

REPUBLIC ACT NO. 9053

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

ARTICLE I TITLE

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

ARTICLE II DEFINITION OF TERMS

Sec. 2. *Definition of Terms.* - (a) "*Scope of the Practice of Landscape Architecture*" refers to the act of planning, designing, specifying, supervising and giving general administration and responsible direction to the functional, orderly and aesthetic arrangement, changing and development of natural scenery and land areas to produce the most desirable effect for human use and enjoyment of various outdoor spaces which consist of landscape components and the softscape of plants such as gardens, sports fields, playgrounds, recreational grounds, camping sites, resorts, national and public parks, historical parks, squares, memorial parks, subdivisions, parks and parkways, zoological and botanical gardens, greenbelts, cemeteries, plazas, patios, yards, outdoor shopping and pedestrian malls, promenades, sidewalks, roads and walkway systems, traffic islands, easements and circles, roof and open interior gardens and courts, and other open spaces; the protection, conservation and rehabilitation of the natural environment and scenery to enhance the ecological system and quality of life, such as, but not limited to:

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

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

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

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

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

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

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

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

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

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

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

ARTICLE III BOARD OF LANDSCAPE ARCHITECTURE

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

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

- (a) A natural-born citizen and a resident of the Philippines;
- (b) Must be at least thirty-five (3) years of age;
- (c) A holder of the degree of Bachelor of Landscape Architecture or its equivalent, conferred by a school, academy, college or university in the Philippines or abroad that is recognized and/or accredited by the Commission on Higher Education (CHED);
- (d) A registered Landscape Architect with a valid certificate of registration/professional license and an active practitioner of Landscape Architecture for not less than ten (10) years prior to appointment, except the first Chair and members of the Board who shall be issued with the said certificate/license pursuant to this Act;
- (e) Must not, for a period of three (3) consecutive years prior to appointment, be a member of the faculty of any school, academy, institute, college or university where a regular course in Landscape Architecture is being taught, nor have pecuniary interest in or administrative supervision over, any such institution of learning;
- (f) Must not, for a period of three (3) consecutive years prior to appointment, be connected with a review center or with any group or association where review classes or lectures in preparation for the licensure examination are offered or conducted at the time of appointment; and

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

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

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

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

(a) Neglect of duty or incompetence;

(b) Violation or tolerance of the violation of this Act or the Code of Ethics for Landscape Architecture;

(c) Final judgment of any criminal offense; and

(d) Manipulation or rigging of the Landscape Architecture licensure examination results, disclosure of secret and confidential information on the examination questions prior to the conduct of the said examination or tampering of grades.

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

(a) To promulgate and adopt the rules and regulations necessary for carrying out the provisions of this Act;

(b) To supervise the registration, licensure and practice of professional Landscape Architects in the Philippines;

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

(d) To issue, suspend, revoke or reinstate the certificate of registration/professional license for the practice of the Landscape Architecture profession;

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

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

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

(h) To hear and try administrative cases involving violation of this Act, its implementing rules and regulations, the Code of Ethic for Landscape Architects and for this purpose, to issue *subpoena* and *subpoena duces tecum* to secure the appearance of witnesses and the production of documents in connection therewith;

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

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

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

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

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

Sec. 9. *Administrative Supervision of the Board, Custodian of its Records, Secretariat and Support Services.* - The Board shall be under the administrative supervision of the Commission. All records of the Board, including applications for examination, administrative and other investigative cases conducted by the Board shall be under the custody of the Commission. The Commission shall designate the secretary of the Board and shall provide the Secretariat and other support services to implement the provisions of this Act.

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

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

ARTICLE IV EXAMINATION, REGISTRATION AND LICENSE

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

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

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

(b) A graduate of baccalaureate or post graduate degree in Landscape Architecture from an academic institution recognized by the CHED or accredited with either the International Federation of

Landscape Architects (IFLA) or the American Society of Landscape Architects (ASLA);

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

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

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

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

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

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

lower grade such that if the general weighted average is recomputed, it becomes lower than the required seventy percent (70%), the examinee must take the entire Board examinations again. The subject or subjects retaken must have each a rating of no less than seventy percent (70%) in order to qualify as having passed the examination.

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

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

Sec. 18. *Certificate of Registration/Professional License.* - A certificate of registration/professional license shall be issued to applicants who pass the examination for Landscape Architects subject to payment of registration fees. The certificate of registration of Landscape Architects shall bear the signatures of the Chairperson of the Commission, the Chairperson and members of the Board stamped with the official seal, indicating that the person named therein is entitled to practice the profession with all the privileges allowed under this Act. The certificate shall remain in full force unless withdrawn, suspended or revoked under the provisions of this Act.

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

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

- (a) Each registered design shall, upon registration, obtain the seal of such design as the Board may adopt and plans and specifications prepared by or under the supervision of a registered Landscape Architect, shall be stamped with the said seal. No

person shall stamp or seal any document with the seal of a registrant after his/her professional license has lost its validity unless he/she has been reinstated to the practice.

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

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

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

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

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

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

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

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

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

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

ARTICLE V
PRACTICE OF LANDSCAPE ARCHITECTURE

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

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

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

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

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

Sec. 26. *Partnerships, Associations and Corporations Allowed to Practice.* - The practice of Landscape Architecture is a professional service, admission to which is based on an individual's qualifications. Persons properly registered/licensed as Landscape Architects may among themselves, or with persons properly registered/licensed in any field related to Landscape Architecture such as town/urban planning, civil engineering, architecture and interior design, forestry and other fields of specialization, form and obtain registration with the Securities and Exchange Commission (SEC) for a partnership, association, or corporation using the terms such as '*Landscape Architects*', '*Landscape Architects and Planners*', '*Architects and Landscape Architects*' or any such appropriate term: *Provided*, That eighty percent (80%) of the members of the partnership, association or corporation are persons properly registered/licensed as Landscape Architects: *Provided, further*, That only duly registered/licensed design professional and the members who are Landscape Architects shall render work and services proper for a Landscape Architect as defined in this Act. Such partnerships, associations or corporations shall serve as vehicles for licensed professionals to practice their professions upon submission of their SEC registration documents to the Board.

Sec. 27. *Professional Responsibility.* - The individual partners, stockholders or members shall be personally and jointly responsible and liable to the partnership, association or corporation for their respective acts in the practice of their respective professions. The partnership, association or corporation shall be responsible and liable for all other contractual obligations of the partnership, association or corporation. The managing partner of the partnership or the

president of the corporation, or their authorized representatives, shall be authorized to enter into contracts for such services. However, only a partner or stockholder who is a registered/licensed professional in a particular profession shall be responsible for and sign plans and documents involving the practice of his/her profession.

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

Sec. 29. Foreign Reciprocity. - No foreign Landscape Architect shall be registered and issued a certificate of registration/professional license to practice the Landscape Architecture profession or consultancy thereof or be entitled to any of the rights and privileges under this Act unless the country of which he/she is a subject or citizen specifically permits Filipino Landscape Architects to practice within its territorial limits on the same basis as the subjects or citizens of such foreign state or country.

Sec. 30. Coverage of Temporary/Special Permits. - Foreign nationals who have gained entry in the Philippines to perform professional services as Landscape Architects or consultants in foreign-funded joint venture or assisted projects of the government, or employed or engaged by Philippine or foreign contractors or private firms shall, before assuming his duties, functions and responsibilities, secure a special/temporary permit from the Board, subject to the approval by the Commission, and the Department of Labor and Employment (DOLE) to practice his/her profession in connection with the project to which he/she was commissioned, provided that certain conditions are satisfied as follows:

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

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

(c) Foreign nationals shall be required to work with a Filipino counterpart, and professional fees, services, and expenses of

documentation pertaining to the project shall be shared by both. Foreign and Filipino Landscape Architects shall jointly and severally bear all liabilities and taxes due the Philippine Government. if any, according to their participation in, or professional services rendered to the project; and

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

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

ARTICLE VI FINAL PROVISIONS

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

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

Any person who shall practice or offer to practice Landscape Architecture in the Philippines without being registered or exempted from registration, or without a certificate of registration or professional license or a temporary/special permit in accordance with the provisions of this Act; or any person presenting or attempting to use as his/her own the certificate of registration/professional license or seal of another; or any person who shall give any false or forged

evidence of any kind to the Board or any of its members in obtaining a certificate of registration/professional license; or any person who shall falsely impersonate any registrant with like or different name; or any person who shall attempt to use a revoked, suspended or invalid certificate of registration/professional license; or any person who shall use or advertise any title or description tending to convey the impression that he/she is a Landscape Architect when he/she is not; or any person who shall violate any provisions of this Act and its rules and regulations and the Code of Ethics of the profession, shall upon conviction by the court suffer penalties.

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

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

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

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

Approved: March 30, 2001