

SENATE

S. No. **2623**

OFFICE OF THE SECRETARY

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
TO STRENGTHEN THE ARCHITECTURE PROFESSION, AMENDING FOR THE PURPOSE
CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9266, OTHERWISE KNOWN AS THE
ARCHITECTURE ACT OF 2004

Explanatory Note

"Architects have been practicing their art and science since antiquity. The profession as we know it today has undergone extensive growth and change. The profile of architects' work has become more demanding, clients' requirements and technological advances have become more complex, and social and ecological imperatives have grown more pressing. These changes have spawned changes in services and collaboration among the many parties involved in the design and construction process.

As professionals, architects have a primary duty of care to the communities they serve. This duty prevails over their personal interest and the interests of their clients.

Members of the architectural profession are dedicated to standards of professionalism, integrity, and competence, and thereby bring to society unique skills and aptitudes essential to the sustainable development of the built environment and the welfare of their societies and cultures. Principles of professionalism are established in legislation, as well as in codes of ethics and regulations defining professional conduct.

Given the public interest in a quality, sustainable built environment and the dangers and consequences associated with the development of that environment and the dangers consequences associated with the development of that environment, it is important that architectural services are provided by properly qualified professionals for the adequate protection of the public."¹

The recent natural calamities that the country experienced have amplified the need for resilient, sustainable and well-planned communities. These kinds of communities will greatly mitigate the effects of natural calamities in the lives of the Filipinos. Undoubtedly, architects will play a crucial role in the development of new and existing communities to be resilient, sustainable and well planned.

The passage of Republic Act No. 9266 ("R.A. 9266"), otherwise known as the Architecture Act of 2004, is a significant step in protecting and assuring the public that only Architects can offer and provide architectural services. It is envisioned to raise the level of Philippine architecture in order to develop a built environment that is resilient, sustainable

¹ Union Internationale des Architectes (UIA), UIA Accord on Recommended International Standards of Professionalism in Architectural Practice. <http://www.iaa.org/iaaucnp/goup/iaa/documents/pdf/aias075164.pdf>

and well planned, conducive for the advancement of the Philippine culture to help promote the country as a center for business, culture and tourist destination in Asia.

After a decade since its passage, however, the need to strengthen R.A. 9266 and harmonize other laws affecting the practice of architecture has become evident. R.A. 9266 has not been fully implemented by the government agencies due to the fact that other laws have varying incompatible provisions. Consequently, the real intent of R.A. 9266 in protecting and assuring the public that only Architects can offer and provide architectural services has not been realized.

In addition, the impending ASEAN integration has also manifested the need to prepare the Filipino architect's qualifications to practice architecture in other jurisdictions.

To protect public interest and to comply with the provisions of the ASEAN Mutual Recognition Agreement, this bill seeks to strengthen the architecture profession in the country through the amendment and repeal of specific provisions and the introduction of architectural terms that will delineate the practice of architecture from other professions.

In view of the forgoing, the urgent passage of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. SEC. 3 (1) of Republic Act No. 9266 is hereby amended to include the following terms:

(3) ARCHITECTURAL DESIGN – ALSO REFERRED TO AS “DESIGN(S)” AS USED IN THIS ACT, MEANS THE ILLUSTRATED CONCEPT THAT FOCUSES ON THE FEATURES OR ELEMENTS OF BUILDING(S) OR STRUCTURE(S) AND THE UTILIZATION OF THE SITE AND SPACE WITHIN AND SURROUNDING SUCH BUILDING(S) OR STRUCTURE(S) AND UNIFIES THEM INTO A COHERENT AND FUNCTIONAL WHOLE, FOLLOWING A GENEREALLY ACCEPTED APPROACH TO ACHIEVE THE OBJECTIVE(S), ABIDING BY SET NORMS AND CONSIDERING THE ARCHITECTURAL PRINCIPLES OF UTILITY, STRENGTH AND BEAUTY, EXCLUSIVELY PREPARED BY AN ARCHITECT;

(4) ARCHITECUTRAL DOCUMENTS – ALSO REFERRED TO AS “DOCUMENTS” AS USED IN THIS ACT, MEANS THE ARCHITECTURAL DESIGNS, ARCHITECTURAL PLANS, DRAWINGS, SPECIFICATIONS, TECHNICAL DOCUMENTS, AND OTHER INSTRUMENTS OF SERVICE PREPARED, SIGNED AND SEALED EXCLUSIVELY BY AN ARCHITECT;

(5) ARCHITECTURAL PERMIT – MEANS A MANDATED DOCUMENT ISSUED BY ANY REGULATING GOVERNMENT ENTITY BASED ON ARCHITECTURAL DOCUMENTS AUTHORIZING THE CONSTRUCTION OF BUILDING(S) OR STRUCTURE(S) AND THE UTILIZATION OF THE SITE AND SPACE WIHTIN AND SURROUNDING SUCH BUILDING(S) OR STRUCTURE(S);

(6) ARCHITECTURAL PLANS – ALSO REFERRED TO AS “PLANS” AS USED IN THIS ACT MEAN THE LATERAL SECTION OR DIMENSIONAL REPRESENTATIONS OF A PROPOSED DEVELOPMENT OR REDEVELOPMENT OF BUILDING(S) OR STRUCTURE(S) AND THE UTILIZATION OF THE SITE AND SPACE WITHIN AND SURROUNDING SUCH BUILDING(S) OR STRUCTURE(S) SHOWING FEATURES OR ELEMENTS OF THE ARCHITECTURAL DESIGN SUCH AS THE FLOOR PLANS, ELEVATIONS, CROSS AND LONGITUDINAL SECTIONS, PERPECTIVE, REFLECTED CEILING PLAN, SITE DEVELOPMENT PLAN, ARCHITECTURAL INTERIORS, AND OTHE ARCHITECTURAL DETAILS PREPARED, SIGNED AND SEALED ESCLUSIVELY BY AN ARCHITECT;

1 **SECTION 2.** SEC. 20 (2) of Republic Act No. 9266 is hereby amended by adding a new
2 provision which reads as follows:

3 SEC. 20. Seal, Issuance and Use of Seal— xxx

4 (2-A) No officer or employee of this Republic, chartered cities, provinces and
5 municipalities, now or hereafter charged with the enforcement of laws, ordinances
6 or regulations relating to the construction or alteration of buildings, shall accept or
7 approve any architectural plans or specifications which have not been prepared
8 EXCLUSIVELY BY AN ARCHITECT and submitted in full accord with all the
9 provisions of this Act. Nor shall any payments be approved by such officer for any
10 work, the plans and specifications for which have not been so prepared
11 EXCLUSIVELY and signed by an Architect.

12 UPON APPROVAL OF THE ARCHITECTURAL DOCUMENTS, THE
13 CORRESPONDING ARCHITECTURAL PERMIT SHALL BE ISSUED; PROVIDED,
14 HOWEVER, THAT NO BUILDING PERMIT OR SIMILAR IMPORT SHALL BE ISSUED
15 WITHOUT THE CORRESPONDING ARCHITECTURAL DESIGNS, PLANS AND
16 DOCUMENTS PREPARED EXCLUSIVELY AND SIGNED BY AN ARCHITECT.

17 **SECTION 3. Implementing Rules and Regulations.** The Professional Regulatory Board of
18 Architecture (PRBoA), the Accredited and Integrated Professional Organization of
19 Architects, together with the Department of Public Works and Highways (DPWH), and the
20 Housing and Urban Development Coordination Council (HUDCC) is tasked to prepare the
21 Implementing Rules and Regulations (IRR) required for the implementation of this Act, the
22 IRR shall be promulgated within ninety (90) days upon approval of this Act.

23 **SECTION 4. Separability Clause.** – If, for any reason, any section or provision of this Act is
24 declared unconstitutional, or invalid, the other sections and provisions, which are not
25 affected by it, shall continue to be in full force and effect.

26 **SECTION 5. Repealing Clause.** - SEC. 43 of Republic Act No. 9266 is hereby repealed. All
27 laws, decrees, executive orders, agreements, rules and regulations or parts thereof
28 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

29 **SECTION 6. Effectivity.** This Act shall take effect fifteen (15) days after its complete
30 publication in either the Official Gazette or in two (2) newspapers of general circulation.

Approved,