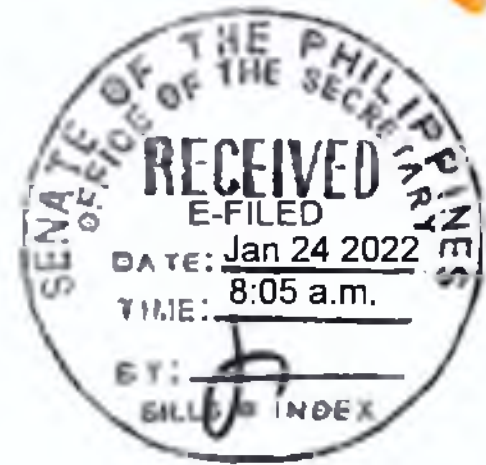


**EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
Third Regular Session

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SENATE

S.B. No. 2480

Introduced by SEN. WIN GATCHALIAN

**AN ACT
STRENGTHENING THE PRACTICE OF ARCHITECTURE IN THE
PHILIPPINES, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF
REPUBLIC ACT NO. 9266, OTHERWISE KNOWN AS THE
"ARCHITECTURE ACT OF 2004", AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Architecture has been a symbol of power, strength, development, and superiority throughout the ages. In the Philippines, our architectural heritage shows the transition of historical and cultural traditions in the country, as reflected in the dwellings of people, in churches and mosques and in buildings that have risen in response to the demands of progress and aspirations of the people.¹ Clearly, architecture mirrors the character, values, and ideals of a place, a community and the people that will live in it.

As the architectural profession grows, the role of architects in building communities likewise expands. Architects, in making designs, consider the health, safety, and welfare of the people. Thus, the continuing education and professional standards of architects must always be in check to ensure their professional growth and to stimulate their competence to be at par with the world's best.

¹ <https://ncca.gov.ph/about-ncca-3/subcommissions/subcommission-on-the-arts-sca/architecture-and-allied-arts-2/history-of-philippine-architecture/>

Considering the invaluable contribution of architects to nation building, and the public's interest on sustainable built development, in view of the dangers and hazards of faulty architectural designs and the failure to comply with the standards set by the Architecture Act of 2004, there is a need to enhance the practice of the Architecture profession by updating and amending Republic Act No. 9266 or the Architecture Act of 2004 and harmonizing it with other laws.

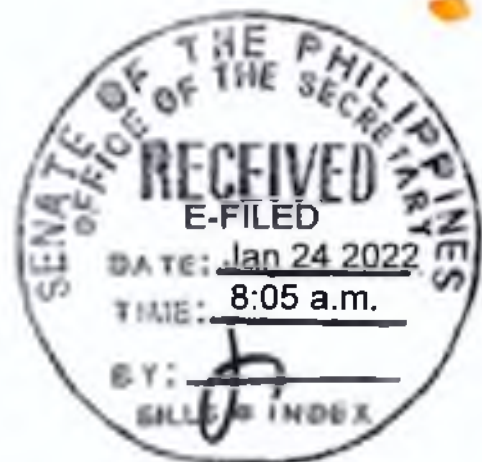
Accordingly, the bill seeks to improve the standards of the Architecture professional practice and service through strengthened regulatory and policy bodies and enhanced regulatory measures that will foster professional growth and development and that will address the ever-changing needs and demands of the time.

In summary, the bill introduces a clear definition of architectural terms to guide the architects, the regulatory agency and the public in complying and enforcing the requirements in the practice of architecture, as embodied in existing laws and the proposed amendments. Further, additional powers and functions of, and qualifications for membership in, the Professional Regulatory Board of Architecture are being sought to reinforce and strengthen the regulation of the profession with the purpose of preventing conflicts of interest, promoting greater competence within, and ensuring its responsiveness to the needs of the profession. It also seeks to revive the provision in the predecessor of RA 9266 which requires an applicant to take a one year break after failing for the third time the architecture licensure examination to provide the applicant ample time to review, study, train or enroll in review or refresher courses. It also seeks to create a "Multipartite Council for Architecture" that will serve as a platform for policy concerns in the education, internship, professional regulation and continuing professional development for architecture and that will promote collaboration among various stakeholders. It also creates positions for architects in the local government in recognition of their role and expertise in designing structures and communities which are vital to community and nation building. Lastly, it also seeks to expand the coverage of unauthorized practices in the Architecture profession by penalizing coercion, aiding and abetting of illegal practice of architecture.

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


WIN GATCHALIAN

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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. Sec. 3 of Republic Act 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
4 be 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;

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

8 xxx

9 (11) "Integrated and Accredited Professional Organization **OF**
10 **ARCHITECTS (IAPOA)**" means the official national organization of all
11 architects of the Philippines in which all registered Filipino architects shall
12 be members without prejudice to membership in other voluntary
13 professional associations;

14 xxx

15 (15) "**ARCHITECTURAL DESIGN,**" **ALSO REFERRED TO AS**
16 **"DESIGN(S)" AS USED IN THIS ACT, MEANS THE ILLUSTRATED**
17 **CONCEPT THAT FOCUSES ON THE FEATURES OR ELEMENTS OF**
18 **BUILDING(S) OR STRUCTURE(S) AND THE UTILIZATION OF THE**
19 **SITE AND SPACE WITHIN AND SURROUNDING SUCH**
20 **BUILDING(S) OR STRUCTURE(S) AND UNIFIES THEM INTO A**
21 **COHERENT AND FUNCTIONAL WHOLE, FOLLOWING A GENERALLY**
22 **ACCEPTED APPROACH TO ACHIEVE THE OBJECTIVE(S), ABIDING**
23 **BY SET NORMS AND CONSIDERING THE ARCHITECTURAL**
24 **PRINCIPLES OF UTILITY, STRENGTH, AND BEAUTY, EXCLUSIVELY**
25 **PREPARED BY AN ARCHITECT;**

26 (16) "**ARCHITECTURAL DOCUMENTS,**" **ALSO REFERRED TO AS**
27 **"DOCUMENTS" AS USED IN THIS ACT, MEANS THE**
28 **ARCHITECTURAL DESIGNS, ARCHITECTURAL PLANS, DRAWINGS,**
29 **SPECIFICATIONS, TECHNICAL DOCUMENTS AND OTHER**

1 INSTRUMENTS OF SERVICE PREPARED, SIGNED, AND SEALED,
2 EXCLUSIVELY BY AN ARCHITECT;

3 (17) "ARCHITECTURAL PERMIT" MEANS A DOCUMENT DULY
4 ISSUED BY ANY REGULATING GOVERNMENT ENTITY BASED ON
5 ARCHITECTURAL DOCUMENTS AUTHORIZING THE
6 CONSTRUCTION OF BUILDING(S) OR STRUCTURE(S) AND THE
7 UTILIZATION OF THE SITE AND SPACE WITHIN AND SURROUND
8 SUCH BUILDING(S) OR STRUCTURE(S);

9 (18) "ARCHITECTURAL PLANS," ALSO REFERRED TO AS
10 "PLANS" AS USED IN THIS ACT, MEANS THE LATERAL SECTION OR
11 DIMENSIONAL REPRESENTATIONS OF A PROPOSED
12 DEVELOPMENT OR REDEVELOPMENT OF BUILDING(S) OR
13 STRUCTURE(S) AND THE UTILIZATION OF THE SITE AND SPACE
14 WITHIN AND SURROUNDING SUCH BUILDING(S) OR
15 STRUCTURE(S) SHOWING FEATURES OR ELEMENTS OF THE
16 ARCHITECTURAL DESIGN SUCH AS THE FLOOR PLANS,
17 ELEVATIONS, CROSS AND LONGITUDINAL SECTIONS,
18 PERSPECTIVE, REFLECTED CEILING PLAN, SITE DEVELOPMENT
19 PLAN, ARCHITECTURAL INTERIORS, AND OTHER ARCHITECTURAL
20 DETAILS PREPARED, SIGNED, AND SEALED, EXCLUSIVELY BY AN
21 ARCHITECT.

22 (19) "MULTIPARTITE COUNCIL" REFERS TO A BODY
23 COMPOSED OF REPRESENTATIVES FROM THE PROFESSIONAL
24 REGULATORY BOARD OF ARCHITECTURE, THE INTEGRATED AND
25 ACCREDITED PROFESSIONAL ORGANIZATION OF ARCHITECTS
26 (IAPOA), THE ACADEME, PRIVATE PRACTITIONERS AND
27 GOVERNMENT PRACTITIONERS."

28
29 SEC. 2. Sec. 4 of the same Act is hereby amended to read as follows:

1 "SEC. 4. Creation and Composition of the Professional Regulatory Board. -
2 There is hereby created a Professional Regulatory Board of Architecture,
3 hereinafter referred to as the Board, a collegial body under the supervision
4 and administrative control of the Professional Regulation Commission,
5 hereinafter referred to as the Commission, to be composed of a chairman
6 and [~~two (2)~~] **FOUR (4)** members appointed by the President of the
7 Philippines from a list of three (3) recommendees chosen from a list of five
8 (5) nominees for each position submitted to the Commission by the
9 integrated and the accredited professional organization of architects. The
10 Board shall be organized not later than six (6) months from the effectivity
11 of this Act."

12
13 SEC. 3. Sec. 5 (c) of the same Act is hereby amended to read as follows:

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

- 17 (a) be a citizen and resident of the Philippines;
- 18 (b) be a holder of a degree in Bachelor of Science in Architecture,
19 **PREFERRABLY WITH A POST-BACCALAUREATE DEGREE IN**
20 **ARCHITECTURE**, conferred by a school, college or university in the
21 Philippines or abroad, **WHOSE PROGRAM** is accredited by the Commission
22 on Higher Education (CHED);
- 23 (c) be an architect with a valid Certificate of Registration and
24 Professional Identification Card and active practitioner of architecture for at
25 least [~~ten (10)~~] **FIFTEEN (15)** years on the date of his/her appointment;
- 26 (d) not be a member of the faculty of any school, college, university or
27 review institution where a regular course or review course in architecture is
28 taught, nor have pecuniary interest in such institution. No former member
29 of the faculty of any school, institute, university or review center where
30 architecture is taught can become a member of the Board unless he/she

1 had officially **FILED A LEAVE OF ABSENCE OR** resigned from such an
2 institution and has completely stopped teaching, advising or reviewing
3 activities [~~for at least five (5) years prior to the nomination; and~~]
4 **ON THE DATE OF HIS/HER APPOINTMENT;**

5 (e) has never been convicted of any crime involving moral turpitude[~~+~~];

6 **(F) NOT BE AN ELECTIVE OFFICER OF THE INTEGRATED AND**
7 **ACCREDITED PROFESSIONAL ORGANIZATION OF ARCHITECTS**
8 **AND OTHER PROFESSIONAL ORGANIZATION OF ARCHITECTS ON**
9 **THE DATE OF HIS/HER APPOINTMENT;**

10 **(G) NOT BE AN ELECTIVE NOR APPOINTIVE LOCAL OFFICIAL**
11 **UNLESS HE/SHE RELINQUISHES HIS INCUMBENT OFFICE ON THE**
12 **DATE OF HIS/HER APPOINTMENT;**

13 **(H) NOT BE A CANDIDATE WHO HAS LOST IN ANY ELECTION,**
14 **WITHIN ONE (1) YEAR PRIOR TO THE DATE OF HIS/HER**
15 **APPOINTMENT.**

16
17 SEC. 4. Sec. 6 of the same Act is hereby amended to read as follows:

18 "SEC. 6. Term of Office. – The members of the Board shall hold office for a
19 term of three (3) years after appointment or until their successors shall have
20 been appointed and duly qualified. Any vacancy occurring within the term
21 of a member shall be filled for the unexpired portion of the term only.

22 Each member of the Board may be reappointed for one full term of three
23 (3) years. Of the members of the Board first appointed under this Act, one
24 (1) member shall be appointed and hold office as chairman for three (3)
25 years, [~~ONE (1)~~] **TWO (2) MEMBERS** for two (2) years, and [~~ONE (1)~~]
26 **TWO (2) MEMBERS** for one (1) year.

27 Each member of the Board shall qualify by taking the proper oath prior to
28 the performance of their duties. Provided, That the incumbent members of
29 the Board shall continue to serve for the remainder of their term as

1 members of the herein created Professional Regulatory Board of
2 Architecture until a new Board shall have been properly organized.”

3
4 SEC 5. Sec. 7 (f) of the same Act is hereby amended to read as follows:

5 “SEC. 7. Power and Functions of the Board.

6 xxx

7 (f) Monitor **LOCAL AND INTERNATIONAL BENCHMARKS AND**
8 conditions affecting the practice of architecture and adopt such measures
9 as may be deemed proper for the enhancement and maintenance of high
10 professional, ethical and technical standards of the profession;

11 xxx

12 **(N) KEEP, MAINTAIN, PUBLISH, AND ANNUALLY UPDATE A**
13 **ROSTER OF ARCHITECTS, A ROSTER OF PRACTICING**
14 **ARCHITECTS, ROSTER OF FOREIGN ARCHITECTS WITH VALID**
15 **TEMPORARY PERMITS, AND A ROSTER OF ARCHITECTURAL**
16 **FIRMS;**

17 **(O) KEEP A RECORD OF BOARD PROCEEDINGS AND MAKE AN**
18 **ANNUAL REPORT TO THE COMMISSION, THE OFFICE OF THE**
19 **PRESIDENT, PHILIPPINE SENATE, HOUSE OF REPRESENTATIVES,**
20 **THE CHED, AND THE MULTIPARTITE COUNCIL; AND**

21 **[~~(P)~~] (P) Discharge such other duties and functions as may be deemed**
22 **necessary for the enhancement of the architecture profession and the**
23 **upgrading, development and growth of the architecture education.**

24
25 SEC. 6. Sec. 9 of the same Act is hereby amended to read as follows:

26 “SEC. 9. Grounds for Suspension or Removal of Members of the Board. –

27 xxx

28 **(D) SOLICITING AND/OR ACCEPTING, DIRECTLY OR**
29 **INDIRECTLY, ANY GIFT, GRATUITY, FAVOR, ENTERTAINMENT,**
30 **LOAN OR ANYTHING OF MONETARY VALUE FROM ANY SOURCE, IN**

1 **THE COURSE OF THEIR OFFICIAL DUTIES OR IN CONNECTION**
2 **WITH ANY OPERATION BEING REGULATED BY, OR ANY**
3 **TRANSACTION WHICH MAY BE AFFECTED BY THE FUNCTIONS OF**
4 **THEIR OFFICE;**

5 (E) Final judgment [~~of crimes involving moral turpitude~~] **FOR**
6 **OFFENSES UNDER THE REVISED PENAL CODE, THE ANTI-GRAFT**
7 **AND CORRUPT PRACTICES ACT, AND OTHER LAWS; [and]**

8 (F) Manipulation or rigging of the architecture licensure examination
9 results, disclosure of secret and confidential information in the examination
10 questions prior to the conduct of the said examination or tampering of
11 grades[.]; **AND**

12 **(G) ENGAGED IN UNAUTHORIZED PRACTICE OF ARCHITECTURE.”**

13
14 SEC. 7. Sec. 11 of the same Act is hereby amended to read as follows:

15 “SEC. 11. Annual Report. - The Board shall submit an annual report to the
16 Commission after the close of each year giving a detailed account of its
17 proceedings during the year and making such recommendations as it may
18 deem proper.

19 **EVERY OTHER YEAR, THE ANNUAL REPORT SHALL BE**
20 **SUPPLEMENTED BY A COMPETITIVENESS REPORT ASSESSING**
21 **FILIPINO PROFESSIONAL ARCHITECTS, ARCHITECTURE**
22 **SCHOOLS, THE BOARD, AND THE IAPOA VIS À VIS THEIR**
23 **COUNTERPARTS IN COUNTRIES WITH WHOM THE PHILIPPINES**
24 **HAS, IS NEGOTIATING, OR DESIRES TO NEGOTIATE MUTUAL**
25 **RECOGNITION AGREEMENTS.**

26 **COPIES OF THE ANNUAL REPORT AND COMPETITIVENESS**
27 **REPORT SHALL BE SUBMITTED TO THE FOLLOWING:**

- 28 (1) **OFFICE OF THE PRESIDENT OF THE PHILIPPINES;**
29 (2) **PHILIPPINE SENATE;**
30 (3) **HOUSE OF REPRESENTATIVES;**

1 **(4) THE CHED; AND**
2 **(5) THE MULTIPARTITE COUNCIL.”**
3

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

5 “SEC. 13. Qualifications of Applicant for Examination. –

6 xxx

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

27 (d) He/she has not been convicted of any criminal offensive involving moral
28 turpitude.”
29

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

1 "SEC. 14. Subjects for Examination. –

2 xxx

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

8
9 SEC. 10. A new section shall be inserted to read as follows:

10 **"SECTION 16-A. RE-EXAMINATION. - AN APPLICANT WHO FAILS**
11 **TO PASS THE EXAMINATION FOR THE THIRD TIME SHALL BE**
12 **ALLOWED TO TAKE ANOTHER EXAMINATION ONLY AFTER THE**
13 **LAPSE OF ONE YEAR."**

14
15 SEC. 11. Sec. 19 of the same Act is hereby amended to read as follows:

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

22
23 SEC. 12. Sec. 20 (2) of the same Act is hereby amended to read as follows:

24 "SEC. 20. Seal, Issuance and Use of Seal. –

25 xxx

26 No officer or employee of this Republic, chartered cities, provinces and
27 municipalities, now or hereafter charged with the enforcement of laws,
28 ordinances, or regulations, relating to the construction or alteration of
29 buildings, shall accept or approve any architectural plans or specifications
30 which have not been prepared **BY AN ARCHITECT** and submitted in full

1 accord with all the provisions of this Act. Nor shall any payments be
2 approved by such officer for any work, the plans and specifications which
3 have not been so prepared and signed by an Architect.

4 **UPON APPROVAL OF THE ARCHITECTURAL DOCUMENTS, THE**
5 **CORRESPONDING ARCHITECTURAL PERMIT SHALL BE ISSUED**
6 **SUBJECT TO REASONABLE FEES AND IN ACCORDANCE WITH THE**
7 **REQUIREMENTS OF REPUBLIC ACT NO. 11032, OTHERWISE**
8 **KNOWN AS THE "EASE OF DOING BUSINESS AND EFFICIENT**
9 **GOVERNMENT SERVICE DELIVERY ACT"; PROVIDED, HOWEVER,**
10 **THAT NO BUILDING PERMIT OR OTHER DOCUMENT OF SIMILAR**
11 **IMPORT SHALL BE ISSUED WITHOUT THE CORRESPONDING**
12 **ARCHITECTURAL DESIGNS, PLANS, AND DOCUMENTS PREPARED**
13 **AND SIGNED BY AN ARCHITECT, EXCEPT ON CERTAIN INSTANCES**
14 **AS DETERMINED BY THE BOARD."**

15
16 SEC. 13. Sec. 25 of the same Act is hereby amended to read as follows:

17 "SEC. 25. Registration of Architects Required. -No person shall practice
18 architecture in this country, or engage in preparing architectural plans,
19 specification or preliminary data for the erection or alteration of any building
20 located within the boundaries of this country or use the title "Architect", [~~or~~
21 ~~display or use any title, sign, card, advertisement, or other device]~~
22 **"ARCH.", "ARCH'T.", "AR.", INCLUDING "ARCHITECTURAL**
23 **DESIGN", "ARCHITECTURAL DRAWINGS", "ARCHITECTURAL**
24 **SERVICES", OR ANY OF THEIR DERIVATES OR TRANSLATIONS**
25 **INTO OTHER LANGUAGES OR DIALECTS, IN CONNECTION WITH**
26 **HIS OR HER NAME, STYLE, BUSINESS DESIGNATION, BUSINESS**
27 **NAME, LOGO, OR ON PLANS, DRAWINGS, OR SPECIFICATIONS**
28 **FOR BUILDINGS OR PARTS OF BUILDINGS** to indicate **THAT** such
29 person practices or offers to practice architecture, or is an architect, unless
30 such person shall have received from the Board a Certificate of Registration

1 and be issued a Professional Identification Card in the manner hereinafter
2 provided and shall thereafter comply with the provisions of this Act.

3 A foreign architect or any person not authorized to practice architecture in
4 the Philippines, who shall stay in the country and perform any of the
5 activities mentioned in Sections 3 and 4 of this Act, or any other activity
6 analogous thereto, in connection with the construction of any
7 building/structure/edifice or land development project, shall be deemed
8 engaged in the unauthorized practice of architecture.”

9
10 SEC. 14. Sec. 29 of the same Act is hereby amended to read as follows:

11 “SEC. 29. Prohibition in the Practice of Architecture and Penal Clause. - Any
12 person who shall practice or offer to practice architecture in the Philippines
13 without being registered/licensed and who are not holders of temporary or
14 special permits in accordance with the provisions of this Act; or any person
15 presenting or attempting to use as his/her own the Certificate of
16 Registration/Professional Identification Card or seal of another or temporary
17 or special permit; or any person who shall give any false or forged evidence
18 of any kind to the Board or to any member thereof in obtaining a Certificate
19 of Registration/Professional Identification Card or temporary or special
20 permit; or any person who shall falsely impersonate any registrant of like
21 or different name, or any person who shall attempt to use a revoked or
22 suspended Certificate of Registration/Professional Identification Card or
23 cancelled special/temporary permit; or any person who shall use in
24 connection with his/her name or otherwise assume, use or advertise any
25 title or description tending to convey the impression that he/she is an
26 architect when he/she is not an architect; or any person whether Filipino or
27 foreigner, who knowingly allows the use, adoption, implementation of plans,
28 designs or specification made by any person, firm, partnership or company
29 not duly licensed to engage in the practice of architecture; **OR ANY**
30 **GOVERNMENT EMPLOYEE CONNECTED WITH PERMITTING**

1 **AUTHORITIES, WHO PREPARES, SIGNS AND SEALS**
2 **ARCHITECTURAL DOCUMENTS FOR THE PURPOSE OF APPLYING**
3 **FOR GOVERNMENT-ISSUED PERMITS, CLEARANCES AND**
4 **LICENSES, SUCH AS, BUT NOT LIMITED TO, ARCHITECTURAL**
5 **PERMITS, BUILDING PERMITS, OCCUPANCY PERMITS AND**
6 **ZONING/LOCATIONAL CLEARANCES, BUSINESS PERMITS;** or any
7 person who shall violate any of the provisions of this Act, its implementing
8 rules and regulations, the Code of Ethical Conduct and Standards of
9 Professional Practice, or any policy of the Board and the Commission, shall
10 be guilty of misdemeanor and charged in court by the Commission and shall,
11 upon conviction be sentenced to a fine of not less than One hundred
12 thousand pesos (P100,000.00) but not more than Five Million pesos
13 (P5,000,000.00) or to suffer imprisonment for a period not less than six (6)
14 months or not exceeding six (6) years, or both, at the discretion of the
15 Court.”

16
17 SEC. 15. Sec. 30 of the same Act is hereby amended to read as follows:

18 “SEC. 30. [~~Prohibition in the Practice~~] **COERCION, AIDING AND**
19 **ABETTING ILLEGAL PRACTICE** of Architecture.- Any person or entity,
20 whether public or private, Filipino or foreigner, who/which shall entice,
21 compel, coerce, require or otherwise force an architect registered and
22 licensed under R.A. No. 9266 to undertake/perform any service under the
23 general practice of architecture as defined under R.A. No. 9266, without
24 first executing a written contract/service agreement; **OR ANY PERSON**
25 **WHO FACILITATES THE ISSUANCE OF A GOVERNMENT PERMIT**
26 **FOR ARCHITECTURAL DOCUMENTS PREPARED, SIGNED AND**
27 **SEALED BY REGISTERED/LICENSED ARCHITECTS EMPLOYED IN**
28 **GOVERNMENT PERMITTING AUTHORITIES; OR ANY PERSON OR**
29 **ENTITY, WHO/WHICH SHALL AID AND ABET PERSONS OR**
30 **ENTITIES IN COMMITTING THE PROHIBITED ACTS RELATIVE TO**

1 **THE PRACTICE OF ARCHITECTURE AS DESCRIBED IN SECTION 29**
2 **OF THIS ACT** shall be guilty of a misdemeanor and shall, upon conviction
3 be sentenced to a fine of not less than Two hundred thousand pesos
4 (P200,000.00) or to suffer imprisonment for a period not exceeding six (6)
5 years, or both, at the discretion of the Court.”

6
7 SEC. 16. Sec. 35 of the same Act is hereby amended to read as follows:

8 “SEC. 35. Positions in Government Requiring the Services of Registered and
9 Licensed Architects. - Within (3) years from the effectivity of this Act, all
10 existing and proposed positions in the local and national government,
11 whether career, permanent, temporary or contractual and primarily
12 requiring the services of an architect shall be filled only by registered and
13 licensed architects.

14 **ALL LOCAL GOVERNMENT UNITS CONCERNED SHALL CREATE THE**
15 **MANDATORY POSITIONS OF PROVINCIAL ARCHITECT, CITY**
16 **ARCHITECT, CITY ARCHITECT, AND MUNICIPAL ARCHITECT, TO**
17 **BE HELD EXCLUSIVELY BY REGISTERED AND LICENSED**
18 **ARCHITECTS, TO OVERSEE AND REVIEW THE PLANNING, DESIGN,**
19 **AND IMPLEMENTATION OF PUBLIC BUILDINGS AND FACILITIES,**
20 **SUCH AS, BUT NOT LIMITED, TO OFFICES, COURTS, SCHOOLS,**
21 **HOSPITALS, CLINICS, FIREHOUSES, POLICE STATIONS,**
22 **MARKETS, PUBLIC HOUSING.**

23 **ALL OFFICES, AGENCIES, AND INSTRUMENTALITIES IN THE**
24 **GOVERNMENT, SHALL HIRE ARCHITECTS IN THE DESIGN OF**
25 **GOVERNMENT BUILDINGS AND FACILITIES.”**

26
27 SEC. 17. Sec. 37 of the same Act is hereby amended to read as follows:

28 “SEC. 37. Limitation to the Registration of a Firm, Company, Partnership,
29 Corporation or Association. –

30 xxx

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

5 xxx

6 **A FILIPINO REGISTERED AND LICENSED ARCHITECT MAY**
7 **PRACTICE AS A ONE PERSON CORPORATION SUBJECT TO THE**
8 **PROVISIONS SET FORTH IN THE REVISED CORPORATION CODE.”**
9

10 SEC. 18. Sec. 40 of the same Act is hereby amended to read as follows:

11 “SEC. 40. Integration of the Architecture Profession.- The Architecture
12 profession shall be integrated into one (1) national organization which shall
13 be accredited by the Board, subject to the approval by the Commission, as
14 the Integrated and Accredited Professional Organization of Architects
15 (IAPOA): *Provided*, however, that such an organization shall be registered
16 with the Securities and Exchange Commission, as a non-profit, non-stock
17 corporation, **WITH ARTICLES OF INCORPORATION SPECIFYING AS**
18 **ONE OF ITS PURPOSES: TO INTEGRATE ALL ARCHITECTS INTO**
19 **ONE (1) NATIONAL ORGANIZATION, AND** governed by By-laws
20 providing for a democratic election of its officials[-]; ***PROVIDED,***
21 ***FURTHER,*** **THAT SUCH AN ORGANIZATION SHALL HAVE A ROBUST**
22 **NETWORK OF LOCAL AND FOREIGN- BASED CHAPTERS LOCATED**
23 **IN KEY CITIES AND MUNICIPALITIES; *PROVIDED, FURTHER,***
24 **THAT** an architect duly registered with the Board shall automatically
25 become a member of the **IAPOA** and shall receive the benefits and
26 privileges provided for in this Act upon payment of the required fees and
27 dues. Membership in the **IAPOA** shall not be a bar to membership in other
28 associations of architects[-]; ***PROVIDED, FINALLY THAT, UPON***
29 **FILING FOR APPLICATION FOR ACCREDITATION OR RENEWAL OF**
30 **ACCREDITATION, SUCH ORGANIZATION SHALL HAVE A**

1 **MEMBERSHIP COMPRISING OF AT LEAST FIFTY PERCENT PLUS**
2 **ONE (50% + 1) OF REGISTERED/LICENSED ARCHITECTS**
3 **POSSESSING CURRENT AND VALID PROFESSIONAL**
4 **IDENTIFICATION CARDS (PICs.)**

5 **THE IAPOA SHALL, IN ADDITION TO THE PURPOSES STATED**
6 **IN ITS BY-LAWS, HAVE THE FOLLOWING FUNCTIONS, DUTIES,**
7 **AND RESPONSIBILITIES:**

8 **(1) REPRESENT THE PROFESSION FOR WHICH SUCH**
9 **ORGANIZATION HAS BEEN ESTABLISHED AND**
10 **ACCREDITED;**

11 **(2) SUBMIT NOMINEES FOR VACANT POSITIONS IN THE**
12 **BOARD;**

13 **(3) REPRESENT THE PROFESSION IN THE MONITORING**
14 **COMMITTEES FOR MUTUAL RECOGNITION ARRANGEMENTS**
15 **(MRA) IN THE ASEAN AND APEC;**

16 **(4) DEFINE THE STANDARDS OF PROFESSIONAL PRACTICE OF**
17 **ITS MEMBERS;**

18 **(5) ENSURE THAT ITS MEMBERS ADHERE TO THE CODE OF**
19 **ETHICS, PROFESSIONAL PRACTICE, AND HIGHEST**
20 **PROFESSIONAL AND TECHNICAL STANDARDS;**

21 **(6) LOOK INTO THE CONDITIONS AFFECTING THE PRACTICE**
22 **OF THE ARCHITECTURE PROFESSION, LOCALLY AND**
23 **ABROAD, AND TO PROPOSE POLICIES OR MEASURES TO**
24 **THE BOARD AND/OR THE COMMISSION FOR ITS**
25 **IMPROVEMENT;**

26 **(7) ENSURE THE WELFARE, AND BEST INTEREST, AS WELL AS**
27 **HARMONIOUS RELATIONSHIP AMONG ITS MEMBERS; AND**

28 **(8) REPORT VIOLATIONS OF THIS ACT TO THE BOARD AND/OR**
29 **THE COMMISSION, THROUGH THE OFFICE OF THE LEGAL**

1 **SERVICE, FOR POSSIBLE PROSECUTION OR FILING OF**
2 **COMPLAINT."**

3 **(9) SUBMIT TO THE BOARD, AT THE END OF THE FISCAL YEAR,:**

4 **(a) YEARLY AUDITED FINANCIAL STATEMENT OF THE**
5 **ORGANIZATION, DULY SIGNED BY A CPA**
6 **AUTHORIZED TO PRACTICE ACCOUNTANCY WITHIN**
7 **THIRTY (30) DAYS FROM THE SUBMISSION MADE TO**
8 **THE SECURITIES AND EXCHANGE COMMISSION**
9 **(SEC);**

10 **(b) AUTHENTICATED COPY OF THE LATEST GENERAL**
11 **INFORMATION SHEET WITHIN THIRTY (30) DAYS**
12 **FROM THE CONDUCT OF NATIONAL ELECTION; AND**

13 **(c)REPORT ON SIGNIFICANT ACHIEVEMENTS AS A**
14 **CORPORATE BODY IN ATTAINING THE OBJECTIVES**
15 **OF THE ORGANIZATION, IN THE ENHANCEMENT OF**
16 **THE WELFARE OF ITS MEMBERS AND THE**
17 **STATURE/PRESTIGE OF THE PROFESSION, AS WELL**
18 **AS TANGIBLE PROGRAMS (WHICH MAY INCLUDE**
19 **INSURING ITS MEMBERS; PROVIDING**
20 **SCHOLARSHIP; AND CONDUCTING FREE CPD**
21 **PROGRAMS FOR THE MEMBERS; LIFE, HEALTH, AND**
22 **DEATH BENEFITS; AND OTHER BENEFITS) TO BE**
23 **SIGNED BY THE BOARD, WITHIN THIRTY (30) DAYS**
24 **AFTER THE FISCAL YEAR; AND**

25 **(d) OTHER FUNCTIONS, DUTIES, AND**
26 **RESPONSIBILITIES AS MAY BE PRESCRIBED BY THE**
27 **BOARD."**

28
29 SEC. 19. A new Section 41 and Section 42 shall be inserted, to read as follows,
30 and the succeeding sections shall be renumbered accordingly:

1 **"SEC. 41. ` COUNCIL FOR ARCHITECTURE. - A MULTI-PARTITE**
2 **COUNCIL FOR ARCHITECTURE IS HEREBY CREATED TO BE**
3 **ATTACHED TO THE COMMISSION.**

4 **THE OBJECTIVES OF THE MULTI-PARTITE COUNCIL SHALL BE AS**
5 **FOLLOWS:**

6 **(1) PROVIDE A PLATFORM TO DISCUSS POLICY CONCERNS IN**
7 **THE EDUCATION, INTERNSHIP, PROFESSIONAL REGULATION**
8 **AND CONTINUING PROFESSIONAL DEVELOPMENT; AND**

9 **(2) PROMOTE AND ENCOURAGE COLLABORATION AMONG THE**
10 **DIFFERENT STAKEHOLDERS IN THE REGULATION AND**
11 **PRACTICE OF THE BUILT ENVIRONMENT PROFESSIONS.**

12 **THE MULTI- PARTITE COUNCIL SHALL BE COMPOSED OF THE:**

13 **(1) CHAIRPERSON OF THE BOARD;**

14 **(2) PRESIDENT OF THE IAPOA;**

15 **(3) PRESIDENT OF THE ACADEMIC ORGANIZATION (DEANS**
16 **AND HEADS OF SCHOOLS) DULY ACCREDITED BY THE PRC**
17 **UPON THE RECOMMENDATION OF THE CHED;**

18 **(4) ONE REPRESENTATIVE FROM PRIVATE PRACTICE; AND**

19 **(5) ONE REPRESENTATIVE FROM GOVERNMENT PRACTICE."**

20
21 **"SEC. 42. POWERS, DUTIES, AND FUNCTIONS OF THE MULTI-**
22 **PARTITE COUNCIL. - THE MULTI-PARTITE COUNCIL SHALL**
23 **PERFORM THE FOLLOWING FUNCTIONS:**

24 **(1) MONITOR LOCAL AND INTERNATIONAL BENCHMARKS IN**
25 **PROFESSIONAL EDUCATION, INTERNSHIP, REGULATION**
26 **AND PRACTICE;**

27 **(2) STUDY AND EVALUATE EDUCATIONAL INNOVATIONS THAT**
28 **SHALL LEAD TO CURRICULUM DEVELOPMENT;**

29 **(3) REGULARLY REVIEW OF THE SUBJECTS FOR**
30 **EXAMINATION;**

1 (4) DEVELOP AND REGULARLY REVIEW THE TABLE OF
2 SPECIFICATIONS FOR THE LICENSURE EXAMINATION;

3 (5) DEVELOP AND REGULARLY REVIEW
4 INTERNSHIP/GUIDELINES IN THE AREAS SUCH AS
5 DIVERSIFICATION OF EXPERIENCE, DUTIES AND
6 RESPONSIBILITIES OF MENTORS AND COLLABORATIVE
7 WORK;

8 (6) DEVELOP AND REGULARLY REVIEW CONTINUING
9 PROFESSIONAL DEVELOPMENT GUIDELINES;

10 (7) DEVELOP AND REGULARLY REVIEW OF STANDARDS OF
11 PROFESSIONAL PRACTICE IN AREAS SUCH AS SCOPE OF
12 SERVICES, SCHEDULE OF FEES, AND INTER-PROFESSIONAL
13 COLLABORATION; AND

14 (8) DEVELOP AND REGULARLY REVIEW PROFESSIONAL
15 EDUCATION, INTERNSHIP, REGULATION AND PRACTICE
16 STANDARDS IN REFERENCE TO THE PHILIPPINE
17 QUALIFICATIONS FRAMEWORK ACT.”
18

19 SEC. 20. Sec. 44 of the same Act is hereby amended to read as follows:

20 “SEC. 44. Enforcement of the Act.–

21 xxx

22 **FOR CASES OF ILLEGAL PRACTICE LODGED BEFORE IT**, the Board
23 shall assist the Commission **IN THE PRELIMINARY INVESTIGATION**
24 **AND** in filing the appropriate charges through the concerned prosecution
25 office in accordance with law and the Rules of Court.”
26

27 SEC. 21. Implementing Rules and Regulations. The Board and the IAPOA are
28 tasked to prepare the implementing Rules and Regulations (IRR) required for the
29 implementation of this Act. The IRR shall be promulgated within ninety (90) days upon
30 approval of this act.

1

2 SEC. 22. Separability Clause. If, for any reason, any section or provisions of this
3 Act is declared unconstitutional, or invalid, the other sections and provisions, which
4 are not affected by it, shall continue to be in full force and effect.

5

6 SEC. 23 Repealing Clause. All laws, decrees, executive orders, agreements,
7 rules, and regulations, or parts thereof inconsistent with the provisions of this Act are
8 hereby repealed or modified accordingly.

9

10 SEC. 24. Effectivity. This Act shall take effect fifteen (15) days after is complete
11 publication in either the Official Gazette or in two (2) newspapers of general
12 circulation.

13 *Approved,*