

**[ BOARD OF ARCHITECTURE BOARD RESOLUTION  
NO. 05, S. OF 2007, October 08, 2007 ]**

**RULES AND REGULATIONS IMPLEMENTING SECTION 37,  
ARTICLE IV OF R.A. NO. 9266, KNOWN AS "THE ARCHITECTURE  
ACT OF 2004", AND SECTION 37, RULE IV OF BOARD  
RESOLUTION NO. 07, SERIES OF 2004, KNOWN AS THE "IRR OF  
THE ARCHITECTURE ACT OF 2004", PROVIDING FOR  
REGISTRATION OF FIRMS, COMPANIES, PARTNERSHIPS,  
CORPORATIONS OR ASSOCIATIONS OF REGISTERED AND  
LICENSED ARCHITECTS AND FOR OTHER PURPOSES**

WHEREAS, Section 37, Article IV of Republic Act (R.A.) No. 9266, known as "The Architecture Act of 2004", which took effect on April 10, 2004, and Board Resolution No. 07, series of 2004, known as the "IRR of the Architecture Act of 2004", which took effect on December 1, 2004, provide that a firm, company, partnership, corporation or association may be registered or licensed as such for the practice of architecture, subject to compliance with certain requirements;

WHEREAS, Section 25, Article IV of supra law and Section 25, Rule IV of supra Resolution state that no person shall practice architecture in the country, or engage in preparing architectural plans, specifications or preliminary data for the erection or alteration of any building located within Philippine boundaries or use the title "Architect" or display the word "Architect" together with another word, or display or use any title, sign, card, advertisement, or other device to indicate such person practices or offers to practice architecture, or is an architect, unless such a person shall have received from the Professional Regulatory Board of Architecture (the "Board"), a Certificate of Registration and be issued a Professional Identification Card in the manner hereinafter provided and shall thereafter comply with the provisions of this Act;

WHEREAS, Section 7, Article II of supra law and Section 7, Rule II of supra Resolution provide that some of the specific powers, functions and responsibilities of the Board are to:

- 1) prescribed and adopt the rules and regulations necessary for carrying out the provisions of the said Act;
- 2) monitor the conditions affecting the practice of architecture and adopt such measures as may be deemed proper for the enhancement and maintenance of high professional, ethical and technical standards of the profession;
- 3) discharge such other duties and functions as may be deemed necessary for the enhancement of the architectural profession, etc;

WHEREAS, Section 41, Article V of supra law and Section 41, Rule V of supra

Resolution state that the Board, subject to approval of the Professional Regulation Commission (the "Commission") and in coordination with the integrated and accredited professional organization of architects (the "IAPOA"), shall adopt and promulgate such rules and regulations to carry out the provisions thereof;

WHEREAS, the registration of firms, companies, partnerships, corporations or associations engaged in the practice of the architectural profession or in undertaking any part of the scope of architectural practice as defined under Sections 3.3. and 3.4 Article I of the said Act and Sections 3.(3) and 3.(4) of Rule I of the said Resolution shall enable the Board to attain the enhancement and maintenance of high professional, ethical and technical standards of the profession as mandated by the said Act;

WHEREAS, there is a clear need to protect the public against fraud, deception, or the consequences of negligence, ignorance and incompetence or malpractice in the practice of the architectural profession as well as incidence of the illegal practice of architecture by many different entities, which may includes other professionals registered and licensed by the other Boards and the Commission;

WHEREAS, registration shall help the Commission and the Board in identifying and imposing the disciplinary sanctions on firms, companies, partnerships, corporations or associations engaged in the practice of the architectural profession in violation of the rules and regulations of the Board or non-adherence to the professional, ethical and technical standards of the architectural profession and assisting the prosecution office in the investigation of a criminal complaint against any of these juridical persons violation of the law, IRR, and these Rules and Regulations; and for

WHEREAS, in the formulation of the rules, the Board conducted consultations with the IAPOA, other associations of architects (provided for under Section 40, Article IV of the Act and Section 40, Rule IV of the same Resolution) and representatives of legitimate firms, companies, partnerships, corporations or associations engaged in the practice of the architectural profession;

NOW, THEREFORE, the Board RESOLVES, as it is hereby RESOLVED, to prescribe, adopt, and promulgate the following rules and regulations implementing Section 37, Article IV or R.A. No. 9266 and Section 37, Rule IV of Board Resolution No. 07, Series of 2004, known as the "IRR of the Architecture Act of 2004" (hereinafter-called the Implementing Rules and Regulations of Sec. 37), providing for the registration of firms, companies, partnerships, corporations or associations engaged in the general practice of the architectural profession or in undertaking any part of the scope of architectural practice as defined under Sections 3.3. and 3.4 of Article I of the same law and Sections 3.(3) and 3(4), Rule I of the same Resolution, and prescribing penalties for violation hereof.

#### RULE I. DEFINITION OF TERMS

*SEC. 1. Terms Used* - When used in this implementing rules and regulations, the following terms, shall have the meaning as indicated:

1) "*General Practice of Architecture*" means the act of planning and architectural designing, structural conceptualization, specifying, supervising and giving general administration and responsible direction to the erection, enlargement or alterations

of buildings and building environments and architectural design in engineering structures or any part thereof; the scientific, aesthetic and orderly coordination of all the processes which enter into the production of a complete building or structure performed through the medium of preliminary studies of plans, consultations, specifications, conferences, evaluations, investigations, contract documents and oral advice and directions regardless of whether the persons engaged in such practice are residents of the Philippines or have their principal office or place of business in this country or another territory, and regardless of whether such persons are performing one or all these duties, or whether such duties are performed in person or as the directing head of an office or organization performing them;

2) "*Scope of the Practice of Architecture*" encompasses the provision of professional services in connection with the site and physical planning and the design, construction, enlargement, conservation, renovation, remodeling, restoration or alteration of a building or group of buildings. Services may include, but are not limited to:

- a) planning, architectural designing and structural conceptualization;
- b) consultation, consultancy, giving oral or written advice and directions, conferences, evaluations, investigations, quality surveys, appraisals and adjustments, architectural and operational planning, site analysis and other pre-design services;
- c) schematic design, design development, contract documents and construction phases including professional consultancies;
- d) preparation of preliminary, technical, economic and financial feasibility studies of plans, models and project promotional services;
- e) preparation of architectural plans, specifications, bill of materials, cost estimates, general conditions and bidding documents;
- f) construction and project management, giving general management, administration, supervision, coordination and responsible direction or the planning, architectural designing, construction, reconstruction, erection, enlargement or demolition, renovation, repair, orderly removal, remodeling, alteration, preservation or restoration of buildings or structures or complex buildings, including all their components, sites and environs, intended for private or public use;
- g) the planning, architectural lay-outing and utilization of spaces within and surrounding such buildings or structures, housing design and community architecture, architectural interiors and space planning, architectural detailing, architectural lighting, acoustics, architectural lay-outing of mechanical, electrical, electronic, sanitary, plumbing, communications and other utility systems, equipment and fixtures;
- h) building programming, building administration, construction arbitration and architectural conservation and restoration;

i) all works which relate to the scientific, aesthetic and orderly coordination of all works and branches of the work, systems and processes necessary for the production of a complete building or structure, whether for public or private use, in order to enhance and safeguard life, health and property and the promotion and enrichment of the quality of life, the architectural design of engineering structures or any part thereof; and

j) all other works, projects and activities which require the professional competence of an architect, including teaching of architectural subjects and architectural computer-aided design;

3) "*Architect*" means a natural person registered with the PRC and holding a valid PRC identification (ID) card, i.e., a Registered and Licensed Architect or RLA who may be practicing as an individual;

4) "*Architectural Firm*" means a sole proprietorship, a partnership, a corporation or an association registered with the proper government agencies, specifically the DTI, SEC and the PRC;

5) "*Integrated and Accredited Professional Organization of Architects*" (IAPOA) means the existing official national organization of all architects of the Philippines in which all registered Filipino architects shall be members without prejudice to membership in other voluntary professional associations;

6) "*DILG*" shall mean the Department of Interior and Local Government;

7) "*DTI*" shall mean the Department of Trade and Industry;

8) "*GPPB*" shall mean the Government Procurement Policy Board;

9) "*SEC*" shall mean the Securities and Exchange Commission;

10) "*HLURB*" shall mean Housing and Land Use Regulatory Board;

11) "*LGUs*" shall mean Local Government Units;

12) "*Association*" any formal grouping of two or more Architects or Architectural Firms working in joint venture on a project basis;

13) "*Architectural Company*" means a juridical entity that shall be synonymous with an Architectural Partnership (see definition of Architectural Partnership) registered with the SEC;

14) "*Architectural Corporation*" means a group of professionals in architecture and allied professions, incorporated with Architects for the purpose of delivering professional service in architecture and allied professions; in case an existing Architectural Corporation does not comply with the 75% composition requirement, it shall comply and register again with the SEC and the Board;

15) "*Architectural Entity*" means a juridical entity that may be in the form of a

registered association or a joint venture between local Architects/Architectural Firms or between local and foreign Architects/Architectural Firms; an Architectural Entity may or may not be directly engaged in the practice of architecture;

16) "*Architectural Firm*" specifically refers to juridical entities which may be specifically a sole proprietorship registered with the DTI and the Board and which may generally refer to companies, partnerships or corporations registered with the SEC and the Board;

17) "*Architectural Partnership*" means a group of two or more Architects duly registered with the SEC and then with the Board;

18) "*Certificate of Registration*" means a certificate bearing a registration number, issued to a registered individual (a natural person) or a firm or entity (a juridical person), by the Commission through the Board, signifying that the individual has successfully passed the Licensure Examination and is registered to practice his/her profession as Architect or that the Architectural Firm or Entity is qualified to engage in the general practice of the architectural profession or in undertaking any part of the scope of architectural practice as defined under Sections 3.3 and 3.4 of R.A. No. 9266;

19) "*Code of Ethical Conduct*" means a document which forms part of the Architects' National Code which contains the norms and principles governing the practice of the profession of architecture in the highest standards of ethical conduct; this document applies to all Architects, Architectural Firms and Entities;

20) "*Foreign Architect*" means an architect who is not a Filipino citizen nor an Architect registered and licensed in the Philippines, but who is duly registered and licensed in his/her home country as an architect;

21) "*Foreign Architectural Firm, Partnership, Corporation or Entity*" means an architectural firm or entity which is not registered in the Philippines, but which is duly registered as an architectural firm or entity in its home country;

22) "*Filipino Counterpart*" the local Philippine architect, partnership or corporation that must work in association with a Foreign Architect, partnership or corporation, on a project on Philippine soil;

23) "*Professional Identification (ID) Card*" a document bearing the registration number, date of issuance with an expiry date, due for periodic renewal, duly signed by the Chairperson of the PRC and issued to a Registered and Licensed Architect upon payment of the annual registration fees for three (3) years;

24) "*Professional Firm Identification (ID) Card*" a document bearing the registration number, date of issuance with an expiry date, due for periodic renewal, duly signed by the Chairperson of the PRC and issued to a Registered and Licensed Architectural Firm/Entity upon payment of the annual registration fees for three (3) years; the logo or company identifier of a registered architectural firm or entity shall be prominently shown in such an ID;

25) "*Standards of Professional Practice*" means a document embodied in the Architect's National Code, which defines all aspects of professional service,