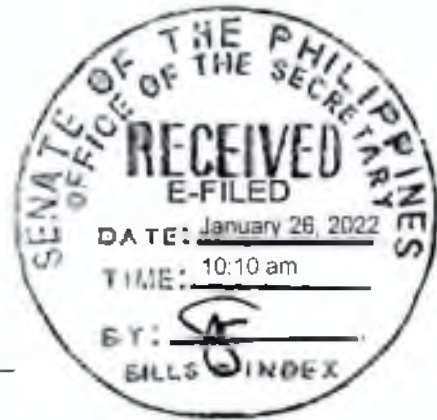


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

Senate Bill No. 2496

Introduced by Senator FRANCIS N. PANGILINAN

AN ACT

STRENGTHENING THE ARCHITECTURE PROFESSION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9266, OTHERWISE KNOWN AS 'THE ARCHITECTURE ACT OF 2004'

EXPLANATORY NOTE

The State recognizes the invaluable contribution of architects in nation building. Section 2 of Republic Act (R.A.) No. 9266 or "The Architecture Act of 2004" states that:

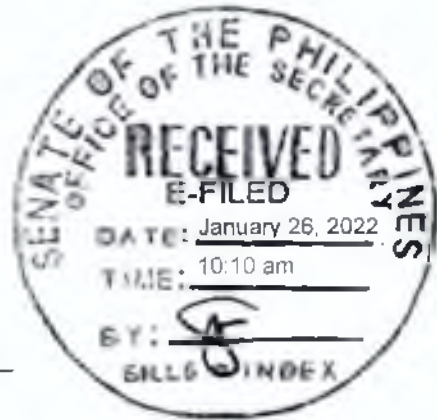
"The State recognizes the importance of architects in nation building and development. Hence, it shall develop and nurture competent, virtuous, productive and well-rounded professional architects whose standards of practice and service shall be excellent, qualitative, world-class and globally competitive through inviolable, honest, effective and credible licensure examinations and through regulatory measures, programs and activities that foster their professional growth and development."

The proposed measure seeks to strengthen the practice of the architecture profession by amending R.A. No. 9266. The bill provides a clearer definition of architectural terms to avoid vagueness and promote accuracy in the implementation of the law. Moreover, additional requirements in the qualifications of the members of the Professional Regulatory Board of Architecture are introduced to ensure that the measures and policies governing the profession are being implemented properly by individuals with the appropriate qualifications. The additional requirements likewise aim to professionalize the Board by preventing instances of conflict of interest and "politicization" of the profession.

Lastly, the bill intends to ensure the qualifications and competence of new and future architects by requiring that an applicant who fails to pass the licensure examination for the third time shall only be allowed to take another examination one year after the last exam.

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


FRANCIS N. PANGILINAN



SENATE

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AN ACT
STRENGTHENING THE ARCHITECTURE PROFESSION, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 9266, OTHERWISE KNOWN AS 'THE
ARCHITECTURE ACT OF 2004'

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

1 **SECTION 1.** Section 3 of Republic Act (R.A.) No. 9266, otherwise known as "The
2 Architecture Act of 2004," is hereby amended to read as follows:

3 "SEC. 3. Definition of Terms. – As used in this Act, the following terms shall be
4 defined as follows:

5 (1) "Architecture" is the art, science or profession of **RENDERING OR**
6 **OFFERING TO RENDER SERVICES IN CONNECTION WITH THE**
7 planning, designing and constructing [~~buildings in their totality~~] **A**
8 **STRUCTURE OR GROUP OF STRUCTURES WHICH HAVE AS THEIR**
9 **PRINCIPAL PURPOSE HUMAN HABITATION OR USE AND THE**
10 **UTILIZATION OF SPACE WITHIN AND SURROUNDING SUCH**
11 **STRUCTURES** taking into account their environment, in accordance with
12 the principles of utility, strength and beauty;

13 (2) "Architect" means a person professionally and academically qualified,
14 registered and licensed **TO PRACTICE ARCHITECTURE** under this Act
15 with a Certificate of Registration and Professional Identification Card issued
16 by the Professional Regulatory Board of Architecture and the Professional
17 Regulation Commission, and who is responsible for advocating the fair and
18 sustainable development, welfare and cultural expression of society's
19 habitat in terms of space, forms and historical context;

20 XXX

21 (11) "Integrated and Accredited Professional Organization **OF ARCHITECTS**
22 **(IAPOA)**" means the existing official national organization of all architects
23 of the Philippines in which all registered Filipino architects shall be

1 members without prejudice to membership in other voluntary professional
2 associations;

3 XXX

4 15) "ARCHITECTURAL DESIGN" MEANS THE ILLUSTRATED CONCEPT
5 THAT FOCUSES ON THE FEATURES OR ELEMENTS OF
6 BUILDING(S) OR STRUCTURE(S) AND THE UTILIZATION OF THE
7 SITE AND SPACE WITHIN AND SURROUNDING SUCH
8 BUILDING(S) OR STRUCTURE(S), AND UNIFIES THEM INTO A
9 COHERENT AND FUNCTIONAL WHOLE, FOLLOWING A
10 GENERALLY ACCEPTED APPROACH TO ACHIEVE THE
11 OBJECTIVE(S), ABIDING BY SET NORMS AND CONSIDERING THE
12 ARCHITECTURAL PRINCIPLES OF UTILITY, STRENGTH, AND
13 BEAUTY EXCLUSIVELY PREPARED BY AN ARCHITECT;

14 16) "ARCHITECTURAL DOCUMENTS" MEANS THE ARCHITECTURAL
15 DESIGNS, ARCHITECTURAL PLANS, DRAWINGS,
16 SPECIFICATIONS, TECHNICAL DOCUMENTS, AND OTHER
17 INSTRUMENTS OF SERVICE PREPARED, SIGNED, AND SEALED
18 EXCLUSIVELY BY AN ARCHITECT;

19 17) "ARCHITECTURAL PERMIT" MEANS A DOCUMENT DULY ISSUED
20 BY ANY REGULATING GOVERNMENT ENTITY BASED ON
21 ARCHITECTURAL DOCUMENTS AUTHORIZING THE
22 CONSTRUCTION OF BUILDING(S) OR STRUCTURE(S) AND THE
23 UTILIZATION OF THE SITE AND SPACE WITHIN AND SURROUND
24 SUCH BUILDING(S) OR STRUCTURE(S);

25 18) "ARCHITECTURAL PLANS" MEANS THE LATERAL SECTION OR
26 DIMENSIONAL REPRESENTATIONS OF A PROPOSED
27 DEVELOPMENT OR REDEVELOPMENT OF BUILDING(S) OR
28 STRUCTURE(S) AND THE UTILIZATION OF THE SITE AND SPACE
29 WITHIN AND SURROUNDING SUCH BUILDING(S) OR
30 STRUCTURE(S) SHOWING FEATURES OR ELEMENTS OF THE
31 ARCHITECTURAL DESIGN SUCH AS THE FLOOR PLANS,
32 ELEVATIONS, CROSS AND LONGITUDINAL SECTIONS,
33 PERSPECTIVE, REFLECTED CEILING PLAN, SITE DEVELOPMENT
34 PLAN, ARCHITECTURAL INTERIORS, AND OTHER
35 ARCHITECTURAL DETAILS PREPARED, SIGNED, AND SEALED,
36 EXCLUSIVELY BY AN ARCHITECT; AND

37 19) "MULTIPARTITE COUNCIL" REFERS TO A BODY COMPOSED OF
38 REPRESENTATIVES FROM THE PROFESSIONAL REGULATORY
39 BOARD OF ARCHITECTURE, THE INTEGRATED AND ACCREDITED
40 PROFESSIONAL ORGANIZATION OF ARCHITECTS (IAPOA), THE

1 ACADEME, PRIVATE PRACTITIONERS, AND GOVERNMENT
2 PRACTITIONERS.”

3 SEC. 2. Section 4 of the same Act is hereby amended to read as follows:

4 “SEC. 4. Creation and Composition of the Professional Regulatory Board. – There
5 is hereby created a Professional Regulatory Board of Architecture, hereinafter
6 referred to as the Board, a collegial body under the supervision and
7 administrative control of the Professional Regulation Commission, hereinafter
8 referred to as the Commission, to be composed of a chairman and ~~[two (2)]~~
9 **FOUR (4)** members appointed by the President of the Philippines from a list of
10 three (3) recommendees chosen from a list of five (5) nominees for each position
11 submitted to the Commission by the ~~[i]~~Integrated and ~~[the]~~ ~~[a]~~Accredited
12 ~~[p]~~Professional ~~[o]~~Organization of ~~[a]~~Architects (IAPOA). The Board shall be
13 organized not later than six (6) months from the effectivity of this Act.”

14 SEC. 3. Section 5 of the same Act is hereby amended to read as follows:

15 “SEC. 5. Qualifications of Members of the Professional Regulatory Board. – Each
16 member shall have at the time of his/her appointment, possess the following
17 qualifications:

- 18 (a) be a citizen and a resident of the Philippines;
- 19 (b) be a holder of a degree in Bachelor of Science in Architecture,
20 **PREFERABLY WITH A POST-BACCALAUREATE DEGREE IN**
21 **ARCHITECTURE**, conferred by a school, college or university in the
22 Philippines or abroad ~~[that]~~ **WHOSE PROGRAM** is recognized and/or
23 accredited by the Commission on Higher Education (CHED);
- 24 (c) be an architect with a valid Certificate of Registration and Professional
25 Identification Card and active practitioner of architecture for at least ~~[ten~~
26 **(10)] FIFTEEN (15)** years on the date of his/her appointment;
- 27 (d) not be a member of the faculty of any school, college, university or review
28 institution where a regular course or review course in architecture is taught,
29 nor have pecuniary interest in such institution. No former member of the
30 faculty of any school, institute, university or review center where
31 architecture is taught can become a member of the Board unless he/she had
32 officially **FILED A LEAVE OF ABSENCE OR** resigned from such an
33 institution and has completely stopped teaching, advising or reviewing
34 activities ~~[for at least five (5) years prior to the nomination; and]~~ **ON THE**
35 **DATE OF HIS/HER APPOINTMENT;**
- 36 (e) has never been convicted of any crime involving moral turpitude[-];

1 (F) NOT BE AN ELECTIVE OFFICER OF THE INTEGRATED AND
2 ACCREDITED PROFESSIONAL ORGANIZATION OF ARCHITECTS
3 AND OTHER PROFESSIONAL ORGANIZATION OF ARCHITECTS
4 ON THE DATE OF HIS/HER APPOINTMENT;

5 (G) NOT BE AN ELECTIVE NOR APPOINTIVE LOCAL OFFICIAL UNLESS
6 HE/SHE RELINQUISHES HIS INCUMBENT OFFICE ON THE DATE OF
7 HIS/HER APPOINTMENT; AND

8 (H) NOT BE A CANDIDATE WHO HAS LOST IN ANY ELECTION,
9 WITHIN ONE (1) YEAR PRIOR TO THE DATE OF HIS/HER
10 APPOINTMENT."

11 SEC. 4. Section 6 of the same Act is hereby amended to read as follows:

12 "SEC. 6. Term of Office. - The members of the Board shall hold office for a term
13 of three (3) years after appointment or until their successors shall have been
14 appointed and duly qualified. Any vacancy occurring within the term of a
15 member shall be filled for the unexpired portion of the term only. Each member
16 of the Board may be reappointed for one full term of three (3) years. Of the
17 members of the Board first appointed under this Act, one (1) member shall be
18 appointed and hold office as chairman for three (3) years, [~~one (1)~~] TWO (2)
19 memberS for two (2) years, and [~~one (1)~~] TWO (2) memberS for one (1) year.
20 Each member of the Board shall qualify by taking the proper oath prior to the
21 performance of their duties: *Provided*, That the incumbent members of the Board
22 shall continue to serve for the remainder of their term as members of the herein
23 created Professional Regulatory Board of Architecture until a new Board shall
24 have been properly organized."

25 SEC. 5. Section 7 of the same Act is hereby amended to read as follows:

26 "SEC. 7. Powers and Functions of the Board. -

27 X X X

28 (f) Monitor LOCAL AND INTERNATIONAL BENCHMARKS AND the
29 conditions affecting the practice of architecture and adopt such measures as
30 may be deemed proper for the enhancement and maintenance of high
31 professional, ethical and technical standards of the profession;

32 X X X

33 (N) KEEP, MAINTAIN, PUBLISH, AND ANNUALLY UPDATE A ROSTER
34 OF ARCHITECTS, A ROSTER OF PRACTICING ARCHITECTS,
35 ROSTER OF FOREIGN ARCHITECTS WITH VALID TEMPORARY
36 PERMITS, AND A ROSTER OF ARCHITECTURAL FIRMS;

1 (O) KEEP A RECORD OF BOARD PROCEEDINGS AND MAKE AN
2 ANNUAL REPORT TO THE COMMISSION, THE OFFICE OF THE
3 PRESIDENT, PHILIPPINE SENATE, HOUSE OF REPRESENTATIVES,
4 THE CHED, AND THE MULTIPARTITE COUNCIL; AND

5 ~~[(#)]~~ (P) Discharge such other duties and functions as may be deemed necessary
6 for the enhancement of the architecture profession and the upgrading,
7 development and growth of the architecture education."

8 SEC. 6. Section 9 of the same Act is hereby amended to read as follows:

9 "SEC. 9. Grounds for Suspension or Removal of Members of the Board. -

10 X X X

11 (c) Final judgment ~~[of crimes involving moral turpitude; and]~~ FOR
12 OFFENSES UNDER THE REVISED PENAL CODE, THE ANTI-GRAFT
13 AND CORRUPT PRACTICES ACT, AND OTHER LAWS;

14 (d) Manipulation or rigging of the architecture licensure examination results,
15 disclosure of secret and confidential information in the examination
16 questions prior to the conduct of the said examination or tampering of
17 grades[-];

18 (E) SOLICITING AND/OR ACCEPTING, DIRECTLY OR INDIRECTLY,
19 ANY GIFT, GRATUITY, FAVOR, ENTERTAINMENT, LOAN OR
20 ANYTHING OF MONETARY VALUE FROM ANY SOURCE, IN THE
21 COURSE OF THEIR OFFICIAL DUTIES OR IN CONNECTION WITH
22 ANY OPERATION BEING REGULATED BY, OR ANY TRANSACTION
23 WHICH MAY BE AFFECTED BY THE FUNCTIONS OF THEIR OFFICE;
24 AND

25 (G) ENGAGED IN THE UNAUTHORIZED PRACTICE OF
26 ARCHITECTURE."

27 SEC. 7. Section 11 of the same Act is hereby amended to read as follows:

28 "SEC. 11. Annual Report. - The Board shall submit an annual report to the
29 Commission after the close of each year giving a detailed account of its
30 proceedings during the year and making such recommendations as it may deem
31 proper.

32 EVERY OTHER YEAR, THE ANNUAL REPORT SHALL BE
33 SUPPLEMENTED BY A COMPETITIVENESS REPORT ASSESSING
34 FILIPINO PROFESSIONAL ARCHITECTS, ARCHITECTURE SCHOOLS,
35 THE BOARD, AND THE IAPOA VIS À VIS THEIR COUNTERPARTS IN

1 COUNTRIES WITH WHOM THE PHILIPPINES HAS, IS NEGOTIATING,
2 OR DESIRES TO NEGOTIATE MUTUAL RECOGNITION AGREEMENTS.

3 COPIES OF THE ANNUAL REPORT AND COMPETITIVENESS REPORT
4 SHALL BE SUBMITTED TO THE FOLLOWING:

- 5 (a) OFFICE OF THE PRESIDENT OF THE PHILIPPINES;
- 6 (b) SENATE OF THE PHILIPPINES;
- 7 (c) HOUSE OF REPRESENTATIVES;
- 8 (d) THE CHED; AND
- 9 (e) THE MULTIPARTITE COUNCIL.”

10 SEC. 8. Section 13 of the same Act is hereby amended to read as follows:

11 “SEC. 13. Qualifications of Applicant for Examination. -

12 X X X

13 (c) He/she is a holder of a degree of Bachelor of Science in Architecture conferred
14 by a school, college, academy or institute **IN THE PHILIPPINES OR ABROAD**
15 **WHOSE PROGRAM IS** duly recognized and/or accredited by the Commission
16 on Higher Education (CHED) and in addition has a specified record of at least
17 two (2) years or equivalent of diversified architectural experience duly certified
18 by a registered/licensed architect: *Provided, however,* That an applicant holding a
19 Master’s Degree in Architecture from a school, college, university or institute
20 [~~recognized by the government~~] **IN THE PHILIPPINES OR ABROAD DULY**
21 **ACCREDITED BY THE CHED,** shall be credited one (1) year in his/her
22 practical experience; **PROVIDED, THAT FOR AN APPLICANT THAT HOLDS**
23 **A DEGREE FROM A SCHOOL, COLLEGE, UNIVERSITY OR INSTITUTE**
24 **WHOSE PROGAM IS NOT CURRENTLY ACCREDITED, THE APPLICANT**
25 **SHALL SUBMIT SAID PROGRAM FOR ACCREDITATION BY THE CHED;**
26 *PROVIDED, FURTHER,* THAT AN APPLICANT WHO HAS OBTAINED
27 DIVERSIFIED EXPERIENCE FROM AN ARCHITECT
28 REGISTERED/LICENSED ABROAD SHALL PROVE THAT THE COUNTRY
29 WHERE HE/SHE OBTAINED SUCH EXPERIENCE HAS RECIPROCITY
30 AGREEMENTS WITH THE PHILIPPINES, AND SHALL SUBMIT
31 DOCUMENTATION FOR EQUIVALENCY ASSESSMENT BY THE PRC; and

32 X X X”

33 SEC. 9. Section 14 of the same Act is hereby amended to read as follows:

34 “SEC. 14. Subjects for Examination. -

35 X X X

1 The Board, subject to the approval of the Commission, **AND UPON**
2 **CONSULTATION WITH THE MULTIPARTITE COUNCIL**, may revise or
3 exclude any of the subjects and their syllabi, and add new ones as the need arises
4 to conform to technological changes brought about by continuing trends in the
5 profession."

6 **SEC. 10.** A new Section 17 is hereby inserted after Section 16 of the same Act to
7 read as follows:

8 "SECTION 17. RE-EXAMINATION. - AN APPLICANT WHO FAILS TO PASS
9 THE EXAMINATION FOR THE THIRD TIME SHALL BE ALLOWED TO
10 TAKE ANOTHER EXAMINATION ONLY AFTER THE LAPSE OF ONE
11 YEAR."

12 **SEC. 11.** Sections 17 to 18 of the same Act are hereby renumbered accordingly.

13 **SEC. 12.** Section 19 of the same Act is hereby amended and renumbered to read as
14 follows:

15 "SEC. [19] 20. Roster of Architects. - A roster showing the names and place of
16 business of all registered professional architects, **PRACTICING ARCHITECTS,**
17 **FOREIGN ARCHITECTS WITH VALID TEMPORARY PERMIT, AND**
18 **ARCHITECTURAL FIRMS** shall be prepared and updated by the Board and
19 copies thereof shall be made available to any party as may be deemed
20 necessary."

21 **SEC. 13.** Section 20 of the same Act is hereby amended and renumbered to read as
22 follows:

23 "SEC. [20] 21. Seal, Issuance and Use of Seal. -

24 X X X

25 (2) No officer or employee of this Republic, chartered cities, provinces and
26 municipalities, now or hereafter charged with the enforcement of laws,
27 ordinances, or regulations, relating to the construction or alteration of
28 buildings, shall accept or approve any architectural plans or specifications
29 which have not been prepared **EXCLUSIVELY BY AN ARCHITECT** and
30 submitted in full accord with all the provisions of this Act; nor shall any
31 payments be approved by any such officer for any work, the plans and
32 specifications for which have not been so prepared **EXCLUSIVELY, [and]**
33 signed and sealed by [~~the author~~] **AN ARCHITECT.**

34 **UPON APPROVAL OF THE ARCHITECTURAL DOCUMENTS, THE**
35 **CORRESPONDING ARCHITECTURAL PERMIT SHALL BE ISSUED;**
36 **PROVIDED, HOWEVER, THAT NO BUILDING PERMIT OR OTHER**
37 **DOCUMENT OF SIMILAR IMPORT SHALL BE ISSUED WITHOUT THE**

1 CORRESPONDING ARCHITECTURAL DESIGNS, PLANS, AND
2 DOCUMENTS PREPARED EXCLUSIVELY, SIGNED AND SEALED BY
3 AN ARCHITECT."

4 SEC. 14. Sections 21 to 24 of the same Act are hereby renumbered accordingly.

5

6 SEC. 15. Section 25 of the same Act is hereby amended and renumbered to read as
7 follows:

8 "SEC. ~~[25]~~ 26. Registration of Architects Required. – No person shall practice
9 architecture in this country, or engage in preparing architectural plans,
10 specification or preliminary data for the erection or alteration of any building
11 located within the boundaries of this country or use the title "Architect," ~~[or~~
12 ~~display the word "Architect" together with another word, or display or use any~~
13 ~~title, sign, card, advertisement, or other device]~~ "ARCH.," "ARCH'T.," "AR.,"
14 INCLUDING "ARCHITECTURAL DESIGN," "ARCHITECTURAL
15 DRAWINGS," "ARCHITECTURAL SERVICES," OR ANY OF THEIR
16 DERIVATIVES OR TRANSLATIONS INTO OTHER LANGUAGES OR
17 DIALECTS, IN CONNECTION WITH HIS OR HER NAME, STYLE,
18 BUSINESS DESIGNATION, BUSINESS NAME, LOGO, OR ON PLANS,
19 DRAWINGS, OR SPECIFICATIONS FOR BUILDINGS OR PARTS OF
20 BUILDINGS to indicate THAT such person practices or offers to practice
21 architecture, or is an architect, unless such person shall have received from the
22 Board a Certificate of Registration and be issued a Professional Identification
23 Card in the manner hereinafter provided and shall thereafter comply with the
24 provisions of this Act.

25 X X X"

26 SEC. 16. Sections 26 to 28 of the same Act are hereby renumbered accordingly.

27 SEC. 17. Section 29 of the same Act is hereby amended and renumbered to read as
28 follows:

29 "SEC. ~~[29]~~ 30. Prohibition in the Practice of Architecture and Penal Clause. – Any
30 person who shall practice or offer to practice architecture in the Philippines
31 without being registered/licensed and who are not holders of temporary or
32 special permits in accordance with the provisions of this Act, or any person
33 presenting or attempting to use as his/her own the Certificate of
34 Registration/Professional Identification Card or seal of another or temporary or
35 special permit, or any person who shall give any false or forged evidence of any
36 kind to the Board or to any member thereof in obtaining a Certificate of
37 Registration/Professional Identification Card or temporary or special permit, or
38 any person who shall falsely impersonate any registrant of like or different name,
39 or any person who shall attempt to use a revoked or suspended Certificate of
40 Registration/Professional Identification Card or cancelled special/temporary
41 permit, or any person who shall use in connection with his/her name or

1 otherwise assume, use or advertise any title or description tending to convey the
2 impression that he/she is an architect when he/she is not an architect, or any
3 person whether Filipino or foreigner, who knowingly allows the use, adoption,
4 implementation of plans, designs or specification made by any person, firm,
5 partnership or company not duly licensed to engage in the practice of
6 architecture, **OR ANY PERSON, WHO IS A GOVERNMENT EMPLOYEE**
7 **CONNECTED WITH PERMITTING AUTHORITIES, WHO PREPARES,**
8 **SIGNS, AND SEALS ARCHITECTURAL DOCUMENTS FOR THE PURPOSE**
9 **OF APPLYING FOR GOVERNMENT-ISSUED PERMITS, CLEARANCES,**
10 **AND LICENSES, SUCH AS, BUT NOT LIMITED TO, ARCHITECTURAL**
11 **PERMITS, BUILDING PERMITS, OCCUPANCY PERMITS,**
12 **ZONING/LOCATIONAL CLEARANCES, AND/OR BUSINESS PERMITS;** or
13 any person who shall violate any of the provisions of this Act, its implementing
14 rules and regulations, the Code of Ethical Conduct and Standards of Professional
15 Practice, or any policy of the Board and the Commission, shall be guilty of
16 misdemeanor and charged in court by the Commission and shall, upon
17 conviction be sentenced to a fine of not less than One hundred thousand pesos
18 (P100,000.00) but not more than Five million pesos (P5,000,000.00) or to suffer
19 imprisonment for a period not less than six (6) months or not exceeding six (6)
20 years, or both, at the discretion of the Court.”

21 **SEC. 18.** Section 30 of the same Act is hereby amended and renumbered to read as
22 follows

23 “**SEC. [30] 31. [~~Prohibition in the Practice~~] COERCION, AIDING AND**
24 **ABETTING ILLEGAL PRACTICE of Architecture.** – Any person or entity,
25 whether public or private, Filipino or foreigner, who/which shall entice, compel,
26 coerce, require or otherwise force an architect registered and licensed under this
27 Act to undertake/perform any service under the general practice of architecture
28 as defined under this Act, without first executing a written contract/service
29 agreement, **OR ANY PERSON WHO FACILITATES THE ISSUANCE OF A**
30 **GOVERNMENT PERMIT FOR ARCHITECTURAL DOCUMENTS**
31 **PREPARED, SIGNED, AND SEALED BY REGISTERED/LICENSED**
32 **ARCHITECTS EMPLOYED IN GOVERNMENT PERMITTING**
33 **AUTHORITIES, OR ANY PERSON OR ENTITY, WHO/WHICH SHALL AID**
34 **AND ABET PERSONS OR ENTITIES IN COMMITTING THE**
35 **PROHIBITED ACTS RELATIVE TO THE PRACTICE OF ARCHITECTURE**
36 **AS DESCRIBED IN SECTION 30 OF THIS ACT** shall be guilty of a
37 misdemeanor and shall, upon conviction be sentenced to a fine of not less than
38 Two hundred thousand pesos (P200,000.00) or to suffer imprisonment for a
39 period not exceeding six (6) years, or both, at the discretion of the Court.”

40 **SEC. 19.** Sections 31 to 34 of the same Act are hereby renumbered accordingly.

41 **SEC. 20.** Section 35 of the same Act is hereby amended and renumbered to read as
42 follows:

1 "SEC. [35] 36. Positions in Government Requiring the Services of Registered and
2 Licensed Architects. - Within (3) years from the effectivity of this Act, all existing
3 and proposed positions in the local and national government, whether career,
4 permanent, temporary or contractual and primarily requiring the services of an
5 architect shall be filled only by registered and licensed architects.

6 ALL LOCAL GOVERNMENT UNITS CONCERNED SHALL CREATE THE
7 MANDATORY POSITIONS OF PROVINCIAL ARCHITECT, CITY
8 ARCHITECT, AND MUNICIPAL ARCHITECT TO BE HELD EXCLUSIVELY
9 BY REGISTERED AND LICENSED ARCHITECTS, TO OVERSEE AND
10 REVIEW THE PLANNING, DESIGN, AND IMPLEMENTATION OF PUBLIC
11 BUILDINGS AND FACILITIES, SUCH AS, BUT NOT LIMITED TO,
12 OFFICES, COURTS, SCHOOLS, HOSPITALS, CLINICS, FIRE STATIONS,
13 POLICE STATIONS, MARKETS, AND PUBLIC HOUSING.

14 ALL OFFICES, AGENCIES, AND INSTRUMENTALITIES IN THE
15 GOVERNMENT SHALL HIRE REGISTERED AND LICENSED
16 ARCHITECTS IN THE DESIGN OF GOVERNMENT BUILDINGS AND
17 FACILITIES."

18 SEC. 21. Section 36 of the same Act is hereby renumbered accordingly.

19

20 SEC. 22. Section 37 of the same Act is hereby amended and renumbered to read as
21 follows:

22 "SEC. [37] 38. Limitation to the Registration of a Firm, Company, Partnership,
23 Corporation or Association. -

24 X X X

25 (b) Registered and licensed architects shall compose at least [~~seventy-five~~
26 ~~percent (75%)~~] A MAJORITY of the owners, shareholders, members
27 incorporators, directors, executive officers, as the case may be;

28 X X X

29 (e) A FILIPINO REGISTERED AND LICENSED ARCHITECT MAY
30 PRACTICE AS A ONE PERSON CORPORATION SUBJECT TO THE
31 PROVISIONS SET FORTH IN THE REVISED CORPORATION CODE."

32 SEC. 23. Sections 38 to 39 of the same Act are hereby renumbered accordingly.

33 SEC. 24. Section 40 of the same Act is hereby amended and renumbered to read as
34 follows:

35 "SEC. [40] 41. Integration of the Architecture Profession. - The Architecture
36 profession shall be integrated into one (1) national organization which shall be

1 accredited by the Board, subject to the approval by the Commission, as the
2 [i]Integrated and [a]Accredited [p]Professional [o]Organization of [a]Architects
3 (IAPOA): *Provided, however,* That such an organization shall be registered with
4 the Securities and Exchange Commission, as a non-profit, non-stock corporation
5 ~~[to-be]~~ WITH ARTICLES OF INCORPORATION SPECIFYING AS ONE OF
6 ITS PURPOSES: TO INTEGRATE ALL ARCHITECTS INTO ONE (1)
7 NATIONAL ORGANIZATION, AND governed by by-laws providing for a
8 democratic election of its officials[-]; *PROVIDED, FURTHER,* THAT SUCH AN
9 ORGANIZATION SHALL HAVE A ROBUST NETWORK OF LOCAL AND
10 FOREIGN- BASED CHAPTERS LOCATED IN KEY CITIES AND
11 MUNICIPALITIES; *PROVIDED FURTHER* THAT [A]an architect duly
12 registered with the Board shall automatically become a member of the
13 ~~[integrated and accredited professional organization of architects]~~ IAPOA and
14 shall receive the benefits and privileges provided for in this Act upon payment of
15 the required fees and dues. Membership in the ~~[integrated and accredited~~
16 ~~professional organization of architects]~~ IAPOA shall not be a bar to
17 membership in other associations of architects[-]; *PROVIDED, FINALLY,* THAT
18 UPON FILING FOR APPLICATION FOR ACCREDITATION OR RENEWAL
19 OF ACCREDITATION, SUCH ORGANIZATION SHALL HAVE A
20 MEMBERSHIP COMPRISING OF AT LEAST FIFTY PERCENT PLUS ONE
21 (50% + 1) OF REGISTERED/LICENSED ARCHITECTS POSSESSING
22 CURRENT AND VALID PROFESSIONAL IDENTIFICATION CARDS.

23 THE IAPOA SHALL, IN ADDITION TO THE PURPOSES STATED IN ITS
24 BY-LAWS, HAVE THE FOLLOWING FUNCTIONS, DUTIES, AND
25 RESPONSIBILITIES:

- 26 (1) REPRESENT THE PROFESSION FOR WHICH SUCH
27 ORGANIZATION HAS BEEN ESTABLISHED AND ACCREDITED;
- 28 (2) SUBMIT NOMINEES FOR VACANT POSITIONS IN THE BOARD;
- 29 (3) REPRESENT THE PROFESSION IN THE MONITORING
30 COMMITTEES FOR MUTUAL RECOGNITION ARRANGEMENTS
31 (MRA) IN THE ASEAN AND APEC;
- 32 (4) DEFINE THE STANDARDS OF PROFESSIONAL PRACTICE OF ITS
33 MEMBERS;
- 34 (5) ENSURE THAT ITS MEMBERS ADHERE TO THE CODE OF ETHICS,
35 PROFESSIONAL PRACTICE, AND HIGHEST PROFESSIONAL AND
36 TECHNICAL STANDARDS;
- 37 (6) LOOK INTO THE CONDITIONS AFFECTING THE PRACTICE OF
38 THE ARCHITECTURE PROFESSION, LOCALLY AND ABROAD,
39 AND TO PROPOSE POLICIES OR MEASURES TO THE BOARD
40 AND/OR THE COMMISSION FOR ITS IMPROVEMENT;

- 1 (7) ENSURE THE WELFARE AND BEST INTEREST, AS WELL AS
2 HARMONIOUS RELATIONSHIP AMONG ITS MEMBERS;
- 3 (8) REPORT VIOLATIONS OF THIS ACT TO THE BOARD AND/OR
4 THE COMMISSION, THROUGH THE OFFICE OF THE LEGAL
5 SERVICE, FOR POSSIBLE PROSECUTION OR FILING OF
6 COMPLAINT."
- 7 (9) SUBMIT TO THE BOARD, AT THE END OF EACH FISCAL YEAR:
8 a. YEARLY AUDITED FINANCIAL STATEMENT OF THE
9 ORGANIZATION, DULY SIGNED BY A CPA AUTHORIZED TO
10 PRACTICE ACCOUNTANCY WITHIN THIRTY (30) DAYS FROM
11 THE SUBMISSION MADE TO THE SEC;
12 b. AUTHENTICATED COPY OF THE LATEST GENERAL
13 INFORMATION SHEET WITHIN THIRTY (30) DAYS FROM THE
14 CONDUCT OF NATIONAL ELECTION; AND
15 c. REPORT ON SIGNIFICANT ACHIEVEMENTS AS A CORPORATE
16 BODY IN ATTAINING THE OBJECTIVES OF THE
17 ORGANIZATION, IN THE ENHANCEMENT OF THE WELFARE
18 OF ITS MEMBERS AND THE STATURE/PRESTIGE OF THE
19 PROFESSION, AS WELL AS TANGIBLE PROGRAMS, WHICH
20 MAY INCLUDE INSURING ITS MEMBERS; PROVIDING
21 SCHOLARSHIP; AND CONDUCTING FREE CPD PROGRAMS
22 FOR THE MEMBERS; LIFE, HEALTH, AND DEATH BENEFITS;
23 AND OTHER BENEFITS, TO BE SIGNED BY THE BOARD,
24 WITHIN THIRTY (30) DAYS AFTER THE FISCAL YEAR; AND
- 25 (10) OTHER FUNCTIONS, DUTIES, AND RESPONSIBILITIES AS MAY
26 BE PRESCRIBED BY THE BOARD."

27 SEC. 25. A new Section 42 is hereby inserted in the same Act to read as follows:

28 "SEC. 42. MULTIPARTITE COUNCIL FOR ARCHITECTURE. - A MULTI-
29 PARTITE COUNCIL FOR ARCHITECTURE IS HEREBY CREATED TO BE
30 ATTACHED TO THE COMMISSION.

31 THE OBJECTIVES OF THE MULTI-PARTITE COUNCIL SHALL BE AS
32 FOLLOWS:

- 33 A. PROVIDE A PLATFORM TO DISCUSS POLICY CONCERNS IN THE
34 EDUCATION, INTERNSHIP, PROFESSIONAL REGULATION AND
35 CONTINUING PROFESSIONAL DEVELOPMENT; AND
- 36 B. PROMOTE AND ENCOURAGE COLLABORATION AMONG THE
37 DIFFERENT STAKEHOLDERS IN THE REGULATION AND PRACTICE
38 OF THE BUILT ENVIRONMENT PROFESSIONS.

- 1 THE MULTI- PARTITE COUNCIL SHALL BE COMPOSED OF THE:
2 A. CHAIRPERSON OF THE BOARD;
3 B. PRESIDENT OF THE IAPOA;
4 C. PRESIDENT OF THE ACADEMIC ORGANIZATION (DEANS AND
5 HEADS OF SCHOOLS) DULY ACCREDITED BY THE PRC UPON THE
6 RECOMMENDATION OF THE CHED;
7 D. ONE REPRESENTATIVE FROM PRIVATE PRACTICE; AND
8 E. ONE REPRESENTATIVE FROM GOVERNMENT PRACTICE.”

9 SEC. 26. A new Section 43 is hereby inserted in the same Act to read as follows:
10

11 “SEC. 43. POWERS, DUTIES, AND FUNCTIONS OF THE MULTI-PARTITE
12 COUNCIL. – THE MULTI-PARTITE COUNCIL SHALL PERFORM THE
13 FOLLOWING FUNCTIONS:

- 14 A. MONITOR LOCAL AND INTERNATIONAL BENCHMARKS IN
15 PROFESSIONAL EDUCATION, INTERNSHIP, REGULATION AND
16 PRACTICE;
- 17 B. STUDY AND EVALUATE EDUCATIONAL INNOVATIONS THAT
18 SHALL LEAD TO CURRICULUM DEVELOPMENT;
- 19 C. REGULARLY REVIEW THE SUBJECTS FOR EXAMINATION;
- 20 D. DEVELOP AND REGULARLY REVIEW THE TABLE OF
21 SPECIFICATIONS FOR THE LICENSURE EXAMINATION;
- 22 E. DEVELOP AND REGULARLY REVIEW INTERNSHIP/GUIDELINES IN
23 THE AREAS SUCH AS DIVERSIFICATION OF EXPERIENCE, DUTIES
24 AND RESPONSIBILITIES OF MENTORS, AND COLLABORATIVE
25 WORK;
- 26 F. DEVELOP AND REGULARLY REVIEW CONTINUING PROFESSIONAL
27 DEVELOPMENT GUIDELINES;
- 28 G. DEVELOP AND REGULARLY REVIEW STANDARDS OF
29 PROFESSIONAL PRACTICE IN AREAS SUCH AS SCOPE OF
30 SERVICES, SCHEDULE OF FEES, AND INTERPROFESSIONAL
31 COLLABORATION; AND
- 32 H. DEVELOP AND REGULARLY REVIEW PROFESSIONAL EDUCATION,
33 INTERNSHIP, REGULATION AND PRACTICE STANDARDS IN
34 REFERENCE TO THE PHILIPPINE QUALIFICATIONS FRAMEWORK
35 ACT.”

36 SEC. 27. Section 41 of the same Act is hereby repealed and replaced with a new
37 Section 44, to read as follows:

1 “SEC. 44. **IMPLEMENTING RULES AND REGULATIONS.** - THE BOARD,
2 SUBJECT TO THE APPROVAL OF THE COMMISSION AND IN
3 COORDINATION WITH THE IAPOA, IS TASKED TO PREPARE THE
4 IMPLEMENTING RULES AND REGULATIONS (IRR) REQUIRED FOR THE
5 IMPLEMENTATION OF THIS ACT. THE IRR SHALL BE PROMULGATED
6 WITHIN NINETY (90) DAYS UPON APPROVAL OF THIS ACT.”

7 **SEC. 28.** Sections 42 to 43 of the same Act are hereby renumbered accordingly.

8 **SEC. 29.** Section 44 of the same Act is hereby amended and renumbered to read as
9 follows:

10 “SEC. [44] 47. **Enforcement of the Act.** - X X X

11 X X X

12 **FOR CASES OF ILLEGAL PRACTICE LODGED BEFORE IT,** [F]the Board
13 shall assist the Commission **IN THE PRELIMINARY INVESTIGATION AND**
14 in filing the appropriate charges through the concerned prosecution office in
15 accordance with law and the Rules of Court.”

16 **SEC. 30.** Sections 45 to 47 of the same Act are hereby renumbered accordingly.

17 **SEC. 31. Separability Clause.** - If any provision of this Act is declared invalid or
18 unconstitutional, the other provisions not affected thereby shall remain in full force and
19 effect.

20 **SEC. 32. Repealing Clause.** - All laws, presidential decrees, executive orders,
21 presidential proclamations, rules and regulations, or parts thereof contrary to or
22 inconsistent with this Act are hereby repealed or modified accordingly.

23 **SEC. 33. Effectivity.** - This Act shall take effect fifteen (15) days following its
24 publication in at least two (2) newspapers of general circulation or in the *Official Gazette*.

Approved,