of the Board, Removal of Such Papers, Etc. — All records of the Board including applications for examinations, examination papers and results of examination, minutes of deliberations and records of administrative cases shall be kept by the Commission. No papers, communications, certificates, records of cases and other documents shall be removed from the premises of the Commission unless expressly authorized in writing by the Chairperson of the Commission.

RULE 19. Annual Report. — On or before the fifteenth (15th) day of the last month of each calendar year, the Board shall submit an Annual Report to the President of the Philippines, through the Commission. The report shall contain its accomplishment during the year and its recommendations to upgrade the practice of Landscape Architecture in the Philippines.

ARTICLE V
Licensure Examination for Landscape Architects

RULE 20. Examination Required. — Unless expressly exempted by the provisions of R.A. No. 9053, all persons desiring to register as Landscape Architects and practice the profession must pass the licensure examinations for the practice of Landscape Architecture in the Philippines.

RULE 21. Application. — The application for examination shall file a computerized application form duly accomplished in the Commission's Application Division or in any of its Regional Offices which are also test centers for the profession, accompanied by authentic or authenticated copies of the required documents.

A Filipino citizen who graduated from a foreign educational institution shall be required, before his application is accepted, to present/submit an endorsement from the CHED.

RULE 22. Qualifications of Applicant for Examination. — An applicant for examination, prior to admission to the examination, shall establish to the satisfaction of the Board that he or she is:

a. A citizen of the Philippines or a citizen of a foreign country/state with which the Philippines has reciprocity in the licensure examination and practice of Landscape Architecture (see Rule 23 for detailed requirements for foreign examinees);

b. A graduate of a baccalaureate or postgraduate degree in Landscape Architecture from an academic institution recognized by the Commission on Higher Education (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 sub-paragraph (b), a graduate of a baccalaureate degree in Architecture from an academic institution having at least twenty (20) units of Landscape Architecture design courses of with at least five (5) years experience in the field of Landscape Architecture; or graduate of a baccalaureate degree in Horticulture from an academic institution having at least forty (40) units of Landscape Architecture design courses 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 R.A. No. 9053, and

d. Has not been convicted by a final judgment of any crime involving moral turpitude.

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RULE 23. Requirements for Foreign Citizens Allowed to Take Licensure Examination through Reciprocity. — A foreign citizen, whether he studied in the Philippines or not, who desire to take the licensure examination for Landscape Architects through reciprocity shall initiate the establishment of reciprocity between his country/state and the Philippines by presenting/submitting a letter or any document signed and under official seal by the appropriate official of his country/state requesting the Chairman of the Board of Landscape Architecture to allow the foreign applicant to take the licensure examination for Landscape Architecture on the basis of reciprocity and informing the said Chairman of the Board that by express provision of the law of his country/state, Filipino citizens shall be allowed to take the licensure examination for Landscape Architects and to register as Landscape Architect in his country/state on terms of strict and absolute equality with the citizens or subject of said country or state including the unconditional recognition of prerequisite degrees issued by institutions of higher learning duly recognized or established by the Government of the Republic of the Philippines attaching/appending thereto an authentic or authenticated official copy of said law officially translated in the English language.

If the letter/document and the copy of the law submitted by the applicant is satisfactory to the Board, the foreign applicant shall be allowed to take the licensure examination for Landscape Architects by requiring him to file an application to take the licensure examination and by submitting the following documents that shall accompany the application:

a. The original or certified copy of any official document issued by the Philippine Immigration Commission allowing the applicant to enter and reside in the Philippines;

b. Present his passport for examination and for photocopying of pertinent information about the applicant;

c. Original or authenticated copy of transcript of records or equivalent document of the course for licensure examination issued by the institution of higher learning where he studied, duly authorized or accredited by his country/state, and

d. Other documents which may be required to be submitted by the Board.

RULE 24. Venues and Dates of Examination. — The licensure examinations for Landscape Architecture shall be held at least once a year in the City of Manila and in such other places as may be determined by the Board and approved by the Commission. The venues and dates of examinations for each year shall be included in the Schedule of Professional Licensure Examinations issued yearly by the Commission.

RULE 25. Examination Program. — The Board shall issue a program for every scheduled examination not later than thirty (30) days before the first day of the scheduled examinations which shall contain the following:

a. Name of licensure examination;

b. Subjects for examination indicating their respective percentage weights, time, dates and places of examination;

c. Instructions to examinees, and

d. Names and signatures of the Chairman and Members of the Board.

Each and every examinee must be provided with a copy of this program by attaching it to the examinee's Notice of Admission.

RULE 26. Publication of Examination. — The dates, time and venues of the licensure examinations for Landscape Architecture shall, as far as practicable, be published in a newspaper of general circulation and/or in broadcast media.

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RULE 27. Scope of Examination. — The licensure examinations for Landscape Architecture shall cover the following subjects with their corresponding percentage weights:

(1) Landscape Architectural Design and Planning — 40%;

(2) Ecology and Nature Conservation — 10%;

(3) Landscape Technology and Materials — 15%;

(4) Planting Design and Interior Plantscaping — 15%;

(5) Professional Practice and Ethics — 10%;

(6) History of Landscape Architecture and Theory of Design — 10%

The Board shall amend/change the said subjects and their syllabi to conform with the changes made in the curriculum of the course brought about by advancement in technology. Examination based on the changed curriculum and the syllabi shall apply only to those examinees who have graduated under the changed curriculum.

RULE 28. Rating in the Board Examinations. — To pass the licensure examinations for Landscape Architecture, an examinee must obtain a general weighted average rating of seventy (70%) percent with no grade lower than sixty (60%) percent in any given subject/s.

RULE 29. Removal Examination of Examinees with Grade(s) Below Sixty (60%) Percent in Any Given Subject But Obtains a General Average Rating of Seventy (70%) Percent or Higher. — An examinee who obtains the required general weighted average rating of seventy (70%) percent or higher but obtains a rating below sixty (60%) percent in any given subject must take a removal examination in the subject or subjects where he obtained the rating below sixty (60%) percent. The removal examination shall be taken by the examinee within two (2) years from the date of his or her last examination; Provided, that if the examinee fails to pass the subject/s in the removal examination taken, the examinee must take the entire Board examination again.

RULE 30. Re-examination. — An examinee who fails to pass the examination for the third time shall be allowed to take another examination only after one (1) year has lapsed from the last examination failed by the examinee.

ARTICLE VI
Formulation of Syllabi and Full Computerization of Examinations

RULE 31. Formulation of Syllabi. — After consultations with the academe, the Board shall formulate and adopt a syllabus or term of specifications for each of the subjects of the licensure examinations. Questions to be given in the licensure examinations shall be within the scope of the syllabus of each of the subjects for examinations. The syllabus shall be amended/revised to conform with the changes, made in the curriculum of the course of Landscape Architecture. The Board Members shall not given examination on the revised curriculum of Landscape Architecture unless the examinees have taken the course under the amended/revised curriculum.

RULE 32. Full Computerization of Examinations. — The licensure examinations for Landscape Architecture shall be fully computerized. New Members of the Board assigned a particular subject shall prepare at least five hundred (500) test questions to be encoded in the test question databank for each subject from which the questions to be given in a particular examination shall be extracted at random by computer.

The test questions databank of a Member of the Board shall be replenished with three hundred (300) questions every after examination within sixty (60) days from the release of the results of each examination until the bank has reached a total of two thousand (2,000) test questions. Thereafter, the replenishment shall be equal to the number of test questions used in the examination. The answer sheets of the examinees shall be corrected by

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computer.

ARTICLE VII
Registration and Issue of Certificates and Licenses

RULE 33. Registration of Landscape Architects. — All Landscape Architects who were registered with the Specialty Board of Landscape Architecture created by Board of Architecture Resolution No. 3 creating the Specialty Board of Landscape Architecture issued on 20 January 1983 duly approved by the Chairperson of the Professional Regulation Commission and other resolutions issued by the Specialty Board of Landscape Architecture shall be registered with the New Board of Landscape Architecture created by R.A. No. 9053, in accordance with the guidelines to be issued by the said Board duly approved by the Commission.

RULE 34. Registration of Successful Examinees. — All successful examinees in licensure examinations for Landscape Architects shall, unless specifically deferred for cause by the Board, be registered after taking the oath of a professional before the Members of the Board and upon payment to the Commission of the prescribed fees.

RULE 35. Issuance of Certificate of Registration/Professional License. — Upon complying with all the requirements for registration, the Landscape Architect shall sign the Roll of Landscape Architects maintained by the Commission and shall be issued the certificate of registration/professional license upon payment to the Commission of the prescribed fees.

RULE 36. Validity of Certificate of Registration/Professional License. — The Certificate of Registration/Professional License issued to a Landscape Architect shall remain valid unless suspended or revoked for cause/s provided under RA. No. 9053.

RULE 37. Issuance of Professional Identification Card. — The Commission shall issue a professional identification card upon payment of the prescribed fees at the option of the Landscape Architects. The Professional ID card which shall be used for identification shall be valid for a period of three (3) years and shall be renewed every after three (3) years on the birth date and month of the landscape Architect upon payment of the prescribed fees.

RULE 38. Lifting of Deferment of Registration. — If the cause/s for the deferment of registration as Landscape Architect of the successful examinee has been removed, the examinee shall be allowed to register.

RULE 39. Registration Without Examination. — The following may also register as Landscape Architects without examination

a. All holders of a baccalaureate degree in any field of study related to Landscape Architecture who have taken at least sixty (60) academic units of Landscape Architecture subjects from an institution of higher learning recognized or established by the Government, have been practicing Landscape Architecture for ten (10) years before the effectivity of R.A. No. 9053 and can present proof of such practice;

b. All registered/licensed architects and environment planners who have been practicing Landscape Architecture for ten (10) years before the effectivity of R.A. No. 9053 and can present proof of such practice;

c. All holders of the baccalaureate degree of Architecture of Environmental Planning without being registered or licensed as architects or environmental planners but who have been practicing Landscape Architecture for ten (10) years before the effectivity of R.A. No. 9053 and who can present proof of such practice.

Persons who fall under subparagraph (a) above shall file application with the Board of Landscape Architecture accompanied by an authentic or authenticated copy each of the following documents:

a.1 Transcript of record issued by an institution of higher learning established or recognized by the Government showing that the applicant has graduated a bachelor's degree in any field of study related to

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Landscape Architecture with at least sixty (60) units of Landscape Architecture subjects.

a.2 If the applicant has been employed as Landscape Architect by a firm, company, corporation or association, a certification under oath of the owner of the firm, manager or president of the firm, company, corporation or association attesting to the fact that the applicant has worked and performed the functions of a Landscape Architect for a period of at least ten (10) years before the effectivity of R.A. No. 9053.

a.3 If the applicant has practiced Landscape Architectural project for every year of practice for ten (10) years before the effectivity of R.A. No. 9053 or a copy of at least one (1) contract of Landscape Architectural services entered into by the applicant with a client for every year of practice for ten (10) years before the effectivity of R.A. No. 9053.

Persons who fall under subparagraph (b) above shall file application with the Board accompanied by authentic or authenticated copy each of the following documents:

b.1 Transcript of records issued by an institution of higher learning established or recognized by the Government showing that the applicant has graduated with a baccalaureate degree in Architecture or Environmental Planning.

b.2 Authentic or authenticated copy of the Certificate of Registration and Professional Identification Card of the applicant showing that he is a registered architect or environment planner.

b.3 If the applicant is employed as Landscape Architect, a certification under oath issued by the owner, manager or president of the firm, company, corporation or association attesting to the fact that the applicant has worked and/or performed the functions of a Landscape Architect for a period of at least ten (10) years before the effectivity of R.A. No. 9053, or if applicant has practiced ad Landscape Architect, a copy of a plan of Landscape Architectural project duly signed by the applicant for every year of practice for ten (10) years or a copy of a contract for Landscape Architectural services entered into by the applicant with a client for every year of practice for ten (10) years before the effectivity of R.A. No. 9053.

Persons who fall under subparagraph (c) shall file application with the Board accompanied by authentic or authenticated copy each of the following documents:

c.1 Transcript of records issued by an institution of higher learning recognized or established by the Government showing that the applicant has graduated with a baccalaureate degree in Architecture or Environment Planning;

c.2 If the applicant is employed as a Landscape Architect, a certification under oath of the owner, manager or president of the firm, company, corporation or association attesting to the fact that the applicant has worked or performed the functions of a Landscape Architect for ten (10) years before the effectivity of R.A. No. 9053; or if practiced as a Landscape Architect, at least a copy of a plan of Landscape Architectural project signed by the applicant for every year of practice for ten (10) years before the effectivity of R.A. No. 9053; or at least a copy of a contract of Landscape Architectural service entered into by the applicant with a client for every year of practice for ten (10) years before the effectivity of R.A. No. 9053.

RULE 40. Reinstatement of Certificate of Registration. — The Board may, for reasons of equity and justice, reinstate a revoked certificate of registration/professional license upon payment of the prescribed fees. The petition or application for reinstatement may be filed after at least two (2) years from date of actual revocation.

RULE 41. Replacement of Certificates. — Upon payment of the prescribed fees, a new certificate of registration may be issued to replace any lost, burned, destroyed or mutilated certificate.

ARTICLE VIII
Administrative Proceedings

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RULE 42. Grounds for the Suspension and Renovation of Certificates. — The Board may, after due notice and hearing, suspend or revoke the certificate of registration/professional license of a Landscape Architect or cancel any special temporary permit issued to a foreign Landscape Architect or cancel any special temporary permit issued to a foreign Landscape Architect allowed by law to practice Landscape Architecture in the Philippines for any of the following grounds:

a. Conviction by a final judgment of a court of competent jurisdiction of any crime involving moral turpitude;

b. Having been found guilty of immoral or dishonorable conduct;

c. Having been judicially declared of unsound mind;

d. Use or perpetration of any fraud or deceit in obtaining a certificate of registration;

e. Gross negligence;

f. Unprofessional, unethical or dishonorable conduct;

g. Chronic inebriety

h. Habitual use of drugs and substance of abuse;

i. Abetment of the illegal practice of Landscape Architecture, or

j. Violation of any of the provisions of R.A. No. 9053 and its implementing rules and regulations and the Code of Ethics for Landscape Architects.

RULE 43. Administrative Investigation. — The Board shall be assisted by the legal or hearing officers of the Commission in the investigation of administrative cases filed before it. The Board may delegate the hearing or investigation of such cases to the legal and hearing officers of the Commission except when technical matters or where the issue involved strictly concerns the practice of the profession in which case the hearing or investigation shall be presided by at least one (1) Member of the Board assisted by a hearing or legal officer of the Commission.

The conduct of and the procedures in an investigation initiated by or filed before the Board against an examinee or a registered Landscape Architect shall be governed by the pertinent provisions of the Rules and Regulations Governing the Regulation and Practice of Professionals issued by the Commission. The provisions of the Revised Rules of Court insofar as they are pertinent and applicable, shall be suppletory to the said rules.

ARTICLE IX
Report on the Performance of Candidates in Licensure Examinations

RULE 44. Report of the Board. — The Board shall, with the assistance of the Educational and Statistics Task Force (ESTF) of the Commission, prepare a report on the performance of the examinees in the licensure examinations. Through the Commission, the Board may recommend to the Commission on Higher Education (CHED) the following:

(1) The monitoring of academic institutions, public and private, whose successful examinees in three (3) consecutive licensure examinations in Landscape Architectures is less than five (5%) percent of the total number of candidates who took the said licensure examinations;

(2) The publication of the names of academic institutions whose successful examinees in five (5) successive licensure examinations in Landscape Architecture is less than five (5%) percent of the total number of examinees from these academic institutions in each of the said licensure examination taken, and

(3) The closure of the course or program in Landscape Architecture.

ARTICLE X
Code of Ethics for a Landscape Architects and Continuing Professional Education

RULE 45. Code of Ethics and Code of Technical Standards for the Practice of Landscape Architecture. — The Board, in consultation with the accredited integrated professional association of Landscape Architects, shall not adopt and promulgate a Code of Ethics for Landscape Architects. In addition, the Board shall, in consultation with the associations of Landscape Architects, likewise prescribe and adopt a Code of Technical Standards for the practice of the Landscape Architecture profession.

RULE 46. Continuing Professional Education. — The Board shall support and implement the policies of the Commission on Continuing Professional Education (CPE). In coordination within the accredited and integrated association of Landscape Architects, the Board shall prescribe the guidelines for conducting continuing professional education programs in accordance with the policies issued by the Commission. The accredited association of Landscape Architects may conduct continuing professional programs in accordance with said guidelines.

ARTICLE XI
Adoption and Use of Seal by Landscape Architects

RULE 47. Seal of Landscape Architects. — The Board shall adopt a seal for Landscape Architects, whose designs shall be in accordance with the model appearing in the attached sheet marked as Annex "A" and made an integral part hereof.

RULE 48. Affixing Seal by the Landscape Architect. — Every registered Landscape Architect shall clearly and legally affix his seal on all plans, specifications and other contract documents prepared by or under his or her direction or supervision. The Landscape Architect shall likewise indicate his professional license number, place and date issues and privilege tax receipt (PTR) number, place and date issues on documents which he signs, affix his seal and issues in connection with the practice of his profession.

ARTICLE XII
Prohibitions, Enforcement and Penalties

RULE 49. Prohibitions. —

(1) No person shall stamp nor seal any document with the seal of a Landscape Architect after his professional license has expired or lost its validity unless he has been reinstated to practice and/or unless his license has been renewed;

(2) No officer or employee of the government, chartered cities, provinces and municipalities charged with the enforcement of laws, ordinances or regulations related to the construction or alteration of the landscape shall accept or endorse any landscape plan or specifications which have not been prepared and submitted in full accord with the provisions of this Act; nor shall any payment 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 that Three Hundred Fifty Thousand Pesos (P350,000.00);

(3) No Landscape Architect shall sign his name, affix his 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 actually performed by him;

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(4) No person except the Landscape Architect in charge shall sign for any branch of work or any function of Landscape Architecture practice not actually performed by him;

(5) No person, without the written consent of the Landscape Architect or author of the plans, drawings, specifications and other documents, shall duplicate or make copies of these mentioned documents for use in the repetition of and for other projects requiring the work and services of a Landscape Architect, whether executed partly or in whole;

(6) 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 that he is qualified to perform the work of a Landscape Architect such as by the use of such titles as Landscape Consultant, Landscape Designer, Landscape Engineer, Landscape Artist, Landscape Agriculturist, Landscape Horticulturist, Landscape Planner, Site Planner or similar terms that suggest the work of a Landscape Architect, unless he has been issued a valid certificate of registration/professional license or a valid special temporary permit by the Board of Landscape Architecture and the Commission, and

(7) No person shall give any false or forged evidence of any kind to the Board for the purpose of obtaining a certificate of registration and/or a professional license to practice Landscape Architecture, nor shall any person falsely impersonate a registered and licensed Landscape Architect with like or different name.

RULE 50. Enforcement. — Through its legal and hearing officers, the Commission shall conduct investigations of complaints on any violation of the provisions of R.A. No. 9053, including violations of these Rules and Regulations and violations of the Code of Ethics of Landscape Architects. If the act or acts complained of constitute/s a criminal offense and the evidence so warrants, the Commission, thru its Legal and Investigation Division shall forward the records of the case to the appropriate offices of city or provincial prosecutors for the prosecution of the violators. If the acts complained of warrant the imposition of administrative sanctions, the respondent shall be proceeded against administratively before the Board in accordance with the pertinent provisions of the Commission's Rules and Regulations Governing the Regulation and Practice of Professionals, as amended.

RULE 51. Penalties. — Aside from the administrative sanctions imposed under R.A. No. 9053, any person who violates any of the provisions of the said Act shall, upon conviction, penalized by 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 shall be immediately deported after payment of fine or service of sentence without any further proceedings.

ARTICLE XIII
Integration of Landscape Architects

RULE 52. Integration of Landscape Architects. — All registered Landscape Architects 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 accredited integrated association to which all Landscape Architects shall belong. Henceforth, all Landscape Architects to be registered with the Board shall automatically become a member of the accredited integrated national organization of Landscape Architects. Membership in the accredited integrated organization shall not be a bar to membership in other associations of Landscape Architects.

ARTICLE XIV
Miscellaneous Provisions

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RULE 53. Teaching of Landscape Architecture. — All private and public academic institutions at the tertiary level offering degree programs in Landscape Architecture are required to engage the services of duly registered/licensed Landscape Architects to teach the subjects or courses given in the licensure examinations for Landscape Architecture.

Teaching of Landscape Architecture constitutes practice of the profession as provided in R.A. No. 9053; hence only duly registered and licensed Landscape Architects shall be allowed to teach Landscape Architecture subjects for licensure examinations in Landscape Architecture.

RULE 54. Formulation and Issue of Rules and Regulations Governing Foreigners. — With assistance from the Commission, the Board shall formulate and issue Rules and Regulations providing for the procedure for the taking by foreigners of the licensure examinations for Landscape Architecture and for the registration of foreign Landscape Architects with or without examination and issuance of certificate of registration/license through reciprocity as well as the issuance of special temporary permits to foreign Landscape Architects allowed by other laws in accordance with international conventions/agreements to which the Philippines is a party, to practice Landscape Architecture in the Philippines.

RULE 55. Formulation and Issue of Guidelines for the Implementation of Section 26 of R.A. No. 9053. — The Board, in consultation with the officers of the Philippine Association of Landscape Architects (PALA) shall prepare for is adoption and approval by the Commission the Guidelines for the implementation of Section 26 of R.A. No. 9053 which allows the formation of partnerships, associations and corporations by registered Landscape Architects with persons properly registered/licensed in any field related to Landscape Architecture.

ARTICLE XV
Effectivity

RULE 56. Effectivity. — This Rules and Regulations shall take effect after fifteen (15) days following its complete publication in the Official Gazette or in a newspaper of general circulation in the Philippines, whichever comes earlier.

Adopted: 30 Oct. 2002

(SGD.) CARLITO B. PERSONS
Chairman

(SGD.) CECILIA HERRAS-TENCE.
Member

(SGD.) RICARDO A. HILARIO II
Member

ATTESTED:

(SGD.) CARLOS G. ALMELOR

Secretary, Professional Regulatory Boards

APPROVED:

(SGD.) ANTONIETA FORTUNA-IBE
Chairperson

(SGD.) ALFONSO G. ABAD
Commissioner

(SGD.) AVELINA DE LA REA-TAN
Commissioner

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