


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

8 JAN 31 1999

SENATE

RECEIVED BY: 

S. No. 2042

Introduced by Senator JUAN MIGUEL F. ZUBIRI

EXPLANATORY NOTE

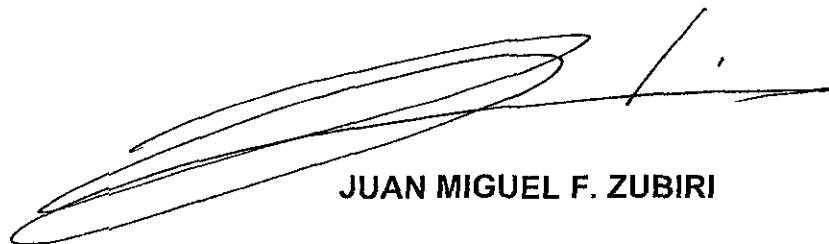
The enactment into law of Republic Act Number 8534, otherwise known as the "The Philippine Interior Design Act of 1998" was a welcome development in the practice of interior design in the Philippines. RA No. 8534 recognized the vital role of the interior design profession in the promotion of national interest and regarded the same as a full-pledged profession vital to the building and construction industry. However, the law was unsuccessful to institute policies and regulatory measures to protect the interests of the Filipino professionals.

And ten years after the law's passage, a lot of developments both in the local and international arenas have happened. Some of these developments pose serious problems and may have undermined the practice of interior design in the country and placed the professional Interior Designers in the Philippines at the losing end vis-à-vis the foreign practitioners and even Filipinos who posed as interior designers without the appropriate licenses and certifications.

The country's adoption of the General Agreement on Trade in Professional Services (GATS) has had a tremendous effect in the practice of the interior design profession. For one, the widespread influx of large foreign firms and foreign designers and consultants in the design and construction arena, has reduced the local designers competitive edge.

This bill seeks to regulate and modernize the practice of interior design in the Philippines to become at par with the international standards and at the same time, provide safety nets for the practice of the profession against foreign practitioners and those engaged in illegal practice.

Thus, approval of this bill is earnestly requested.

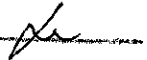


JUAN MIGUEL F. ZUBIRI

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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8 JAN 31 P5 59

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Introduced by Senator JUAN MIGUEL F. ZUBIRI

1 **AN ACT**
2 **TO REGULATE AND MODERNIZE THE PRACTICE OF INTERIOR DESIGN IN**
3 **THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT**
4 **NUMBER 8534, OTHERWISE KNOWN AS “THE PHILIPPINE INTERIOR**
5 **DESIGN ACT OF 1998”, APPROPRIATING FUNDS THEREFOR AND FOR**
6 **OTHER PURPOSES**

7
8 *Be it enacted by the Senate and the House of Representatives of the Philippines*
9 *in Congress assembled:*
10

11 **ARTICLE I**
12 **TITLE, POLICY, OBJECTIVES, DEFINITION OF TERMS**
13 **AND SCOPE OF PRACTICE**

14 SECTION 1. *Title.* – This Act shall be known as the “The Philippine Interior
15 Design Act of 2008”.

16 SECTION 2. *Declaration of Policy.* – *The State recognizes the important*
17 *role of the interior design profession in nation-building. Towards this end, the*
18 *State shall promote the sustained development of professional interior designers,*
19 *whose technical competencies have been determined by honest and credible*
20 *licensure examinations and whose standards of professional service and practice*
21 *are internationally recognized and considered globally competitive, brought about*
22 *by regulatory measures and human resource programs and activities that foster*
23 *their professional growth and advancement.*

24 SECTION 3. *Objectives.* – This Act provides for and shall govern:

- 25 (a) The examination, registration and licensure of professional interior
26 designers;
- 27 (b) The supervision, control and regulation of the practice of interior design;
- 28 (c) The development of the professional competence of interior designers
29 through continuing professional education (CPE); and

1 (d) The integration of the interior design profession.

2 SECTION 4. *Definition of Terms.* – For the purpose of this Act, the
3 following terms are hereby defined:

4 (a) Interior Design – is the science and act of planning, specifying, selecting
5 and organizing the surface finishes and materials including furniture,
6 *furnishings and fixtures and other items of décor* of an architectural
7 interior for the purpose of the space allocations to suit, enhance and meet
8 the intended function, movement and character for which the interior of
9 the building is designed.

10 (b) Professional Interior Designer – refers to a natural person who holds a
11 *valid certificate of registration and a valid professional identification card*
12 issued by the Board and the Commission pursuant to this Act.

13 SECTION 5. *Scope of the Professional Practice of Interior Design.* – The
14 practice of interior design is the act of planning, designing, specifying,
15 supervising and giving general administration and responsible direction to the
16 functional, orderly and aesthetic arrangement and development of interior
17 spaces. It shall include, but not limited to the following activities:

18 (a) Consultation, advice, direction, evaluation, budgetary estimates and
19 appraisals;

20 (b) Schematic interior designs, design development, professional contract
21 documents and programming of construction phases;

22 (c) Preparation of interior design plans, design drawings, interior construction
23 details, and technical specifications;

24 (d) Interior construction administration, supervision coordination of alteration,
25 preservation or restoration of interior spaces;

26 (e) The practice of interior design shall also include all other works, projects
27 and activities which require the professional competence of the interior
28 designer, including teaching of interior design subjects. The Board, subject
29 to approval by the Commission, may revise, exclude from, or add to, the
30 above enumerated acts or activities as the need arises to conform to the
31 latest trend in the practice of interior design.

32 33 **ARTICLE II**

34 **THE PROFESSIONAL REGULATORY BOARD OF INTERIOR DESIGN**

35 SECTION 6. *Creation and Composition of the Board of Interior Design.* –
36 There is hereby created a Professional Regulatory Board of Interior Design,
37 hereinafter called the Board, under the administrative control and supervision of
38 the Professional Regulation Commission, hereinafter referred to as the

1 Commission, to be composed of a chairman and two (2) members, to be
2 appointed by the President of the Philippines, from a list of two (2)
3 *recommendees* for each position submitted by the Commission, from a list of
4 three (3) nominees for each position recommended by the duly accredited
5 organization of interior designers. The new board shall be created within six (6)
6 months from the effectivity of this Act.

7 SECTION 7. *Qualifications of the Chairman and Members.* – The
8 chairman and members of the Board shall, at the time of their appointment,
9 possess the following qualifications:

- 10 (a) Must be a citizen and resident of the Philippines;
- 11 (b) Must be a holder of Bachelor's degree in Interior Design or Bachelor in
12 Interior Design or Bachelor of Fine Arts major in Interior Design, conferred
13 by a school, academy, college or university in the Philippines or abroad
14 that is recognized and/or accredited by the Philippine government;
- 15 (c) Must be a registered interior designer with a valid certificate of registration
16 and professional identification card and an active practitioner of interior
17 design for not less than ten (10) years prior to appointment;
- 18 (d) Must not be a member of the faculty of any school, where a regular course
19 in Interior Design is being taught, nor have pecuniary interest in, or
20 administrative supervision over any such institution of learning;
- 21 (e) Must not be connected with a review center or with any group giving
22 review classes or lectures in preparation for the licensure examination;
- 23 (f) Must be a member in good standing of the duly accredited professional
24 organization of interior designers but not a trustee or officer thereof.
- 25 (g) Has never been convicted of a crime involving moral turpitude, or a civil
26 and/or criminal offense.

27 SECTION 8. *Term of Office.* – The members of the Board shall hold office
28 for a term of three (3) years from the date of appointment or until their
29 successors shall have been appointed and qualified. They may be reappointed
30 for another term of three (3) years immediately upon the expiration of their term
31 but not to exceed six years.

32 Of the members to be appointed for the first Board under this Act, one (1)
33 member shall hold office as Chairman for the (3) years; one (1) member for two
34 (2) years; and one (1) member for one (1) year. Each member of the Board shall
35 take the proper oath prior to assumption of duty.

36 SECTION 9. *Compensation of the Board Members.* – The chairman and
37 members of the Board shall receive compensation and allowances comparable

1 to the compensation and allowances received by existing regulatory boards
2 under the Commission as provided for in the General Appropriations Act.

3 SECTION 10. *Powers, Function, Duties and Responsibilities of the Board.*

4 – The Board shall exercise the following specific powers, functions, duties and
5 responsibilities:

- 6 (a) Adopt, promulgate and administer the rules and regulations necessary for
7 carrying out the provisions of this Act;
- 8 (b) Supervise and regulate the registration, licensure and practice of the
9 professional interior designers in the Philippines;
- 10 (c) Administer oaths in connection with the administration of this Act;
- 11 (d) Issue, suspend, revoke or reinstate the certificate of registration or
12 professional license for the practice of the interior design profession;
- 13 (e) Adopt an official seal of this Board;
- 14 (f) Monitor the conditions affecting the practice of interior design and adopt
15 such measures as may be deemed proper for the enhancement of the
16 profession and/or the maintenance of high professional, ethical and
17 technical standards;
- 18 (g) Ensure, in coordination with the Commission on Higher Education
19 (CHED), that all other educational institutions offering interior design
20 comply with the policies, standards and requirements of the course
21 prescribed by the CHED in the areas of curriculum, faculty, library and
22 facilities;
- 23 (h) Prescribe and/or adopt a code of Ethical and Professional Standards for
24 the practice of the interior design profession;
- 25 (i) Hear and try administrative cases involving violations of this Act, its
26 implementing rules and regulations, the Code of Ethics for Professional
27 Interior Designers and for this purpose, to issue *subpoena* and *subpoena*
28 *duces tecum* to secure the appearance of witnesses and the production of
29 documents in connection therewith;
- 30 (j) Prescribe guidelines in the Continuing Professional Education (CPE)
31 program in coordination with the accredited professional organization of
32 Interior Designers;
- 33 (k) Prepare, adopt and issue the syllabi of the subject for examination by
34 determining and preparing the questions, which shall strictly be within the
35 scope of the syllabi of the subject of examination;
- 36 (l) Discharge such other duties and functions as may be deemed necessary
37 for the enhancement of the interior design profession and the upgrading,
38 development and growth of interior design education in the Philippines.

1 SECTION 11. *Grounds for Removal or Suspension of Board*
2 *Chairman/Member.* – The President of the Philippines, upon the recommendation
3 of the Commission, after giving the Chairman or the member of the Board an
4 opportunity to defend himself/herself in an administrative investigation conducted
5 by the Commission, may remove or suspend him/her on any of the following
6 grounds:

7 (a) Gross neglect, incompetence or dishonesty in the discharge of his/her
8 duty;

9 (b) Violation of any of the causes/grounds/and the prohibited acts provided in
10 this Act and the offenses in the Revised Penal Code, the Anti-Graft and
11 Corrupt Practices Act, and other laws;

12 (c) Manipulation or rigging of the licensure examination for interior designers
13 results, disclosure of secret and confidential information on the
14 examination questions prior to the conduct thereof, or tampering of
15 grades.

16 The Commission, in the conduct of the investigation, shall be guided by
17 Sec. 7 (s) of R.A. No. 8981, the rules on administrative investigation, and the
18 applicable provisions of the New Rules of Court.

19 SECTION 12. *Administrative Supervision of the Board, Custodian of its*
20 *Records, Secretariat and Support Services.* – The Board shall be under the
21 administrative supervision of the Commission. All records of the Board, including
22 applications for examination, administrative and other investigative cases
23 conducted by the Board shall be under the custody of the Commission. The
24 Commission shall designate the secretary of the Board and shall provide the
25 secretariat and other support services to implement the provisions of this Act.

26 SECTION 13. *Annual Report.* – The Board shall, at the close of each
27 calendar year, submit an annual report to the President of the Philippines,
28 through the Commission, giving a detailed account of its proceedings and
29 accomplishments during the year and making recommendations for the adoption
30 of measures that will upgrade and improve the conditions affecting the practice of
31 interior design.

32

33

ARTICLE III

34

EXAMINATION, REGISTRATION, CERTIFICATION, AND LICENSURE

35

36

37

SECTION 14. *Passing of Licensure Examination Requirement.* – Except
as otherwise specifically allowed under this Act, applicants for registration for the
practice of interior design shall be required to pass a licensure examination as

1 provided for in this Act in such places and dates as the Commission may
2 designate in accordance with the provisions of Sec. 7 (d) of R.A. No. 8981.

3 SECTION 15. *Qualifications of Applicants.* – An applicant for the licensure
4 examination for interior designers shall satisfactorily prove that he/she possesses
5 the following classifications:

6 (a) Citizen of the Philippines or a foreign citizen whose country/state has
7 reciprocity with the Philippines in the practice of interior design;

8 (b) Of good moral character;

9 (c) A holder of a bachelor's degree in interior design duly recognized or
10 accredited by the CHED and conferred by a school/collage/university duly
11 authorized by the government or its equivalent degree obtained by either
12 a Filipino or foreign citizen from an institution of learning in a foreign
13 country/state, provided it is duly recognized and/or accredited by the
14 CHED; and

15 (d) Not convicted of an offense involving moral turpitude by a court of
16 competent jurisdiction.

17 SECTION 16. *Subject for Licensure Examination.* – The examination for
18 interior design shall basically cover the following subjects:

19 1. Interior Design;

20 2. Furniture design and Construction;

21 3. Materials for Decoration/and color theory;

22 4. History of Arts and Interior Design;

23 5. Interior Construction;

24 6. Professional Practice and Ethics.

25 The said subjects and their syllabi may be amended by the Board so as to
26 conform to technological changes brought about by continuing trends in the
27 profession, in coordination with the accredited council of interior design
28 educators.

29 SECTION 17. *Registration Without Examination.* – Any of the following
30 persons may register as interior designer without examination within two (2)
31 years of the effectivity of this Act:

32 (a) All interior designers who have taken at least sixty (60) units of major
33 interior design subjects for the last ten (10) years prior to the effectivity of
34 the Interior Design Act of 1998 and who can show proof of continuous
35 practice;

36 (b) All registered and duly licensed architects who had been practicing interior
37 design for ten (10) years prior to the effectivity of the Interior Design Act of
38 1998 and who can show proof of practice.

1 Nothing in this Act shall be construed to effect or prevent the practice of
2 any other legally recognized profession or to disqualify those who have been
3 considered registered, qualified and actually performing acts constituting the
4 legitimate practice of interior design before the effectivity of the Interior Design
5 Act of 1998, from engaging in the practice of interior design: *Provided*, that those
6 who are situated before the effectivity of the Interior Design Act of 1998, shall
7 apply for registration with and be registered by the Board, without need of
8 passing the examination required under the Interior Design Act of 1998.

9 SECTION 18. *Rating in the Licensure Examination.* – To be qualified as
10 having passed the Board examination for interior designers, a candidate must
11 obtain a weighted general average of seventy percent (70%).

12 SECTION 19. *Report of Ratings.* – The Board shall submit to the
13 Commission the ratings obtained by each candidate within twenty (20) days after
14 the examination unless extended by the Commission for just cause. Upon the
15 release of the results of the examination, the Board shall send by mail the rating
16 received by each examinee at his given address using the mailing envelope
17 submitted during the examination.

18 SECTION 20. *Oath.* – All successful candidates in the examination shall
19 be required to take an oath of profession before the Board or any government
20 official authorized by the Commission to administer oaths prior to entering the
21 practice of the interior design profession.

22 SECTION 21. *Issuance of Certificate of Registration and Professional*
23 *Identification Card.* – A certificate of registration shall be issued to applicants who
24 pass the examination for interior designers subject to payment of registration
25 fees.

26 The certificate of registration as professional interior designer shall bear
27 the signatures of the Chairman of the Commission and Board Members, stamped
28 with the official seal, indicating that the person named therein is entitled to
29 practice the profession with all the privileges appurtenant thereto. This certificate
30 shall remain in full force and effect until withdrawn, suspended or revoked, in
31 accordance with this Act.

32 A professional license bearing the registration number, date of issuance,
33 expiry date and duly signed by the Chairman of the Board, shall likewise be
34 issued to every registrant, who has paid the required fees. This license will serve
35 as evidence that the licensee can lawfully practice his profession.

36 A professional identification card, whether new or for renewal, shall be
37 released by the PRC upon compliance with the requirements for the application

1 or renewal of identification card and upon presentation of the updated receipt of
2 payment of annual membership dues of the accredited professional organization.

3 SECTION 22. *Refusal to Register.* – The Board shall not register any
4 successful applicant for registration with or without license examination who has
5 been:

- 6 (a) Convicted of an offense involving moral turpitude by a court of competent
7 jurisdiction,
- 8 (b) Found guilty of immoral or dishonorable conduct by the Board,
- 9 (c) Summarily adjudged guilty for violation of the General Instructions to
10 Examinees by the Board, and
- 11 (d) Declared of unsound mind by the court of competent jurisdiction.

12 In refusing such registration, the Board shall give applicant a written
13 statement setting forth the reasons therefore and shall file a copy thereof in its
14 records.

15 SECTION 23. *Revocation and Suspension of the Certificate of*
16 *Registration and Cancellation of Temporary/Special Permit.* – The Board shall
17 have the power, upon notice and hearing, to revoke or suspend the certificate of
18 registration of a Registered and Licensed Interior Designer or to cancel a
19 temporary/special permit granted to foreign Interior Designer, for violation of any
20 of the grounds or causes in Section 22 of this Act, except (c) thereof and any of
21 the following grounds:

- 22 (a) Violation of a provision of this Act, its IRR, Code of Ethics, Code of Good
23 Governance, Code of Technical Standards for the practice of interior
24 design, policy, and measure of the Board and/or the Commission;
- 25 (b) Perpetration or use of fraud in obtaining his/her certificate of registration,
26 professional identification card, temporary/special permit;
- 27 (c) Gross incompetence, negligence or ignorance resulting to death, injury or
28 damage;
- 29 (d) Refusal to join or to remain member in good standing of the Accredited
30 Professional Organizations (APO);
- 31 (e) Neglect or failure to pay the annual registration fees for five (5)
32 consecutive years;
- 33 (f) Non-payment of the annual registration fees for five (5) consecutive
34 years;
- 35 (g) Aiding or abetting the illegal practice of a non-registered and licensed
36 person by allowing him/her to use his certificate of registration and/or
37 professional identification card or his/her special/temporary permit;

- 1 (h) Illegally practicing the profession during his/her suspension from the
2 practice thereof;
- 3 (i) Addicted to a drug or alcohol abuse impairing his/her ability to practice
4 his/her profession or declared with unsound mind by a court of a
5 competent jurisdiction;
- 6 (j) Non-compliance with the CPE requirement, unless he/she is exempted
7 therefrom, for the renewal of his/her professional identification card;

8 The Board shall periodically evaluate the afore-mentioned grounds and
9 revise or exclude or add new ones as the need arises subject to approval by the
10 Commission.

11 Any person, firm or association may file charge/s in accordance with the
12 provision of this Section against any registrant, or the Board may investigate
13 violation of any of the above mentioned causes. Affidavit-complaint shall be filed
14 together with the affidavits of witnesses and other documentary evidence with the
15 Board through the Legal and Investigation Office. The *motu proprio* move to
16 conduct an investigation shall be embodied in a formal charge to be signed by at
17 least majority of the members of the Board. The rules on administrative
18 investigation issued by the Commission shall govern the hearing or investigation
19 subject to applicable provisions of this Act, R.A. No. 8981 and the Rules of the
20 Court.

21 SECTION 24. *Reissuance of Revoked Certificate of Registration,*
22 *Replacement of Lost or Damage Certificate of Registration, Professional*
23 *Identification Card or Temporary/Special Permit.* – The Board may upon petition
24 reissue a revoked certificate of registration after two (2) years from the effectivity
25 of the period for revocation, which is the date of surrender of the said certificate
26 and/or the professional identification card if still valid to the Board and/or the
27 Commission. The Board may not require the holder thereof to take another
28 licensure examination. The petitioner shall prove to the Board that he/she has
29 valid reason/s to practice his/her profession. For the grant of his/her petition, the
30 Board shall issue a Board Resolution subject to approval by the Commission.

31 Duplicate copy of lost certificate of registration, professional identification
32 card or temporary/special permit may be reissued in accordance with rules
33 thereon and upon payment of the prescribed fee therefore.

34 SECTION 25. *Non-payment of the Annual Registration Fees.* – The Board
35 shall suspend a registered interior designer from the practice of his/her
36 profession for non-payment of the annual registration fees for five (5) consecutive
37 years from its last or previous year of payment. The resumption of his/her
38 practice shall take place only upon payment of the delinquent fees plus

1 surcharges and interests, and in accordance with the rules of the Commission.
2 The running of the five-year period may be interrupted upon written notice about
3 the discontinuance of his practice and surrender of his/her certificate of
4 registration to the Board and/or the Commission.

5 SECTION 26. *Vested Rights.* – All practicing interior designers who are
6 registered at the time the Interior Design Act of 1998 was signed into law, shall
7 automatically be registered.

8

9

ARTICLE IV

10

PRACTICE OF INTERIOR DESIGN

11

12 SECTION 27. *Lawful Practitioners of Interior Design.* – The natural
13 persons and juridical persons who shall be authorized to practice the interior
14 design profession:

15

1. Natural persons who are:

16

(a) Duly registered and licensed as interior designers and holders of valid
17 certificates of registration and valid professional identification cards issued
18 by the Board and the Commission pursuant to this Act; and

19

(b) Holders of valid temporary/special permits issued by the Board and the
19 Commission to foreign licensed interior designers pursuant to this Act.

20

2. Juridical persons:

21

(a) Single proprietorship whose owner is a registered and licensed interior
22 designer;

23

(b) Partnership which is duly registered with the Securities and Exchange
24 Commission (SEC) as professional partnership pursuant to the Civil Code
25 and composed of all partners who are all duly registered and licensed
26 interior designers;

27

(c) Corporation duly registered with the SEC as engaged in the practice of
28 interior design and with the majority of the Board of Directors who are all
29 registered and licensed interior designers as well as key Chief Executive
30 Officer (CEO);

31

(d) These juridical persons shall also be registered with the Board and the
32 Commission in accordance with the rules and regulations thereon.

33

34 SECTION 28. *Seal, Issuance, and Use of Seal.* – A duly registered interior
35 designer shall affix the seal approved by the Board of Interior Design on all plans
36 and specifications prepared by, or under his direct supervision.

37

Each registrant shall, upon registration, obtain the seal of such design as
the Board of Interior Design may adopt. Plan and specifications prepared by, or

1 under the direct supervision of a registered interior designer, shall be stamped
2 with said seal during the validity of the professional license.

3 No officer or employee of the government, chartered cities, provinces,
4 municipalities now or hereafter charged with the enforcement of laws, ordinances
5 or regulations relating to the construction or alteration of the interiors of buildings,
6 shall accept or endorse any interior plans or specifications which have not been
7 prepared and submitted in full accord with the provisions of this Act, nor shall any
8 payment be approved by any such officer for any work, the plans and
9 specifications of which have not been so prepared, signed and sealed by a duly
10 licensed interior designer.

11 Violation of the foregoing shall be ground for administrative and/or criminal
12 action.

13 SECTION 29. *Foreign Reciprocity.* – No foreign interior designer shall be
14 issued a temporary license to practice the interior design profession or
15 consultancy thereof or be entitled to any of the rights and privileges under this
16 Act unless the country of which he is a subject or citizen specifically permits
17 Filipino interior designers to practice within its territorial limits on the same basis
18 as the subjects or citizens of such foreign state or country.

19 SECTION 30. *Practice through Temporary/Special Permit.* –

20 1. Foreigners intending to work in the Philippines to perform professional
21 services as interior designers or consultants whether employed
22 through official foreign funded or foreign assisted projects initiated by
23 the government, or engaged by private Filipino firms, foreign
24 contractors or firms shall first secure a special temporary permit from
25 the Professional Regulation Commission through the Board of Interior
26 Design specifically authorizing him to practice on the special project or
27 commission named therein, provided further that:

28 (a) He/she is legally and professionally qualified and registered to
29 practice interior design in his own country.

30 (b) His/her expertise is unique and useful to the Philippines, resulting
31 in the transfer of information and technology. The establishment of
32 international standards in design, and of sharing of other
33 specialized skills.

34 (c) Foreign duly licensed nationals shall be required to work with a
35 Filipino counterpart that has been in continuous practice of interior
36 design for at least ten (10) years. Professional fees and services,
37 and expenses of documentation pertaining to the project shall be
38 shared by both foreign and Filipino interior designers, including

1 liabilities and taxes due to the Philippine government, if any,
2 according to their participation in, or professional services rendered
3 to the project.

4 2. A foreign interior designer shall be also required to work in every case
5 with a duly licensed Filipino counterpart whose competence and
6 integrity have been established by the Board of Interior Design on the
7 basis of uniform standards contained in their implementing rules and
8 regulations.

9 3. Foreign and Filipino firms working jointly on a special project shall
10 divide the professional fees and other charges collected from said
11 project equitably, similarly, all documentation expenses, taxes and
12 other liabilities incurred on the shared project shall also be borne
13 equally by both foreign and Filipino firms.

14 4. Foreigners working jointly, thus, shall sign contracts, designs and other
15 credits together with his Filipino counterpart firm, due
16 acknowledgement shall at all times be accorded both firms throughout
17 international media, including electronic and other transmission of
18 intellectual property and other proprietary rights, including all residual
19 earnings shall also be equitably shared between foreign and local
20 firms.

21 5. Foreign design firms or individuals practicing in the Philippines before
22 the promulgation of this Act are required to comply with the
23 requirements established by the Board of Interior Design in its
24 implementing rules and regulations within the timetable it stipulates
25 therein.

26 6. Any violations of these requirements or other illegal practices
27 undertaken by either foreign design firms or their Filipino counterparts
28 shall be punishable by law or under the implementing rules and
29 regulations of the Board of Interior Design.

30 SECTION 31. *Indication of Numbers, Certificate of Registration,*
31 *Professional tax Receipt, and APO Membership.* – The interior designer shall be
32 required to indicate his/her Certificate of Registration Number and Date of
33 Issuance, the expiry of his/her current Professional Identification Card, the
34 Professional Tax Receipt Number and Date, and his/her APO Membership
35 Number and Date with Official Receipt Number and Date of Membership
36 payment (Annual/Lifetime) on the documents he/she signs, uses, or issues in
37 connection with the practices of his/her interior design profession.

1 SECTION 32. *Roster of Interior Designers.* – The Board shall prepare and
2 maintain a roster of the names, residence and/or office address of all registered
3 interior designers which shall be updated annually in cooperation with the APO,
4 indicating therein the status of the certificate of registration, professional
5 identification card, and APO membership, whether valid, inactive due to death or
6 other reasons, delinquent, suspended or revoked. The said roster shall be
7 conspicuously posted within the premises of the Commission and the information
8 therefrom made available to the public upon inquiry or request.

9 SECTION 33. *Integration of the Interior Designers.* – The interior
10 designers shall be integrated into one (1) national organization of interior
11 designers that is duly registered with the SEC. The Board of Interior Design
12 subject to approval by the Commission shall accredit the said organization as the
13 one and only integrated and accredited professional organization of interior
14 designers. All interior designers whose names appear in the Registry Book of
15 Interior Designers shall *ipso facto* or automatically become members thereof and
16 shall receive therefrom all the benefits and privileges upon payments of APO
17 membership fees and dues.

18 A membership in an affiliate organization of interior designers shall be
19 barred.

20
21 **ARTICLE V**
22 **FINAL PROVISIONS**

23 SECTION 34. *Penal Clause.* – Any person who shall commit any of the
24 following acts:

25 A. Local Practitioner

- 26 1) Practicing interior design without a valid certificate of registration
27 and/or a valid professional identification card or a valid
28 temporary/special permit;
- 29 2) Attempting to use the seal, certificate of registration and/or
30 professional identification card of a registered interior designer or
31 temporary/special permit issued to foreign (professional);
- 32 3) Abetting the illegal practice of interior design by an unregistered or
33 unauthorized person;
- 34 4) Impersonating a registered interior designer or a holder of a
35 special/temporary permit; and
- 36 5) Violating any provision of this Act or implementing rules and
37 regulations thereof shall be, upon conviction, be penalized by a fine
38 of not less than Three Hundred Thousand Pesos (Php 300,000.00)

1 nor more than One Million Pesos (Php1,000,000.00), and
2 revocation of the certificate of registration and professional license
3 or imprisonment of not less than six (6) months nor more than three
4 (3) years, or both fine and imprisonment at the discretion of the
5 court.

6 B. Foreign Practitioner/Firm

7 The penalty of foreign design firm or individuals for illegal practice
8 shall be a minimum of fifteen percent (15%) of gross fees under five
9 Million Pesos (Php 5,000,000.00) and a minimum of ten percent (10%)
10 of gross fees above Five Million Pesos (Php 5,000,000.00) in addition
11 to payment of back taxes to the Philippine government, imprisonment
12 of not less than six (6) months nor more than three (3) years, or both
13 fine and imprisonment or permanently banned from further practice in
14 the Philippines, at the discretion of the court.

15 SECTION 35. *Enforcement.* – The Professional Regulation Commission
16 shall be the enforcement agency of the Board. As such, the Commission shall
17 implement the concerned provisions of this Act, enforce its implementing rules
18 and regulations as adopted by the Board, conduct investigations on complaints
19 including violations of the Code of Conduct of the profession and prosecute when
20 so warranted.

21 SECTION 36. *Funds.* – The funds or budget for the implementation of this
22 Act shall be included in the annual budget of the Commission under the General
23 Appropriations Act, provided that the amount incurred for its initial
24 implementation shall be charged against the Commission's current year's
25 appropriation.

26 SECTION 37. *Transitory Provision.* – The incumbent Board shall, in an
27 interim capacity, continue to function by carrying out the provisions of the Act
28 without need for the issuance of new appointments for the Chairman and
29 members thereof until the first Board created under this Act shall have been
30 constituted or organized pursuant thereto.

31 SECTION 38. *Implementing Rules and Regulations.* – The Board, with the
32 approval of the Commission, shall adopt and promulgate such rules and
33 regulations to implement the provisions of this Act, which shall be effective after
34 fifteen (15) days following its publication in the *Official Gazette* or in a major daily
35 newspaper of general circulation.

36 SECTION 39. *Separability Clause.* – If any clause, provision, paragraph or
37 part hereof shall be declared unconstitutional or invalid, such judgment shall not
38 affect, invalidate or impair any other part hereof, but such judgment shall be

1 merely confined to the clause, provision, paragraph or part directly involved in the
2 controversy in which such judgment has been rendered.

3 SECTION 40. *Repealing Clause.* – Republic Act No.8534 is hereby
4 repealed. All other laws, decrees, executive orders and administrative issuances
5 and parts thereof which are inconsistent with the provisions of this Act are hereby
6 modified, superseded or repealed accordingly.

7 SECTION 41. *Effectivity.* – This Act shall take effect-fifteen (15) days
8 following its complete publication in the *Official Gazette* or in at least two (2)
9 newspapers of general circulation.

10 Approved,