

Presidential Decree No. 1308

Regulating the Practice of the Profession of Environmental Planning in the Philippines

WHEREAS, the New Society is pursuing an integrated program of social, economic and political reforms so that it may be able to establish a secure national community and improve the quality of life of the people;

WHEREAS, in achieving these ends, the government has utilized the concept of environmental planning as one of its principal instruments, operationalized through the creation of the Human Settlements Commission and the National Coordinating Council for Town Planning, Housing and Zoning;

WHEREAS, a comprehensive system of environmental planning which seeks to conserve, rehabilitate and develop the physical environment and natural resources of the nation has already been established together with a National Framework Plan that translates into physical and spatial considerations policies on land capability, urbanization, agricultural development and natural resources development;

WHEREAS, the Institute of Environmental Planning in the University of the Philippines has been established for the precise purpose of providing assistance in the implementation of this comprehensive system and of developing a pool of capable Environmental Planners;

WHEREAS, this group of experts has contributed significantly to the national development efforts of the country and has consequently attracted other men and women to seek similar expertise;

WHEREAS, in recognition of the significant role and substantial contribution that the science of environmental planning has made to the country, there appears a need to professionalize and regulate its practice in the Philippines.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree, as follows:

Title I **TITLE OF DECREE AND SCOPE OF PRACTICE**

Section 1. *Title.*- This Decree shall be known as the "Law Regulating the Environmental Planning Profession in the Philippines."

Section 2. *Definition of Terms.*-

- a. Environmental planning refers to activities concerned with the management and development of land, as well as the preservation, conservation, and rehabilitation of the human environment.
- b. The term "environmental planner", as used in this Decree, refers to a person engaged in the practice of environmental planning and duly registered with the Board of Environmental Planning in the manner herein provided.

Section 3. *Scope of Practice.*- The practice of environmental planning, within the meaning and intent of this Decree shall embrace, inter alia, professional services in the form of technical consultation, plan preparation, and/or implementation involving the following:

- a. Development of a community, town, city, or region;
- b. Development of a site for a particular need such as housing, centers for activities concerned with research, education, culture, recreation, or government, industrial estates, agriculture, and water resources, including creating a spatial arrangement of buildings, utilities and communication routes;
- c. Land use and zoning plans for the management and development, preservation, conservation, rehabilitation, and control of the environment; and d. Pre-investment, pre-feasibility, and feasibility studies.

Title II
BOARD OF ENVIRONMENTAL PLANNING

Section 4. *Creation of a Board of Environmental Planning.*- Within thirty (30) days after the approval of this Decree, there shall be created a Board of Environmental Planning, hereinafter referred to as the Board, which shall be composed of a chairman and two (2) members. They shall be appointed by the President of the Philippines from among those recommended by the Philippine Institute of Environmental Planners (PIEP).

Section 5. *Tenure of the Board Member.*- The members of the Board shall hold office for a term of three (3) years after their appointment until their successors shall have been appointed and shall have duly qualified: *Provided*, however, That the members of the Board first appointed under this Decree shall hold office for the following terms: one member for one year; one member for two years; and one member for three years. Each member of the Board shall qualify by taking the proper oath of office before assumption of his duties.

Section 6. *Qualification of Board Members.*- Each member of the Board shall, at the time of his appointment, possess the following qualifications:

- a. A citizen and resident of the Philippines;
- b. At least thirty (30) years of age and of good moral character;
- c. A holder of an environmental planning degree or its equivalent from a recognized and legally constituted institution of higher learning and with at least three (3) years of practical experience in environmental planning, prior to his appointment; or a degree holder in architecture, civil engineering, economics, public administration, or sociology, and with at least five (5) years of practical experience in environmental planning, prior to his appointment; and
- d. A registered environmental planner duly qualified to practice environmental planning in the Philippines. The members of the first Board shall be deemed automatically registered as environmental planners upon assumption of their duties as members of the Board.

Section 7. *Causes for Removal from Office.*- Any member of the Board may be removed from office for neglect of duty, incompetence, malpractice, unprofessional, unethical, immoral or dishonorable conduct after having been given the opportunity to defend himself in a proper administrative investigation; *Provided*, That during the process of investigation, the President of the Philippines shall suspend such member under investigation and shall appoint a temporary member in his place. Vacancies in the Board shall be filled for the unexpired term only.

Section 8. *Powers and Functions of the Board.*- The Board shall have the following powers and functions:

- a. Issue certificates of registration for the practice of environmental planning and suspend or revoke the same for cause provided herein;
- b. Issue certificates of recognition to environmental planners already registered under this Decree for specialized training undertaken in physical planning, social planning, economic planning, administrative planning or planning law, or in any other branch of environmental planning, subject to the approval of the Professional Regulation Commission, hereinafter referred to as Commission.
- c. Approve registration without examination and the issuance of the corresponding certificates of registration in accordance with Section 12 of Title III of this Decree.
- d. Determine and prepare the contents of licensure examinations; score and rate the examination papers and submit the results thereof to the Commission within one hundred twenty (120) days after the last examination day.
- e. Adopt a Code of Ethics in the practice of environmental planning.
- f. Adopt an official seal to authenticate its official documents.
- g. Inspect, in coordination with the Department of Education and Culture, at least once a year, educational institutions offering courses in environmental planning in the Philippines to ensure that these institutions maintain a high standard of planning education.
- h. Look from time to time, into the conditions affecting the practice of environmental planning profession and adopt measures necessary for the enhancement of the environmental planning profession.
- i. Investigate violations of this Decree and the rules and regulations thereunder as may come to its knowledge and, for this purpose issue subpoena and subpoena duces tecum to secure the appearance of witnesses and exhibition of the documents and other evidences necessary in connection with the performance of its functions.
- j. Delegate the conduct of hearing or investigation of administrative cases filed before the Board.
- k. Promulgate decisions on such administrative cases subject to the review by the Commission.
- l. Issue, with the approval of the Commission, such rules and regulations as may be deemed necessary to carry out the provisions of this Decree; and
- m. Discharge such other powers and duties as may affect professional, ethical and technological standards of the environmental planning profession in the Phils.

Section 9. *Fees and Compensation of the Board.*-

- a. The Board shall charge for each application the sum of one hundred pesos (P100.00) upon filing of said application, and for registration purposes, the amount of fifty pesos (P50.00) payable to the collecting and disbursing officer of the Commission.
- b. Each member of the Board, whether a government employee or not, shall receive a compensation of twenty-five pesos (P25.00) for each applicant examined or registered without examination, and a per diem not exceeding fifty pesos (P50.00) for each day of attendance in administrative investigations and ocular inspection lasting for more than one (1) hour at a time: *Provided*, That the total annual compensation of each member shall not exceed thirty-six thousand pesos (P36,000.00).
- c. All authorized expenses of the Board, including the compensation provided for herein, shall be paid by the collecting and the disbursing officer of the Commission out of such appropriation as may be made for the purpose.

Section 10. *Annual Report.*- The Board shall, at the end of each calendar year, submit to the Commission a detailed report of its activities and proceedings during the year embodying also such recommendations as it may deem proper to promote the policies and objectives of this Decree.

Title III
EXAMINATION AND REGISTRATION

Section 11. *Registration Required.*- Upon the effectivity of this Decree, no person shall practice or offer to practice environmental planning in the Philippines without having obtained the proper certificate of registration from the Board.

Section 12. *Examination Requirements.*- Except as otherwise permitted under Section 12 of this Title, all applicants for registration for the practice of environmental planning shall be required to pass the required professional examination as herein provided.

Section 13. *Registration without Examination.*- A certificate of registration for environmental planners shall be issued to any applicant by the Board first constituted, without requiring the passing of the examination herein prescribed: *Provided*, That he registers within one (1) year after the constitution of the said Board and that he possesses the following qualifications:

- a. He must be at least twenty-one (21) years of age;
- b. He must be a Filipino citizen;
- d. He must be currently involved in the practice of environmental planning; and
- e. He must have any of the following academic and/or training background or experience:
 1. Masteral degree in environmental planning, city and regional planning, or town and country planning or its equivalent from a school recognized by the government, plus one (1) year of environmental planning experience;
 2. Masteral degree in a field of discipline related to planning such as architecture, civil engineering, geography, economics, public administration, or sociology, plus two (2) years of environmental planning experience by the Board;
 3. Masteral degree in a field of discipline related to planning, other than those listed in paragraph (2) above, plus two (2) years of environmental planning experience, and either of the following additional qualifications:
 - 3.1 Completion of at least eighteen units of graduate course work in environmental planning;
 - 3.2 Completion of a training program or program the total number of hours of which is equivalent to the number of graduate course work in environmental planning.
 4. Bachelor's degree in environmental planning, city and regional planning, or town and country planning from a school or institution recognized by the Government, plus three (3) years of environmental planning experience acceptable by the Board;
 5. Bachelor's degree in a field of discipline related to planning such as architecture, civil engineering, geography, economics, public administration, or sociology, plus four (4) years of environmental planning experience acceptable by the Board;
 6. Bachelor's degree in a field of discipline related to planning, other than those listed in paragraph (5) above, plus eighteen (18) graduate units in planning and three (3) years of environmental planning experience acceptable by the Board; or
 7. Civil service eligibility in planning or city planning, plus five years of environmental planning experience.

Section 14. *Holding of Examination.*- Examination for candidates desiring to practice environmental planning in the Philippines shall be given once a year in Metro Manila at such dates to be determined by the Commission.

Section 15. *Subjects of Examination.*- Applicants for certificates of registration as environmental planners shall be examined on comprehensive plan preparation including the following subjects:

- a. Physical planning, such as zoning, land use and water resources studies; analysis of micro-climate, vegetation, topography, soil conditions, ecological and geological conditions; site planning; design and planning of infrastructure and transportation systems, communications and utilities systems, housing and community facilities; analysis of space standards and interrelationships of building layouts and buildings envelopes; detailed planning design, etc.;
- b. Social planning, such as the sociological, anthropological and demographic aspects and requirements of planning.
- c. Economic planning, such as economic resource analysis, assessment of economic facilities, industrial siting, determination of labor and transport requirements of industries, analysis of statistical information and economic linkages among different economic activities, etc.;
- d. Planning law and administration, such as organization & administration of a planning agency, preparation of cases in planning & zoning litigations, public policy instruments, professional practice, laws and ethics, & standard rules and regulations, etc.;
- e. Special planning studies, project planning, pre-investment and feasibility studies, etc. Subject groupings with corresponding percentage ratings shall be determined by the Board and approved by the Commission. Subjects not enumerated herein shall not be construed as excluded in this subject listing if, in the opinion of the Board, such inclusion is necessary.

Section 16. *Qualification for Examination.*- Any person applying for admission to the environmental planning examination as herein provided shall, prior to the dates of the examination, establish to the satisfaction of the Board that he has the following qualifications:

- a. A citizen of the Philippines;
- b. At least twenty-one (21) years of age; and
- c. A holder of any of the following:
 1. Masteral degree in environmental planning, city and regional planning, or town and country planning, or its equivalent acceptable to the Board;
 2. Bachelor's degree in environmental planning, city and regional planning, or town and country planning, or its equivalent, and with two (2) years of environmental planning experience certified by a registered environmental planner;
 3. Masteral degree in either architecture, civil engineering, economics, public administration or sociology, and with one (1) year of environmental planning experience certified by a registered environmental planner; or
 4. Bachelor's degree in either architecture, civil engineering, economics, public administration, or sociology, and with two (2) years of environmental planning experience certified by a registered environmental planner.

Section 17. *Refusal to Issue Certificate.*- The Board shall not issue a certificate of registration to any person who suffers from any of the following disqualifications:

- a. Conviction by a court of competent jurisdiction of any criminal offense involving moral turpitude;
- b. Conviction in an administrative case of any offense involving immorality or notoriously undesirable conduct; and
- d. Has unsound mind. In case of refusal to issue a certificate, the Board shall issue to the applicant a written statement setting forth the reason for such action.

Section 18. *Oath of Environmental Planners.*- All successful candidates in the examination shall take the prescribed professional oath before the Board or before any other government official authorized to administer such oath prior to entering the practice of the profession.

Section 19. *Planning Services by a Registered Environmental Planner.*-

- a. It shall be unlawful for any person to render planning services as defined in Section 3, Title I hereof, unless the plans, designs and programs have been prepared under, and signed and sealed by a registered environmental planner.
- b. It shall be unlawful for any environmental planner to sign his name, affix his seal, or use any other method of signature on plans, specifications or other documents prepared by another

environmental planner or made under the supervision of another environmental planner. It shall likewise be unlawful for any person, except the environmental planner in charge, to sign for any branch of the work, or any function on environmental planning practice, not actually performed by him. The environmental planner in charge shall be fully responsible for all plans, specifications and other documents issued under his seal or authorized signature.

- c. It shall be unlawful for any person, without the written consent of the environmental planner or author of said documents, to amend, revise, duplicate or make copies of said documents for use in the repetition of and for other projects whether executed partly or in whole.

Section 20. *Consulting Firms and Corporations Engaged in Environmental Planning Practice.*- A consulting firm, partnership, company corporation, or association may engage in the practice of environmental planning in the Philippines: *Provided*, That it complies with the following requirements:

- a. The consulting firm, partnership, company, corporation, or association is registered as such with the Board and approved by the Commission to engage in the practice of environmental planning in the Philippines: *Provided*, That at least seventy-five (75) percent of the entire membership of the Board of the corporation, partnership, firm or association shall be registered environmental planners and at least seventy-five (75) percent of the total capitalization of the said entity is owned by them; and
- b. The practice of the consulting firm, partnership, company, corporation, or association in environmental planning shall be carried out by duly registered environmental planners.

Section 21. *Roster of Environmental Planners.*- A roster showing the names and places of business of all registered environmental planners or of those holding Certificates of Recognition along special branches of environmental planning, shall be prepared and kept by the Board and by the Secretary of the Commission. Copies of this roster shall be furnished to all building officials and government agencies involved in planning and/or approval of environmental plans, and shall be made available to the public upon request.

Section 22. *Suspension and Revocation of Certificates.* - Subject to the approval of the Commission, the Board shall have the power, after due notice and hearing, to suspend or revoke the certificate of registration for any cause mentioned in Section 16 of this Title.

Section 23. *Re-issuance and Replacement of Certificate.* - The Board may, after the expiration of one (1) year from the date a certificate of registration is revoked and for valid reasons, entertain an application for the issuance of a new certificate of registration.

Section 24. *Use of Seal.*- All registered environmental planners shall obtain a seal of such design as the Board shall authorize and direct: *Provided, however*, That the serial number of the certificate issued by the Board shall be included in the design of the seal. Plans, designs and programs prepared by, or under the direct supervision of a registered environmental planner shall be stamped with the said seal during the life of the registrant's certificate, and it shall be unlawful for any one to stamp or seal any documents with the said seal after the certificate of the registrant named thereon has expired or has been revoked, unless said certificate shall have been renewed or re-issued.

Title IV ENFORCEMENT OF DECREE AND PENAL PROVISIONS

Section 25. *Enforcement by Government Officials and Officers of the Law.*- It shall be the duty of all government officials and duly constituted law officers of the national, provincial, city and municipal governments, to assist the Board and the Commission in enforcing the provisions of this Decree and to prosecute any person violating the same. In this connection, heads of government offices, departments, bureaus, government-owned or controlled corporations, provincial governors, and city and municipal mayors shall appoint only qualified and/or registered environmental planners to positions requiring the knowledge, skill, and competence of environmental planners.

Section 26. *Penal Provision.*- Any person committing any of the following acts shall, upon conviction, be sentenced by imprisonment of not less than six (6) months, nor more than five (5) years, or a fine not less than two thousand pesos (P2,000.00) nor more than five thousand pesos (P5,000.00) or both, in the discretion of the Court:

- a. Engaging in the practice of environmental planning in the Philippines without having been registered or without having conformed to the provisions of this Decree;
- b. Presenting or attempting to use as his own the certificate of registration of a registered environmental planner;

- c. Giving any false or forged evidence of any kind to the Board, or impersonating any registered environmental planner;
- d. Attempting to use a revoked or suspended certificate of registration
- e. Using in connection with his name or otherwise assuming, using or advertising any title or description tending to convey the impression that he is an environmental planner without holding a valid certificate of registration; or
- f. Violating any of the provisions of this Decree. In case the offender is a corporation, partnership or juridical person, the penalty of imprisonment shall be imposed on the officer or officers responsible for permitting or causing the violation.

Section 27. *Repealing Clause*.- All laws, parts of laws, decrees, orders, letters of instructions and ordinances, or regulations in conflict with the provisions hereof, are hereby repealed or modified accordingly.

Section 28. *Separability Clause*.- If any part or section of this Decree shall be declared unconstitutional, such declaration shall not invalidate the other provisions hereof.

Section 29. *Effectivity*.- This Decree shall take effect six months after the constitution of the Board.

Done in the City of Manila, this 2nd day of March, in the year of Our Lord, nineteen hundred and seventy seven.