

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
First Regular Session



21 February 2011

MEMORANDUM:

FOR : The Deputy Secretary General
for Operations

ATTENTION : The Executive Director
Plenary Affairs Bureau

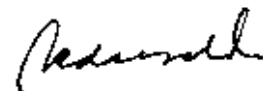
The Service Director
Bills and Index Service

CR 695

FROM : The Deputy Secretary General
for Committee Affairs

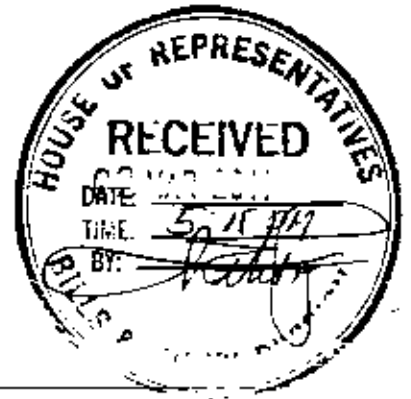
We are transmitting six (6) copies of the Committee Report submitted by the Committee on Civil Service and Professional Regulation on House Bill No. 2134, the substitute bill to House Bill Nos. 909 and 2134, entitled "AN ACT TO REGULATE AND MODERNIZE THE PRACTICE OF INTERIOR DESIGN IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8534, KNOWN AS 'THE PHILIPPINE INTERIOR DESIGN ACT OF 1998,' APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES".

For your appropriate action.


ATTY. ARLENE C. DADA-ARNALDO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session



COMMITTEE REPORT NO. 695

Submitted by the Committees on Civil Service and Professional Regulation and Appropriations on May 15, 1999

Re: House Bill No. 909

Recommending its approval in substitution of House Bill Nos. 909 and 2134

Sponsors: Representatives Andres D. Salvacion, Jr., Joseph Emilio A. Abaya, Susan A. Yap
and Carlos M. Padilla

Mr. Speaker:

The Committees on Civil Service and Professional Regulation and Appropriations to which were referred House Bill No. 909 introduced by Rep. Susan A. Yap, entitled:

AN ACT
TO REGULATE AND MODERNIZE THE PRACTICE OF INTERIOR
DESIGN IN THE PHILIPPINES. REPEALING FOR THE PURPOSE
REPUBLIC ACT NUMBER 8534, KNOWN AS "THE PHILIPPINE
INTERIOR DESIGN ACT OF 1998," APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES

and House Bill No. 2134 introduced by Rep. Carlos M. Padilla, entitled:

AN ACT
TO REGULATE AND MODERNIZE THE PRACTICE OF INTERIOR
DESIGN IN THE PHILIPPINES. REPEALING FOR THE PURPOSE
REPUBLIC ACT NUMBER 8534 (RA NO. 8534) KNOWN AS "THE
PHILIPPINE INTERIOR DESIGN ACT OF 1998," APPROPRIATING
FUNDS THEREFOR AND FOR OTHER PURPOSES

have considered the same and recommend that the attached House Bill No.
909 entitled:

AN ACT
TO REGULATE AND MODERNIZE THE PRACTICE OF INTERIOR
DESIGN IN THE PHILIPPINES. REPEALING FOR THE PURPOSE
REPUBLIC ACT NO. 8534, KNOWN AS "THE PHILIPPINE INTERIOR
DESIGN ACT OF 1998," APPROPRIATING FUNDS THEREFOR AND
FOR OTHER PURPOSES

be approved in substitution of House Bill Nos. 909 and 2134, and with Reps. Susan A. Yap, Carlos M. Padilla, Andres D. Salvacion, Jr., Joseph Emilio A. Abaya, Jane Tan-Castro, Salvador H. Escudero III, Marlyn L. Primicias-Agabas, Victor J. Yu, Mariano U. Piamonte, Jr. and Cresente C. Paez as authors thereof.

Respectfully submitted,



HON. JOSEPH EMILIO A. ABAYA
Chairman
Committee on Appropriations



HON. ANDRES D. SALVACION, JR.
Chairman
Committee on Civil Service
and Professional Regulation

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY



Republic of the Philippines
House of Representatives
 Quezon City, Metro Manila

HON. JOSEPH EMILIO A. ABAYA

*Congressman, 1st District, Cavite
 Chairman, Committee on Appropriations*

February 16, 2011

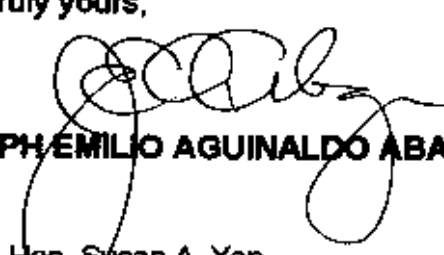
HON. ANDRES D. SALVACION, JR.

Chairman
 Committee on Civil Service and Professional Regulation

Dear Chairman Salvacion:

Please be informed that the Committee on Appropriations in its meeting held today at the Rolando R. Andaya Hall, approved to report out without amendment Substitute Bill to House Bill Nos. 909 and 2134, entitled "AN ACT TO REGULATE AND MODERNIZE THE PRACTICE OF INTERIOR DESIGN IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBER 8534, KNOWN AS "THE PHILIPPINE INTERIOR DESIGN ACT OF 1998", APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES".

Very truly yours,


JOSEPH EMILIO AGUINALDO ABAYA

cc: Hon. Susan A. Yap
 Hon. Carlos M. Padilla
 Hon. Jane Tan-Castro
 Hon. Salvador H. Escudero III
 Hon. Martyn L. Primicias-Agabas
 Hon. Victor J. Yu
 Hon. Mariano U. Piamonte, Jr.
 Hon. Cresente C. Paez

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

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1323

Introduced by Representatives Susan A. Yap, Carlos M. Padilla, Andres D. Salvacion, Jr., Joseph Emilio A. Abaya, Jane Tan-Castro, Salvador H. Escudero III, Marlyn L. Primicias-Agabas, Victor J. Yu, Mariano U. Piamonte, Jr. and Cresente C. Paez.

AN ACT
TO REGULATE AND MODERNIZE THE PRACTICE OF INTERIOR DESIGN IN
THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8534,
KNOWN AS "THE PHILIPPINE INTERIOR DESIGN ACT OF 1998,"
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

ARTICLE I

TITLE, POLICY, OBJECTIVES, TERMS AND SCOPE OF PRACTICE

SECTION 1. *Title.* - This Act shall be known as the "Philippine Interior Design Act of 2011".

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

SEC. 3. *Objectives.* - This Act provides for and shall govern:

- (a) The examination, registration and licensure of professional interior designers;
- (b) The supervision, control and regulation of the practice of interior design;
- (c) The development of the professional competence of interior designers through continuing professional education; and
- (d) The integration of the interior design profession.

1 list of two (2) recommendees for each position submitted by the Commission, and from a list
2 of three (3) nominees for each position recommended by the duly accredited professional
3 organization of interior designers. The new Board shall be created within six (6) months
4 from the effectivity of this Act.

5 **SEC. 7. *Qualifications of the Chairperson and Members.*** – The Chairperson and
6 members of the Board shall, at the time of their appointment, possess the following
7 qualifications:

8 (a) Must be a citizen and resident of the Philippines;

9 (b) Must be a degree holder of Bachelor of Science in Interior Design (BSID), Bachelor
10 of Interior Design (BID) or Bachelor of Fine Arts (BFA), major in Interior Design, or
11 an equivalent degree conferred by a school, academy, college or university in the
12 Philippines or abroad that is recognized and/or accredited by the Philippine
13 government;

14 (c) Must be a registered interior designer with a valid certificate of registration and
15 professional identification card and an active practitioner of interior design for not
16 less than ten (10) years prior to appointment;

17 (d) Must not be a member of the faculty of any school, where a regular course in Interior
18 Design is being taught, or have pecuniary interest in, or administrative supervision
19 over any such institution of learning;

20 (e) Must not be connected with a review center or with any group giving review classes
21 or lectures in preparation for the licensure examination;

22 (f) Must be a member in good standing of the duly accredited professional organization
23 of interior designers but not a trustee or officer thereof; and

24 (g) Has never been convicted of a crime involving moral turpitude, or a civil and/or
25 criminal offense.

26 **SEC. 8. *Term of Office.*** - The members of the Board shall hold office for a term of
27 three (3) years from the date of appointment or until their successors shall have been
28 appointed and qualified. They may be reappointed for another term of three (3) years
29 immediately upon the expiration of their term: *Provided*, That no member shall hold office
30 for more than six (6) years.

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

1 **SEC. 9. *Compensation of the Board Members.*** - The Chairperson and members of
2 the Board shall receive compensation and allowances comparable to the compensation and
3 allowances received by existing regulatory boards under the Commission as provided for in
4 the General Appropriations Act.

5 **SEC. 10. *Powers, Functions, Duties and Responsibilities of the Board*** - The Board
6 shall exercise the following specific powers, functions, duties and responsibilities:

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

1 growth of interior design education in the Philippines.

2 **SEC. 11. *Grounds for Removal or Suspension of Board Chairperson and Members.***

3 - The President of the Philippines, upon the recommendation of the Commission, after giving
4 the Chairperson and members of the Board an opportunity to defend themselves in an
5 administrative investigation conducted by the Commission, may remove or suspend them on
6 any of the following grounds:

7 (a) Gross neglect, incompetence or dishonesty in the discharge of their duties;

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

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

14 The Commission, in the conduct of the investigation, shall be guided by Section 7(s)
15 of Republic Act No. 8981, known as the PRC Modernization Act of 2000, the rules on
16 administrative investigation and the applicable provisions of the new Rules of Court.

17 **SEC. 12. *Administrative Supervision of the Board, Custodian of its Records,***
18 ***Secretariat and Support Services.*** - The Board shall be under the administrative supervision
19 of the Commission. All records of the Board, including applications for examination,
20 administrative and other investigative cases conducted by the Board shall be under the
21 custody of the Commission.

22 The Commission shall designate the secretary of the Board and shall provide the
23 secretariat and other support services to implement the provisions of this Act.

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

29 **ARTICLE III**

30 **EXAMINATION, REGISTRATION, CERTIFICATION AND LICENSURE**

31 **SEC. 14. *Passing of Licensure Examination Requirement.*** - Except as otherwise
32 specifically allowed under this Act, applicants for registration for the practice of interior
33 design shall be required to pass a licensure examination as provided for in this Act in such
34 places and dates as the Commission may designate in accordance with the provisions of

1 Section 7(d) of Republic Act No. 8981.

2 **SEC. 15. *Qualifications of Applicants.*** - Applicants for the licensure examination for
3 interior designers shall satisfactorily prove that they possess the following qualifications:

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

6 (b) Of good moral character;

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

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

14 **SEC. 16. *Subjects for Licensure Examination.*** - The examination for interior design
15 shall basically cover the following subjects:

16 (a) Interior Design;

17 (b) Furniture Design and Construction;

18 (c) Materials for Decoration and Color Theory;

19 (d) History of Arts and Interior Design;

20 (e) Interior Detailing and Construction; and

21 (f) Professional Practice and Ethics

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

25 **SEC. 17. *Rating in the Licensure Examination.*** - To be qualified as having passed
26 the Board examination for interior designers, a candidate must obtain a weighted general
27 average of seventy percent (70%).

28 **SEC. 18. *Report of Ratings.*** - The Board shall submit to the Commission the ratings
29 obtained by each candidate within twenty (20) days after the examination unless extended by
30 the Commission for just cause. Upon the release of the results of the examination, the Board
31 shall send by mail the rating received by each examinee at the given address using the
32 mailing envelope submitted during the examination.

33 **SEC. 19. *Oath.*** - All successful candidates in the examination shall be required to
34 take an oath of profession before the Board or any government official authorized by the

Commission to administer oaths prior to entering the practice of the interior design profession.

SEC. 20. Issuance of Certificate of Registration and Professional Identification Card. - A certificate of registration shall be issued to applicants who pass the examination for interior designers subject to payment of registration fees.

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

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

A professional identification card, whether new or renewed, shall be released by the PRC upon compliance with the requirements for the application or renewal of identification card and upon presentation of the updated receipt of payment of annual membership dues of the accredited professional organization and proof of completion of the CPE requirements. Once registered, the interior designer may use IDr. as the official appendage title.

SEC. 21. Refusal to Register. - The Board shall not register any successful applicant for registration with or without licensure examination who has been:

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

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

SEC. 22. Revocation or Suspension of the Certificate of Registration and Cancellation of Temporary/Special Permit. - The Board shall have the power, upon notice and hearing, to revoke or suspend the certificate of registration of a registered and licensed interior designer or to cancel a temporary/special permit granted to foreign interior designer, for any of the grounds or causes in Section 21 of this Act, except (c) thereof and any of the

1 following grounds:

- 2 (a) Violation of a provision of this Act, its IRR, the Code of Ethics, the Code of Good
3 Governance, the Code of Technical Standards for the practice of interior design,
4 policy and measure of the Board and/or the Commission;
- 5 (b) Perpetration or use of fraud in obtaining the certificate of registration, professional
6 identification card or temporary/special permit;
- 7 (c) Gross incompetence, negligence or ignorance resulting to death, injury or damage;
- 8 (d) Refusal to join or to remain a member in good standing of the Accredited Professional
9 Organization (APO);
- 10 (e) Neglect or failure to pay the annual registration fees for five (5) consecutive years;
- 11 (f) Aiding or abetting the illegal practice of a non-registered and licensed person by
12 allowing the use of one's certificate of registration and/or professional identification
13 card or temporary/special permit;
- 14 (g) Illegally practicing the profession during the suspension from the practice thereof;
- 15 (h) Addicted to a drug or alcohol, impairing the ability to practice the profession or
16 declared with unsound mind by a court of competent jurisdiction; and
- 17 (i) Non-compliance with the CPE requirement, unless exempted therefrom, for the
18 renewal of one's professional identification card.

19 The Board shall periodically evaluate the aforementioned grounds and revise or
20 exclude or add new ones as the need arises, subject to approval of the Commission. Any
21 person, firm or association may file charge/s in accordance with the provision of this section
22 against any registrant, or the Board may investigate violation of any of the abovementioned
23 causes. Affidavit-complaint shall be filed together with the affidavits of witnesses and other
24 documentary evidence with the Board through the Legal and Investigation Office. The *motu*
25 *proprio* move to conduct an investigation shall be embodied in a formal charge to be signed
26 by at least a majority of the members of the Board. The rules on administrative investigation
27 issued by the Commission shall govern the hearing or investigation subject to applicable
28 provisions of this Act, Republic Act No. 8981 and the Rules of Court.

29 **SEC. 23. *Reissuance of Revoked Certificate of Registration, Replacement of Lost***
30 ***or Damaged Certificate of Registration, Professional Identification Card or***
31 ***Temporary/Special Permit.*** - The Board may, upon petition, reinstate or reissue a revoked
32 certificate of registration after two (2) years from the effectivity of the period for revocation,
33 which is the date of surrender of the said certificate and/or the professional identification card
34 if still valid to the Board and/or the Commission. The Board may not require the holder

1 thereof to take another licensure examination. The petitioner shall prove to the Board that
2 one has valid reason/s to practice the profession.

3 For the grant of the petition, the Board shall issue a Board resolution subject to
4 approval by the Commission. A duplicate copy of lost certificate of registration, professional
5 identification card or temporary/special permit may be reissued in accordance with rules
6 thereon and upon payment of the prescribed fee therefor.

7 **SEC. 24. *Nonpayment of the Annual Registration Fees.*** - The Board shall suspend a
8 registered interior designer from the practice of the profession for non-payment of the annual
9 registration fees for five (5) consecutive years from the last or previous year of payment. The
10 resumption of the practice shall take place only upon payment of the delinquent fees plus
11 surcharges and interest and in accordance with the rules of the Commission. The running of
12 the five (5)-year period may be interrupted upon written notice about the discontinuance of
13 the practice and surrender of the certificate of registration to the Board and/or the
14 Commission.

15 **SEC. 25. *Vested Rights.*** - All practicing interior designers who are registered at the
16 time of the passage of this Act shall automatically be registered and issued certificates of
17 registration.

18 **ARTICLE IV**

19 **PRACTICE OF INTERIOR DESIGN**

20 **SEC. 26. *Lawful Practitioners of Interior Design.*** - The following persons shall be
21 authorized to practice the interior design profession:

22 (a) Natural persons who are:

23 (1) Duly registered and licensed as interior designers and holders of
24 valid certificates of registration and valid professional identification cards
25 issued by the Board and the Commission pursuant to this Act; and

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

28 (b) Juridical persons:

29 (1) Single proprietorship whose owner is a registered interior designer.

30 (2) Partnership duly registered with the Securities and Exchange
31 Commission (SEC) as professional partnership pursuant to the Civil Code
32 and composed of all partners who are all duly registered interior designers;
33 and

34 (3) Corporation whose key chief executive officers (CEOs) and

majority of the Board of Directors are all registered and licensed interior designers may be duly registered with the SEC as engaged in the practice of interior design. Juridical persons shall also be registered with the Board and the Commission in accordance with the rules and regulations thereon.

SEC. 27. *Seal, Issuance and Use of Seal.* – A duly registered interior designer shall sign and affix the seal duly approved and provided by the Board of Interior Design on all plans and specifications and contract documents prepared by, or under one's direct supervision during the validity of one's certificate of registration and professional identification card.

Officers or employees of the government, chartered cities, provinces, municipalities now or hereafter charged with the enforcement of the laws, ordinances or regulations relating to the construction or alteration of the interiors of buildings shall accept only those interior plans or specifications and contract documents which have been prepared, signed and sealed by a duly licensed interior designer and submitted in full accord with the provisions of this Act. No approval shall be given by any such person for any work, as defined under this Act, plans and specifications of which have not been so prepared, signed and sealed by a duly licensed interior designer.

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

SEC. 28. *Intellectual Property Rights.* - Drawings and specifications and other contract documents duly signed, stamped or sealed, as instruments of service, and all the works included therein, are the intellectual property of the interior designer. Any person is prohibited from engaging in any activity prejudicial to the intellectual property rights of the interior designer, including the reproduction of the contract work or substantial portion thereof, and making any alteration, distortion, mutilation, or other modification of, or any derogatory action in relation to, the contract work and the works therein, prejudicial to and without the written consent of the interior designer.

SEC. 29. *Foreign Reciprocity.* - No foreign interior designer shall be issued a certificate of registration to practice the interior design profession or be entitled to any of the rights and privileges under this Act unless the country of which one is a subject or citizen specifically permits Filipino interior designers to practice within its territorial limits on the same basis as the subjects or citizens of such foreign state or country.

SEC. 30. *Practice Through Temporary/Special Permit.* –

(a) Foreigners intending to work in the Philippines to perform professional services as interior designers or consultants whether employed through official foreign-funded or

1 foreign-assisted projects initiated by the government, or engaged by private Filipino.
2 foreign contractors or firms shall first secure a temporary/special permit from the PRC
3 through the Board of Interior Design specifically authorizing him/her to practice on
4 the special project or commission named therein: *Provided, further, That:*

5 (1) One is legally and professionally qualified and registered to practice
6 interior design in one's own country;

7 (2) One's expertise is unique and useful to the Philippines, resulting in the
8 transfer of information and technology. The establishment of
9 international standards in design, and of sharing of other specialized
10 skills; and

11 (3) Duly licensed foreign nationals shall be required to work with a
12 Filipino counterpart who has been in continuous practice of interior
13 design for at least ten (10) years. Professional fees and services, and
14 expenses of documentation pertaining to the project shall be shared by
15 both foreign and Filipino interior designers, including liabilities and
16 taxes due to the Philippine government, if any, according to their
17 participation in, or professional services rendered to the project.

18 (b) A foreign interior designer shall be required to work in every case with a duly licensed
19 Filipino counterpart whose competence and integrity has been established by the
20 Board of Interior Design on the basis of uniform standards contained in their IRR.

21 (c) Foreign and Filipino firms working jointly on a special project shall divide the
22 professional fees and other charges collected from said project equitably. Similarly, all
23 documentation expenses, taxes and other liabilities incurred on the shared project
24 shall also be borne equally by both foreign and Filipino firms.

25 (d) Foreigners working jointly with Filipino firms shall sign contracts, designs and other
26 credits together with the Filipino counterpart. Both foreign and Filipino firms shall at
27 all times be acknowledged in international tri-media on proprietary and intellectual
28 property rights. All residual earnings shall also be equitably shared between foreign
29 and local firms.

30 (e) Foreign design firms or individuals practicing in the Philippines before the
31 promulgation of this Act are required to comply with the requirements established by
32 the Board of Interior Design in its IRR within the timetable it stipulates therein.

33 (f) Any violation of these requirements or other illegal practices undertaken by either
34 foreign design firms or their Filipino counterparts shall be punishable by law or under

1 the IRR of the Board of Interior Design.

2 **SEC. 31. *Indication of Numbers: Certificate of Registration, Professional Tax***
3 ***Receipt and APO Membership.*** - The interior designer shall be required to indicate the
4 certificate of registration number and date of issuance, the expiry of the current professional
5 identification card, the professional tax receipt number and date, and the APO membership
6 number and date with official receipt number and date of membership payment
7 (annual/lifetime) on the documents one signs, uses or issues in connection with the practice
8 of one's interior design profession.

9 **SEC. 32. *Roster of Interior Designers.*** - The Board shall prepare and maintain a
10 roster of the names, residence and/or office address of all registered interior designers which
11 shall be updated annually in cooperation with the APO, indicating therein the status of the
12 certificate of registration, professional identification card and APO membership, whether
13 valid, delinquent, suspended or revoked or inactive due to death or other reasons. The said
14 roster shall be conspicuously posted within the premises of the Commission and the
15 information therefrom made available to the public upon inquiry or request.

16 **SEC. 33. *Integration of the Interior Designers.*** - The interior designers shall be
17 integrated into one (1) national organization of interior designers that is duly registered with
18 the SEC. The Board of Interior Design, subject to approval by the Commission, shall
19 accredit the said organization as the one and only integrated and accredited professional
20 organization of interior designers. All interior designers whose names appear in the Registry
21 Book of Interior Designers shall *ipso facto* or automatically become members thereof and
22 shall receive therefrom all the benefits and privileges upon payment of APO membership fees
23 and dues.

24 A membership in an affiliate organization of interior designers shall not be barred.

25 **ARTICLE V**

26 **FINAL PROVISIONS**

27 **SEC. 34. *Penal Clause.*** - The following acts shall be punished by a fine of not less
28 than Three Hundred Thousand Pesos (Php300,000.00) but not more than One Million Pesos
29 (Php1,000,000.00) and revocation of certificate of registration or imprisonment of not less
30 than six (6) months but not more than three (3) years, or both fine and imprisonment at the
31 discretion of the court:

32 (a) Local Practitioner. –

33 (1) Practicing interior design, rendering work and consultations or
34 rendering equivalent services as interior designer as defined in this Act

1 or using the title Interior Designer, Interior Design Consultant, Interior
2 Design Stylist or Interior Design in any signage, calling card,
3 advertisement or any other mode of publicity without a valid
4 certificate of registration and/or a valid professional identification card
5 or a valid temporary/special permit;

6 (2) Attempting to use the seal, certificate of registration and/or
7 professional identification card of a registered interior designer or
8 temporary/special permit issued to foreign professional;

9 (3) Abetting the illegal practice of interior design by an unregistered or
10 unauthorized person;

11 (4) Impersonating a registered interior designer or a holder of a
12 temporary/special permit; and

13 (5) Violating any provision of this Act or the IRR thereof.

14 (b) Foreign Practitioner/Firm. - Foreign interior design firm or individuals who shall be
15 found to be illegally practicing their profession shall be penalized with a fine of a
16 minimum of fifteen percent (15%) of gross fees under Five Million Pesos
17 (Php5,000,000.00) and a minimum of ten percent (10%) of gross fees above Five
18 Million Pesos (Php5,000,000.00) in addition to payment of back taxes to the
19 Philippine government, imprisonment of not less than six (6) months but not more
20 than three (3) years, or both fine and imprisonment or permanent ban from further
21 practice in the Philippines at the discretion of the court.

22 **SEC. 35. Civil Liability.** - The interior designer shall assume full responsibility for
23 the contract work within six (6) months from the final acceptance by the client and shall be
24 held responsible for any damage or destruction of the works except those occasioned by force
25 majeure. The interior designer shall be fully responsible for the safety, protection, security
26 and convenience of his clients/user, personnel, third parties, and the public at large, as well as
27 the works, equipment installation and the like to be affected by his work.

28 The liability period for defects in the projects shall be six (6) months from final
29 acceptance by the client. During this period, the interior designer shall undertake the repair
30 works, at his own expense, of any damage to the projects on account of the use of materials
31 of inferior quality within ninety (90) days from the time the client has issued a notification of
32 the need to undertake repair. In case of failure or refusal to comply with this mandate, the
33 client shall undertake such repair works and shall be entitled to full reimbursement of
34 expenses incurred therein upon demand.

**FIFTEENTH CONGRESS
OF THE REPUBLIC OF THE PHILIPPINES**
First Regular Session

HOUSE OF REPRESENTATIVES

House Bill No. **909**

Introduced by Representative Susan A. Yap.

EXPLANATORY NOTE

Not to be confused with interior decoration, interior design, which evolved from interior decoration, involves a multitude of technical, analytical, creative skills, and understandings of architectural elements. It is the act of planning, designing, specifying, supervising and providing general administration and responsible direction to the functional, orderly and aesthetic arrangement and enhancement of interior spaces.

The profession of interior design in our country has been put to a lot of pressure lately because of the increased volume of infrastructure and real estate projects, the influx of foreign professionals practicing in the country, and the illegal practice of unlicensed interior designers. Also, professional standards in the country have been put into question lately because of loopholes and malpractices of some professional board members, not necessarily in the board of interior design. As such, there is a need to overhaul the old Interior Design Act to provide safety nets and measures to ensure the development of the profession.

As such, this bill provides clearer grounds on the removal or suspension of a member of the Board of interior design, for example "manipulation or rigging of the licensure examination, disclosure of secret and confidential information on the examination questions prior to the conduct thereof, or tampering of grades."

To facilitate transfer of technology, the bill allows a foreign citizen to take licensure exam whose country/state has reciprocity with the Philippines in the practice of interior design. Likewise, foreign interior designers may practice interior design under a temporary or special permit especially if his/her expertise is unique and useful to the Philippines.

The bill however, is strict to those who shall practice illegally. Under the bill, foreign interior design firm or individuals who shall be found to be illegally practicing their profession shall be penalized with a fine of a minimum of 15% of gross fees under P5 million and a minimum of 10% percent of gross fees above P5 million in addition to the payment of back payment to the Philippine government. The bill also lists down grounds on the revocation of license and cancellation of temporary permits. Violations include aiding or abetting the illegal practice of non-registered person, addiction to drug or alcohol, and refusal to join or to remain a member in good standing of the accredited professional organization.

A major advancement in the profession of interior design proposed under this bill is the protection of the professional's intellectual property right to the drawings, specifications, and other contract documents, duly signed and sealed, as instruments of service. The bill prohibits the use, reproduction, even alteration and modification contained in the contract of work without the written consent of the interior designer. This ensures that interior designers can now be secured that the drawings they leave to clients will remain solely theirs and its application duly for the client's purpose.


SUSAN YAP

Representative, 2nd District of Tarlac

1 FIFTEENTH CONGRESS)

2 OF THE REPUBLIC OF THE PHILIPPINES)
3 *First Regular Session*)

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5
6 HOUSE OF REPRESENTATIVES

7
8 House Bill No. 909
9

10
11 Introduced by Representative Susan A. Yap
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13
14 AN ACT
15 TO REGULATE AND MODERNIZE THE PRACTICE OF INTERIOR DESIGN
16 IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT
17 NO. 8534, KNOWN AS "THE PHILIPPINE INTERIOR DESIGN ACT OF 1998,
18 APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

21
22 ARTICLE I
23 TITLE, POLICY, OBJECTIVES, TERMS AND SCOPE OF PRACTICE
24

25 SECTION 1. *Title.* - This Act shall be known as the "Philippine Interior, Design Act
26 of 2010".
27

28 SEC. 2. *Statement of Policy.* - The State recognizes the important role of the interior
29 design profession in nation-building. Towards this end, the State shall promote the sustained
30 development of professional interior designers, whose technical competencies have been
31 determined by honest and credible licensure examinations and whose standards of
32 professional service and practice are internationally recognized and considered globally
33 competitive, brought about by regulatory measures and human resource programs and
34 activities that foster their professional growth and advancement.
35

36 SEC. 3. *Objectives.* - This Act provides for and shall govern:
37 (a) The examination, registration and licensure of professional interior designers;
38 (b) The supervision, control and regulation of the practice of interior design;
39 (c) The development of the professional competence of interior designers through
40 continuing professional education; and
41 (d) The integration of the interior design profession.
42

43 SEC. 4. *Definition of Terms.* - For purposes of this Act, the following terms are hereby defined:

44 (a) *Interior design* refers to the science and art of planning, specifying, selecting and
45 organizing the surface finishes and materials including furniture, furnishings and fixtures and
46 other items of decor of an architectural interior for the purpose of space allocations to suit,
47 enhance and meet the intended function, movement and character for which the interior of
48 the building is designed.

49 (b) *Professional interior designer* refers to a natural person who holds a valid certificate of
50 registration and a valid professional identification card issued by the Board and the
51 Commission pursuant to this Act.
52

53 SEC. 5. *Scope of the Professional Practice of Interior Design.* - The practice of interior
54 design is the act of planning, designing, specifying, supervising and providing general
55 administration and responsible direction to the functional, orderly and aesthetic arrangement

1 responsible direction to the functional, orderly and aesthetic arrangement and enhancement of
2 interior spaces. It shall include, but not be limited to, the following activities:

- 3
4 (a) Consultation, advice, direction, evaluation, budgetary estimates and appraisals;
5 (b) Schematic interior design development, design development, execution of professional
6 contract documents and programming of construction phases;
7 (c) Preparation of interior design plans, design drawings, interior construction details and
8 technical specifications;
9 (d) Interior construction administration, supervision coordination of alteration, preservation
10 or restoration of interior spaces; and
11 (e) All other works, projects and activities which require the professional competence of the
12 interior designer, including teaching of interior design subjects.
13

14 The Board, subject to approval by the Commission, may revise, exclude from, or add to, the
15 above-enumerated acts or activities as the need arises to conform to the latest trend in the practice
16 of interior design.
17

18 **ARTICLE II**
19 **THE PROFESSIONAL REGULATORY BOARD OF INTERIOR DESIGN**
20

21 **SEC. 6. *Creation and Composition of the Board of Interior Design.*** - There is hereby created a
22 Professional Regulatory Board of Interior Design, hereinafter referred to as the Board, under the
23 administrative control and supervision of the Professional Regulation Commission (PRC),
24 hereinafter referred to as the Commission, to be composed of a Chairperson and two (2) members
25 to be appointed by the President of the Philippines from a list of two (2) recommendees for each
26 position submitted by the Commission, and from a list of three (3) nominees for each position
27 recommended by the duly accredited professional organization of interior designers. The new Board
28 shall be created within six (6) months from the effectivity of this Act.
29

30 **SEC. 7. *Qualifications of the Chairperson and Members.*** - The Chairperson and members of the
31 Board shall, at the time of their appointment, possess the following qualifications:

- 32 (a) Must be a natural born citizen and resident of the Philippines;
33 (b) Must be a holder of a bachelor's degree in Interior Design or Bachelor of Fine Arts,
34 major in Interior Design, conferred by a school, academy, college or university in the Philippines or
35 abroad that is recognized and/or accredited by the Philippine government;
36 (c) Must be a registered interior designer with a valid certificate of registration and
37 professional identification card and an active practitioner of interior design for not less than ten (10)
38 years prior to appointment;
39 (d) Must not be a member of the faculty of any school, where a regular course in Interior
40 Design is being taught, or have pecuniary interest in, or administrative supervision over any such
41 institution of learning;
42 (e) Must not be connected with a review center or with any group giving review classes or
43 lectures in preparation for the licensure examination;
44 (f) Must be a member in good standing of the duly accredited professional organization of
45 interior designers but not a trustee or officer thereof; and
46 (g) Has never been convicted of a crime involving moral turpitude, or a civil and/or criminal
47 offense.
48

49 **SEC. 8. *Term of Office.*** - The members of the Board shall hold office for a term of three (3)
50 years from the date of appointment or until their successors shall have been appointed and qualified.
51 They may be reappointed for another term of three (3) years immediately upon the expiration of
52 their term: *Provided, That* no member shall hold office for more than six (6) years.
53

54 Of the members to be appointed for the first Board under this Act, one (1) member shall
55 hold office as Chairperson for three (3) years; one (1) member for two (2) years; and one (1)
56 member for one (1) year. Each member of the Board shall take the proper oath prior to assumption
57 of duty.

1
2 SEC. 9. *Compensation of the Board Members.* - The Chairperson and members of the Board shall
3 receive compensation and allowances comparable to the compensation and allowances received by
4 existing regulatory boards under the Commission as provided for in the General Appropriations
5 Act.
6

7 SEC. 10. *Powers, Functions, Duties and Responsibilities of the Board.* - The Board shall exercise the
8 following specific powers, functions, duties and responsibilities:
9

10 (a) Adopt, promulgate and administer the rules and regulations necessary for carrying out the
11 provisions of this Act;

12 (b) Supervise and regulate the registration, licensure and practice of the professional interior
13 designers in the Philippines;

14 (c) Administer oaths in connection with the administration of this Act;

15 (d) Issue, suspend, revoke or reinstate the certificate of registration or professional license
16 for the practice of the interior design profession;

17 (e) Adopt an official seal of the Board;

18 (f) Monitor the conditions affecting the practice of interior design and adopt such measures
19 as may be deemed proper for the enhancement of the profession and/or the maintenance of high
20 professional, ethical and technical standards;

21 (g) Ensure, in coordination with the Commission on Higher Education (CHED), that all
22 other educational institutions offering interior design comply with the policies, standards and
23 requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library and
24 facilities;

25 (h) Prescribe and/or adopt a Code of Ethical and Professional Standards for the practice of
26 the Interior Design profession;

27 (i) Hear and try administrative cases involving violations of this Act, its implementing rules
28 and regulations (IRR), the Code of Ethics for Professional Interior Designers and, for this purpose,
29 to issue subpoena and subpoena *dues tecum* to secure the appearance of witnesses and the production
30 of documents in connection therewith;

31 (j) Prescribe guidelines in the Continuing Professional Education (CPE) program in
32 coordination with the accredited professional organization of interior designers;

33 (k) Prepare, adopt and issue the syllabi of the subject for examination by determining and
34 preparing the questions, which shall strictly be within the scope of the syllabi of the subject of
35 examination; and

36 (l) Discharge such other duties and functions as may be deemed necessary for the
37 enhancement of the interior design profession and the upgrading, development and growth of
38 interior design education in the Philippines.
39

40 SEC. 11. *Grounds for Removal or Suspension of Board Chairperson/Member.* The President of the
41 Philippines, upon the recommendation of the Commission, after giving the Chairperson or the
42 member of the Board an opportunity to defend himself/herself in an administrative investigation
43 conducted by the Commission, may remove or suspend him/her on any of the following grounds:
44

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

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

49 (c) Manipulation or rigging of the licensure examination for interior designers results,
50 disclosure of secret and confidential information on the examination questions prior to the conduct
51 thereof, or tampering of grades.
52

53 The Commission, in the conduct of the investigation, shall be guided by Section 7(s) of
54 Republic Act No. 8981, otherwise known as the PRC Modernization Act of 2000, the rules on
55 administrative investigation and the applicable provisions of the new Rules of Court.
56

1 SEC. 12. *Administrative Supervision of the Board, Custodian of its Records, Secretariat and Support*
2 *Services.* - The Board shall be under the administrative supervision of the Commission. All records of
3 the Board, including applications for examination, administrative and other investigative cases
4 conducted by the Board shall be under the custody of the Commission.
5

6 The Commission shall designate the secretary of the Board and shall provide the secretariat
7 and other support services to implement the provisions of this Act.
8

9 SEC. 13. *Annual Report.* - The Board shall, at the close of each calendar year, submit an
10 annual report to the President of the Philippines, through the Commission, giving a detailed account
11 of its proceedings and accomplishments during the year and making recommendations for the
12 adoption of measures that will upgrade and improve the conditions affecting the practice of interior
13 design.
14

15 ARTICLE III 16 EXAMINATION, REGISTRATION, CERTIFICATION AND LICENSURE 17

18 SEC. 14. *Passing of Licensure Examination Requirement.* - Except as otherwise specifically
19 allowed under this Act, applicants for registration for the practice of interior design shall be required
20 to pass a licensure examination as provided for in this Act in such places and dates as the
21 Commission may designate in accordance with the provisions of Section 7(d) of Republic Act No.
22 8981.
23

24 SEC. 15. *Qualifications of Applicants.* - An applicant for the licensure examination for interior
25 designers shall satisfactorily prove that he/she possesses the following qualifications:

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

28 (b) Of good moral character;

29 (c) A holder of a bachelor's degree in interior design duly recognized or accredited by the
30 CHED and conferred by a school/college/university duly authorized by the government or its
31 equivalent degree obtained by either a Filipino or foreign citizen from an institution of learning in a
32 foreign country/state: *Provided, That it is duly recognized and/or accredited by the CHED; and (d)*
33 *Not convicted of an offense involving moral turpitude by a court of competent jurisdiction.*
34

35 SEC. 16. *Subjects for Licensure Examination.* The examination for interior design shall basically
36 cover the following subjects:

37 (a) Interior Design;

38 (b) Furniture Design and Construction;

39 (c) Materials for Decoration and Color Theory;

40 (d) History of Arts and Interior Design;

41 (e) Construction; and

42 (f) Professional Practice and Ethics.
43

44 The said subjects and their syllabi may be amended by the Board so as to conform to
45 technological changes brought about by continuing trends in the profession, in coordination with
46 the accredited council of interior design educators.
47

48 SEC. 17. *Rating in the Licensure Examination.* - To be qualified as having passed the Board
49 examination for interior designers, a candidate must obtain a weighted general average of seventy
50 percent (70%).
51

52 SEC. 18. *Report of Ratings.* - The Board shall submit to the Commission the ratings obtained
53 by each candidate within twenty (20) days after the examination unless extended by the Commission
54 for just cause. Upon the release of the results of the examination, the Board shall send by mail the
55 rating received by each examinee at his given address using the mailing envelope submitted during
56 the examination.
57

1 SEC. 19. *Oath.* All successful candidates in the examination shall be required to take an
2 oath of profession before the Board or any government official authorized by the Commission to
3 administer oaths prior to entering the practice of the interior design profession.
4

5 SEC. 20. *Issuance of Certificate of Registration and Professional Identification Card.* A certificate of
6 registration shall be issued to applicants who pass the examination for interior designers subject to
7 payment of registration fees.
8

9 The certificate of registration as professional interior designer shall bear the signatures of the
10 Chairperson of the Commission and Board members, stamped with the official seal, indicating that
11 the person named therein is entitled to practice the profession with all the privileges appurtenant
12 thereto. This certificate shall remain in full force and effect until withdrawn, suspended or revoked,
13 in accordance with this Act.
14

15 A certificate of registration bearing the registration number, date of issuance and expiry date,
16 duly signed by the Chairperson of the Board, shall likewise be issued to every registrant who has
17 paid the required fees. This license will serve as evidence that the licensee can lawfully practice
18 his/her profession.
19

20 A professional identification card, whether new or renewed, shall be released by the PRC
21 upon compliance with the requirements for the application or renewal of identification card and
22 upon presentation of the updated receipt of payment of annual membership dues of the accredited
23 professional organization and proof of completion of the CPI requirements. Once registered, the
24 interior designer may use "IDr." as his official appendage title.
25

26 SEC. 21. *Refusal to Register.* The Board shall not register any successful applicant for
27 registration with or without licensure examination who has been:
28

- 29 (a) Convicted of an offense involving moral turpitude by a court of competent jurisdiction;
30 (b) Found guilty of immoral or dishonorable conduct by the Board;
31 (c) Summarily adjudged guilty for violation of the General Instructions to Examinees by the
32 Board; and
33 (d) Declared of unsound mind by a court of competent jurisdiction.
34

35 In refusing such registration, the Board shall give the applicant a written statement setting
36 forth the reasons therefor and shall file a copy thereof in its records.
37

38 SEC. 22. *Revocation or Suspension of the Certificate of Registration and Cancellation of*
39 *Temporary/Special Permit.* - The Board shall have the power, upon notice and hearing, to revoke or
40 suspend the certificate of registration of a registered and licensed interior designer or to cancel a
41 temporary/special permit granted to foreign interior designer, for violation of any of the grounds or
42 causes in Section 21 of this Act, except (c) thereof and any of the following grounds:
43

- 44 (a) Violation of a provision of this Act, its IRR, the Code of Ethics, the Code of Good
45 Governance, the Code of Technical Standards for the practice of interior design, policy and measure
46 of the Board and/or the Commission;
47 (b) Perpetration or use of fraud in obtaining his/her certificate of registration, professional
48 identification card or temporary/special permit;
49 (c) Gross incompetence, negligence or ignorance resulting to death, injury or damage;
50 (d) Refusal to join or to remain a member in good standing of the Accredited Professional
51 Organization (APO);
52 (e) Neglect or failure to pay the annual registration fees for five (5) consecutive years;
53 (f) Aiding or abetting the illegal practice of a non-registered and licensed person by allowing
54 him/her to use his/her certificate of registration and/or professional identification card or his/her
55 temporary/special permit;
56 (g) Illegally practicing the profession during his/her suspension from the practice thereof;

1 (h) Addicted to a drug or alcohol, impairing his/her ability to practice his/her profession or
2 declared with unsound mind by a court of competent jurisdiction; and
3 (i) Noncompliance with the CPE requirement, unless he/she is exempted therefrom, for the
4 renewal of his/her professional identification card.
5

6 The Board shall periodically evaluate the aforementioned grounds and revise or exclude or
7 add new ones as the need arises, subject to approval of the Commission. Any person, firm or
8 association may file charge/s in accordance with the provision of this section against any registrant,
9 or the Board may investigate violation of any of the abovementioned causes. Affidavit-complaint
10 shall be filed together with the affidavits of witnesses and other documentary evidence with the
11 Board through the Legal and Investigation Office. The *motu proprio* move to conduct an investigation
12 shall be embodied in a formal charge to be signed by at least a majority of the members of the
13 Board. The rules on administrative investigation issued by the Commission shall govern the hearing
14 or investigation subject to applicable provisions of this Act, Republic Act No. 8981 and the Rules of
15 the Court.
16

17 SEC. 23. *Reissuance of Revoked Certificate of Registration, Replacement of Lost or Damaged Certificate of*
18 *Registration, Professional Identification Card or Temporary/Special Permit.* - The Board may, upon petition,
19 reinstate or reissue a revoked certificate of registration after two (2) years from the effectivity of the
20 period for revocation, which is the date of surrender of the said certificate and/or the professional
21 identification card if still valid to the Board and/or the Commission. The Board may not require the
22 holder thereof to take another licensure examination. The petitioner shall prove to the Board that
23 he/she has valid reason/s to practice his/her profession.
24

25 For the grant of his/her petition, the Board shall issue a Board resolution subject to approval
26 by the Commission. A duplicate copy of lost certificate of registration, professional identification
27 card or temporary/special permit may be reissued in accordance with rules thereon and upon
28 payment of the prescribed fee therefor.
29

30 SEC. 24. *Nonpayment of the Annual Registration Fees.* - The Board shall suspend a registered
31 interior designer from the practice of his/her profession for nonpayment of the annual registration
32 fees for five (5) consecutive years from his/her last or previous year of payment. The resumption of
33 his/her practice shall take place only upon payment of the delinquent fees plus surcharges and
34 interest and in accordance with the rules of the Commission. The running of the five (5)-year period
35 may be interrupted upon written notice about the discontinuance of his/her practice and surrender
36 of his/her certificate of registration to the Board and/or the Commission.
37

38 SEC. 25. *Vested Rights.* - All practicing interior designers who are registered at the time of the
39 passage of this Act shall automatically be registered and issued certificates of registration.
40

41 ARTICLE IV 42 PRACTICE OF INTERIOR DESIGN 43

44 SEC. 26. *Lawful Practitioners of Interior Design.* - The following persons shall be authorized to
45 practice the interior design profession.
46

47 (a) Natural persons who are: (1) Duly registered and licensed as interior designers and
48 holders of valid certificates of registration and valid professional identification cards issued by the
49 Board and the Commission pursuant to this Act; and (2) Holders of valid temporary/special permits
50 issued by the Board and the Commission to foreign licensed interior designers pursuant to this Act.

51 (b) Juridical persons: (1) Single proprietorship whose owner is a registered interior designer;
52 (2) Partnership duly registered with the Securities and Exchange Commission (SEC) as professional
53 partnership pursuant to the Civil Code and composed of all partners who are all duly registered
54 interior designers; and (3) Corporation whose key chief executive officers (CEOs) and majority of
55 the SEC as engaged in the practice of interior design. Juridical persons shall also be registered with
56 the Board and the Commission in accordance with the rules and regulations thereon.
57

1 SEC. 27. *Seal, Issuance and Use of Seal.* A duly registered interior designer shall affix the seal
2 duly approved and provided by the Board of Interior Design On all plans and specifications
3 prepared by, or under his/her direct supervision during the validity of his/her certificate of
4 registration. Officers or employees of the government, chartered cities, provinces, municipalities
5 now or hereafter charged with the enforcement of the laws, ordinances or regulations relating to the
6 construction or alteration of the interiors of buildings shall accept only those interior plans or
7 specifications and contract documents which have been prepared, signed and sealed by a duly
8 licensed interior designer and submitted in full accord with the provisions of this Act. No approval
9 shall be given by any such person for any work, as defined under this Act, plans and specifications
10 of which have not been so prepared, signed and sealed by a duly licensed interior designer.

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

13
14 SEC. 28. *Intellectual Property Rights.* Drawings and specifications and other contract
15 documents duly signed, stamped or sealed, as instruments of service, and all the works included
16 therein, are the intellectual property of the interior designer. Any person is prohibited from engaging
17 in any activity prejudicial to the intellectual property rights of the interior designer, including the
18 reproduction of the contract work or substantial portion thereof, and making any alteration,
19 distortion, mutilation, or other modification of, or any derogatory action in relation to, the contract
20 work and the works therein, prejudicial to and without the written consent of the interior designer.

21
22 SEC. 29. *Foreign Reciprocity.* - No foreign interior designer shall be issued a certificate of
23 registration to practice the interior design profession or be entitled to any of the rights and
24 privileges under this Act unless the country of which he/she is a subject or citizen specifically
25 permits Filipino interior designers to practice within its territorial limits on the same basis as the
26 subjects or citizens of such foreign state or country.

27
28 SEC. 30. *Practice Through Temporary/Special Permit.* - (a) Foreigners intending to work in the
29 Philippines to perform professional services as interior designers or consultants whether employed
30 through official foreign-funded or foreign-assisted projects initiated by the government, or engaged
31 by private Filipino, foreign contractors or firms shall first secure a temporary/special permit from
32 the PRC through the Board of Interior Design specifically authorizing him/her to practice on the
33 special project or commission named therein: *Provided, further, That:*

34 (1) He/She is legally and professionally qualified and registered to practice interior design in
35 his/her own country;

36 (2) His/Her expertise is unique and useful to the Philippines, resulting in the transfer of
37 information and technology. The establishment of international standards in design, and of sharing
38 of other specialized skills; and

39 (3) Duly licensed foreign nationals shall be required to work with a Filipino counterpart who
40 has been in continuous practice of interior design for at least ten (10) years. Professional fees and
41 services, and expenses of documentation pertaining to the project shall be shared by both foreign
42 and Filipino interior designers, including liabilities and taxes due to the Philippine government, if
43 any, according to their participation in, or professional services rendered to the project.

44 (b) A foreign interior designer shall be required to work in every case with a duly licensed
45 Filipino counterpart whose competence and integrity has been established by the Board of Interior
46 Design on the basis of uniform standards contained in their IRR.

47 (c) Foreign and Filipino firms working jointly on a special project shall divide the
48 professional fees and other charges collected from said project equitably. Similarly, all
49 documentation expenses, taxes and other liabilities incurred on the shared project shall also be borne
50 equally by both foreign and Filipino firms.

51 (d) Foreigners working jointly with Filipino firms shall sign contracts, designs and other
52 credits together with his/her Filipino counterpart. Both foreign and Filipino firms shall at all times
53 be acknowledged in international in-media on proprietary and intellectual property rights. All
54 residual earnings shall also be equitably shared between foreign and local firms.

55 (e) Foreign design firms or individuals practicing in the Philippines before the promulgation
56 of this Act are required to comply with the requirements established by the Board of Interior Design
57 in its IRR within the timetable it stipulates therein.

(f) Any violation of these requirements or other illegal practices undertaken by either foreign design firms or their Filipino counterparts shall be punishable by law or under the IRR of the Board of Interior Design.

SEC. 31. *Indication of Numbers: Certificate of Registration, Professional Tax Receipt and APO Membership.* - The interior designer shall be required to indicate his/her certificate of registration number and date of issuance, the expiry of his/her current professional identification card, the professional tax receipt number and date, and his/her APO membership number and date with official receipt number and date of membership payment (annual/lifetime) on the documents he/she signs, uses or issues in connection with the practice of his/her interior design profession.

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

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

A membership in an affiliate organization of interior designers shall not be barred.

ARTICLE V FINAL PROVISIONS

SEC. 34. *Penal Clause.* - The following acts shall be punished by a fine of not less than Three hundred thousand pesos (Php300,000.00) but not more than One million pesos (Php1,000,000.00) and revocation of certificate of registration or imprisonment of not less than six (6) months but not more than three (3) years, or both fine and imprisonment at the discretion of the court.

(a) Local Practitioner. - (1) Practicing interior design, rendering work and consultations or rendering equivalent services as interior designer as defined in this Act or using the title "Interior Designer", "Interior Design Consultant", "Interior Design Stylist" or "Interior Design" in any signage, calling card, advertisement or any other mode of publicity without a valid certificate of registration and/or a valid professional identification card or a valid temporary/special permit; (2) Attempting to use the seal, certificate of registration and/or professional identification card of a registered interior designer or temporary/special permit issued to foreign professional; (3) Abetting the illegal practice of interior design by an unregistered or unauthorized person; (4) Impersonating a registered interior designer or a holder of a temporary/special permit; and (5) Violating any provision of this Act or the IRR thereof.

(b) Foreign Practitioner/Firm. - Foreign interior design firm or individuals who shall be found to be illegally practicing their profession shall be penalized with a fine of a minimum of fifteen percent (15%) of gross fees under Five million pesos (Php5,000,000.00) and a minimum of ten percent (10%) of gross fees above Five million pesos (Php5,000,000.00) in addition to payment of back taxes to the Philippine government, imprisonment of not less than six (6) months but not more than three (3) years, or both fine and imprisonment or permanent ban from further practice in the Philippines at the discretion of the court.

1 SEC. 35. *Enforcement.* The Commission shall implement the concerned provisions of this Act,
2 enforce its IRR as adopted by the Board, conduct investigations on complaints including violations
3 of the Code of

4 Conduct of the profession and prosecute when so warranted.
5

6 SEC. 36. *Appropriations.* - The Chairperson of the PRC shall immediately include in the
7 Commission's program the implementation of this Act, the funding of which shall be included in the
8 annual General Appropriations Act.
9

10 SEC. 37. *Transitory Provisions.* - The incumbent Board shall, in an interim capacity, continue to
11 function by carrying out the provisions of this Act without the need to issue new appointments for
12 the Chairperson and members thereof until the first Board created under this Act shall have been
13 constituted or organized pursuant thereto.
14

15 SEC. 38. *Implementing Rules and Regulations.* - The Board, with the approval of the
16 Commission, shall adopt and promulgate such rules and regulations to implement the provisions of
17 this Act, which shall be effective after fifteen (15) days following its publication in the *Official Gazette*
18 or in 2 major daily newspaper of general circulation.
19

20 SEC. 39. *Separability Clause.* - If any clause, provision, paragraph or part hereof shall be
21 declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other
22 part hereof, but such judgment shall be merely confined to the clause, provision, paragraph or part
23 directly involved in the controversy in which such judgment has been rendered.
24

25 SEC. 40. *Repealing Clause.* - Republic Act No. 8534 is hereby repealed. All other laws, decrees,
26 executive orders and administrative issuances or parts thereof which are inconsistent with the
27 provisions of this Act are hereby modified, superseded or repealed accordingly.
28

29 SEC. 41. *Effectivity.* - This Act shall take effect fifteen (15) days following its publication in at
30 least two (2) newspapers of general circulation
31

32 Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2134

Introduced by: HON. CARLOS M. PADILLA

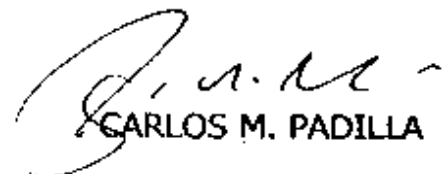
EXPLANATORY NOTE

This legislative measure was previously filed as HB 2264 during the Fourteenth Congress and was subsequently substituted as House Bill No. 6795 as reported in Committee Report No. 2343 on September 9, 2009. While said bill was approved on 3rd reading by the House, it failed to get the imprimatur of the Senate during the last Congress.

This measure seeks to regulate the practice of interior design and to institute reforms to conform with the international standards in the practice of the profession. It is also aimed at providing safety nets for the practice of interior design against practitioners engaged in illegal acts.

It is observed that the existing Philippine Interior Design Law or Republic Act 8534 is no longer efficient and effective in promoting the interest of the Filipino professionals in the field of interior design. In this time when our country has to legally adopt the open trade policy on professional services as embodied in the General Agreement on Trade Services (GATS), there is a necessity to revisit RA 8534 and to consolidate policies, guiding principles and courses of action under a single law responsive to the times.

Approval of this bill is earnestly sought.


CARLOS M. PADILLA

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
First Regular Session

House Bill No. 2134

Introduced by Honorable Carlos M. Padilla

**AN ACT TO REGULATE AND MODERNIZE THE PRACTICE OF
INTERIOR DESIGN IN THE PHILIPPINES, REPEALING FOR THE
PURPOSE REPUBLIC ACT NUMBER 8534 (RA NO. 8534) KNOWN AS
"THE PHILIPPINE INTERIOR DESIGN ACT OF 1998",
APROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

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

ARTICLE I

TITLE, POLICY, OBJECTIVES, TERMS AND SCOPE OF PRACTICE

SECTION 1. Title. – This Act shall be known as the "Philippine Interior Design Act of 2010".

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

SEC. 3. Objectives. – This Act provides for and shall govern:

- (a) The examination, registration and licensure of professional interior designers;
- (b) The supervision, control and regulation of the practice of interior design;

- (c) The development of the professional competence of interior designers through continuing professional education; and
- (d) The integration of the interior design profession.

SEC. 4. *Definition of Terms.* – For purposes of this Act, the following terms are hereby defined:

(a) *Interior design* refers to the science and art of planning, specifying, selecting and organizing the surface finishes and materials including furniture, furnishings and fixtures and other interior design elements for the purpose of the interior space allocations to suit, enhance and meet the intended function, movement and character for which the interior of the building is designed.

(b) *Professional interior designer* refers to a natural person who holds a valid certificate of registration and a valid professional identification card issued by the Board and the Commission pursuant to this Act.

SEC. 5. *Scope of the Professional Practice of Interior Design.* - The practice of interior design is the act of planning, designing, specifying, supervising and providing general administration and responsible direction to the functional, orderly and aesthetic arrangement and enhancement of interior spaces. It shall include, but not be limited to, the following activities:

- (a) Consultation, advice, direction, evaluation, budgetary estimates and appraisals;
- (b) Schematic interior design development, design development, execution of professional contract documents and programming of construction phases;
- (c) Preparation of interior design plans, design drawings, interior construction details, and technical specifications;
- (d) Interior construction administration, supervision coordination of alteration, preservation or restoration of interior spaces; and
- (e) All other works, projects and activities which require the professional competence of the interior designer, including teaching of interior design subjects.

The Board, subject to approval by the Commission, may revise, exclude from, or add to, the above-enumerated acts or activities as the need arises to conform to the latest trend in the practice of interior design.

ARTICLE II

THE PROFESSIONAL REGULATORY BOARD OF INTERIOR DESIGN

SEC. 6. *Creation and Composition of the Board of Interior Design.* – There is hereby created a Professional Regulatory Board of Interior Design, hereinafter referred to as the Board, under the administrative control and supervision of the Professional Regulation Commission (PRC), hereinafter referred to as the Commission, to be composed of a Chairperson and two (2) members to be appointed by the President of the Philippines from a list of two (2) recommendees for each position submitted by the Commission, and from a list of three (3) nominees for each position recommended by the duly accredited professional organization of interior designers. The new Board shall be created within six (6) months from the effectivity of this Act.

SEC. 7. *Qualifications of the Chairperson and Members.* – The Chairperson and members of the Board shall, at the time of their appointment, possess the following qualifications:

- (a) Must be a (~~delete "natural born"~~) citizen and resident of the Philippines;
- (b) Must be a degree holder of Bachelor of Science in Interior Design (BSID), Bachelor of Interior Design (BID) or Bachelor of Fine Arts (BFA), major in Interior Design, or an equivalent degree conferred by a school, academy, college or university in the Philippines or abroad that is recognized and/or accredited by the Philippine government;
- (c) Must be a registered interior designer with a valid certificate of registration and professional identification card and an active practitioner of interior design for not less than ten (10) years prior to appointment;
- (d) Must not be a member of the faculty of any school, where a regular course in Interior Design is being taught, or have pecuniary interest in, or administrative supervision over any such institution of learning;
- (e) Must not be connected with a review center or with any group giving review classes or lectures in preparation for the licensure examination;
- (f) Must be a member in good standing of the duly accredited professional organization of interior designers but not a trustee or officer thereof; and
- (g) Has never been convicted of a crime involving moral turpitude, or a civil and/or criminal offense.

SEC. 8. *Term of Office.* – The members of the Board shall hold office for a term of three (3) years from the date of appointment or until their successors shall have been appointed and qualified. They may be reappointed for another term of three (3) years immediately upon the expiration of their term: *Provided*, That no member shall hold office for more than six (6) years.

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

SEC. 9. *Compensation of the Board Members.* – The Chairperson and members of the Board shall receive compensation and allowances comparable to the compensation and allowances received by existing regulatory boards under the Commission as provided for in the General Appropriations Act.

SEC. 10. *Powers, Functions, Duties and Responsibilities of the Board* – The Board shall exercise the following specific powers, functions, duties and responsibilities:

- (a) Adopt, promulgate and administer the rules and regulations necessary for carrying out the provisions of this Act;
- (b) Supervise and regulate the registration, licensure and practice of the professional interior designers in the Philippines;
- (c) Administer oaths in connection with the administration of this Act;
- (d) Issue, suspend, revoke or reinstate the certificate of registration or professional license for the practice of the interior design profession;
- (e) Adopt an official seal of the Board;
- (f) Monitor the conditions affecting the practice of interior design and adopt such measures as may be deemed proper for the enhancement of the profession and/or the maintenance of high professional, ethical and technical standards;
- (g) Ensure, in coordination with the Commission on Higher Education (CHED), that all other educational institutions offering interior design comply with the policies, standards and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library and facilities;
- (h) Prescribe and/or adopt a Code of Ethical and Professional Standards for the practice of the Interior Design profession;

- (i) Hear and try administrative cases involving violations of this Act, its implementing rules and regulations (IRR), the Code of Ethics for Professional Interior Designers and, for this purpose, to issue *subpoena* and *subpoena duces tecum* to secure the appearance of witnesses and the production of documents in connection therewith;
- (j) Prescribe guidelines in the Continuing Professional Education (CPE) program in coordination with the accredited professional organization of interior designers;
- (k) Prepare, adopt and issue the syllabi of the subject for examination by determining and preparing the questions, which shall strictly be within the scope of the syllabi of the subject of examination; and
- (l) Discharge such other duties and functions as may be deemed necessary for the enhancement of the interior design profession and the upgrading, development and growth of interior design education in the Philippines.

SEC. 11. *Grounds for Removal or Suspension of Board Chairperson/Member.*

– The President of the Philippines, upon the recommendation of the Commission, after giving the Chairperson or the member of the Board an opportunity to defend himself/herself in an administrative investigation conducted by the Commission, may remove or suspend him/her on any of the following grounds:

- (a) Gross neglect, incompetence or dishonesty in the discharge of his/her duty;
- (b) Violation of any of the causes/grounds and the prohibited acts provided in this Act and the offenses in the Revised Penal Code, the Anti-Graft and Corrupt Practices Act, and other laws; and
- (c) Manipulation or rigging of the licensure examination for interior designers results, disclosure of secret and confidential information on the examination questions prior to the conduct thereof, or tampering of grades.

The Commission, in the conduct of the investigation, shall be guided by Section 7(s) of Republic Act No. 8981, otherwise known as the PRC Modernization Act of 2000, the rules on administrative investigation and the applicable provisions of the new Rules of Court.

SEC. 12. *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, 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 shall provide the secretariat and other support services to implement the provisions of this Act.

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

ARTICLE III

EXAMINATION, REGISTRATION, CERTIFICATION, AND LICENSURE

SEC. 14. *Passing of Licensure Examination Requirement.* – Except as otherwise specifically allowed under this Act, applicants for registration for the practice of interior design shall be required to pass a licensure examination as provided for in this Act in such places and dates as the Commission may designate in accordance with the provisions of Section 7(d) of Republic Act No. 8981.

SEC. 15. *Qualifications of Applicants.* – An applicant for the licensure examination for interior designers shall satisfactorily prove that he/she possesses the following qualifications:

- (a) Citizen of the Philippines or a foreign citizen whose country/state has reciprocity with the Philippines in the practice of interior design;
- (b) Of good moral character;
- (c) A holder of a bachelor's degree in interior design or its equivalent degree duly recognized or accredited by the CHED and conferred by a

school/college/university duly authorized by the government or its equivalent degree obtained by either a Filipino or foreign citizen from an institution of learning in a foreign country/state: *Provided*, That it is duly recognized and/or accredited by the CHED; and

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

SEC. 16. *Subjects for Licensure Examination.* – The examination for interior design shall basically cover the following subjects:

- (a) Interior Design;
- (b) Furniture Design and Construction;
- (c) Materials for Decoration and Color Theory;
- (d) History of Arts and Interior Design;
- (e) Interior Detailing and Construction; and
- (f) Professional Practice and Ethics.

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

SEC. 17. *Rating in the Licensure Examination.* – To be qualified as having passed the Board examination for interior designers, a candidate must obtain a weighted general average of seventy percent (70%).

SEC. 18. *Report of Ratings.* – The Board shall submit to the Commission the ratings obtained by each candidate within twenty (20) days after the examination unless extended by the Commission for just cause. Upon the release of the results of the examination, the Board shall send by mail the rating received by each examinee at his given address using the mailing envelope submitted during the examination.

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

SEC. 20. *Issuance of Certificate of Registration and Professional Identification Card* – A certificate of registration shall be issued to applicants who pass the examination for interior designers subject to payment of registration fees.

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

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

A professional identification card, whether new or for renewal, shall be released by the PRC upon compliance with the requirements for the application or renewal of identification card and upon presentation of the updated receipt of payment of annual membership dues of the accredited professional organization and proof of completion of the CPE requirements.

Once registered, the interior designer may use "IDr." As his official appendage title.

SEC. 21. *Refusal to Register.* – The Board shall not register any successful applicant for registration with or without licensure examination who has been:

- (a) Convicted of an offense involving moral turpitude by a court of competent jurisdiction;
- (b) Found guilty of immoral or dishonorable conduct by the Board;

- (c) Summarily adjudged guilty for violation of the General Instructions to Examinees by the Board; and
- (d) Declared of unsound mind by a court of competent jurisdiction.

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

SEC. 22. *Revocation or Suspension of the Certificate of Registration and Cancellation of Temporary/Special Permit.* – The Board shall have the power, upon notice and hearing, to revoke or suspend the certificate of registration of a registered and licensed interior designer or to cancel a temporary/special permit granted to foreign interior designer, for violation of any of the grounds or causes in Section 22 of this Act, except (c) thereof and any of the following grounds:

- (a) Violation of a provision of this Act, its IRR, Code of Ethics, the Code of Good Governance, the Code of Technical Standards for the practice of interior design, policy, and measure of the Board and/or the Commission;
- (b) Perpetration or use of fraud in obtaining his/her certificate of registration, professional identification card or temporary/special permit;
- (c) Gross incompetence, negligence or ignorance resulting to death, injury or damage;
- (d) Refusal to join or to remain a member in good standing of the Accredited Professional Organization (APO);
- (e) Neglect or failure to pay the annual registration fees for five (5) consecutive years;
- (f) Aiding or abetting the illegal practice of a non-registered and licensed person by allowing him/her to use his/her certificate of registration and/or professional identification card or his/her temporary/special permit;
- (g) Illegally practicing the profession during his/her suspension from the practice thereof;
- (h) Addicted to a drug or alcohol abuse, impairing his/her ability to practice his/her profession or declared with unsound mind by a court of competent jurisdiction; and
- (i) Noncompliance with the CPE requirement, unless he/she is exempted therefrom, for the renewal of his/her professional identification card.

The Board shall periodically evaluate the aforementioned grounds and revise or exclude or add new ones as the need arises, subject to approval of the Commission.

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

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

A duplicate copy of lost certificate of registration, professional identification card or temporary/special permit may be reissued in accordance with rules thereon and upon payment of the prescribed fee therefor.

SEC. 24. *Nonpayment of the Annual Registration Fees.* – The Board shall suspend a registered interior designer from the practice of his/her profession for nonpayment of the annual registration fees for five (5) consecutive years from his/her last or previous year of payment. The resumption of his/her practice shall take place only upon

payment of the delinquent fees plus surcharges and interest and in accordance with the rules of the Commission. The running of the five (5)-year period may be interrupted upon written notice about the discontinuance of his/her practice and surrender of his/her certificate of registration to the Board and/or the Commission.

SEC. 25. *Vested Rights.* – All practicing interior designers who are registered at the time of the passage of this Act shall automatically be registered and issued certificates of registration.

ARTICLE IV

PRACTICE OF INTERIOR DESIGN

SEC. 26. *Lawful Practitioners of Interior Design.* – The following persons shall be authorized to practice the interior design profession:

(a) Natural persons who are:

- (1) Duly registered and licensed as interior designers and holders of valid certificates of registration and valid professional identification cards issued by the Board and the Commission pursuant to this Act; and
- (2) Holders of valid temporary/special permits issued by the Board and the Commission to foreign licensed interior designers pursuant to this Act.

(b) Juridical persons:

- (1) Single proprietorship whose owner is a registered interior designer;
- (2) Partnership duly registered with the Securities and Exchange Commission (SEC) as professional partnership pursuant to the Civil Code and composed of all partners who are all duly registered interior designers; and
- (3) Corporation whose key chief executive officers (CEOs) and majority of the Board of Directors are all registered and licensed interior designers may be duly registered with the SEC as engaged in the practice of interior design.

Juridical persons shall also be registered with the Board and the Commission in accordance with the rules and regulations thereon.

SEC. 27. Seal, Issuance, and Use of Seal. – A duly registered interior designer shall sign and affix the seal duly approved and provided by the Board of Interior Design on all plans, specifications and contract documents prepared by, or under his/her direct supervision during the validity of his/her certificate of registration.

Officers or employees of the government, chartered cities, provinces, municipalities now or hereafter charged with the enforcement of the laws, ordinances or regulations relating to the construction or alteration of the interiors of buildings shall accept only those interior plans, specifications and contract documents which have been prepared, signed and sealed by a duly licensed interior designer and submitted in full accord with the provisions of this Act, plans and specifications of which have not been so prepared, signed and sealed by a duly licensed interior designer.

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

SEC. 29. Foreign Reciprocity. – No foreign interior designer shall be issued a certificate of registration to practice the interior design profession or be entitled to any of the rights and privileges under this Act unless the country of which he/she is a subject or citizen specifically permits Filipino interior designers to practice within its territorial limits on the same basis as the subjects or citizens of such foreign state or country.

SEC. 30. Practice Through Temporary/Special Permit. – (a) Foreigners intending to work in the Philippines to perform professional services as interior designers or consultants whether employed through official foreign-funded or foreign-assisted projects initiated by the government, or engaged by private Filipino, foreign contractors or firms shall first secure a temporary/special permit from the PRC through the Board of Interior Design specifically authorizing him/her to practice on the special project or commission named therein: *Provided, further,* That:

- (1) He/She is legally and professionally qualified and registered to practice interior design in his/her own country;

- (2) His/Her expertise is unique and useful to the Philippines, resulting in the transfer of information and technology. The establishment of international standards in design, and of sharing of other specialized skills; and
- (3) Duty licensed foreign nationals shall be required to work with a Filipino counterpart who has been in continuous practice of interior design for at least ten (10) years. Professional fees and services, and expenses of documentation pertaining to the project shall be shared by both foreign and Filipino interior designers, including liabilities and taxes due to the Philippine government, if any, according to their participation in, or professional services rendered to the project.
- (b) A foreign interior designer shall be required to work in every case with a duly licensed Filipino counterpart whose competence and integrity have been established by the Board of Interior Design on the basis of uniform standards contained in their IRR.
- (c) Foreign and Filipino firms working jointly on a special project shall divide the professional fees and other charges collected from said project equitably. Similarly, all documentation expenses, taxes and other liabilities incurred on the shared project shall also be borne equally by both foreign and Filipino firms.
- (d) Foreigners working jointly with Filipino firms shall sign contracts, designs and other credits together with his/her Filipino counterpart. Both foreign and Filipino firms shall at all times be acknowledged in international tri-media on proprietarial and intellectual property rights. All residual earnings shall also be equitably shared between foreign and local firms.
- (e) Foreign design firms or individuals practicing in the Philippines before the promulgation of this Act are required to comply with the requirements established by the Board of Interior Design in its IRR within the timetable it stipulates therein.
- (f) Any violation of these requirements or other illegal practices undertaken by either foreign design firms or their Filipino counterparts shall be punishable by law or under the IRR of the Board of Interior Design.

SEC. 31. *Indication of Numbers: Certificate of Registration, Professional Tax Receipt and APO Membership.* – The interior designer shall be required to indicate his/her certificate of registration number and date of issuance, the expiry of his/her current professional identification card, the professional tax receipt number and date, and his/her APO membership number and date with official receipt number and date of membership payment (annual/lifetime) on the documents he/she signs, uses or issues in connection with the practice of his/her interior design profession.

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

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

A membership in an affiliate organization of Interior Designers shall not be barred.

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

**FIFTEENTH CONGRESS
First Regular Session**

**MINUTES OF THE ORGANIZATIONAL MEETING OF THE COMMITTEE ON
CIVIL SERVICE AND PROFESSIONAL REGULATION HELD ON 17
NOVEMBER 2010, WEDNESDAY, 9:30 A.M., CONFERENCE ROOM NOS. 1 &
2, RAMON V. MITRA, JR. BLDG., BATASAN COMPLEX, Q.C.**

I. CALL TO ORDER

Hon. **ANDRES D. SALVACION, JR.**, the Chairman of the Committee on Civil Service and Professional Regulation, called the meeting to order at exactly 9:35 A.M.

II. ROLL CALL/APPROVAL OF THE MINUTES

Upon motion and duly seconded, the Body dispensed with the calling of the roll and reading of the minutes of the previous meeting. Thereafter, upon motion and duly seconded, the minutes of the previous meeting was approved.

III. OPENING REMARKS OF THE CHAIR

The Chairman acknowledged the presence of the invited guests and resource persons and requested the Committee Secretary to introduce them:

Civil Service Commission

Ms. Maria Leticia G. Reyna
Dir. IV

Mr. Dick Echavez
Div. Chief

Ms. Jo Anne S. Sarmiento
Personnel Specialist II

Ms. Bernardita C. Erpelo
Chief Personnel Specialist

Government Security and Insurance System (GSIS)

Atty. Lucio Yu Jr.
VP-GSIS Law Office

Professional Regulation Commission (PRC)

Atty. Carlos G. Almelo
Secretary of Professional Regulatory Boards

Board of Interior Design, PRC

Ms. Sonia S. Olivares
Chairperson

Ms. Maria Carlota D. Hilvano
Member

Arch. Kathryn Milagrosa B. Abaño
Member

Board of Interior Design CPE Council

Dr. Raquel B. Florendo
Member
Business Concessions Office
Office of the Director
U.P. Diliman, Q.C.

University of Santo Tomas (UST)

Asso. Prof. Lilia de Jesus
CIDE Officer

III. DELIBERATION AND APPROVAL OF THE FOLLOWING BILLS

A. Security of Tenure

H.B. Nos. 28, 226 And 2237: "An Act Granting Security Of Tenure Under Certain Conditions To Government Employees Whose Nature Of Appointment Is Either Temporary Or Contractual And Who Have Rendered A Total Of Ten (10) Years Of Efficient Service" By Reps. **Jane Tan-Castro, Amado S. Bagatsing And Marcelino R. Teodoro**, respectively.

H.B. No. 644: "An Act Granting Civil Service Eligibility To Government Employees, Under Certain Conditions, Whose Status Of Appointment Is Either Casual Or Contractual And Who Have Rendered A Total Of Five Years Of Efficient Service," by Rep. **Juan Edgardo "Sonny" M. Angara**

H.B. No. 1432: "An Act Granting Civil Service Sub-Professional Eligibility To All Co-Terminus, Contractual And Casual Employees, Who Have Rendered Nine (9) Straight Years Of Services" by Rep. **Carmelo F. Lazatin**

H.B. No. 3028: "An Act Granting Civil Service Eligibility To Contractual And Co-Terminus Government Employees Who Have Rendered A Total Of Five (5) Years Of Efficient Service, And For Other Purposes" by Rep. **Rodolfo G. Biazon**

Remarks of Rep. Bagatsing:

All government employees shall be made permanent in status after a certain period of time. After serving the government for five to ten or fifteen years they are still not permanent nor they have GSIS or retirement benefits. He lambasted the practice of contractualization in the private and public sectors and that has made life difficult for Filipino workers.

Comments of the Civil Service Commission (CSC)

Ms. Maria Leticia G. Reyna said that the bills contravene the constitutional mandate that appointment in the civil service shall be made according to merit and fitness and shall be determined as far as practicable through competitive examinations. They violate the fundamental law since they give premium on years of service to compensate for the merit and fitness requirements.

Contractual appointments are issued to persons who shall undertake specific work or job for a limited period not to exceed one (1) year. On the other hand, casual appointments are issued only for essential but short and intermittent services and that there are not enough regular staff to meet the demands of the service.

Both casual and contractual employees have no plantilla positions. R.A. No. 6850 which was enacted in 1980 provides that all government employees who are holding career civil service positions appointed under provisional or temporary status and who have rendered at least a total number of seven (7) years of efficient service may be granted the civil service eligibility that will qualify them for permanent appointment to their present positions. Such covered provisional or temporary employees were holding plantilla positions for seven (7) years of service and were granted their respective first or second-grade civil service eligibilities according to the plantilla positions they were occupying. They

were given permanent status because they were holding plantilla positions at the time they were appointed. It devolves upon the DBM if they will be able to put a budget or fund for the temporary or contractual employees under the proposed bills. She further said that DBM shall first regularize the positions of contractual and casual employees by budgeting said positions before they can be given eligibilities.

Upon motion duly seconded, the Body approved and consolidated the four (4) bills on security of tenure of temporary/contractual employees and the two (2) bills on granting of eligibility bills subject to style and refinement.

B. Entrepreneurship Development

H.B. No. 29: "An Act Providing For The Development Of Entrepreneurship Skills Among Government Employees For An Innovation-Inspired Corps Of Civil Servants And A Productive Post-Service Citizenry", authored by Rep. Jane Tan-Castro

At the outset the proponent informed the Body that this bill has been approved during the past congresses. She apprised the Committee that the objectives of the measure are: 1) to make government a partner in developing the entrepreneurial skills of its employees to ensure their continued productivity even after working in government; 2) to enable government employees to pursue entrepreneurial endeavors after their employment in government so that they can contribute in making the Philippines more of a "country of employers" and less of a "country of job seekers"; 3) to provide a better chance of improving employees' lives by encouraging them to organize themselves into cooperatives.

Upon motion duly seconded, the Body approved bill.

C. Release of Retirement Benefits

H.B. No. 31 and H.B. No. 284: "An Act Requiring All Government Offices To Ensure The Release Of The Retirement Benefits Of Its Employees Within Fifteen Days From Retirement", authored by Rep. Jane Tan-Castro and Rep. Roilo Golez, respectively

H.B. No. 3016: "An Act Mandating The Payment Of Retirement Benefits To Government Retirees On The Date Of Their Retirement", authored by Rep. Salvador H. Escudero III

Comments of Rep. Escudero

Rep. Escudero apprised the Body about the fictitious loans being made by unscrupulous individuals at the expense of legitimate members who have not filed any loan application. He said that GSIS is the most hated government

agency. He battled vigorously for a longer period of imprisonment of six (6) years so as to discipline the concerned public officers and that retirement benefits be given on the actual day of retirement of a government employee.

Viewpoints of GSIS

Atty. Yu of GSIS proposed in Sec. 1 of 31 and 284 that the following be inserted: "provided all documentary requirements are submitted to GSIS sixty (60) days prior to the effective date of retirement". He further proposed that in Sec. 2 of the penal clause of the said bills the phrase "within fifteen (15) days from the time the force majeure or insuperable cause ceased to exist".

Upon motion duly seconded, the above bills were approved subject to consolidation and style.

D. Interior Design

H.B. No. 909 and H.B. No. 2134: "An Act To Regulate And Modernize The Practice Of Interior Design In The Philippines, Repealing For The Purpose Republic Act No. 8534 Known As 'The Philippine Interior Design Act Of 1998' Appropriating Funds Therefor And For Other Purposes", authored by Rep. **Susan A. Yap** and Rep. **Carlos M. Padilla**, respectively

Rep. Yap said that the objectives of her proposed bill are: 1) to regulate and modernize the practice of interior design in the Philippines in order to conform to international standards and at the same time, provide safety nets for the practice of the profession against foreign practitioners and those engaged in illegal practice; and 2) to recognize the practice of interior design as a full-fledged profession vital to the building and construction industry and to institute policies and regulatory measures to protect the interests of the Filipino professionals.

Upon motion duly seconded the bill was approved without amendments.

IV. ADJOURNMENT

There being no other matter to be discussed, the Presiding Officer adjourned the meeting at 12:30 P.M.

I hereby certify to the correctness of the foregoing minutes.

Prepared by:


GERALD A. DE GUZMAN
Supervising Legislative Staff Officer II

Noted by



Mr. ERIC DACANAY
Committee Secretary

Approved by:

Rep. ANDRES D. SALVACION
Chairman

FACT SHEET

House Bill Nos. 909 and 2134

**AN ACT
TO REGULATE AND MODERNIZE THE PRACTICE OF
INTERIOR DESIGN IN THE PHILIPPINES, REPEALING FOR
THE PURPOSE REPUBLIC ACT NUMBER 8534 (RA No.
8534) KNOWN AS "THE PHILIPPINE INTERIOR DESIGN
ACT OF 1998," APPROPRIATING FUNDS THEREFOR AND
FOR OTHER PURPOSES**

*Introduced by: REPRESENTATIVES SUSAN A. YAP
and CARLOS M. PADILLA*

*Committee Referral: COMMITTEE ON CIVIL SERVICE AND
PROFESSIONAL REGULATION (Primary)*

Committee Chairperson: HON. ANDRES D. SALVACION, JR.

Committee Referral: COMMITTEE ON APPROPRIATIONS (Secondary)

Committee Chairperson: HON. JOSEPH EMILIO A. ABAYA

OBJECTIVES:

- To regulate and modernize the practice of interior design in the Philippines to conform to international standards and, at the same time, provide safety nets for the practice of the profession against foreign practitioners and those engaged in illegal practice.
- To recognize the practice of interior design as a full-pledged profession vital to the building and construction industry and to institute policies and regulatory measures to protect the interests of the Filipino professionals.

KEY PROVISIONS:

- Mandates the creation of a Professional Regulatory Board of Interior Design which shall be placed under the administrative control and supervision of the Professional Regulation Commission (PRC). It shall be composed of a chairperson and two (2) members, to be appointed by the President of the Philippines, from a list of two (2) recommendees for each position submitted by the Commission, from a list of three (3) nominees for each position recommended by the duly

accredited professional organization of interior designers. The new board shall be created six (6) months from the effectivity of this Act.

- Provides that the members of the Board shall hold office for a term of three (3) years from the date of appointment or until their successors shall have been appointed and qualified. They may be reappointed for another term of three (3) years immediately upon the expiration of their term, but not to exceed six years. Of the members to be appointed for the first Board under this Act, one (1) member shall hold office as Chairperson for three (3) years; one (1) member for two (2) years; and one (1) member for one (1) year. Each member of the Board shall take the proper oath prior to assumption of duty.
- Integrates the interior designers into one (1) national organization of interior designers that is duly registered with the Securities and Exchange Commission (SEC). The Board of Interior Design, subject to approval by the Commission, shall be accredited as the one and only integrated and accredited professional organization of interior designers. All interior designers whose names appear in the Registry Book of Interior Designers shall *ipso facto* or automatically become members thereof and shall receive therefrom all the benefits and privileges upon payments of APO membership fees and dues. A membership in an affiliate organization of interior designers shall not be barred.

RELATED LAW:

- Republic Act No. 8534 (Philippine Interior Design Law)