

Republic of the Philippines
HOUSE OF REPRESENTATIVES

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5512



Introduced by Representative Rex Gatchalian

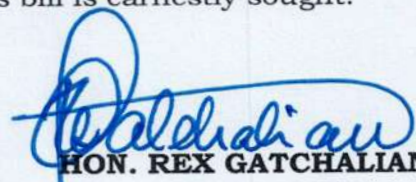
**AN ACT CREATING THE "COUNCIL FOR THE BUILT ENVIRONMENT,"
APPROPRIATING FUNDS THEREFORE, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Building infrastructure will always be a key component of any nation's strategy to promote economic growth and development, as it will attract investors and boost government spending on infrastructure projects. To accomplish this, the coordination of architects, interior designers, landscape architects, environmental planners, geodetic engineers, civil engineers, electrical engineers, mechanical engineers, sanitary engineers, master plumbers, electronics engineers, and real estate services. These are more commonly known as professionals in the "built environment" field. To protect the public's welfare, property, health, and quality of life, it is essential to ensure the competence of these professionals. The most optimal way to achieve this is to create a Council that oversees these specialists on an administrative level.

Accordingly, the proposed measure aims to create a Council of the Built Environment that will exercise powers and functions pertaining to policy advisory, oversight, and collaborative platform among the different built environment professions with the primary objective of professionalizing and promoting synergy and cooperation among the built environment professions.

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


HON. REX GATCHALIAN
Representative
1st District, Valenzuela City

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**AN ACT CREATING THE "COUNCIL FOR THE BUILT ENVIRONMENT,"
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*Be it enacted by the Senate and the House of Representatives of the Philippines in
Congress assembled:*

ARTICLE I
GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the "Council for the Built Environment Act of 2022."

SEC. 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.

SEC. 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 their profession;
- 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

SEC 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 and shall be considered an attached agency to the PRC.

SEC. 5. *Objectives of the MC.* - The objectives of the MC are as follows:

- 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.

SEC. 6. *Functions, Powers and Duties of the MC.* - The MCs 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.

SEC. 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

SEC. 8. *Creation of the Council of the Built Environment.* - The Council of the Built Environment (herein referred to as the "Council") is hereby created and shall be an attached agency to the PRC.

SEC. 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

- 1 c) Facilitate collaboration and cooperation of the Built Environment Professions
2 with:
3 i. Other Built Environment Professions;
4 ii. Foreign Professionals; and
5 iii. Non-professional creatives and artists.
6

7 **SEC. 10. Mandate, Functions, and Powers of the Council.** - The Council shall
8 exercise the following powers and functions:

- 9 a) Act in an advisory capacity on any matter concerning the built environment,
10 including, but not limited to resource utilization, socio-economic
11 development, public health and safety, and the environment;
12 b) Provide advice and consultation on national policy that could impact on the
13 built environment, human resource development in relation to the built
14 environment professions, and the recognition of new professions;
15 c) Comment, if necessary, on all proposed legislation impacting on health and
16 safety in the built environment;
17 d) Ensure the consistent application of policy for the Built Environment
18 Professions with regard to:
19 i. Registration requirements of registered professionals;
20 ii. Key elements of competence testing of registered professionals;
21 iii. Codes of conduct;
22 iv. Delineation of scope of services;
23 v. The principles upon which to base the Standards of Professional
24 Practice and Schedule of Fees;
25 vi. Standards of health, safety and environmental protection within the
26 built environment;
27 vii. The accreditation of APOs/AIPOS for the built environment
28 professions, by approving the accreditation framework giving due
29 recognition of the characteristics of each Built Environment
30 Profession;
31 viii. Establishment of education and training standards in terms of the
32 Philippine Qualifications Framework Act;
33 e) Act as an appeal body with regard to matters referred to it in terms of the
34 PRLs regulating the Built Environment Professions;
35 f) Receive and assimilate the annual reports of the PRBs, AIPOs and Academic
36 Sectors and submit a summary to the Commissioner.
37 g) Promote coordination between the Commission on Higher Education and
38 the Academic Sectors for the Built Environment Professions in relation to
39 the accreditation of education institutions;
40 h) Coordinate the establishment of MRAs for Built Environment Professionals,
41 providing guidelines on the practice of Filipino Professionals abroad as well
42 as Foreigner Professionals in the Philippines;
43 i) Foster and encourage collaboration and cooperation between Built
44 Environment Professionals by setting up guidelines, terms of reference and
45 standards;

- 1 j) Establish terms of engagement to facilitate the efficient and mutually
2 beneficent collaboration of Built Environment Professional with Non-
3 Professional creatives and artists.
4

5 **SEC. 11. Composition of Council.** - The Council shall be composed of ex-officio
6 members and regular members.

7 The ex officio members of the Council are:

- 8 (1) Chairperson of the PRC;
9 (2) Chairperson of the CHED;
10 (3) Chairpersons of the PRBs of all Built Environment Professions;

11 The regular members of the Council are one (1) representative from each of the
12 Multipartite Councils (non-PRB) of all Built Environment Professions.
13

14 **SEC. 12. Appointment of Members of the Council.** The ex-officio members of the
15 Council, except the Chairperson of the PRC, who shall serve as Chairperson of the
16 Council, may designate their respective next-in-rank officials as permanent
17 alternates whose acts are considered as the acts of their principals.
18

19 Every regular member shall be appointed by the President from a list submitted
20 by the Chairperson of the PRC upon consultation with the other ex officio members
21 of the Council, drawn from a nomination process resulting from public consultations
22 with stakeholders engaged in each Built Environment Profession, nominating at least
23 three (3) nominees for every regular member seat: *Provided, That* each of the
24 nominees is not a holder of any government position and must have at least ten (10)
25 years of experience in the profession which the nominee belongs to; *Provided, further,*
26 *That* each of the nominees shall have been officially endorsed by the AIPO and the
27 duly recognized association of academics of their profession; *Provided, finally,* *That*
28 the list of nominees shall be vetted by a joint task force constituted by the
29 Professional Regulation Commission and the Commission on Higher Education
30 representing the professional and academic interests of the Filipino people,
31 respectively.
32

33 **SEC. 13. Removal From Office.** - The Chairperson of the Council may remove a
34 member of the Council from office on account of misconduct or inability to perform
35 his or her duties after due process.
36

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

- 39 a) Is not a Filipino citizen and resident of the Philippines;
40 b) Has been convicted of a criminal involving moral turpitude;
41 c) Has in terms of this Act been found guilty by the Council of improper
42 conduct; or
43 d) Is not a registered professional as embodied in this Act.
44

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

- 46 a) Becomes disqualified from being appointed as a member of the Council;
47 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.

SEC. 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.

SEC. 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.

SEC. 17. Executive Committee. - The Council shall have an Executive Committee consisting of a Chairperson, a Deputy Chairperson, 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 shall have a term of one year, and shall remain in such position until his or her successor has been elected and duly qualified; Provided that said member may be re-elected to serve as such on the Executive Committee.

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

1 The Executive Committee must hold a meeting as and when necessary, but at
2 least four (4) times per year.
3

4 **SEC. 18. Powers of the Executive Committee.** - The Executive Committee shall
5 exercise the following powers:

- 6 a) Ensure that the resolutions of the Council are carried out;
- 7 b) Consider any matter delegated to it by the Council in terms of any law, and
8 to advise the Council in connection therewith;
- 9 c) Exercise or perform any power, duty or function delegated to it by the
10 Council; and
- 11 d) Report at every ordinary meeting of the Council on the activities of the
12 Executive Committee.
13

14 **SEC. 19. Committees of Council.** - The Council may establish any Committee to:

- 15 a) Assist it in the performance of its functions; or
- 16 b) Investigate and make recommendations on matters relating to any of its
17 functions.
18

19 The Council shall designate a Chairperson for any such Committee and
20 determine the quorum for meetings. The Council shall also determine the terms of
21 reference of the Committees.
22

23 **SEC 20. Secretariat and Staff.** - The Council shall establish a Secretariat; and
24 may employ such staff, as it may deem necessary, for the carrying out of its
25 functions, on such conditions, including the payment of remuneration and
26 allowances, as it may determine, and may dismiss any person so appointed.
27

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

- 30 a) A Committee established under Section 19;
- 31 b) The Executive Committee elected under section 17;
- 32 c) The Chairperson of the Council or any member of the Council; or
- 33 d) Any officer of the Council.
34

35 **SEC. 22. Reporting.** - The Council shall furnish the Commissioner an Annual
36 Report on the performance and exercise of the functions and affairs of the Council
37 including, but not limited to:

- 38 a) a report regarding the execution of the functions of the Council;
- 39 b) a report regarding the envisaged strategies of the council; and
- 40 c) such other information as the Commissioner may from time to time
41 determine.
42

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

- 46 a) Determine policy with regard to the identification of work for the different
47 Built Environment Professions;

- 1 b) Consult with any person, body or industry that may be affected by the
2 identification of work in terms of this Section;
3 c) Identify the scope of work for every Built Environment Profession; and
4 d) Establish terms of reference for collaboration between Built Environmental
5 Professionals, Foreign Professionals and Non-Professional creatives and
6 artists.
7

8 **ARTICLE IV**
9 **FINAL PROVISIONS**
10

11 **SEC. 24. Appropriations.** - The amount necessary for the immediate
12 implementation of this Act shall be included in the annual General Appropriations
13 Act.
14

15 **SEC. 25. Implementing Rules and Regulations.** - The Professional Regulation
16 Commission, the Commission on Higher Education, together with the Professional
17 Regulatory Boards and AIPOs of the Built Environment Professions are tasked to
18 prepare the Implementing Rules and Regulations (IRR) required for the
19 implementation of this Act. The IRR shall be promulgated within ninety (90) days
20 upon approval of this Act.
21

22 **SEC. 26. Separability Clause.** - If, for any reason, any section or provisions of
23 this Act is declared unconstitutional, or invalid, the other sections and provisions,
24 which are not affected by it, shall continue to be in full force and effect.
25

26 **SEC. 27. Repealing Clause.** - All laws, decrees, executive orders, agreements,
27 rules, and regulations, or parts thereof inconsistent with the provisions of this Act
28 are hereby repealed or modified accordingly.
29

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

Approved,