

HOUSE OF REPRESENTATIVES

House Bill No. 5127



Introduced by Rep. Susan A. Yap and Rep. Gary C. Alejano

EXPLANATORY NOTE

"Architects have been practicing their art and science since antiquity. The profession as we know it today has undergone extensive growth and change. The profile of architects' work has become more demanding, clients' requirements and technological advances have become more complex, and social and ecological imperatives have grown more pressing. These changes have spawned changes in services and collaboration among the many parties involved in the design and construction process.

As professionals, architects have a primary duty of care to the communities they serve. This duty prevails over their personal interest and the interests of their clients.

Members of the architectural profession are dedicated to standards of professionalism, integrity, and competence, and thereby bring to society unique skills and aptitudes essential to the sustainable development of the built environment and the welfare of their societies and cultures. Principles of professionalism are established in legislation, as well as in codes of ethics and regulations defining professional conduct.

Given the public interest in a quality, sustainable built environment and the dangers and consequences associated with the development of that environment, it is important that architectural services are provided by properly qualified professionals for the adequate protection of the public."¹

The recent natural calamities that the country experienced have amplified the need for resilient, sustainable and well-planned communities. These kinds of communities will greatly mitigate the effects of natural calamities in the lives of the Filipinos. Undoubtedly, architects will play a crucial role in the development of new and existing communities to be resilient, sustainable and well planned.

The passage of Republic Act No. 9266 ("R.A. 9266"), otherwise known as the Architecture Act of 2004, is a significant step in protecting and assuring the public that only Architects can offer and provide architectural services. It is envisioned to raise the level of Philippine architecture in order to develop a built environment that is resilient, sustainable and well planned, conducive for the advancement of the Philippine culture to help promote the country as a center for business, culture and tourist destination in Asia.

After a decade since its passage, however, the need to strengthen R.A. 9266 and harmonize other laws affecting the practice of architecture has become evident. R.A. 9266 has not been fully implemented by government agencies due to the fact that other laws have varying incompatible provisions. Consequently, the real intent of R.A. 9266 in protecting

¹ Union Internationale des Architectes (UIA), UIA Accord on Recommended International Standards of Professionalism in Architectural Practice.
<http://www.aia.org/aiaucmp/groups/aia/documents/pdf/aia075164.pdf>

and assuring the public that only Architects can offer and provide architectural services has not been realized.

In addition, the impending ASEAN integration has also manifested the need to prepare the Filipino architect's qualifications to practice architecture in other jurisdictions.

To protect public interest and to comply with the provisions of the ASEAN Mutual Recognition Agreement, this bill seeks to strengthen the architecture profession in the country through the amendment and repeal of specific provisions and the introduction of architectural terms that will delineate the practice of architecture from other professions.

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



SUSAN A. YAP

Representative, 2nd District, Tarlac



GARY C. ALEJANO

Representative, MAGDALO Partylist

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AN ACT

TO STRENGTHEN THE ARCHITECTURE PROFESSION, AMENDING FOR
THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9266,
OTHERWISE KNOWN AS THE ARCHITECTURE ACT OF 2004

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

SECTION 1. SEC. 3 (1) of Republic Act No. 9266 is hereby amended to include
the following terms:

(3) ARCHITECTURAL DESIGN – ALSO REFERRED TO AS
“DESIGN(S)” AS USED IN THIS ACT, MEANS THE
ILLUSTRATED CONCEPT THAT FOCUSES ON THE
FEATURES OR ELEMENTS OF BUILDING(S) OR
STRUCTURE(S) AND THE UTILIZATION OF THE SITE
AND SPACE WITHIN AND SURROUNDING SUCH
BUILDING(S) OR STRUCTURE(S) AND UNIFIES THEM
INTO A COHERENT AND FUNCTIONAL WHOLE,
FOLLOWING A GENERALLY ACCEPTED APPROACH TO
ACHIEVE THE OBJECTIVE(S), ABIDING BY SET NORMS
AND CONSIDERING THE ARCHITECTURAL PRINCIPLES
OF UTILITY, STRENGTH AND BEAUTY, EXCLUSIVELY
PREPARED BY AN ARCHITECT;

(4) ARCHITECTURAL DOCUMENTS – ALSO REFERRED TO AS
“DOCUMENTS” AS USED IN THIS ACT, MEANS THE
ARCHITECTURAL DESIGNS, ARCHITECTURAL PLANS,
DRAWINGS, SPECIFICATIONS, TECHNICAL DOCUMENTS
AND OTHER INSTRUMENTS OF SERVICE PREPARED,
SIGNED AND SEALED EXCLUSIVELY BY AN ARCHITECT;

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

9 (6) ARCHITECTURAL PLANS - ALSO REFERRED TO AS
10 "PLANS" AS USED IN THIS ACT MEANS THE LATERAL
11 SECTION OR DIMENSIONAL REPRESENTATIONS OF A
12 PROPOSED DEVELOPMENT OR REDEVELOPMENT OF
13 BUILDING(S) OR STRUCTURE(S) AND THE UTILIZATION
14 OF THE SITE AND SPACE WITHIN AND SURROUNDING
15 SUCH BUILDING(S) OR STRUCTURE(S) SHOWING
16 FEATURES OR ELEMENTS OF THE ARCHITECTURAL
17 DESIGN SUCH AS THE FLOOR PLANS, ELEVATIONS,
18 CROSS AND LONGITUDINAL SECTIONS, PERSPECTIVE,
19 REFLECTED CEILING PLAN, SITE DEVELOPMENT PLAN,
20 ARCHITECTURAL INTERIORS, AND OTHER
21 ARCHITECTURAL DETAILS PREPARED, SIGNED AND
22 SEALED EXCLUSIVELY BY AN ARCHITECT;
23

24 SECTION 2. SEC. 20 (2) of Republic Act No. 9266 is hereby amended by adding a
25 new provision which reads as follows:

26 SEC. 20. *Seal, Issuance and Use of Seal.* — xxx

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

36 UPON APPROVAL OF THE ARCHITECTURAL DOCUMENTS,
37 THE CORRESPONDING ARCHITECTURAL PERMIT SHALL BE
38 ISSUED; PROVIDED, HOWEVER, THAT NO BUILDING PERMIT
39 OR SIMILAR IMPORT SHALL BE ISSUED WITHOUT THE

1 CORRESPONDING ARCHITECTURAL DESIGNS, PLANS AND
2 DOCUMENTS PREPARED EXCLUSIVELY AND SIGNED BY AN
3 ARCHITECT.
4

5 **SECTION 4. Implementing Rules and Regulations.** The Professional
6 Regulatory Board of Architecture (PRBoA), the United Architects of the Philippines (UAP),
7 together with the Department of Public Works and Highways (DPWH), and the Housing
8 and Urban Development Coordinating Council (HUDCC) is tasked to prepare the
9 Implementing Rules and Regulations (IRR) required for the implementation of this Act. The
10 IRR shall be promulgated within ninety (90) days upon approval of this Act.
11

12 **SECTION 5. Separability Clause.** - If, for any reason, any section or provision of
13 this Act is declared unconstitutional, or invalid, the other sections and provisions, which are
14 not affected by it, shall continue to be in full force and effect.
15

16 **SECTION 6. Repealing Clause.** SEC. 43 of Republic Act No. 9266 is hereby
17 repealed. All laws, decrees, executive orders, agreements, rules and regulations or parts
18 thereof inconsistent with the provisions of this Act are hereby repealed or modified
19 accordingly.
20

21 **SECTION 7. Effectivity.** This Act shall take effect fifteen (15) days after its
22 complete publication in either the Official Gazette or in two (2) newspapers of general
23 circulation.
24

 Approved,