HOUSE OF REPRESENTATIVES
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EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 10829

EXPLANATORY NOTE

Any country aiming to stimulate growth and development most certainly always rely on building infrastructures to encourage investors and increase government spending on infrastructures projects. "Building" infrastructures towards sustainable growth and development, however, does not rely on a single industry or profession alone.

A country that builds a resilient and sustainable community needs to and must rely on the collective action and competence of several professionals who work in the field of built environment, such as (i) architecture; (ii) interior design; (iii) landscape architecture; (iv) environmental planning; (v) geodetic engineering; (vi) civil engineering; (vii) electrical engineering; (viii) mechanical engineering; (ix) sanitary engineering; (x) master plumber; (xi) electronics engineering; and (xii) real estate services.

Under this bill, "[t]he State recognizes the importance and contributions of the Built Environment Professions in nation-building and development. Hence, the State shall ensure that all practicing Built Environment Professionals meet the minimum requirements to safeguard the life, health, property, and welfare of the public, foster their continuing professional growth and advancement, encourage and enhance collaboration, and continually review and improve the standards of regulation, professional service, and practice towards Filipino Built Environment Professionals becoming socially and environmentally responsible, and globally competitive."

It is, thus, imperative to establish a council which shall have an administrative supervision on these Built Environment Professions. This is the objective of the proposed bill.

The proposed bill aims to create a council of the built environment ("Council") to (i) advise on policy matters concerning the interests of the public in the built environment; and (ii) oversee the regulation and facilitate collaboration and cooperation of Built Environment Professions. In relation to these objectives, the Council shall have the powers and functions pertaining to policy advisory, oversight, and collaborative platform.

Among others, it shall:

i. act in an advisory capacity on any and all matters concerning the built environment;
ii. provide advice and consultation on national policy that could impact on the built environment, human resource development in relation to the built environment professions, and the recognition of new professions;
iii. ensure the consistent application of policy for the Built Environment Professions with regard to registration requirements of registered professionals, identifying key elements of competence testing of registered professionals; establishment and implementation of codes of conduct, and delineation of scope of services
iv. promote coordination between the Commission on Higher Education and the Academic Sectors for the Built Environment Professions in relation to the accreditation of education institutions; and

v. foster and encourage collaboration and cooperation between Built Environment Professionals by setting up guidelines, terms of reference and standards.

With the foregoing salient provisions, the proposed bill will be able to help professionalize and promote synergy and cooperation among the built environment professions.

In view of the foregoing, immediate approval of this measure is earnestly requested.

RUFUS B. RODRIGUEZ

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
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HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 10829

AN ACT
CREATING THE "COUNCIL FOR THE BUILT ENVIRONMENT," APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

ARTICLE I
GENERAL PROVISIONS

Section 1. *Short Title.* – This Act shall be known as the "Council for the Built Environment Act".

Section 2. *Statement of Policy.* – The State recognizes the importance and contributions of the Built Environment Professions in nation-building and development. Hence, the State shall ensure that all practicing Built Environment Professional meets the minimum requirements to safeguard life, health, and property, foster their continuing professional growth and advancement, encourage and enhance collaboration, and continually review and improve the standards of regulation, professional service, and practice towards Filipino Built Environment Professionals becoming socially and environmentally responsible and globally competitive.

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

a. *Built Environment* means the field within which the registered professionals practice;

b. *Built Environment Professions* means the following professions -
   i. Architecture;
   ii. Interior Design;
   iii. Landscape Architecture;
   iv. Environmental Planning;
   v. Geodetic Engineering;
   vi. Civil Engineering;
   vii. Electrical Engineering;
   viii. Mechanical Engineering;
   ix. Sanitary Engineering;
   x. Master Plumber;
   xi. Electronics Engineering; and
   xii. Real Estate Services.

c. *Council* means the Council for the Built Environment created under Section 8 of this Act;

d. *Professional* means a person who is registered as such under any of the Professional Regulatory Laws;

e. *Professional Regulatory Laws*–refers to the legal framework governing the practice of specific profession; the legal charter creating and governing the various Boards, defining their functions and providing for the rules and policies that govern the practice of a specific profession;

f. *Accredited and Integrated Professional Organization (AIPO)*refers to the concerned Board and PRC Accredited Integrated Professional Organization for a given profession which is specifically mandated by the provision of the PRL to integrate the professionals into one national organization and where membership therein by professionals is automatic and mandatory;

g. *Accredited Professional Organization (APO)* refers to the PRC Accredited Professional Organization where membership therein by professionals is only voluntary;

h. CHED refers to the Commission on Higher Education;

i. MRA refers to Mutual Recognition Agreements between or among states;

j. PRC refers to the Professional Regulation Commission;

k. PRB refers to the Professional Regulatory Board.

ARTICLE II
ORGANIZATION OF MULTIPARTITE COUNCILS FOR BUILT ENVIRONMENT PROFESSIONS

Section 4. *Creation of Multipartite Councils for the Built Environment Professions.* - A Multipartite Council for each of the Built Environment Professions (herein referred to as "MC") is hereby created to be attached to the PRC.

Section 5. *Objectives of the MC.* -The objectives of the MC are to –

a. Provide a platform to discuss policy concerns in the education, internship, professional regulation, and continuing professional development; and
b. Promote and encourage collaboration between the different stakeholders in the regulation and practice of the Built Environment Professions.

Section 6. *Functions, Powers and Duties of the MC.* The MC shall perform the following functions:

a. Monitor local and international benchmarks in professional education, internship, regulation and practice;
b. Study and evaluate educational innovations that shall lead to curriculum development;
c. Regularly review the Subjects for Examination;
d. Develop and regularly review the Table of Specifications for the Licensure Examination;
e. Develop and regularly review Internship/Guidelines in the areas such as diversification of experience, duties and responsibilities of Mentors and collaborative work;
f. Develop and regularly review Continuing Professional Development Guidelines;
g. Develop and regularly review of Standards of Professional Practice in areas such as Scope of Services, Schedule of Fees, and inter-professional collaboration; and

h. Develop and regularly review professional education, internship, regulation and practice standards in reference to the Philippine Qualifications Framework Act.

Section 7. ***Composition of the MC.*** The MC shall be composed of the following –

a. Chairperson of the Professional Regulatory Board;
b. President of the AIPO;
c. President of the Academic Organization (Deans and Heads of Schools) duly accredited by the PRC upon the recommendation of the CHED;
d. One (1) representative from Private Practice; and
e. One (1) representative from Government Practice.

ARTICLE III
ORGANIZATION OF THE COUNCIL OF THE BUILT ENVIRONMENT

Section 8. ***Creation of the Council of the Built Environment.*** –The Council of the Built Environment (herein referred to as the "Council") is hereby created, to be attached to the PRC.

Section 9. ***Objectives of the Council.*** -The Council is an overarching body that has the following objectives -

a. Advise on policy matters concerning the interests of the public in the built environment, including but not limited to:
    i. sustainable development;
    ii. human resource development; and,
    iii. health, safety and environmental protection standards;
b. Oversee the regulation of Built Environment Professions, providing guidance on:
    i. Required qualifications;
    ii. Standards of education;
    iii. Training and competence;
    iv. Promotion of professional status; and
    v. Uniform application of standards and guidelines set by the PRC; and
c. Facilitate collaboration and cooperation of the Built Environment Professions with:
    i. Other Built Environment Professions;
    ii. Foreign Professionals; and
    iii. Non-professional creatives and artists.

Section 10. ***Mandate, Functions, and Powers of the Council.*** The Council shall exercise the following powers and functions:

POLICY ADVISORY

a. Act in an advisory capacity on any matter concerning the built environment, including, but not limited to: resource utilization, socio-economic development, public health and safety, and the environment;
b. Provide advice and consultation on national policy that could impact on the built environment, human resource development in relation to the built environment professions, and the recognition of new professions;
c. Comment, if necessary, on all proposed legislation impacting on health and safety in the built environment;

OVERSIGHT

d. Ensure the consistent application of policy for the Built Environment Professions with regard to -
    i. Registration requirements of registered professionals;
    ii. Key elements of competence testing of registered professionals;
    iii. Codes of conduct;
    iv. Delineation of scope of services;

v. The principles upon which to base the Standards of Professional Practice and Schedule of Fees;
vi. Standards of health, safety and environmental protection within the built environment;
vii. The accreditation of APOs/AIPOS for the built environment professions, by approving the accreditation framework giving due recognition of the characteristics of each Built Environment Profession;
viii. Establishment of education and training standards in terms of the Philippine Qualifications Framework Act;

e. Act as an appeal body with regard to matters referred to it in terms of the PRLs regulating the Built Environment Professions;
f. Receive and assimilate the annual reports of the PRBs, AIPOs and Academic Sectors and submit a summary to the Commissioner.

COLLABORATION PLATFORM

g. Promote coordination between the Commission on Higher Education and the Academic Sectors for the Built Environment Professions in relation to the accreditation of education institutions;
h. Coordinate the establishment of MRAs for Built Environment Professionals, providing guidelines on the practice of Filipino Professionals abroad as well as Foreigner Professionals in the Philippines;
i. Foster and encourage collaboration and cooperation between Built Environment Professionals by setting up guidelines, terms of reference and standards;
j. Establish terms of engagement to facilitate the efficient and mutually beneficent collaboration of Built Environment Professional with Non-Professional creatives and artists.

Section 11. *Composition of Council.* The Council shall be composed of *exofficio* members and regular members.

The *ex officio* members of the Council are:

a. Chairperson of the PRC;
b. Chairperson of the CHED;
c. Chairpersons of the PRBs of all Built Environment Professions;

The regular members of the Council are:

a. One (1) representative from each of the Multipartite Councils (non-PRB) of all Built Environment Professions;

Section 12. *Appointment of Members of the Council.* The *ex officio* members of the Council, except the Chairperson of the PRC, who shall serve as Chairperson of the Council, may designate their respective next-in-rank officials as permanent alternates whose acts are considered as the acts of their principals.

Every regular member shall be appointed by the President from a list submitted by the Chairperson of the PRC upon consultation with the other ex officio members of the Council, drawn from a nomination process resulting from public consultations with stakeholders engaged in each Built Environment Profession, nominating at least three (3) nominees for every regular member seat: Provided, That each of the nominees is not a holder of any government position and must have at least ten (10) years of experience in the profession which the nominee belongs to; Provided, further, That each of the nominees shall have been officially endorsed by the AIPO and the duly recognized association of academics of their profession; Provided, finally, That the list of nominees shall be vetted by a joint task force constituted by the Professional Regulation Commission and the Commission on Higher Education representing the professional and academic interests of the Filipino people, respectively.

Section 13. ***Removal From Office.*** The Chairperson of the Council may remove a member of the Council from office on account of misconduct or inability to perform his or her duties after due process.

Section 14. ***Disqualification, Vacation and Filling of Vacancies.*** A person may not be appointed as a member of the Council if that person -

a. Is not a Filipino citizen and resident in the Philippines;
b. Has been convicted of a criminal involving moral turpitude;
c. Has in terms of this Act been found guilty by the Council of improper conduct; or
d. Is not a registered professional.

A member of the Council must vacate his or her office if he or she -

a. Becomes disqualified from being appointed as a member of the Council;
b. Resigns by written notice addressed to the Chairperson;
c. Has, without leave of the Council, been absent for more than two consecutive meetings of the Council;
d. Ceases to be permanently resident in the Philippines; or
e. Is removed from office under Section 13 of this Act.

If a member of the Council dies or vacates his or her office before the expiration of his or her term of office, the Chairperson must, within sixty (60) days from the date on which the vacancy occurred, appoint the person nominated by the Council, to fill the vacancy for the unexpired portion of the period for which that member was appointed.

Section 15. ***Chairperson and Deputy Chairperson.*** The Council shall be chaired by the Chairperson of the PRC.

The Council shall elect a deputy chairperson among the regular members.

The regular members of the Council shall serve for a term of six (6) years, unless sooner separated from the service due to death, voluntary resignation, or removal for cause. In case of death, resignation, or removal for cause, their replacements shall serve only the unexpired terms of the replaced members. Of the first set of regular members, eleven (11) shall hold office for a term of three (3) years and the remaining eleven (11) for a term of six (6) years.

The regular members of the Council shall receive *per diem* every meeting in accordance with existing rules and regulations.

Section 16. ***Meetings of the Council.*** The Council shall meet at least once every six (6) months, or as often as necessary at the call of the Chairperson or majority of the members. Members of the Council who cannot physically attend or vote at Council meetings can participate and vote through remote communication technologies or other electronic means such as videoconferencing, teleconferencing, or other alternative modes of communication that allow them reasonable opportunities to participate. A majority of the incumbent members of the Council shall constitute a quorum to do business.

Section 17. ***Executive Committee.*** The Council shall have an Executive Committee consisting of the Chairperson and Deputy Chairperson of the Council and not more than three other members elected by the Council. The Council may appoint alternate members to the Executive Committee.

A member of the Executive Committee -

a. Serves on the executive committee for a period of one year;
b. May be re-elected; and
c. Remains in office until his or her successor is elected.

No two members of the Executive Committee shall come from the same Built Environment Profession.

The Executive Committee must hold a meeting as and when necessary, but at least four (4) times per year.

Section 18. ***Powers of the Executive Committee.*** The Executive Committee shall exercise the following powers:

a. Ensure that the resolutions of the Council are carried out;
b. Consider any matter delegated to it by the Council in terms of any law, and to advise the Council in connection therewith;
c. Exercise or perform any power, duty or function delegated to it by the Council; and
d. Report at every ordinary meeting of the Council on the activities of the Executive Committee.

Section 19. ***Committees of Council.*** The Council may establish any Committee to -

a. Assist it in the performance of its functions; or
b. Investigate and make recommendations on matters relating to any of its functions.

The Council shall designate a Chairperson for any such Committee, and determine the quorum for meetings. The Council shall also determine the terms of reference of the Committees.

Section 20. ***Secretariat and Staff.*** The Council -

a. shall establish a Secretariat; and
b. may employ such staff, as it may deem necessary, for the carrying out of its functions, on such conditions, including the payment of remuneration and allowances, as it may determine, and may dismiss any person so appointed.

Section 21. ***Delegation of Powers.*** The Council may, delegate any power, duty or function conferred or imposed on it by this Act to -

a. A Committee established under Section 19;
b. The Executive Committee elected under section 17;
c. The Chairperson of the Council or any member of the Council; or
d. Any officer of the Council.

Section 22. ***Reporting.*** The Council shall furnish the Commissioner an Annual Report with regard to the functions and affairs of the Council including, but not limited to:

a. a report regarding the execution of the functions of the council;
b. a report regarding the envisaged strategies of the council; and
c. such other information as the Commissioner may from time to time determine.

Section 23. ***Delineation of Scope of Work and Terms of Reference for Collaboration.*** The Council must, after receipt of the recommendations submitted to it by the MCs in terms of the Professional Regulatory Laws -

a. Determine policy with regard to the identification of work for the different Built Environment Professions;
b. Consult with any person, body or industry that may be affected by the identification of work in terms of this section;
c. Identify the scope of work for every Built Environment Profession; and
d. Establish terms of reference for collaboration between Built Environmental Professionals, Foreign Professionals and Non-Professional creatives and artists.

ARTICLE IV
FINAL PROVISIONS

Section 24. *Appropriations.* The amount necessary for the immediate implementation of this Act shall be included in the annual General Appropriations Act.

Section 25. *Implementing Rules and Regulations.* The Professional Regulation Commission, the Commission on Higher Education, together with the Professional Regulatory Boards and AIPOs of the Built Environment Professions are tasked to prepare the Implementing Rules and Regulations (IRR) required for the implementation of this Act. The IRR shall be promulgated within ninety (90) days upon approval of this Act.

Section 26. *Separability Clause.* If, for any reason, any section or provisions of this Act is declared unconstitutional, or invalid, the other sections and provisions, which are not affected by it, shall continue to be in full force and effect.

Section 27. *Repealing Clause.* All laws, decrees, executive orders, agreements, rules, and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 28. *Effectivity.* This Act shall take effect fifteen (15) days after is complete publication in either the Official Gazette or in two (2) newspapers of general circulation.

Approved,