

**[ PRC BOARD OF LANDSCAPE ARCHITECTURE  
BOARD RESOLUTION NO. 02, S. 2009, October 06,  
2009 ]**

**GUIDELINES IMPLEMENTING SEC. 30, ART V OF RA 9053,  
KNOWN AS "THE PHILIPPINE LANDSCAPE ARCHITECTURE ACT  
OF 2000", AND ART XIV, RULE 49 (G) OF BOARD RES. NO. 01,  
SERIES OF 2002, CITED AS THE "IRR OF THE LANDSCAPE  
ARCHITECTURE ACT OF 2000", THE COVERAGE OF  
TEMPORARY/SPECIAL PERMITS FOR ISSUANCE TO FOREIGN  
LANDSCAPE ARCHITECTS AND FOR OTHER PURPOSES**

**WHEREAS,** Sec. 30, Art V of R.A. No. 9053, known as the "The Philippine Landscape Architecture Act of 2000", and Art XIV, Rule 49 (G) of Board Res. No. 01, Series of 2002, cited as the "IRR of the Landscape Architecture Act of 2000", provide that foreign nationals, who intend to perform Landscape Architectural services in the Philippines shall secure a special/temporary permit from the Professional Regulatory Board of Landscape Architecture (the "Board"), subject to the approval by the Professional Regulation Commission (the "Commission") upon compliance with all legal and procedural guidelines;

**WHEREAS,** the issuance of special *Temporary/Special Permits* for foreign Landscape Architects to engage in the practice of the Landscape Architectural profession as defined under Sections 29 & 30 and Art. V of RA 9053 shall enable the board to nurture high professional, ethical and technical standards of the profession required under such law through interaction, their Landscape Architectural specialization, and technology transfers;

**WHEREAS,** there is clear, urgent, important need to protect the public against fraud, deception, or ignorance, negligence, and incompetence in the practice of the Landscape Architectural profession, or the illegal practice of the Landscape Architecture by foreign Landscape Architects and other entities, which may include other professionals/ non-professionals registered and licensed in other countries or states that may not have reciprocity in the said practice with the Philippines;

**WHEREAS,** the attainment of the foregoing objectives will enjoin the Board and the Commission in collaboration with the Department of Labor and Employment (DOLE) and the Bureau of Immigration and Deportation (BID) and other agencies to issue and promulgate guidelines for the effective implementation of the laws and rules and regulations aforementioned through identification and imposition of the corresponding sanctions and penalties on firms, agencies, organizations, or individuals that employ foreign Landscape Architects engaged in the practice of the Landscape Architectural profession who violate R.A. No. 9053 and Sec. 7, (j) and (l) and Sec. 16 of R.A. No. 8981 and the rules and regulations thereof and the Codes of Ethics and Technical Standards for Landscape Architects; and

**NOW, THEREFORE,** the Board **RESOLVES,** as it is hereby **RESOLVED,** to require all foreign Landscape Architects from countries/states with Landscape Architectural practice reciprocity with the Philippines who intend to practice the Landscape Architecture profession in the Philippines under Philippine projects, to file an application for and to secure a *Temporary/Special Permit* from the Board and the Commission, in accordance with Sec. 30, Art. V of R.A. No. 9053 and Art. XIV Rule 54 of Board Res. No. 01, series of 2002.

**FURTHER RESOLVED,** for the implementation of the afore-stated provisions of law and IRR, to promulgate the following procedure on the issuance of Temporary/Special Permits to foreign Landscape Architects for the practice of Landscape Architecture in the Philippines under the derivative laws and rules and regulations:

## **GUIDELINES I**

### **Definition of Terms**

*SECTION 1. Terms Used.* – When used in this Guidelines, the following terms, consistent with Section 2, Articles II of R.A. No. 9053 and Art I, Rule 2 of Board Res. No. 01 Series of 2002 shall have the meaning as indicated:

(1) *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.

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

(3) *Practice of Landscape Architecture* is the act of planning, designing, specifying, supervising and giving general administration and responsible direction to the functional, orderly and aesthetic arrangement and development of outdoor spaces which contribute to the enhancement and safeguarding of life, health, heritage 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:

- (a) The act of planning sites and outdoor spaces;
- (b) 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 development and planning codes, zoning ordinances and other studies;

(c) Consultation, oral advice and direction, conferences, evaluation, investigation, estimates, appraisals and assessment and Landscape Architectural and operational programming;

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

(e) 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);

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

(g) 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, remodelling, alteration, preservation or restoration of landscape sites or structures including all their component sites and environs intended for private or public use;

(h) 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 aesthetic 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;

(i) 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 architecture lighting, laying out of associated mechanical, electrical, sanitary, plumbing, and other utility systems, equipment and fixtures, and

(j) Site programming, grounds maintenance and administration and Landscape Architectural conservation and restoration.

(4) *Board* refers to the Professional Regulatory Board of Landscape Architecture;

(5) *Commission* means the Professional Regulation Commission;

(6) "*Integrated and Accredited Professional Organization of Landscape Architects*" means the existing official national organization of all

Landscape Architects of the Philippines in which all registered Filipino Landscape Architects shall be members without prejudice to membership in other voluntary professional associations;

(7) "*DFA*" shall mean the Department of Foreign Affairs;

(8) *DOLE* shall mean the Department of Labor and Employment;

(9) *GPPB* means the Government Procurement Policy Board that implements RA 9184 (the Government Procurement Reform Act of 2003);

(10) *Landscape Architectural Documents* means landscape architectural drawings, specifications, and other outputs of a Landscape Architect that only a Landscape Architect can sign and seal consisting, among others, of site development plans, Landscape Architectural programs, perspective drawings, Landscape Architectural staging plans, elevations, sections, schedules, detailed drawings, technical specifications and cost estimates, and other instruments of service in any form;

(11) *Landscape Architectural Plans* means two (2) dimensional representations reflecting a proposed landscape development/redevelopment of spaces within and around buildings or structures showing landscape features or elements such as site furniture, outdoor lighting, ponds, pools, trellises, pergolas, outdoor circulation layouts and the like; the Landscape Architectural plan is the representation of the lateral section of a space within or around building or structures (running parallel to the ground) at a height from 1.0-1.5 meters above the finished ground level; the term may also collectively refer to other Landscape Architectural designs such as cross/longitudinal sections, elevations, planting plans; detailed sections and elevations showing Landscape Architectural designs, paving patterns, and other Landscape Architectural finishing schedules and the like;

(12) *Special/Temporary Permit* refers to a permit issued by the Commission through the Board, to a foreign Landscape Architect from a country with reciprocal relations with the Philippines insofar as the practice of Landscape Architecture is concerned, signifying the individual concerned has successfully passed the scrutiny by the Board and is subsequently allowed by the Commission to practice his/her profession as Landscape Architect in the Philippines for a limited period of time; the Special/Temporary/Permit can only be issued to an individual foreign Landscape Architect (a natural person) and not to foreign Landscape Architectural firms (juridical persons) and is issued solely for the practice of Landscape Architecture or any of its recognized branches; the document does not permit the holder to engage in any other profession regulated by the Commission, in non-regulated professions or in business of any kind; the *Temporary/Special Permit* cannot be issued to a foreign landscape architect from a country with which the Philippines has no reciprocal landscape architecture practice arrangements; the *Temporary/Special Permit* is issued for one (1) project and does not allow the foreign Landscape Architect to engage in work for another project not covered by the permit;

(13) *Code of Ethical Conduct* means a document which forms part of the Landscape Architect's National Code which contains the norms and principles governing the practice of the profession of Landscape Architecture in the highest standards of ethical conduct; this document is applicable to foreign Landscape Architects who are holders of Special/ Temporary Permits to practice Landscape Architecture in the Philippines.

(14) *Consulting Landscape Architect* a registered and licensed Landscape Architect, who is academically and professionally qualified, and with exceptional or recognized expertise or specialization in any branch of Landscape Architecture; the Consulting Landscape Architect assumes no civil liability under Art 1723 of the Civil Code unless he/ she attempts and/or succeeds to interfere or contravene the legal professional functions of the Landscape Architect-of-Record; the Consulting Landscape Architect assumes the normal civil liability under the service agreement he/she signs with a Client;

(15) *Contract Documents* are the documents attached to the agreement identified therein as Contract Documents, including all additions, deletions, and modifications incorporated therein. These generally include the following documents:

- a) Special Provisions or Conditions
- b) General Conditions
- c) Drawings
- d) Specifications
- e) Other Bid Documents

(16) *Foreign Landscape Architect* means a Landscape Architect who is not a Filipino citizen nor a Landscape Architect registered and licensed in the Philippines, but who is duly registered and licensed in his/her home country as a Landscape Architect; the term is legally applicable to Landscape Architects from countries with which the Philippines has valid reciprocal Landscape Architectural practice arrangements;

(17) *Filipino Counterpart* the local Philippine Landscape Architect (individual or natural person) or Landscape Architectural firm, company, partnership, corporation or association (juridical persons) that must work in association with a foreign Landscape Architect (individual or natural person), partnership or corporation, on a project on Philippine soil;

(18) *Planning* refers to physical planning a site, community or urban level by a Landscape Architect;

(19) *Physical Planner* the detailed physical planning of land or property on which vertical structures such as buildings, monuments and/or structures and horizontal developments such as buildings, monuments and/or structures and horizontal developments such as rights-of-way, open spaces and recreational/sports/establishments/tourism and related facilities are to be proposed;

(20) *Physical Planning* the detailed physical planning of land or property on which vertical structures such as buildings, monuments and/or structures and horizontal developments such as right-of-way, open