

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. **10234**



Introduced by Hon. Christopher V.P. de Venecia, Hon. Angelo Marcos Barba, Hon. Deogracias Victor "DV" B. Savellano, Hon. Marlyn "Len" B. Alonte, Hon. Aloy Lim, Hon. Kristine Singson-Meehan, Hon. Ma. Lourdes T. Arroyo, Hon. Ann K. Hofer, Hon. Manuel T. Sagarbarria, Hon. Ronnie L. Ong, Hon. Lianda B. Bolilia, Hon. John Reynald M. Tiangco, Hon. Angelica Natasha Co, Hon. Alfred C. Delos Santos, Hon. Anthony Peter "Onyx" D. Crisologo, Hon. Vilma Santos-Recto, Hon. Juan Miguel Macapagal Arroyo, Hon. Rufus B. Rodriguez, Hon. Sarah Jane I. Elago, Hon. Joy Myra S. Tambunting, Hon. Sandra Y. Eriguel, M.D., Hon. Luisa Lloren Cuaresma, Hon. Florida "Rida" P. Robes, Hon. Rosanna "Ria" V. Vergara, Hon. Dan S. Fernandez, Hon. Alfred D. Vargas

AN ACT
ELEVATING THE REGULATION AND PRACTICE OF ARCHITECTURE
IN THE PHILIPPINES, REPEALING REPUBLIC ACT NO. 9266,
AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Philippines has multiple international commitments governing trade in services that encompass State-regulated professions, including architectural services. These commitments include multilateral treaties such as the 1995 World Trade Organization General Agreement on Trade in Services (WTO-GATS), effective January 2020; the various ASEAN Mutual Recognition Arrangements (MRA) among ten ASEAN states, with the 2007 MRA on Architecture; and the Asia-Pacific Economic Cooperation (APEC) Architect Project undertaken by 21 APEC economies, among others. In addition, bilateral agreements include the Japan-Philippines Economic Cooperation Agreement, which also contains provisions on trade in architectural services.

However, protectionist policies from decades past, including the subject of this repeal by reenactment, R.A. No. 9266, the Architecture Act of 2004, are in direct conflict with the treaties the Philippines has entered, the objectives of which are to stimulate economic activity, promote trade, expand exports, and improve the

citizens' purchasing power through non-discriminatory access to markets and progressive liberalization.

R.A. No. 9266 is one of several professional regulatory laws that has stymied professional advancement, which would have benefited our citizens. Instead, non-responsive policies have made Filipino professionals, including architects, much less competitive on the regional and world stages.

Argument in favor of protectionism point to the Philippine Constitution and nationalism to justify disregard of international treaties, blocking market access to foreign service providers, and spurning foreign architecture education even from such exalted institutions as the University College London, Massachusetts Institute of Technology, Delft University of Technology, Harvard, Yale, and the National University of Singapore.

The Philippine Supreme Court has rejected such thinking, upholding the validity of honoring the country's obligations to the WTO-GATS and similar treaties as concordant with the 1987 Philippine Constitution.

In its dismissal dated May 2, 1997, of a petition against Philippine membership in the WTO for contravening the Constitution, the Supreme Court said: "The Constitution has not shown any unbalanced bias in favor of any business or enterprise, nor does it contain any specific pronouncement that Filipino companies should be pampered with a total proscription of foreign competition."

Instead, the High Court maintained that "the fundamental law encourages industries that are 'competitive in both domestic and foreign markets,' thereby demonstrating a clear policy against a sheltered domestic trade environment but one in favor of the gradual development of robust industries that can compete with the best in the foreign markets." 1 Citing examples of Filipino enterprises competing internationally, the Supreme Court added: "Given a free trade environment, Filipino entrepreneurs and managers...have demonstrated the Filipino capacity to grow and to prosper against the best offered under a policy of *laissez faire*."

Rather than developing into a robust industry, however, architecture in the Philippines has been overtaken by the vibrant practices of Indonesia, Malaysia, Singapore, and Thailand, which, in the 1960s to 1980s, looked to the Philippines for exemplary architecture that married the best of the West with the wisdom of our *maestros* and indigenous builders.

Worse, the nationalist Filipino-first outlook has, over the years, degenerated into an unyielding isolationist stance, retreating from the global march towards borderless economies and discriminating even against Filipino professionals who have studied and trained abroad.

This bill seeks to address the withered competitive spirit of the architecture profession and the ills of the architectural practice and regulatory regimes manifest in the last ten to fifteen years. The regulatory laws and implementing rules of each design profession have fostered acrimonious attitudes over turf, with each discipline attempting to appropriate for themselves services that are not necessarily proprietary to their work but are germane to the practice of other professions and non-regulated trades and occupations.

Furthermore, the lack of accountability and transparency in regulation fueled by each profession's desire to increase their numbers has also engendered a deleterious lowering of standards that assail the very purpose of regulation, which is protecting the public interest and public service.

In addition, this bill confronts policies enunciated by critical infrastructure, procurement, and regulatory agencies of the Philippine government that undermine the profession of architecture. By assigning architectural work of, for, and by the national and local governments to non-architects, such policies have negatively impacted the quality of our built environment and, subsequently, the quality of life engendered by these environs.

All these are urgent matters the Legislature must promptly address.

Thus, the passage of this bill is earnestly sought.



**HON. CHRISTOPHER V.P. DE
VENECIA**



HON. ANGELO MARCOS BARBA



**HON. DEOGRACIAS VICTOR "DV"
B. SAVELLANO**



HON. MARLYN "LEN" B. ALONTE



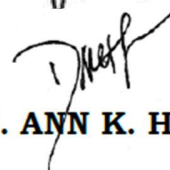
HON. ALOY LIM



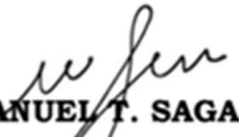
HON. KRISTINE SINGSON-MEEHAN




HON. MA. LOURDES T. ARROYO



HON. ANN K. HOFER


HON. MANUEL T. SAGARBARRIA


HON. RONNIE L. ONG


HON. LIANDA B. BOLILIA


HON. JOHN REYNALD M. TIANGCO

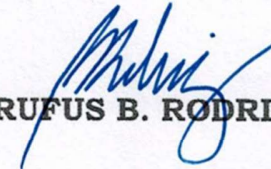

HON. ANGELICA NATASHA CO


HON. ALFRED C. DELOS SANTOS

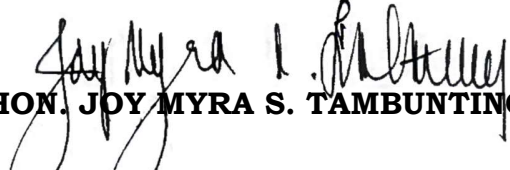

HON. ANTHONY PETER "ONYX" D. CRISOLOGO


HON. VILMA SANTOS-RECTO


HON. JUAN MIGUEL MACAPAGAL ARROYO


HON. RUFUS B. RODRIGUEZ


HON. SARAH JANE I. ELAGO


HON. JOY MYRA S. TAMBUNTING



HON. SANDRA Y. ERIGUEL, M.D.


HON. LUISA LOREN CUARESMA


HON. FLORIDA "RIDA" P. ROBES


HON. ROSANNA "RIA" V. VERGARA


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

ARTICLE I
GENERAL PROVISIONS

Section 1. Short Title. – This Act shall be known as "The Philippine Architecture Act of 2022."

Section 2. Statement of Policy. – The State recognizes the importance of architecture in nation-building and development. Hence, the State shall ensure that every practicing professional architect meets the minimum requirements to safeguard life, health, and property; foster their continuing professional growth and advancement; and continually review and improve the standards of regulation, professional service, and practice for Filipino architects to be socially and environmentally responsible and globally competitive.

Section 3. Definition of Terms. – As used in this Act, unless the context otherwise requires, the following terms shall be defined as follows:

- a. "Architecture" is the art and science or profession of planning, designing, and realizing buildings and structures, taking into account their environment and following the principles of utility, strength, and beauty;
- b. "Professional Architect," "Registered Architect," and "Licensed Architect" means a natural person qualified by education, experience, examination, and applied skills, who holds a valid Certificate of Registration issued by the Professional Regulatory Board of Architecture and the Professional Regulation Commission under this Act;
- c. "Licensed Architect" also means a registered architect in possession of a valid practicing license or Professional Identification Card issued by the Professional Regulatory Board of Architecture and the Professional Regulation Commission;
- d. "Architect-of-record" means the architect registered and licensed under this Act, who is directly responsible for the design of the project and who shall assume the professional responsibility and civil liability for the architectural documents he or she has signed and sealed;
- e. "Architect-in-charge of construction" means an architect registered and licensed under this Act, who is directly responsible and liable for the construction supervision of the project;
- f. "Consulting Architect" means the specialist architect registered and permitted to practice under this Act. He or she assumes no civil liability under Article 1723 of the Civil Code unless he or she contravenes the legal and professional functions of the Architect-of-Record; the Consulting Architect shall assume the civil liability under the service agreement he or she signs with a Client;
- g. "Architectural documents" means legal or contract documents that only registered and licensed architects can sign and seal, consisting, among others, of site development plans; space and architectural programs; space planning survey reports; space and stacking plans; architectural design briefs; architectural drawings such as floor plans, partition plans, reflected ceiling plans, roof plans, finish plans, wayfinding and signage plans, code plans, coordination plans, perspectives, elevations, sections, and detail drawings; furniture, furnishings, equipment, and other schedules, perspectives, architectural technical specifications; architectural cost estimates; and other instruments of service in any form;

- h. "Interior Design Documents" means legal or contract documents that only registered and licensed interior designers or architects can sign and seal, consisting, among others, of schematics, design development, construction drawings, and specifications. Drawings may consist of floor plans, partition plans, reflected ceiling plans, and finish plans; wayfinding and signage plans; code plans; coordination plans; perspectives, elevations, sections, and detail drawings; furniture, furnishings, equipment, and other schedules; and details illustrating the design of non-load-bearing interior construction or alterations;
- i. "Architectural Firm" means a sole proprietorship, partnership, corporation, or one-person-corporation registered with the proper government agencies;
- j. "Registered Architectural Firm" means a juridical person duly registered with the Board, the Commission, and the Securities and Exchange Commission, engaged in providing architectural services on Philippine soil;
- k. "Registered Foreign Architect" means an architect who is not a Filipino citizen, is duly registered and licensed in his or her home country and is duly registered by the Board for the lawful practice of architecture on Philippine soil;
- l. "Architectural Interior" or "Interior Architecture" means the conceptualization, design, and realization of the indoor or enclosed areas of any building or structure, including those for retrofit or renovation work, which covers material, ventilation, ergonomics, all architectural and utility aspects, including the architectural lay-outing of all building engineering systems found therein, amongst other things; in short, interior architecture is the design of an interior in architectural terms;
- m. "Interior Design," on the other hand, means the art and science of creating a functional and aesthetic interior environment that corresponds to the architecture of a space and supports the purpose and character intended for the interior spaces. It encompasses the analysis, planning, design, documentation, and management of non-structural, code-compliant, accessible, and inclusive interior environments to address the physical, mental, and emotional well-being of people;
- n. "Architectural Plans" means two-dimensional representations of an enclosed, semi-enclosed, or open area showing elements such as columns, beams, walls, partitions, floors, ceilings, doors, windows, stairs, roof, room designations, door and window callouts and schedules, the architectural layout of equipment, furnishings, furniture, specifications callouts, elevation references, drawing references and the like; the term shall also collectively refer to cross or longitudinal sections, elevations, site plans,

roof plans, excavation plans, reflected ceiling plans, detail drawings, finishing schedules, working schedules, and the like;

- o. “Architecture Practice” or “Practice of Architecture” means offering, providing, or being in responsible charge of professional services which require the application of the art and science of designing for the construction, enlargement, or alteration, in whole or in part, of a structure or group of structures, including the planning of their sites, their components and appurtenances and the spaces around them, wherein the safeguarding of life, health, property, and public welfare is concerned.

The practice of architecture does not include the practice of engineering, although an architect may perform engineering work that is purely incidental to the practice of architecture.

The practice of architecture includes interior architecture and, in the absence of an interior designer, the practice of interior design.

Nothing contained in this Act shall be construed to prohibit a student, draftsman, designer, or employee from engaging in the practice of architecture provided that the practice is performed under the responsible charge, as defined in this Section, of a registered and licensed architect who shall assume the professional responsibility and civil liability for the architectural documents he or she has signed and sealed;

- p. “Architecture Scope of Practice” or “Scope of the Practice of Architecture” encompasses the provision of professional services that include but are not limited to:
 - 1. Consultation, advice, investigation, evaluation, quality surveys, appraisals and adjustments, architectural and operational planning, site analysis, and other pre-design services;
 - 2. Preparation of preliminary, technical, economic, and financial feasibility studies of plans, models, and project promotional services;
 - 3. Planning, preliminary design studies, schematic design, design development, structural conceptualization;
 - 4. Preparation of architectural drawings, working drawings, and specifications, bill of materials, cost estimates, general conditions, and bidding documents;
 - 5. Contract administration;
 - 6. Compliance with applicable development controls, codes and regulations, and assistance in the governmental review process;

7. Construction and project management, administration, supervision, coordination, and direction;

8. The planning and architectural lay-outing of building sites, the spaces within and surrounding such buildings or structures, housing design and community architecture, architectural interiors and space planning, architectural detailing, architectural lighting, acoustics, architectural lay-outing of mechanical, electrical, electronic, sanitary, plumbing, communications and other utility systems, equipment and fixtures;

9. Building programming, building administration, construction arbitration, and architectural conservation and restoration;

10. All works which relate to the scientific, aesthetic, and orderly coordination of all works and branches of the work, systems, and processes necessary for the realization of the project, whether for public or private use, in order to enhance and safeguard life, health, and property and the promotion and enrichment of the quality of life, the architectural design of engineering structures or any part thereof; and

11. All other works, projects, and activities that require the professional competence of an architect, including the teaching of architectural subjects and architectural computer-aided design;

q. "Architectural Association" means an association or organization of professional architects registered with the Securities and Exchange Commission that fulfils the requirements to be a member of the IAPOA to be created by this Act;

r. "Authorship" refers to the author or authors of a set of architectural documents whether made by them personally or under their immediate supervision;

s. "Copyright" and "Copyright Ownership" shall refer to the intellectual proprietary rights retained by an architect over original works of authorship unless there is written stipulation to the contrary; "Copyright ownership" of a work of architecture shall include the right to control the erection of a building that reproduces the whole or a substantial part of the work either in its original form or in a form recognizably derived from the original; however, the copyright in any such work shall not include the right to control the reconstruction or rehabilitation of a building in the same style as the original to which the copyright relates;

t. "Ownership" means the proprietary rights of a natural or juridical person who commissions an architect to provide architectural services, where

ownership is confined to the use of the architectural documents only for the execution of the original project and not for the use, in whole or in part, in subsequent projects;

- u. "Board" refers to the Professional Regulatory Board of Architecture;
- v. "Building" means a structure for habitation and other uses, for which the architect shall prepare the architectural documents, which may include "structural conceptualization," and for which the civil engineer shall prepare the pertinent structural design and the civil works design for the grounds or site, and for which the civil engineer may be jointly involved in activities relating to the building and grounds document review and permitting processes, construction, supervision, management, administration, operation and management, and reconstruction;
- w. "Certificate of Registration" means a document vesting the privilege on natural and juridical persons to lawfully engage in the state-regulated practice of architecture on Philippine soil;
- x. "License" means the permission granted by the Commission under this Act to an architect to lawfully supply architectural services in the Philippines;
- y. "License" also refers to an official document attesting to such permission, which, under this Act, is the Professional Identification Card or practicing license;
- z. "Professional Identification Card" or "PIC" means the official document or practicing license attesting to the permission granted by the Professional Regulation Commission to persons registered under this Act for them to lawfully supply architectural services in the Philippines. The PIC expires after seven (7) years and must be renewed to verify that the bearer has complied with this Act, has participated in continuing skill and knowledge development as is expected of professionals, and is fit to practice;
- aa. "Inactive" means a registered professional who has not renewed his or her Professional Identification Card or practicing license before its expiry date and shall therefore be prohibited from engaging in the practice of the profession until the PIC or practicing license is renewed;
- bb. "Commission" means the Professional Regulation Commission or PRC, a body created by R.A. No. 8981, the PRC Modernization Act of 2000, to maintain a high standard of admission to the practice of all state-regulated professions, which shall remain attached to the Office of the President and shall not be relegated to any line agency.

- cc. “Competitive” or “Competitiveness” means the ability of a professional, business, or industry to deliver better value to customers than competitors.
- dd. “Continuing Professional Development” or “CPD” means the learning activities prescribed and recognized by the Professional Regulatory Board of Architecture for professional architects to engage in to develop and enhance their abilities;
- ee. “Continuing Professional Development Council” or “CPD Council” means the bodies created Republic Act No. 10912 to promote and ensure the continuous improvement of professionals per national, regional, and international standards of practice, under the supervision of the Professional Regulatory Board concerned;
- ff. “Development Controls” are a body of applicable international agreements, conventions, and standards, as well as Philippine laws and related executive issuances at the national and local levels, crafted with or without legislative oversight, intended to limit the level of physical development on both private property and on the permitted portions of the public domain encompassing the air, surfaces, and sub-surfaces above land and water. Such development controls and their implementing mechanisms are issued in executive orders, administrative orders, department administrative orders, memorandum circulars, zoning ordinances and special ordinances. In the event that that they contradict each other, the most stringent control prevails, that is, the standard that permits the least development, construction or negative intervention on both the natural and built environments;
- gg. “Diversified Experience” shall refer to the training program with increasing levels of responsibility supervised by registered and licensed architects that students or graduates of Architecture shall undertake as one of the qualifications for the licensure examination. “Diversified Architectural Experience” shall consist of three thousand nine hundred (3,900) hours of training or mentorship or its equivalent;
- hh. “Gross negligence” means conduct that demonstrates a reckless disregard of the consequences affecting the life or property of another person;
- ii. “Incompetence” means conduct which, in the practice of a profession, demonstrates a significant lack of ability, knowledge, or fitness to discharge a professional obligation;
- jj. “Negligence” means a deviation from the required standard of professional care resulting in negative consequences;

- kk. “Integrated Accredited Professional Organization for Architects” or “IAPOA” means a national umbrella organization duly registered with the Securities and Exchange Commission and accredited by the Board and Commission, which shall be comprised of associations or organizations of professional architects separately registered with the Securities and Exchange Commission;
- ll. "Official Gazette" refers to the public journal and primary publication of the Government of the Philippines and its website;
- mm. “Professional Responsibility” means directly or indirectly teaching, advising, supervising, mentoring, evaluating, coaching or doing research with a student, subordinate, or creative;
- nn. “Register” means the official roster of registered professionals kept, updated, and published annually by the respective Professional Regulatory Boards;
- oo. “Register of Architects” means the official roster of registered professional architects kept, updated, and published annually by the Board;
- pp. “Register of Architecture Firms” means the official roster of registered architecture firms kept, updated, and published annually by the Board;
- qq. “Register of Foreign Architects” means the official roster of registered professional foreign architects as natural persons kept, updated, and published annually by the Board;
- rr. “Register of Practicing Architects” means the official roster of registered architects with a valid Professional Identification Card or practicing license kept, updated, and published annually by the Board;
- ss. “Responsible Charge” means the control over and detailed knowledge of the content of a technical submission during its preparation that is ordinarily exercised by a registered architect when applying the required standard of professional care;
- tt. “Service Agreement” means a duly notarized written contract or equivalent public instrument stipulating the scope of services and guaranteeing compensation of such services to be rendered by a professional duly registered and licensed under this Act;
- uu. “Site Planning” means the detailed site development planning of areas surrounding a building or structure or group of structures, but only

within the property limits of the land on which such buildings or structures are to be erected;

- v. "Structure" means a constructed arrangement of different interrelated parts and systems with a fixed location on the ground that is designed to bear loads, which may not necessarily be intended for human habitation or occupancy; the term may also refer to the integrated support system of a building referring to its foundation, superstructure and roof support;
- ww. "Structural Conceptualization" means the conception, design, and development of the type, disposition, arrangement, and proportioning of the structural elements of architectural work, giving due consideration to safety, cost-effectiveness, functionality, and aesthetics;
- xx. "Structural Design" means the specialized area of civil engineering that determines safe and economical specifications for a structure to ensure that it will be sufficiently strong to carry its intended load and withstand the internal and external forces acting on it;
- yy. "Structural Elements" means those elements of a structure or building that resist forces and moments, and includes foundations, columns, beams, shear cores, structural walls, struts, ground anchors, slabs, trusses, staircases, load-bearing walls and all other elements designed to resist forces and moments, but does not include doors, windows, and non-load bearing walls or partitions;
- zz. "Structural Work" means any external or internal load-bearing part of a building that is essential to the stability of the building or any part of it;
- aaa. "Treaties" and "Agreements" means the international bilateral or multilateral accords signed and entered into by the Philippine Government, with or without Senate ratification;
- bbb. "Urban Design" means the physical and systemic design undertaken by an architect or designer on a community and urban plane, more comprehensive than and an extension of the architecture of buildings, spaces between buildings, entourage, utilities, and movement systems;

The Professional Regulatory Board of Architecture, subject to approval by the Professional Regulation Commission, may revise, exclude from, or add to the above-enumerated terms as the need arises to conform to the latest trends and developments in practice, *provided that* before adopting such, the Board shall publish the proposed revisions on its website and the Official Gazette, and allow the IAPOA, architectural associations, and the general public an opportunity to make representations to the Board within thirty (30) days of publication.

ARTICLE II
PROFESSIONAL REGULATORY BOARD OF ARCHITECTURE

Section 4. *Creation and Composition of the Professional Regulatory Board.*

– There is hereby created a Professional Regulatory Board of Architecture, hereinafter referred to as the Board, a collegial body under the supervision and administrative control of the Professional Regulation Commission, hereinafter referred to as the Commission.

A. The Board shall be composed of nine (9) members, seven (7) of whom are registered and licensed architects elected in the manner outlined in this Article and promulgated by the President of the Philippines.

B. Of the nine members, at least two (2) shall reside and practice in Luzon, at least one (1) shall reside and practice in the Visayas, and at least one (1) shall reside and practice in Mindanao.

C. Of the nine members, one (1) shall be a registered and licensed civil engineer nominated by the Professional Regulatory Board of Civil Engineering and chosen by the Board of Architecture in the manner outlined in this Article and promulgated by the President of the Philippines.

D. Of the nine members, one (1) shall be a registered and licensed interior designer nominated by the Professional Regulatory Board of Interior Design and chosen by the Board of Architecture in the manner outlined in this Article and promulgated by the President of the Philippines.

E. The Board shall be elected not later than six (6) months from the effectivity of this Act.

Section 5. *Qualifications and Disqualifications of Board Members, Nominating Persons, and the Electorate.*

A. The persons qualified to nominate, elect, and be elected as architect board members must be:

1. A citizen and resident of the Philippines;
2. A registered architect with a valid Professional Identification Card or practicing license;
3. An active practitioner of twenty (20) years by the date of the election, or a faculty member whose combined years of practice and teaching of architecture subjects in schools recognized by the Board amount to

twenty (20) years on the date of the election, provided he or she has at least ten (10) years of practice.

- B. The Professional Regulatory Board of Civil Engineering shall nominate three civil engineers with active practices of twenty (20) years by the date of the election, or a faculty member whose combined years of practice and teaching of engineering subjects in schools amount to twenty (20) years on the date of the election, provided he or she has at least ten (10) years of practice;
- C. The Professional Regulatory Board of Interior Design shall nominate three interior designers with active practices of twenty (20) years by the date of the election, or a faculty member whose combined years of practice and teaching of interior design subjects in schools amount to twenty (20) years on the date of the election, provided he or she has at least ten (10) years of practice;
- D. Persons who are ineligible for election to the Board are:
 - 1. Owners, partners, officers, instructors, and employees of any review institution offering classes in preparation for the licensure examination, and the spouse, parent, or child by blood, marriage, or adoption of the same;
 - 2. A spouse, parent, or child by blood, marriage, or adoption of another Board member, an incumbent Commissioner of the Commission, or an incumbent trustee or officer of an architectural association or the Integrated Accredited Professional Organization for Architects” (IAPOA); and
 - 3. Any person declared by competent authority insane or incompetent or sentenced by a court of justice for a crime involving moral turpitude.

Section 6. Notice of Nomination and Nominations. – The Board shall cause a notice to be sent to the IAPOA and to every known architectural association registered with the SEC, informing them of the matters referred to in this Article, together with a nomination form, which shall be in such form as the Board may determine.

The Board shall likewise describe a Board member’s qualifications, duties, and powers, as enumerated in this Article.

- A. Every qualified architect who desires to nominate a candidate for election as a member of the Board shall:

1. Enter his name as a nominator and sign on the nomination form referred to above;
2. Enter on the nomination form the name of the candidate and have the consent of the candidate endorsed thereon;
3. Enter on the nomination form the names of four (4) seconders for the candidate and have the signatures of the seconders endorsed thereon; and
4. Submit the nomination form in the manner required by the Board, together with such information and documents concerning the candidate as the Board may require.

B. A nominator shall not nominate more candidates in any election than the number of vacancies to be filled in that election.

Section 7. Criteria for Nominees and the Selection of Candidates. – The Board shall select a maximum of two (2) candidates per vacancy from the nominees based on the following criteria, whose weights the Board shall determine:

A. Demonstrated experience

1. Portfolio with project descriptions, year built, location, role in each project;
2. Photographs or renders;
3. Varied typologies and large-scale projects;
4. Published projects/articles;

B. Demonstrated leadership

1. Positions held, including civic leadership roles, corporate Boards, national councils, or committees;
2. Willingness to listen and work collaboratively;
3. Thinks strategically, manages complexity, and acts decisively;
4. Effectively resolves conflict and demonstrates courage;

C. Demonstrated professionalism

1. Demonstrates personal and professional integrity, trustworthiness, ethics, and values;
2. Demonstrates continuing skill and knowledge development;
3. Displays self-awareness, open-mindedness, commitment to confidentiality;
4. Displays appropriate conduct in public;

D. Academic experience and background

1. Courses one has taught, schools, and years;
2. Doctorate and Master's degree, if any;
3. Bachelor's degree;

- E. Contribution to the industry
 - 1. Speaking engagements at conferences, seminars, workshops;
 - 2. Volunteerism;
 - 3. Research, white papers;
- F. List of awards, citations;
- G. The diversity that he or she brings to the Board, unique experiences and perspectives, knowledge and understanding of issues facing the profession in the country, regionally, and globally; and
- H. Commitment to serve, spend time and actively participate in the Board's responsibilities and initiatives.

If there are no more valid nominations than the number of vacancies to be filled in any election, the Board shall declare the candidates nominated to be elected.

By a supermajority vote of seven out of nine and subject to approval by the Commission, the Board may revise the above qualifications to anticipate and respond strategically to developments in architecture practice without lowering the qualifications for acceptable nominees and candidates.

Section 8. *Election Timetable and Conduct.*

- A. Following Section 6 of this Article, the Board of Architecture shall:
 - 1. Publish on its website and send notices to the IAPOA and every architectural association registered with the SEC, within fifteen (15) to forty-five (45) days from the effectivity of this Act, announcing, arranging for, and providing:
 - a. An election primer on the Professional Regulatory Board of Architecture to be created by this Act, its composition, functions, powers, responsibilities, and accountabilities, as described in this Article, and a nomination form which shall be in such form as the Board may determine, that includes the criteria for Nominees and Candidates, as described in Section 7 of this Article;
 - b. A call for nominations for fourteen (14) candidates, two candidates for every elective position to be filled; and the qualifications and disqualifications of Board members, nominating persons, and the electorate, as described in Section 5 of this Article;
 - c. A series of meetings to be held within thirty (30) to sixty (60) days from the effectivity of this Act with the SEC-registered

architectural associations to consult and discuss the election primer, the nomination form, the procedure for submitting nominations, how to select candidates from the eligible nominees, the conduct of the election, and related matters;

d. The period for submitting nominations, which the Board shall set within forty (40) to ninety (90) days of the effectivity of this Act;

e. The date of the announcement of fourteen (14) candidates, which the Board shall set one hundred (100) to one hundred twenty (120) days from the effectivity of this Act;

f. The date for the election of seven (7) new Board of Architecture members, which shall be set within one hundred eighty (180) to one hundred ninety (190) days from the effectivity of this Act;

g. The date of the announcement of election results, which shall be set not more than two (2) working days from the election date;

2. In the interest of transparency, publish timely updates and reminders on its website and send notices to the IAPOA and architectural associations on developments regarding the election;

3. Simultaneously release the complete information submitted for the nomination of the fourteen (14) candidates and any further research into their qualifications to the public.

B. Each of or at least five (5) SEC-registered architectural associations shall appoint one representative who meets the qualifications prescribed in Section 5 and is not a nominee to serve on a committee of election, which shall, only for the first election enabled by this Act:

1. Assist the Board in ascertaining the eligibility of nominees;

2. Approve the Board's selection of the fourteen (14) best qualified candidates from the eligible nominees;

3. Assist and advise the Board on how to conduct a fast and reliable online vote by eligible voters and allow registered architects to monitor the elections and the vote count; and

4. Confirm the Board's vote count and affirm the veracity of results upon the announcement of winning candidates;

C. The Professional Regulatory Boards of Civil Engineering and Interior Design shall submit to the Architecture Board the names and

qualifications of their three nominees to serve on the Architecture Board within one week of the election.

D. For succeeding elections, the nine-member Board of Architecture created under this Act shall:

1. Set the date calling for nominations within July;
2. Determine the procedure and period for submitting nominations, which shall be held for a period of one month, within August to September;
3. Select candidates from eligible nominees and release information about the candidates, which shall be within September;
4. Require the IAPOA to conduct an election awareness campaign within October and November and monitor the IAPOA's conduct to ensure fair and substantive discussion of issues and the release of correct information about the candidates;
5. Set a date for election within the last week of November or the first week of December;
6. Set the date and manner by which the election results will be announced, which shall not be more than two (2) working days after the election.

Section 9. Terms of Office, Succession, Vacancies, Oath, and Schedule of First Board Meeting.

A. Terms of office of the architect board members:

1. A board member's term of office shall be three (3) years. He or she shall be eligible for re-election.
2. A board member is ineligible for re-election if the re-election would result in him or her holding office for three (3) consecutive terms.
3. A board member who has served for a continuous period of six years is eligible for re-election only after at least three (3) years have elapsed since he or she last served.
4. The term of office for the Vice-Chair shall be one year. The Vice-Chair then automatically succeeds the Chair.

5. The term of office for the Chair shall be one year. The Chair then automatically succeeds the Mentor.
6. The term of office for Mentor shall be one year.
7. The Vice-Chair shall assume the powers and duties of the Chair in his or her absence or disability, refusal or failure to act, and perform other duties properly assigned by the Chair or the Board.
8. The architect members of the first elected Board shall, within 15 days after the election, hold their first meeting and take the oath of office as prescribed by the Commission and file the same with the Commissioner. In succeeding years, they shall take their oath and hold their first meeting of the year every January.
9. The first agenda of the first meeting of the first Board of architect-members created by this Act shall be:
 1. To elect the Board's Chair and Vice-Chair. Thereafter, the Board shall elect its Vice-Chair every January.
 2. To decide amongst themselves the length of their first term in office, to stagger the architect members' terms of office:
 - (i) The Chair must agree to serve two years
 - (ii) The Vice-Chair must agree to serve three years
 - (iii) Two members must agree to serve three years
 - (iv) One member must agree to serve two years
 - (v) Two members must agree to serve one year
 3. To select the Civil Engineering and Interior Design representatives from the nominees submitted by their respective regulatory boards. Thereafter, the Board shall make its selection within the first week of January. The Board may request to interview the civil engineer and interior designer nominees beforehand if they so wish.

B. Terms of office of civil engineer and interior designer members of the Board of Architecture:

1. The term of the civil engineer and interior designer selected by the Board of Architecture shall be three years.
2. The Board may choose to retain the civil engineer or interior designer board member for another three years.
3. The Board's civil engineer and interior designer members may not serve as Chair, Vice-Chair, or Mentor.

4. The civil engineer and interior designer board members may not serve on the Board for more than two consecutive terms.

C. A board member may resign at any time by notice in writing addressed to the Commission.

D. Where vacancies occur in an elected post other than by the expiry of the member's term of office:

1. The Board shall fill the vacancy as soon as practicable to ensure a nine-member board at all times.
2. The Board shall select a person to fill the vacancy from the pool of candidates of the last five elections.
3. When the outgoing Vice-Chair is unwilling to assume the office of Chair and resigns, the Board shall elect a Chair from among themselves;
4. When the outgoing Chair is unwilling to assume the post of Mentor and resigns, the Board shall appoint a previous board officer or the current board member who has served the longest to take the post. If no previous board officers are willing to assume the Mentor post and the Board's most senior member is the incoming Chair, the Mentor position shall remain vacant.

E. Where a vacancy occurs other than by the expiry of the civil engineer or the interior designer member's term of office—

1. The Board shall fill the vacancy as soon as practicable to ensure a nine-member Board at all times.
2. The Board shall select the replacement to fill the vacancy from previous nominees of the Professional Regulatory Board of Civil Engineering or the Professional Regulatory Board of Interior Design within the last five years or request the Board of Civil Engineering or Board of Interior Design to nominate a new batch of three nominees.

F. A person appointed to fill a vacancy holds the office only for the remainder of the term of his predecessor.

Section 10. *Suspension or Removal of Members of the Board.*

A. The Board may, upon written and verified complaint and for good cause shown, after fifteen (15) days' notice to any officer or member and after opportunity for hearing, suspend or remove the member by a majority vote of the other eight (8) members of the Board on any of the following grounds:

1. Neglect of duty or incompetence;

2. Violation or tolerance of the violation of this Act or its implementing rules and regulations or the Code of Ethical Conduct and Standards of Professional Practice;
3. Conviction of offenses in the revised Penal Code, Anti-Graft and Corrupt Practices Act, and those involving moral turpitude by a court of competent jurisdiction; and
4. Manipulation or rigging of the architecture licensure examination results, disclosure of secret and confidential information in the examination questions before the conduct of the said examination or tampering of grades;
5. Absence without leave from three consecutive meetings of the Board or Board and Commission committees, of which he or she is a member.

B. In the absence of a majority vote by the Board, a member may elevate the matter to the Commission, which shall conduct an administrative investigation guided by Section 7(s) of Republic Act No. 8981, otherwise known as "The PRC Modernization Act of 2000," the rules on the administrative investigation, and applicable provisions of the Revised Rules of Court.

C. The Commission shall resolve administrative complaints filed by any person against the Board, its Chair, or its members within one (1) month from the filing of the complaint. The Commission shall thereafter endorse its decision to the Office of the President for final disposition. The decision of the Office of the President, which shall be handed down within one month after the Commission's endorsement, shall not preclude the complainant from filing a subsequent related complaint for adjudication by the court.

D. The Commission shall resolve criminal complaints filed by any person against the Board, its Chair, or its members within two (2) weeks from the date of receipt of the complaint. The Commission shall thereafter endorse its decision to the Department of Justice, which shall decide within one month after receipt of the Commission endorsement;

E. Special or administrative-cum-criminal complaints filed by any person against the Board, its Chair, or its members shall be filed directly with the office of the Ombudsman for resolution.

Section 11. *Functions of the Board.* – The Board shall exercise the following powers, functions, and responsibilities:

- A. Administer and promulgate this Act fully;

B. Prescribe and adopt the rules and regulations necessary for carrying out the provisions of this Act, and amend or rescind past issuances and policies of the Board that contravene this Act, subject to the review and approval of the Commission, *provided that* before adopting such, the Board shall publish the proposed regulations or policies on its website and the Official Gazette, and allow architectural associations and the general public an opportunity to make representations to the Board within thirty (30) days of publication;

C. Grant, deny, suspend, revoke, annul, or reinstate the Certificate of Registration or the Professional Identification Card to ensure that only competent and fit natural and juridical persons shall practice architecture in the Philippines;

D. Approve, issue, limit, or cancel the registration of a foreign architect to practice architecture on Philippine soil;

E. Keep, maintain, and publish a Register of Architects, a Register of Practicing Architects, Register of Foreign Architects, and Register of Architecture Firms annually;

F. Prescribe the syllabi, prepare the questions, and advise the Commission on the administration, checking, and release of results of licensure examinations to ensure that only competent applicants pass, and for which the Board may consult professional and educational organizations as it thinks appropriate;

G. Monitor local and international benchmarks and conditions affecting the practice of architecture and adopt such measures as the Board deems necessary for the practice to attain and maintain globally competitive professional, technical, and ethical standards, and counsel the Commission on Higher Education (CHED) and architectural associations of the same in private and public communications, dialogue, and campaigns;

H. Within the first year of the effectivity of this Act, the Board, with the approval of the Commission, shall publish on its website and the Official Gazette an initial list of 200 Board-approved international architecture programs that are demonstrably superior to the country's top architecture programs based on credible international accreditation, validation, rating, and ranking systems such as, but not limited to, those of the Singapore Board of Architects, the Royal Institute of British Architects, the National Architectural Accrediting Board (NAAB), the National Council of Architectural Registration Boards (NCARB), Canberra Accord on Architectural Education, UNESCO-UIA Validation Council for Architectural Education, and the QS World University Rankings, for purposes of entitling Filipinos with foreign

degrees to qualify for licensure examination and the approval of CPD courses taken abroad;

Thereafter, the Board shall annually update and publish said list, adding only architecture programs recognized internationally to provide excellent architecture education and removing only those that have fallen from such stature or are demonstrably inferior by international standards to the Philippines' top architecture programs;

I. Rationalize, counsel, and co-develop with the CHED its development plans, policies, requirements, priorities, and minimum standards for educational institutions offering architecture;

J. Establish and review rigorous criteria, building on the provisions of Section 25 of this Act, by which the Board's visiting teams shall assess the performance of educational institutions, and devise awards, incentives, and disincentives to spur schools to continually improve the quality of education, faculty, and facilities; and share the Board's evaluations to guide the CHED in carrying out its program of incentives and sanctions;

K. Determine the requirements for Continuing Professional Education and Development (CPD) and approve, terminate, or reject CPD providers, their programs, courses, and activities to achieve and maintain internationally accepted standards, for which the Board may consult professional and educational organizations and direct the CPD Council as it thinks appropriate;

L. Hear and decide administrative cases involving charges of violations of this Act, its implementing rules and regulations, the Code of Ethical Conduct and Standards of Professional Practice. And for this purpose, issue *subpoena ad testificandum* and subpoena *duces tecum* to secure the attendance of witnesses and the production of documents in connection therewith, *provided that* the decisions, resolutions or orders of the Board shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision. The Commission's decision may be appealed to the Court of Appeals following the procedure under the Rules of Court;

M. Prescribe a Code of Ethics and Code of Professional Standards consistent with the Philippine Constitution and global best practices;

N. Establish, by administrative rule, procedures for the assessment of fees for the administration of this Act;

O. Administer oaths in connection with the administration of this Act;

P. Adopt an official seal of the Board;

Q. Keep a record of Board proceedings and make an annual report to the President, copy-furnish the Commission, Secretary of Trade and Industry, Senate President, Speaker of the House, relevant legislative committees, and the CHED; and

R. Discharge such other duties and functions as necessary to improve the service of the Board, the Commission, and their committees; enhance the architecture profession; and continually upgrade architecture education.

Section 12. Powers Of The Board. – The Board has the power to do all things necessary or convenient in connection with performing its functions, including the power:

A. With the approval of the Commission and the Secretary of Trade and Industry, to enter into arrangements with the appropriate registration authority of other countries and territories for the mutual recognition by the Philippines and that territory of the qualifications and standards adopted by each of the parties to the arrangement regarding the practice of architecture;

B. To appoint such committees from among its members, architects, and allied professionals as it thinks fit to assist or advise the Board on matters arising out of its functions under this Act;

C. To grant prizes and scholarships in connection with architecture, either alone or in conjunction with any person or organization; and

D. To accept grants, donations, or gifts from any source or raise funds by lawful means.

Section 13. Meetings and Quorum of the Board. – Five (5) architect members shall form a quorum, and no business shall be transacted at any Board meeting unless a quorum is present. The Chair shall preside at any meeting of the Board. In his or her absence, the Vice-Chair shall preside over the meeting. The Board shall allow in-person, teleconference, and other means for members to attend the meetings, and cause proper records of its proceedings to be kept.

Section 14. Annual Report. – Every first week of December, the Board shall submit an annual report to the President of the Philippines through the Commission, copy-furnish the Secretary of Trade and Industry, the Senate President, the Speaker of the House, the relevant legislative committees of the Senate and the House of Representatives, and the CHED, of the Board's accomplishments, proceedings, and challenges in the previous year.

Every other year, the annual report shall be a competitiveness report assessing Filipino professional architects, architecture schools, the Board, and the IAPOA vis à vis their counterparts in countries with whom the Philippines has, is negotiating, or desires to negotiate service trade treaties.

The alternating biannual reports shall recommend measures to upgrade regulation and the practice and shall include and not be limited to the following matters:

A. Licensure: Comparative analysis of registration applicants, Board exam passers, scores, subjects where applicants are strong and weak, and recommendations for improvement;

B. Education: Quality assessment of architecture schools; their standing vis-à-vis those in the Board's list of approved schools as defined in Section 11. H; their improvement or deterioration, strengths, and weaknesses and how these may be enhanced and addressed; schools to be commended, warned, and, in the Board's opinion, be placed on probation or closed; recommendations to the CHED, the CHED's response, and next steps;

C. Continuing Education: Quality assessment of Board-approved CPD activities available in the past year, based on reports submitted by the Board and the Commission's CPD monitors' and feedback from CPD takers; CPD providers to be commended, warned, suspended, or terminated; the Board's directives and recommendations to the CPD Council and IAPOA; the CPD Council and IAPOA's responses and next steps;

D. Regulation: Quality assessment of the Board's and the Commission's delivery of services to its constituents, such as the timely release of Certificates of Registration, Professional Identification Cards, approval of education and CPD equivalencies, and the like;

E. Discipline: an assessment of the numbers:

1. Of complaints received;
2. Of complaints determined to be legally sufficient;
3. Of complaints determined to be legally insufficient;
4. Of complaints dismissed;
5. Of complaints filed in court;
6. Of complaints determined to have a probable cause;
7. Of administrative complaints issued and the status of the complaints;
8. And nature of disciplinary actions taken by the Board;
9. And the amount of fines and penalties imposed;
10. And the amount of fines and penalties collected;
11. Of completed investigations; and

12. Of pending investigations; and

F. Collaboration: A summary of concerted efforts with other Professional Regulatory Boards, the IAPOA, associations of architecture and allied professions, the Design Center of the Philippines, other organizations or agencies that promote design in the built environment, and recommended future activities.

Within one month after submission to the Commission, the Board shall publish the annual report in the Official Gazette and its website to be readily accessed by the general public.

Section 15. *Administrative Supervision of the Board, Custodian of its Records, Secretariat, and Support Services.* – The Board shall be under the administrative supervision of the Commission. All records of the Board, including applications for examination and administrative and other investigative cases conducted by the Board, shall be under the custody of the Commission. The Commission shall designate the Secretary of the Board and provide the secretariat and other support services to implement the provisions of this Act.

Section 16. *Compensation and Allowances of the Board.* The board members shall receive compensation and allowances comparable to those received by existing regulatory boards under the Commission as provided for in the General Appropriations Act.

Section 17. *Code of Ethics and Professional Standards.* – The Board shall keep the Code under review and amend its provisions when it considers appropriate to reflect the highest Filipino values and world standards for the profession. The Board shall consult professional bodies and other persons as the Board deems appropriate. Before issuing or amending the code, the Board shall publish the code on its website and in the Official Gazette, indicating its proposed revisions, and allow the IAPOA and the general public to make representations to the Board within 30 days of publication.

Section 18. *Registers.* – The Board must keep and maintain at its office—

A. The following registers:

1. A Register of Architects containing the names of natural persons registered under this Act and any other particulars, as determined by the Board and the Commission;
2. A Register of Practicing Architects who have a valid Professional Identification Card (PIC) or practicing license;

3. A Register of Foreign Architects; and

4. A Register of Architecture Firms

B. The Registers must be indexed appropriately and open for public inspection and information on the Commission's and the Board's websites.

C. Necessary alterations shall be made on the appropriate registers to remove the names or indicate those registered persons who are inactive or have died.

D. The names of the architects whose Certificates of Registration have been revoked or suspended shall be marked on the Register only after the decision for such suspension or revocation has attained finality.

E. The Board and the Commission shall publish the updated Registers on their websites before January 30 every year.

Section 19. Seal. – The Board's seal may be altered or made anew by the Board as it deems fit. The seal shall be kept in the custody of the Chair and authenticated and used by him or the Vice-Chair acting in his absence. Any document sealed by the Board's seal and authenticated as provided by the Board shall, until the contrary is proved, be regarded as validly executed.

ARTICLE III EXAMINATION, REGISTRATION, AND LICENSURE

Section 20. Examination Required. – Except as otherwise specifically allowed under this Act, all applicants for registration for the practice of architecture who are Filipino citizens shall be required to undergo a licensure examination to be given by the Board in such places and dates as the Commission may designate per Section 7(D) and the other relevant provisions of Republic Act No. 8981 or 'the PRC Modernization Act of 2000.'

Section 21. Qualifications of Applicant for Examination. – Any person applying for examination shall establish to the satisfaction of the Board that he or she:

A. Is a Filipino citizen or citizen of a foreign country qualified to take the examination as provided under this Act;

B. Is of good moral character;

C. Is a holder of a five-year Bachelor of Science, Master's (MA or MS), or doctorate degree in Architecture obtained from:

1. An institution of learning in the Philippines duly accredited by the government; or
2. An international institution of learning of high international standing approved by the Board, as defined in Section 11.H;

D. On the matter of approving baccalaureate, masteral, or doctorate Architecture degrees secured from foreign schools not on the Board's list of approved schools, as defined in Section 11.H, the Board, in compliance with R.A. 11032, the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, shall:

1. Within seven (7) days of application, assess the equivalency or substance and standard of the academic units earned overseas; conduct an oral interview and examination of the applicant to ascertain his or her knowledge of architecture; and prescribe the manner of earning additional academic credits and training to satisfy perceived deficiencies, if any;
2. Within nine (9) days of application, make the requisite endorsements to the CHED Technical Committee, which must concur with the Board's findings within three (3) days from the Board's endorsement; and
3. Issue the permit to take the licensure examination within three (3) days after the CHED Technical Committee's concurrence.

E. Has completed three thousand nine hundred (3,900) hours of Diversified Architectural Experience with increasing levels of responsibility under the supervision or mentorship of registered and licensed architects or engineers, which includes real-life experience in the practice areas of:

1. Practice Management;
2. Project Management;
3. Programming and Analysis;
4. Project Planning and Design;
5. Project Development and Documentation; and
6. Construction & Evaluation;

provided, however, that an applicant holding a Master's (MS or MA) degree or Doctorate in Architecture in addition to a Baccalaureate in Architecture from recognized institutions of learning shall have one thousand five hundred (1500) hours of Diversified Architectural Experience credited to him or her; and

F. Has not been convicted of a crime or an offense involving moral turpitude. Or, if convicted, has paid his or her debt to society and compensatory or punitive damages, if any.

Section 22. Subjects for Licensure Examination. – The Board shall prepare questions for a reliable and valid professional licensure examination that ensures only competent applicants shall pass.

A. The licensure examination for architects shall cover but not be limited to the following subjects:

1. History and Theory of Architecture; Principles of Planning and Architectural Practice;
2. Structural Design, Building Materials, and Architectural Specifications, and Methods of Construction and Utilities;
3. Urban Design and Architectural Interiors; and
4. Architectural Design and Site Development Planning.

B. Every year, the Board shall prescribe what it deems necessary to achieve and maintain the standard of rigor and reliability of the most credible international licensure exams, reviewing the following and other considerations as it sees fit:

1. Exam subjects;
2. Exam formats;
3. Administrative procedures such as, but not limited to:
 - a. Proctor-candidate ratio;
 - b. Examiner-candidate ratio;
 - c. Candidate briefing;
 - d. Test site;
 - e. Time allowed;
 - f. Inventory and storage of examination materials; and
 - g. Incident reports;
4. Minimum competence criteria developed by local, regional, and international practitioners;
5. The examination's reliability and validity, based on internationally accepted benchmarks for technical, professional, and legal standards; and
6. Appeals and re-examinations.

C. The Board may consult professional and educational organizations and contractors as it thinks appropriate.

Section 23. Rating in the Licensure Examination. – For the three years upon effectivity of this Act, a candidate shall be considered to have passed the licensure examination when he or she has obtained a weighted general average of seventy percent (70%), with no grade lower than sixty percent (60%) in any given subject.

However, three years after the effectivity of this Act, a candidate shall be considered to have passed the licensure examination when he or she has obtained a weighted general average of seventy-five percent (75%) with no grade lower than sixty-five percent (65%) in any given subject.

Applicants who fail to pass the licensure examination may take the exam the following year. Repeaters must take the exam in its entirety, not just the parts of the exam they failed.

An applicant who fails to pass the licensure examination for two (2) consecutive attempts shall not be allowed to take another exam until he or she takes a refresher course, subject to the guidelines set forth by the Board.

Applicants who fail to pass the licensure examination three (3) times shall no longer be allowed to take the exam.

On no account shall the Board lower the passing grades of the licensure examination or make the exam easier to pass. It shall, instead, regularly examine and prescribe how the Philippine licensure examination shall achieve and maintain the standard of rigor and reliability of the most credible international licensure exams.

Section 24. Report of Ratings. – The Board shall submit to the Commission the ratings obtained by each candidate within fourteen (14) days after the examination unless extended for just cause. Upon the release of the examination results, the Board shall notify each examinee of their rating.

Section 25. Closure or Suspension of Non-Performing and Under-Performing Architecture Programs and Review School Courses. – The Board of Architecture shall rationalize, counsel, and co-develop with the Commission on Higher Education (CHED) its development plans, policies, requirements, priorities, and minimum standards for educational institutions offering architecture.

A. The Board shall review and establish rigorous criteria by which it shall assess the performance of educational institutions, and devise awards, incentives, and disincentives to spur schools to continually improve the quality of education, faculty, and facilities.

B. This Act hereby also vests the Board with jurisdiction over the activities of schools offering review courses for the architecture licensure examination.

C. Within two (2) years from the effectivity of this Act, the CHED shall order schools offering architecture programs to cease offering said program when:

1. Less than twenty percent (20%) of the school's graduates taking the licensure exam during said two-year period pass; or
 2. The school fails to satisfy the requirements set under the Board-approved CHED Program Standards and Guidelines.
- D. Within two (2) years from the effectivity of this Act, the Board shall order review schools offering pre-licensure review programs for architecture to cease offering said programs when the board exam passers from such review school do not reach ten percent (10%) of the number of exam takers from that school during said two-year period.
- E. The decisions of the CHED and the Board on Subsections 25.A and 25.B are not subject to review or appeal.
- F. The Board shall, in consultation with the Integrated Accredited Professional Organization for Architecture (IAPOA) or with the five largest architectural associations, and with the approval of the Commission, within eighteen (18) months of the effectivity of this Act, prescribe other terms and conditions by which the Board, through the CHED, may suspend or revoke the accreditation of a school's architecture program, and the terms and conditions under which a suspended or revoked accreditation may be reinstated.
- G. Under no circumstance shall such terms and conditions be lightened to allow a lowering of standards in education and pre-licensure review. If the Board shall make any revisions to the criteria by which it assesses the quality of education, faculty, and facilities of educational institutions, the objective shall always be to help the Philippines produce professionals with credentials that stand up to the world's best.

Section 26. Oath. – Before entering the practice of the profession, all successful candidates in the examination shall take an oath of the profession before a member of the Board, a government official authorized by the Commission, or a person authorized by law to administer oaths.

Section 27. Issuance of Certificates of Registration and Professional Identification Card.

- A. Upon payment of the prescribed fee, the Board shall issue a Certificate of Registration to passers of the licensure examination. The certificate shall bear the signatures of the Commission Chair and board members and be stamped with the official seal, indicating that the person named therein is registered and thus entitled to practice architecture. Certification shall remain in full force and effect until suspended, revoked, or annulled under this Act.
- B. Upon payment of the prescribed fee, the registered architect shall receive a Professional Identification Card (PIC) or practicing license bearing the architect's registration number, the card's date of issuance, and expiry date.

The PIC expires every seven (7) years, and a valid PIC serves as evidence that the bearer is a living, registered, certified, and licensed architect who, to the knowledge of the Board and the Commission, has not violated this Act and has participated in continuing skill and knowledge development expected of professionals.

C. To renew one's PIC or practicing license, the registered architect needs only to:

1. Pay the prescribed fee,
2. Submit a completed application form; and
3. Submit proof of completion of the prescribed CPD requirements within the seven (7) years before the PIC's expiration.

D. Following R.A. 11032, the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, the Commission shall issue the renewed PIC within three (3) working days from application. If the Commission fails to approve or disapprove the original application or request for renewal of the PIC or practicing license within such prescribed processing time, said request for renewal shall be deemed approved, *provided that* all required documents have been submitted and all required fees have been paid. The acknowledgment receipt together with the official receipt for payment of all required fees issued to the applicant or requesting party shall be enough proof or has the same force and effect of the PIC or practicing license under this approval automatic mechanism. Registrants who wish to file complaints for the late release of their PIC may do so at the Commission's Complaints Desk or the Anti-Red Tape Unit in the Civil Service Commission.

E. Under no circumstance shall membership certificates or requirements by the IAPOA or any architectural association be made a precondition for the renewal of the PIC or practicing license or proof of completion of CPD requirements.

Section 28. Inactive and Active Status. – A registered architect who fails to renew his or her Professional Identification Card or practicing license before its expiry date shall be considered inactive.

A. There shall be no penalty for failure to renew one's Professional Identification Card.

B. To return to active status, the inactive architect shall:

1. Pay the regular prescribed renewal fee charged to active practitioners;

2. Submit a completed application form, which shall be in such form as the Board may determine;

3. Provide satisfactory proof that he or she has maintained proficiency by completing two (2) years' worth of CPD credits within two years before the date of application for the return to active status, unless otherwise approved by the Board or provided by Board rule.

C. Following R.A. 11032, the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, and as provided for in Subsection 27. D of this Act, the Commission shall issue the renewed PIC within three (3) working days from application.

D. The Board may adopt additional rules providing for an inactive registered architect to return to active status provided that the Board shall not impose an application fee higher than the regular prescribed renewal fee of the PIC. In addition, the Board shall not require the applicant to fulfil more than two years' worth of CPD credits within the two years before the architect's application for the return to active status.

E. Membership certificates or requirements by the IAPOA or any architecture association shall not be a precondition for an inactive registered architect to return to active practice.

Section 29. Use of Seal and Signing of Architectural Documents. – A duly licensed architect shall stamp or affix the seal prescribed by the Board bearing his or her name, registration number, and title "Architect" on all architectural documents produced by him or her or prepared under his or her supervision.

A. Each registrant hereunder shall obtain a seal of such design as the Board authorizes and shall use said seal during the life of his or her Certificate of Registration, provided that he or she also has a valid Professional Identification Card or practicing license.

B. It shall be unlawful for anyone to stamp or seal any architectural documents after the registrant's certificate has been suspended or revoked or while the registrant is inactive, that is, does not have a valid Professional Identification Card (PIC) or practicing license. The use of the seal shall remain illegal until the registrant's certificate has been reinstated or re-issued and the registrant has renewed his PIC.

C. No officer or employee of this Republic now or hereafter charged with the enforcement of the law, ordinances, or regulations relating to the construction or alteration of buildings shall approve any architectural document that has not been signed and sealed in accord with this Act.

Nor shall any such office approve any payment without the architect's Certificate of Registration number and the expiry date of his or her Professional Identification Card attesting to its validity.

- D. It shall be unlawful for any architect to sign his or her name, affix his or her seal or use any other method of signature on architectural documents made by or under the supervision of another architect unless said architectural documents indicate the part or parts of such work performed by the former.
- E. It shall be unlawful for any person, except the architect-of-record, to sign for any branch of work for any function of architectural practice not performed or supervised by him or her. The architect-of-record shall be fully responsible and liable for all architectural documents issued under his or her seal and authorized signature.
- F. Drawings and specifications duly signed, stamped, or sealed as instruments of service are the intellectual properties and documents of the architect, whether the object for which they are made is executed or not. Therefore, it shall be unlawful for any person, without the consent of the architect or author, to duplicate or make copies of said documents for use in the repetition of and for other projects or buildings, whether executed partly or in whole.

Section 30. Indication of Certificate of Registration, Professional Identification Card, and Professional Tax Receipt. – The architect shall be required to indicate his or her Certificate of Registration number, Professional Identification Card's expiry date, including the Professional Tax Receipt number on the architectural and contract documents he or she signs.

Section 31. Refusal to Issue Certificate of Registration and Professional Identification Card.

- A. The Board shall not register and issue a Certificate of Registration or a Professional Identification Card to any person:
 - 1. Who has entered false information or forged evidence, or committed or attempted to commit fraud, bribery, or concealment of a material fact in the application for examination, application for registration, application for renewal of the Professional Identification Card, or their supporting documents;
 - 2. Whose qualification for examination under Section 21 has been withdrawn or cancelled by the school or authority that granted it;

3. Declared of unsound mind or so addicted to drug or alcohol as to impair the ability to practice, as determined by a court of competent jurisdiction;

4. Has been convicted of a crime or offense involving moral turpitude by a court of competent jurisdiction and has not yet paid his debt to society nor paid compensatory or punitive damages, if any, in full.

B. The Board may also refuse to issue a Professional Identification Card or practicing license if it is not satisfied that the applicant has complied with the prescribed requirements relating to Continuing Professional Development *provided that* the Board has approved a sufficient number CPD activities in which registered architects of varying levels of experience may participate throughout the year wherever they reside and work.

C. In refusing registration or renewal of the Professional Identification Card, the Board shall give the applicant a written statement within three (3) days of application setting forth the reasons therefor and shall file a copy thereof in its records. The Board shall not refuse registration for a political offense or one that would not, in its opinion, either from the nature of the offense or from the circumstances of the case, disqualify a person from practicing under this Act.

D. Any person whose registration or Professional Identification Card renewal has been refused by the Board may, within thirty (30) days after being notified of such refusal, appeal to the Commission Chair or the Office of the President and, after that, the regular courts, the Court of Appeals, and ultimately, the Supreme Court.

Section 32. *Suspension and Revocation of Certificates of Registration and Professional Identification Card.*

A. The Board, after due notice and hearing, may suspend or revoke the Certificate of Registration or Professional Identification Card (PIC) of an architect, order his or her name removed from the Registers, publicly reprimand the architect, exact a fine, impose the costs of investigation and prosecution upon him or her, or dispense any combination of these sanctions taking into consideration the extent of participation, nature, effects, frequency, and seriousness of the violation, for any of the grounds and unlawful acts mentioned in Section 31 and hereunder:

1. Gross incompetence, negligence, or ignorance resulting in death, injury, or damage, as determined by a court of competent jurisdiction;

2. Manipulation or rigging of the architecture licensure examination results, disclosure of secret and confidential information in the

examination questions before the conduct of the said examination or tampering of grades;

3. Presenting or attempting to use as one's own the Certificate of Registration, PIC, or seal of another;

4. Knowingly aiding or abetting an unlicensed person to use one's own or someone else's Certificate of Registration or PIC;

5. Impersonating a practitioner or former practitioner, or practicing under an assumed or fictitious name or corporate name;

6. Practicing on a revoked or suspended Certificate of Registration or PIC;

7. Practicing during inactive status; and

8. Violation of any provision of this Act, its IRR, the Code of Ethics and Standards Of Professional Practice, and the policies and measures promulgated by the Board or the Commission.

B. Any person, firm, or association may file charges following this Section against any registrant. In addition, the Board may, *motu proprio*, investigate the alleged violations under the following conditions:

1. Such charges shall be in writing and sworn to by the person making them and shall be filed together with the affidavits of witnesses and other documentary evidence with the Secretary of the board, through the legal and investigation office;

2. Any *motu proprio* action of the Board to conduct an investigation shall be expressed in a formal charge signed by a majority of the board members;

3. The rules on administrative investigations issued by the Commission shall govern the hearing or investigation subject to applicable provisions of this Act, Republic Act no. 8981, and the revised rules of court;

4. Orders by the Board imposing discipline and the findings of fact and conclusions of law supporting that order are public records. The Board shall not privately reprimand the holder of any Certificate of Registration issued under this Chapter;

5. The Board shall not revoke or suspend any certificate or Professional Identification Card unless an opportunity of being heard either personally or in writing has been given to the person concerned;

6. The Board's decision shall, unless appealed to the Commission Chair, become final and executory after fifteen (15) days from receipt of notice of judgment or decision. The Commission Chair's decision may be appealed to the Office of the President; the Office of the President's decision may be brought before a court of competent jurisdiction, and subsequently to the Court of Appeals, and finally to the Supreme Court, per the procedures under the rules of court.

7. Once a suspension is served, the Certificate of Registration shall be automatically reinstated.

C. The Board shall periodically examine the grounds mentioned above and revise them under the implementing rules and regulations, subject to the approval of the Commission, *provided that* under Section 11.B of this Act, the Board shall publish the proposed revisions on its website and the Official Gazette, and allow the professional associations, and the public to make representations to the Board within thirty (30) days of publication before adopting such changes.

Section 33. *Re-issuance or Replacement of Revoked or Lost Certificates of Registration or Professional Identification Cards.* – The Board may, after the expiration of seven (7) years from the date of revocation of a Certificate of Registration, and upon application and for reasons deemed proper and sufficient, reinstate the validity of a revoked Certificate of Registration. In so doing, the Board may, in its discretion, exempt the applicant from taking another examination.

A new Certificate of Registration or Professional Identification Card may be re-issued to replace those lost, destroyed, or mutilated, subject to the rules promulgated by the Board and the Commission, upon payment of the required fees.

ARTICLE IV PRACTICE OF ARCHITECTURE

Section 34. *Registration of Architects Required.* – Subject to the provisions of this Act:

A. No person shall engage in the practice of architecture or in preparing architectural documents intended to govern the construction, enlargement, or alteration of any building or part of a building or structure located within the Philippines unless the person—

1. Is a registered architect who has in force a valid Professional Identification Card or practicing license;
2. Is doing so under the responsible charge of a registered architect with a valid Professional Identification Card;
3. Is a registered corporation or partnership; or
4. Is exempt under Section 35 of this Act.

B. No Filipino citizen shall use the words “registered,” “licensed,” “registered architect,” “licensed architect,” “*rehistradong arkitekto*,” “*lisensyadong arkitekto*” “architectural services,” “architectural design” or any of their derivatives or translations into other languages or dialects, nor the abbreviations “Ar.” or “Arch.” in connection with his or her name, style, title, business designation, business name, or logo, or on plans, drawings, or specifications for buildings or parts of buildings that will lead to the belief that he or she may lawfully practice architecture on Philippine soil unless such person is a registered architect who has in force a valid Professional Identification Card.

C. Foreign architects who are duly registered and licensed in their country and Filipinos duly registered and licensed in architecture abroad may identify themselves as architects but shall not represent themselves as allowed to lawfully practice architecture on Philippine soil unless they are duly registered with the Board.

D. Nothing in this Act applies to landscape architects, naval architects, golf course architects, information technology architects, computer systems architect, and other occupations, so long as the use of the word “architect” does not lead to the belief that the persons are architects qualified to lawfully practice architecture on Philippine soil, as defined under this Act.

Section 35. Exemption From Registration. – The exemptions provided by this Section do not entitle any person who does not hold a Certificate of Registration in architecture to hold himself or herself out to the public and media, advertise, or promote himself or herself as one who may lawfully practice architecture on Philippine soil.

Any person, natural or juridical, exempted by this Section's provisions is not absolved from any civil or criminal liability that might otherwise accrue from the violation of this Act.

A. Exemptions:

1. Foreign architects who volunteer to assist the national or local government and non-government organizations during states of emergency, to aid in disaster mitigation, preparedness or response, or in relief, rescue, and recovery efforts;
2. Construction documents for the following structures do not require the signature or seal of a registered and licensed architect:
 - a. Any public building not exceeding one hundred square meters (100.0 sqm) in total gross floor area, *provided that* such a building complies with State-promulgated development controls and *provided further that* such a building shall not be used for any of the following purposes:
 - (i) Religious assembly;
 - (ii) Cinema or movie screenings;
 - (iii) Educational occupancies;
 - (iv) Health care;
 - (v) Correctional or detention facilities;
 - (vi) Hotel, lodging, or dormitory facilities;
 - (vii) Multifamily housing or apartment facilities; or
 - (viii) Facility classified as high-hazard;
 - b. Pre-engineered single-story buildings *provided that* the building shall not be used for any of the purposes in subsection A.1. a. above;
 - c. Any building enlargement or alteration which is to be used for farm purposes only not exceeding one hundred square meters (100.0 sqm) in total gross floor area (TGFA); and
 - d. Non-structural, non-load-bearing interior construction within existing or planned structures which were designed by a registered and licensed architect, where drawings and specifications are prepared by a registered interior designer with a valid PIC, who by sealing and signing such interior construction documents attests that the plans and specifications as submitted are in compliance with the applicable current building codes and regulations in effect.
3. Nothing herein contained shall prevent any person from preparing construction documents, designing or directing the designing of

buildings for their personal use or for that of his or her family, unless such buildings are for public employment, assembly, or other occupancies by the public, in which case an architect shall be employed for the purpose.

4. Nothing in this Act shall be construed to prohibit any person from carrying out work in the construction or repairs of any single-story building or part thereof in which plans are not required by law to be submitted to a permitting authority, such as structures for farm purposes, waiting sheds, sheds, outhouses, children's playhouses, and the like.

5. Nothing in this Act shall prevent drafting technicians, students, clerks-of-work, superintendents, and other employees of those lawfully engaged in the practice of architecture under the provisions of this Act from acting under the responsible charge or instruction of their employer.

6. Nothing in this Act shall be construed as allowing public or private authorities with jurisdiction over national, local, and private permitting processes to permit non-architects to engage in the practice of architecture, or for such authorities to engage in the practice of architecture unless they have a valid PIC.

B. Jurisdiction:

1. The Board of Architecture shall have no jurisdiction over any person who is not a registered architect.

2. The Board may not conduct any administrative or disciplinary proceeding against any person who is not a registered architect; and

3. The Board may conduct a preliminary investigation, *motu proprio* or otherwise, the results of which, after approval by the Commission for release, may be used to absolve or charge a person for the criminal violations of this Act.

Section 36. Vested Rights: Architects Registered When this Law is Passed.

– All architects registered at the time this law takes effect shall automatically be registered under the provisions hereof, subject, however, to the provisions herein set forth as to future requirements. The Certificates of Registration and Professional Identification Cards held by such persons in good standing shall have the same force and effect as though issued after the passage of this Act.

Section 37. Continuing Professional Development (CPD). – To learn best practices and enhance the industry’s competitiveness, all practicing architects shall maintain a program of Continuing Professional Development, *provided that*:

A. The registered architect, following the Board's guidelines, has the freedom to design his or her CPD program, which shall consist of and is not limited to:

1. CPD activities accredited or approved by the Board offered by local and international CPD providers accredited or approved by the Board;

2. Formal education, such as research, writing papers, Graduate Diploma, Master’s or Ph.D. degrees in architecture, interior design, interior architecture, human behavioral science, landscape architecture, environmental planning, urban design, engineering, heritage conservation and restoration, architectural history, art history and criticism, industrial design, aging-in-place, healthcare design, and other such courses, certification, and degrees that enrich the worldview and practice of the architect;

3. Work-based learning that demonstrates advancement in one’s role and scope of responsibility in architectural work or practice; or involvement in the design or construction of a new typology or scale of architecture or interior environment;

4. Professional activity, such as work in local or international professional organizations, giving presentations at conferences, developing specialist skills; and

5. Exposure, such as attending architecture festivals, winning international architectural, interior design and design competitions, taking educational architectural and design tours;

B. The Board shall rationalize the CPD guidelines to be consistent with the national agenda of promoting the creative industries and the global competitiveness of Filipino professionals, mindful of professional architects’ changing needs as they gain experience and exposure.

C. The Board shall ensure that there is a sufficient number of approved CPD activities in which registered architects of varying levels of experience may participate throughout the year wherever they reside and work.

D. The Board shall regularly review existing accredited and approved CPD providers and retain only those that provide relevant activities and, in the case of local CPD providers, can test and grade attendees for knowledge gained.

E. The Board shall institute a feedback mechanism where registered architects can express honest feedback on the content and execution of Board-accredited CPD activities and endeavor to respond in a timely manner to such feedback as necessary.

Section 38. Prohibition in the Practice of Architecture and Penal Clause. –

Any person in violation of Sections 29 or 32 of this Act, whether Filipino or foreigner, may be the subject of a criminal complaint filed before a prosecutor or the Department of Justice, or may be charged in court by the Commission after due preliminary investigation by the Board, UNDER ANY OF THE FOLLOWING PARAGRAPHS OR UNDER THE APPLICABLE PROVISIONS OF THE REVISED PENAL CODE.

Upon conviction of misdemeanor UNDER PARAGRAPHS B, C, D, E, AND F OF SECTION 29, he or she shall be sentenced to a fine of not less than One Hundred Thousand Pesos (P100,000.00) or COMMUNITY SERVICE OF no less than three (3) months, or both, at the discretion of the court.

Upon conviction of fraud and corruption UNDER ITEMS 2, 3, 4, 5, 6, AND 7 OF PARAGRAPH A OF SECTION 32 OF THIS ACT, he or she shall be sentenced to a fine of not less than Five Hundred Thousand Pesos (P500,000.00) or IMPRISONMENT OF no less than one (1) MONTH, -or both, at the discretion of the court.

Any person or entity, whether public or private, Filipino or foreigner, who compels a registered architect to perform an architectural service without first executing a written contract or service agreement, shall be guilty of a misdemeanor and shall, upon conviction, be sentenced to a fine of not less than Five Hundred Thousand Pesos (P500,000.00) or a jail term of not less than ONE (1) MONTH, or both, at the discretion of the court.

Upon conviction of any violation contributing to or causing damage or injury, he or she shall be sentenced to a fine of not less than One Hundred Thousand Pesos (P100,000.00) or a jail term of not less than one (1) month, or both, at the discretion of the court.

Upon conviction of any violation contributing to or causing death, he or she shall be sentenced to a fine of not less than One Million Pesos (P1,000,000.00) or IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS, or both, at the discretion of the court.

Section 39. Ownership of Plans, Specifications, and other Contract Documents. – Architectural documents duly signed, stamped, or sealed as instruments of service are the intellectual property and documents of the architect, whether the object for which they are made is executed or not.

A. It shall be unlawful for any person to duplicate or to make copies of said documents for use in constructing or altering other buildings, whether partly or in whole, without the written consent of the architect or author of said documents.

B. Hardcopies copies and non-editable soft copies of architectural documents submitted for official permitting purposes shall remain the property of their respective owners and author-architects.

C. As far as practicable, all registered architects shall incorporate the above provisions in all contract documents and other instruments of service.

D. These architectural documents shall be properly archived after ten (10) years when the mandatory civil liability of both the architect and the constructor shall have fully expired.

Section 40. Positions in Government and Government Projects Requiring the Services of Registered and Licensed Architects and Engineers.

A. The Civil Service Commission shall ensure that all existing and proposed positions in the national and local governments, whether career, permanent, temporary, or contractual, requiring the services of an architect shall be filled only by registered and licensed architects.

1. The Civil Service Commission shall, in collaboration with the Department of Interior and Local Government (DILG), the Local Government Unit (LGU) concerned, and relevant agencies, create the mandatory positions of Provincial Architect, City Architect and Municipal Architect staffed by registered and licensed architects qualified by ten years' active practice to oversee and review the planning, design, and implementation of provincial, city, and municipal public buildings and facilities such as offices, courts, schools, hospitals, clinics, firehouses, police stations, public markets, public housing, and the like.

2. The Civil Service Commission shall, in collaboration with the DILG, the Department of Public Works and Highways (DPWH), Department of Human Settlements and Urban Development, or any line agency tasked with overseeing the review of building plans, appoint and ensure that both and only registered and licensed architects and civil engineers are appointed to all LGU Office of the Building Official (OBO) key staff positions nationwide for each class of city and municipality, so that architects and civil engineers shall review architectural documents and civil engineering documents respectively.

3. Architects aspiring for the LGU Building Official position shall be qualified by at least fifteen (15) years' active practice in a wide variety of building typologies; unless there are other candidates qualified by more experience or greater responsibilities in a wider variety of building typologies.

4. Ensure, in collaboration with the DILG, the DPWH, or any line agency tasked with overseeing the review of building plans, that only registered and licensed architects qualified by ten years' active practice shall head all the Architectural Divisions of all LGU Office of the Building Official (OBO) nationwide;

5. Ensure that both registered and licensed architects and civil engineers qualified by twenty (20) years of relevant experience shall always serve as the primary technical advisers to Bid and Award Committees in all public procurement activities relating to public buildings and facilities, whose qualifications must enable them to appreciate and assess not only financial feasibility but also the project's vision and potential to positively impact civil life and the public's wellbeing, productivity, and regard for the country.

B. All offices of the Executive, Legislative, and Judiciary, governors, heads of autonomous regions, and mayors of highly urbanized cities and independent cities shall always hire the best and most promising professional Filipino architects to design government buildings and offices, including embassies, to positively impact civil service and civil life, and elevate the public's regard for the Philippine government through public architecture worthy of the nation and its people and representative of the finest contemporary Filipino architectural thought.

C. The Board and the IAPOA shall make it their responsibility to campaign and educate national and local government offices and agencies on this Section and the value of patronizing local qualified talent and fostering collaboration among architects, engineers, interior designers, landscape architects, other professionals in the allied arts, and creatives.

Section 41. *Limitation to the Registration of Companies, Corporations, and Partnerships.*

A. For a corporation to be registered and licensed to provide architectural services in the Philippines:

1. Its constitution or memorandum of association must state that a primary purpose of the corporation is to provide architectural services;

2. At least one director is a registered architect with a valid Professional Identification Card (PIC);

3. The corporation's articles of association must provide:

a. The proportion or minimum number of board directors required to be registered architects or allied professionals, each with a valid PIC;

b. That seventy-five percent (75%) of its officers, board of directors, and plantilla must be Filipino citizens residing in the Philippines;

c. That under no circumstance shall ownership by foreigners exceed forty percent (40%);

d. That none of its members that are architects or other State-regulated professionals whose names have been removed from the registers of their respective Professional Regulatory Boards may serve as directors until their names have been reinstated in their respective registries;

e. That none of its members that are architects or other State-regulated professionals who have been suspended may serve as directors for so long as they remain suspended;

4. The supply of architectural services shall be under the responsible charge and management of a corporate director who is a registered architect with a valid PIC and who is authorized by resolution of the corporation's board of directors to make all final architectural decisions on behalf of the corporation;

5. It must be insured against professional liability; and

6. It shall pay the required registration and license renewal fees (in addition to the fees its directors or members pay as individual architects to register and renew their PICs).

B. For a general professional partnership to be registered and licensed to provide architectural services in the Philippines:

1. Its articles of partnership must state that a primary purpose of the corporation is to provide architectural services;

2. At least one partner must be a registered architect with a valid Professional Identification Card (PIC);

3. The corporation's articles of partnership must provide:

a. That no person shall be a partner unless he or she is a registered architect or an allied professional, each with a valid PIC;

b. The required proportion or minimum number of partners that must be registered architects or allied professionals, each with a valid PIC;

d. That seventy-five percent (75%) of its officers, partners, and plantilla must be Filipino citizens residing in the Philippines;

e. That under no circumstance shall ownership by foreigners exceed forty percent (40%);

f. That none of its members that are architects or other State-regulated professionals whose names have been removed from the registers of their respective Professional Regulatory Boards may serve as partners until their names have been reinstated in their respective registries;

g. That none of its members that are architects or other State-regulated professionals who have been suspended may serve as partners or officers for so long as they remain suspended;

4. A partner who is a registered architect with a valid PIC shall have responsible charge and manage the business of providing architectural services, and shall also be authorized by resolution of the partnership to make all final architectural decisions on behalf of the partnership;

5. It shall pay the required registration and license renewal fees (in addition to the fees its partners or employees pay as individual architects to register and renew their PICs).

C. For general or limited partnerships not consisting wholly of architects to be registered and licensed to provide architectural services in the Philippines:

1. At least one partner shall be a registered architect who has in force a valid Professional Identification Card (PIC);

2. The partnership is one in which only the registered architects and allied professionals, who each has in force a valid PIC, have a beneficial interest in the capital assets and profits of the partnership;
3. At least sixty percent (60%) of its partners, officers, and plantilla must be Filipino citizens residing in the Philippines;
4. Foreigners shall not comprise more than forty percent (40%) of the partners;
5. The partnership's business of providing architectural services in the Philippines will be under the management and responsible charge of a partner who is a registered architect with a valid PIC;
6. It shall pay the required registration and license renewal fees (in addition to the fees its partners pay as individual architects to register and renew their PICs).

D. Any licensed company, corporation, or partnership shall furnish the Board an accurate report in writing within thirty (30) days of any changes in its constitution, memorandum of association, articles of partnership, purpose, board of directors, shareholders, members, or partners, providing the full particulars and reasons for the changes.

E. Registered architects with responsible charge and who manage the business of providing architectural services shall be subject to the same professional conduct and competence standards as if they were personally supplying the architectural services.

F. Where a license is granted or refused by the Board, any company or partnership, if aggrieved by the Board's decision, may appeal within thirty (30) days to the Commission, whose decision shall be final.

G. The Board may revoke a license granted to a corporation, partnership, or limited liability partnership for failing to comply with conditions imposed by this Section or when its memorandum of association no longer includes or supports the limitations prescribed in this Section. The Board may also revoke a license when the Board has determined any of the following:

1. The license was obtained by bribery, fraud, or misrepresentation;
2. The concerned corporation, general partnership, general professional partnership, or limited partnership has ceased providing architectural services in the Philippines;

3. That the corporation, general partnership, general professional partnership, or limited partnership has violated any provision of the code of professional conduct and ethics;

4. The professional conduct and business dealings of any director, officer, or partner has demonstrated compelling grounds for believing that the corporation or partnership will not supply architectural services per the law and with honesty and integrity.

J. The Board's revocation order shall become effective thirty (30) days after the Board has served the corporation, partnership, or limited liability partnership concerned with a notice of its order. When the revocation becomes effective—

1. The Board shall cause the notice of revocation to be published in the Official Gazette and on its website;

2. Remove the name from the Register of the corporation, partnership, or limited liability partnership concerned; and

3. The corporation, partnership, or limited liability partnership shall cease providing architectural services in the Philippines except, as provided in writing by the Board, to close down its business.

K. The corporation, partnership or limited liability partnership served with a notice of revocation may, within thirty (30) days upon receipt, appeal to the Commission Chair or the Office of the President and, after that, the regular courts, the Court Of Appeals, and ultimately, the Supreme Court.

L. Every license granted under this Section shall, unless earlier revoked, be valid for three (3) years. The Board shall determine within six months of the effectivity of this Act the fees and schedules for payment.

M. Without prejudice to the preceding subsections, the Board may register and grant licenses to companies, corporations, or partnerships, subject to such other requirements or conditions as the Board deems fit to improve the competitiveness of the Filipino architect. The Board may revise or add conditions provided that it announces such changes or additions on its website at least thirty (30) days and allows the architecture associations and the general public to make representation to the Board before adopting said changes.

Section 42. Foreign Architect Registration. – Foreign nationals who wish to perform professional services as architects, consulting architects, design consultants, or consultants in the Philippines on foreign-funded or assisted government projects or employed or engaged by foreign or Filipino contractors or

private firms, shall register with the Board before performing any service covered by the scope of the practice of architecture, *provided that*:

A. The foreign architect's work scope shall be allowed to include schematic design, design development, contract documentation, and design management only until the 31st of December, 2039; and shall be allowed to include only schematic design and design development until the 31st of December, 2044;

1. After which, by the 1st of January, 2045, the foreign architect's allowed work scope shall include only schematic design and thereafter the foreign architect's role shall be consultative and advisory only, reviewing the output of the architect-of-record; and

2. By the 1st of January, 2045, any extension of the foreign architect's work scope beyond schematic design shall require the Board's approval based on the project proponent's justification that the foreign consultant's expertise or level of expertise is not available in the Philippines;

B. The project proponent shall always engage the architect-of-record simultaneous with that of the foreign architect, and both firms shall work concurrently;

C. In the interest of technology transfer, the project proponent shall organize one seminar or workshop by the foreign architect for every year that the foreign architect is engaged, allowing the attendance of local architects, engineers, and architectural and engineering students beyond those engaged in the project; and include such condition in the service agreement with the foreign architect;

D. Whenever the foreign architect is engaged to perform only schematic design, the project proponent shall recognize and validate the Filipino architect's role by requiring as part of the service agreement with the foreign architect that the Filipino architect-of-record shall be acknowledged in all public events and sales, marketing, and press materials promoting the project, whether prepared or published locally or abroad;

E. The foreign and Filipino architects working jointly on a project shall be responsible for public utilities and taxes due to the Philippine government, relative to their participation in or professional services rendered to the project. Similarly, all documentation expenses and residual earnings incurred in the shared project shall also be borne equitably by both.

F. All work of the foreign architect shall be done outside of the Philippines except for occasional meetings and site visits; otherwise, the foreign firm will

need to register as a Philippine business and shall abide by local business laws and taxes;

G. The foreign architect shall be deemed as practicing architecture in the Philippines, whether the contract for professional services or any of the services are consummated in the Philippines or a foreign country;

H. The foreign national or firm shall conduct himself, herself, or itself in full accordance with the valid treaties, international agreements, or mutual arrangements the Philippines has entered into, which allows the foreign architect access to the Philippine market;

I. The foreign national or firm is legally qualified to practice architecture in his or her country, and his or her expertise is advantageous to our country, particularly concerning technology transfer and specialization;

J. The agencies, organizations, or individuals, whether public or private, who commission the foreign architect shall first secure the approval of the Department of Foreign Affairs and the Department of Trade and Industry for his or her registration application and credentials before the Board shall act on the application; and said the agency, organization, or individual should be responsible for securing the registration of the foreign architect from the Commission and the Department of Labor and Employment (DOLE), according to the Commission's and DOLE's rules;

Section 43. Professional Liability Insurance of a Person or Entity Registered by the Board.

A. Foreign nationals, including former Filipinos wanting to engage in the general practice of architecture, must secure their professional liability insurance, malpractice insurance, or their acceptable equivalent in bond form from local insurance providers, commensurate with the nature and magnitude of their project involvement and their compensation. In consultation with the IAPOA, the Board shall implement rules and regulations for such requirement for practice within nine (9) months from the effectivity of this Act.

Professional liability insurance is a pass-on cost solely for the beneficiary's account, usually the building owner. It is to be renewed annually for a maximum period of fifteen (15) years reckoned from commencement of building occupancy, at the beneficiary's behest, again for the beneficiary's sole account.

B. The Board may, with the approval of the Commission, make rules requiring all or any of the following to take out and maintain insurance

against liability for breach of professional duty in the course of supplying architectural services:

1. Any partnership consisting wholly of registered architects;
2. Any partnership or corporation applying for a license;
3. Any registered architect applying for a Professional Identification Card or practicing license to engage in the practice of architecture on his account;
4. Any registered architect applying for a PIC or practicing license employed or about to be employed by Subsection 43. B. 1, 2, and 3 above; and
5. Any other registered architect applying for a PIC or practicing license.

C. The Board may, with the approval of the Commission, prescribe the terms and conditions of insurance against professional liability under this Act or rules, including a minimum limit of indemnity.

Section 44. Conflict of Interest. Professional architects, civil engineers, environmental planners, landscape architects, and interior designers shall avoid all conflicts of interest with a client or employer.

If a conflict of interest is unavoidable, the professional architect, civil engineer, environmental planner, landscape architect, and interior designer shall immediately inform the client or employer of any business association, interest, or circumstance which may influence his or her professional judgment, decisions, practices, or quality of services.

2. Professional architects, civil engineers, environmental planners, landscape architects, and interior designers may not solicit or accept any gratuity, material favor, or benefit of any substantial nature from any party, agent, servant, or employee who is not a client or employer in connection with any project for which the professional is performing, or has contracted to perform professional services. This solicitation or acceptance includes, but is not limited to, any act, article, money, or other item which is of such value in proportion to the professional services that its acceptance creates a clandestine obligation on the part of the professional or otherwise compromises the ability of the registered architect, civil engineer, environmental planner, landscape architect, or interior designer to exercise independent judgment.

3. Notwithstanding subsection (2), professional architects, civil engineers, environmental planners, landscape architects, and interior designers may receive a fee or commission for the sale or the supervision of installation of property or fixtures, but may not receive both a fee and a commission without the express consent of the client.

4. Members of the Regulatory Boards of Architecture, Civil Engineering, Environmental Planning, Landscape Architecture, and Interior Design shall not

have any pecuniary interest in or be associated with any review center or any group giving review classes in preparation for the licensure examination while serving on the Board until for one year after leaving their post.

ARTICLE V
INTEGRATION OF THE ARCHITECTURE PROFESSION

Section 45. *Integration of the Architecture Profession.* – The architecture profession shall be served and represented by one national organization accredited by the Board, subject to the approval by the Commission, as the Integrated and Accredited Professional Organization of Architects (IAPOA), *provided that:*

- A. The IAPOA, being a creation of law, shall be a quasi-public entity whose use of the monies, funds, and assets it collects or generates shall be subject to audit by the Commission on Audit;
- B. Within three (3) months of the effectivity of this Act, the organization serving as the IAPOA under R.A. 9266 shall post on its website and submit to the Board of Architecture a financial report with supporting documents accounting for the total IAPOA fees it has collected and all the transactions, purchases, investments, and agreements it made as the IAPOA since the effectivity of this Act; The financial report shall include an income statement, balance sheet, and cash flow statement with a summary of figures;
- C. Within three months (3) months and seven (7) days of the effectivity of this Act, the accreditation of the organization appointed as the IAPOA under R.A. 9266 shall be revoked to allow for the creation and accreditation of a reconstituted IAPOA. Upon the revocation of its accreditation, the organization shall no longer be allowed to impose or collect IAPOA fees and it shall turn over all the monies it generated from IAPOA fees since the effectivity of this Act to the IAPOA created under this Act;
- D. The IAPOA created under this Act shall be—
 - 1. Registered with the Securities and Exchange Commission (SEC) as a non-profit, non-stock corporation governed by bylaws in full accordance with the spirit and letter of this Act and providing for the democratic election of its officials;
 - 2. Composed of associations of professional architects, each registered with the SEC;
- E. The number of seats in the IAPOA board of directors shall be limited to fifteen (15), and the architecture associations with a minimum

membership of fifty (50) living registered architects as of the effectivity of this Act shall be automatically assigned one (1) board seat in the IAPOA;

F. For the umbrella organization to be accredited by the Board of Architecture as the Integrated and Accredited Professional Organization of Architects—

1. It shall prepare its bylaws following its mandate as stated herein and submit the same for the Board of Architecture's inspection and approval;

2. The total collective membership of its architecture associations-members must represent at least a majority or more than fifty percent (50%) of living registered Filipino architects without repeat-counting registered architects who have membership in multiple organizations; and

3. The total collective membership of its architecture associations-members must demonstrate a fair representation of living registered architects from the Luzon, Visayas, and Mindanao regions, with no less than eighteen percent (18%) of total membership based outside of the National Capital Region in Luzon, no less than eighteen percent (18%) based in the Visayas, and no less than eighteen percent (18%) based in Mindanao; or a plan of action to achieve such representation within twenty-four (24) months of its accreditation;

G. No changes may be made to the IAPOA's bylaws without first securing the Board of Architecture's approval and furnishing the Board with an accurate report in writing on the full particulars of the changes and the reasons therefor;

H. The IAPOA shall, within three (3) days of changing its membership and board of directors, furnish the Board of Architecture an accurate report in writing of the full particulars of the changes;

I. The IAPOA shall be mandated to:

1. Engage and cultivate the intellectual capital of Filipino architects by creating opportunities for the exchange of ideas, consideration, study, and thought leadership on:

- a. The art, science, and practice of architecture;

- b. All questions and issues relating to the competitiveness and advancement of the regional and global standings of the Filipino architect;

- c. Uplifting the human experience and improving productivity through the designed and built environment; and
 - d. Creative innovation and collaboration with allied professions and other creatives;
2. Survey, consult, and discuss the needs and concerns of registered architects from each region of the country to identify appropriate responses to the problems affecting them, always considering the public interest, public service, the goal of advancing the global competitiveness of registered Filipino architects, and the added value of collaboration with allied professionals and other creatives;
3. Represent, articulate, and effectuate the views and opinions of registered architects on architectural matters of all kinds, especially in the areas of the academe, competitiveness of Filipino architects, governance, regulation, and the promotion of Filipino architecture and architects locally and internationally;
4. Improve the technical proficiency and entrepreneurial skills of registered architects;
5. Devote funds of the IAPOA to undertake publication and research work, including statistics on matters of interest to the profession;
6. Devote funds of the IAPOA to conduct and promote architectural fairs, exhibitions of exemplary architectural works, competitions, and awards with the Board, through its assigned member, sitting on the jury of all major IAPOA-initiated competitions and awards; assist professional architects to join prestigious local and international competitions; and to establish or contribute to scholarships and charitable funds for deserving persons;
7. Collaborate with and arrange for affiliation and agreements with foreign and international associations, societies, corporations, or other bodies relating to architectural matters, the construction industry, and related concerns to elevate Philippine architecture and design innovation and expose the IAPOA, its member organizations, and the registered architects they represent to best practices and world standards;
8. Collaborate with professional associations, AIPOs of civil engineering, environmental planning, interior design, and landscape architecture, and various agencies on design-related initiatives and events;

9. Create linkages with the business sector, the educational sector, government institutions, and the public to cultivate an informed demand to employ and invest in excellent architecture and design;

10. Acquire and regularly disseminate among its members accurate information on local and international issues and events relating to and affecting the profession, as well as the IAPOA's representations, transactions, and undertakings conducive to the attainment of its mandate as stated herein;

11. Submit to the Board of Architecture before June 15 every year and make available for the general public's perusal on the IAPOA's website by July 15 every year:

a. An annual census of the IAPOA's membership with a census of each professional organization's members; including, as far as practicable, information of subsections J.2 and J.3 of this Section;

b. An annual plan of activities designed to fulfil its mandate as stated herein, with stated objectives and proposed budget;

c. An accomplishment report of activities conducted versus planned, and objectives met and unmet;

d. A financial report that includes an income statement, balance sheet, and cash flow statement with a summary of figures over the past ten years and a comparison of financial trends from the current and previous two years; the report shall also include details on donations received, grants distributed, and investments, backed by official supporting documents.

J. The Board shall suspend or revoke the IAPOA's accreditation when:

1. The IAPOA inflates its accomplishments or enters false information or forged evidence in its annual census, annual plans, accomplishment report, financial report, or official supporting documents;

2. The collective membership of its juridical members fails to account for more than fifty percent (50%) or the majority of living Filipino registered architects for twelve (12) consecutive months; and

3. It fails to secure membership reflecting a fair representation of living registered architects from the Luzon, Visayas, and Mindanao regions as prescribed in Subsection 45.G.3 within twenty-four (24) months of accreditation, and when it is unable to maintain such representation for twelve (12) consecutive months;

K. The Board of Architecture shall, in consultation with the IAPOA and with the approval of the Commission, within six (6) months of the accreditation

of the IAPOA, prescribe other terms and conditions by which the Board may suspend or revoke the IAPOA's accreditation, hold wrongdoers and incompetents accountable, deter future misconduct and abuse of power, support and promote best practices in leadership and good governance in the IAPOA, and the terms and conditions under which a suspended or revoked accreditation may be reinstated. In addition, the Board shall consult or direct the IAPOA to consult other organizations or experts on best practices in leadership and good governance as it deems necessary.

- L. Except in the event of revocation due to the offenses or shortcomings enumerated in Subsection 45.J, the IAPOA accreditation shall be for a five (5)-year period, renewable thereafter every five (5) years:
1. At the end of the fourth (4th) year, the Commission shall undertake an audit of the IAPOA performance during the previous four years, whereby the Commission is tasked to draw up such performance audit rules;
 2. The Commission performance audit must be transmitted to the IAPOA three (3) months before the expiry of the five-year accreditation period, during which the IAPOA shall assess its performance to make an undertaking to fully address all issues and concerns raised in the performance audit within one (1) year;
 3. In the event of failure by the IAPOA to satisfy its undertaking relative to the performance audit, the Commission shall take immediate steps to suspend the IAPOA, until further notice;
 4. Should the IAPOA still fail to address the matters raised in the performance audit within a period of eighteen (18) months after suspension, the IAPOA accreditation by the Commission shall be revoked for cause; and
 5. As part of the process to reverse the revocation of the IAPOA accreditation, the Commission shall hold a stakeholder conference to ascertain other steps to be taken, that may include considerations of reorganizing the IAPOA as necessary.

In consultation with the IAPOA and with the approval of the Commission, the Board may revise or add to the terms mentioned above for the IAPOA to follow the best practices of the best architectural associations in the world.

ARTICLE VI FINAL PROVISIONS

Section 46. *Stream of Regulations Not Limited to the Implementing Rules and Regulations.* – Within nine (9) months after the election of the members of the Board of Architecture, subject to the approval of the Commission, the Board shall adopt and promulgate the implementing rules and regulations (IRR), Code of Ethical Conduct and Standards of Professional Practice, Architect's Guidelines, Manuals of Procedure, and the like, to carry out the provisions of this Act.

Such IRR, Code of Ethical Conduct and Standards of Professional Practice shall be effective within forty-five (45) days following their publication on the Board's and the Commission's website and in the Official Gazette or two (2) major daily newspapers of general circulation, *provided that* before adopting such, the Board shall allow the IAPOA, architects, and the general public to make representations to the Board within thirty (30) days of publication, per Section 12.B of this Act.

The Board and the Commission shall reject provisions and revisions to the IRR, Code of Ethical Conduct and Standards of Professional Practice, and resolutions and regulations that lower the standards of licensure, registration, the profession, practice, and the international competitiveness of Filipino architects.

Section 47. Appropriations. – The Chairperson of the Professional Regulation Commission shall immediately include in the Commission programs the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

Section 48. Act Not Preventing Other Professionals. – This Act shall not be construed to prevent the practice of any other legally recognized profession.

Contract administration by architects as part of design-build services by architects shall continue to enjoy the exemption under Sec. 14 of R.A. No. 4566, the Contractor's License Law of 1965.

Section 49. Enforcement of the Act. – It shall be the primary duty of the Commission and the Board to fully enforce the provisions of this Act. All duly constituted law enforcement agencies and officers of national, provincial, city, or municipal government or of any political subdivision thereof shall, upon the call or request of the Commission or the Board, render assistance in enforcing the provisions of this Act and prosecuting any person violating the provisions of the same. The Secretary of Justice or his duly designated representative shall act as legal adviser to the Commission and the Board and render legal assistance as may be necessary for carrying out the provisions of this Act.

Any person may bring before the Commission, the Board, or the officers mentioned above cases of illegal practice or violations of this Act committed by any person or party. As such, complaints about the criminal violation of this Act can also be brought directly to the local prosecutor's office for disposition.

For cases of illegal practice lodged before the Board, the Board shall assist the Commission in the preliminary investigation and in filing the appropriate charges through the concerned prosecution office following the law and the Rules of Court.

Section 50. Separability Clause. – If any clause, provision, paragraph, or part of this Act shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other part hereof, but such judgment shall be merely confined to the clause, provision, paragraph, or part directly involved in the controversy in which such judgment has been rendered.

Section 51. Repealing Clause. – Republic Act No. 545, as amended by Republic Act No. 9266, is hereby repealed by re-enactment, and all other laws, orders, rules and regulations or resolutions or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 52. Effectivity. – This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or two (2) newspapers of general circulation.

Approved,