

H. No. 163
Second Congress

REPUBLIC ACT NO. 545
(As amended by R.A. 1581)

AN ACT TO REGULATE THE PRACTICE OF
ARCHITECTURE IN THE PHILIPPINES

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

Article I
ORGANIZATION

SECTION 1. Creation and composition of a Board of Examiners for Architects. -- Within thirty days after the approval of this Act, there shall be created a Board of Examiners for Architects to be composed of a chairman and two members to be appointed by the Secretary of Public Works and Communications.

SEC. 2. Powers vested in Board. -- The Board of Examiners for Architects shall administer the provisions of this Act; issue, suspend or revoke certificates of registration for the practice of architecture; and administer oaths in connection with such certificates of registration.

In carrying into effect the provisions of this Act, the Board may, under the hand of its chairman and the seal of the Board, subpoena witnesses, compel their attendance, and require the production of books, documents, and similar evidence in a case involving violation of any of the provisions of this Act. Any member of the Board may administer oaths or affirmations to witnesses appearing before it. If any person shall refuse to obey any subpoena so issued, or shall refuse to testify or produce any book, document, etc., the Board may present its petition to the Court of First Instance, setting forth the facts, and thereupon such court shall, in a proper case, issue its subpoena to such person, requiring his appearance before such court and there to testify or produce such books, papers, documents, etc., as may be deemed necessary and pertinent by the Board. Any person failing or refusing to obey the subpoena or order of the said court may be proceeded against in the same manner as for refusal to obey any other subpoena or order of the court.

The Board shall, from time to time, look into conditions affecting the practice of architecture in the Philippines and, whenever necessary, recommend to the Secretary of Public Works and Communications the adoption of such measures as may be deemed proper for the maintenance of good ethics and standards in the practice of architecture in the Philippines and for the protection of public welfare, life, health, and property.

SEC. 3. Qualifications of Board Members. -- Each member of the Board shall, at the time of his appointment:

- (1) Be a citizen of the Philippines and a resident thereof;
- (2) Hold the degree of B.S. Arch., B. in Arch., M.S. Arch., M. in Arch., or the equivalent thereof conferred by an architectural school or college legally chartered and of good standing;
- (3) Be legally qualified to practice architecture for at least ten years and actually in active practice on the date of his appointment;
- (4) Not be a member of the faculty of any school, college or university where a regular course in architecture is taught, nor have pecuniary interest in such institution. No former member of the faculty of any school, institute or university where architecture is taught can become a member of the board unless he had stopped teaching for at least three consecutive years.

SEC. 4. Terms of Office. — The members of the Board shall hold office for a term of three years after appointment or until their successors shall have been appointed and shall have duly qualified. The members of the Board first appointed under this Act shall hold office for the following terms: One member for one year; one member for two years; and one member for three years. Each member of the Board shall qualify by taking the proper oath prior to entering upon the performance of his duties.

SEC. 5. Executive Officer of the Board. — The Commissioner of Civil Service shall be the executive officer of the Board, and shall conduct the examinations given by the Board and shall designate any subordinate officer of the Bureau of Civil Service to act as Secretary of the Board. All persons and minutes of the Board, including all examination papers, shall be kept by the Bureau of Civil Service.

SEC. 6. Vacancy and Removal of Board Members. — Any vacancy occurring in the membership of said Board before the expiration of the term of office of the member separated therefrom shall be filled for the unexpired term by appointment by the Secretary of Public Works and Communications. The Secretary of Public Works and Communications may remove any member of the Board for continued neglect of duty or incompetency, or for unprofessional or dishonorable conduct, after having given the member concerned an opportunity to defend himself in the proper administrative investigation.

SEC. 7. Compensation of Board. — The members of the Board shall each receive as compensation the sum of five pesos for each applicant examined or registered. Any architect in the service of the Government of the Republic appointed as member of the Board shall receive the compensation herein provided, in addition to his salary. All fees shall be received by the disbursing officer of the Bureau of Civil Service, and such officer shall pay all authorized expenditures of Board, including the compensation provided for by this Act for the members of the Board.

SEC. 8. Rules and Regulations. — The Board may, with the approval of the Secretary of Public Works and Communications, adopt such rules and regulations as may be necessary to carry out the provisions of this Act into effect. Penal provisions may be included in said regulations, the violation of which shall be punishable by a fine of not less than five hundred pesos nor more than one thousand pesos or by imprisonment for not less than six months, nor more than one year, or both, in the discretion of the Court.

SEC. 9. Annual Report. — The Board shall submit an annual report to the Secretary of Public Works and Communications after the close of each fiscal year giving a detailed account of its proceedings during the year and making such recommendations as it may deem proper.

SEC. 10. Roster of Architects. — A roster showing the names and place of business of all registered professional architects shall be prepared by the Commissioner of Civil Service during the month of July of every year, commencing one year after the date this Act becomes effective. Copies of this roster shall be mailed to each person so registered and placed on file with the Secretary of Public Works and Communications and, copies thereof shall be furnished to all department heads, to the mayors of all chartered cities, to the Director of Public Works, to the Collector of Customs, to such other Bureaus or government agencies and provincial and municipal authorities as may be deemed necessary and to the public upon request.

Article II

REGISTRATION AND EXAMINATION

SEC. 11. Certificate and Registration. — Whenever the provisions and requirements for registration under the provisions of this Act have been fully complied with and fulfilled by an applicant, the Board shall issue a certificate of registration of said successful applicant as registered architect. Said certificate shall authorize the person to whom it is issued to practice architecture in this country, subject to the provisions of this Act and the Rules and Regulations of the Board.

SEC. 12. Registration of Architects Required. — In order to safeguard life, health and property, no person shall practice architecture in this country, or engage in preparing plans, specifications or preliminary data for the erection or alteration of any building located within the boundaries of this country, except in this last case when he is a duly registered civil engineer, or use the title "Architect", or display or use any title, sign, card, advertisement, or other device to indicate that such person practices or offers to practice architecture, or is an architect, unless such person shall have secured from the examining body a certificate of registration in the manner hereinafter provided, and shall thereafter comply with the provisions of the laws of the Philippines governing the registration and licensing of architects.

SEC. 13. Inhibition Against the Practice of Architecture. — Unless exempt from registration, no person shall practice or offer to practice architecture in the Philippines without having previously obtained a certificate of registration from the Board of Examiners for Architects.

It shall be unlawful for any architect, or any person practicing architecture, to seek to avoid the provisions of this Act by the use of any other than the title "Architect", and no such persons shall practice or offer to practice architecture in this country, or present themselves as qualified for such practice, unless and until they have qualified and been registered as provided in this Act.

SEC. 14. Definition of Terms. — (A) An architect defined. — An architect is: A person who is technically and legally qualified to practice architecture.

(B) Who may be known as an architect or practice architecture. — Only those who have qualified and received a certificate of registration issued by the Board shall be permitted to practice architecture within the Republic of the Philippines, or to use the title of "Architect" or any words, letter, figures, signs, cards, or other means to indicate that the one using them is an architect, or to advertise or indicate in any manner whatever that they are qualified to perform the work of an architect.

(C) General practice of Architecture. — The practice of architecture is hereby defined to be: The act of planning, architectural and structural designing, specifying, supervising and giving general administration and responsible direction to the erection, enlargement or alterations of buildings and architectural design of engineering structures of 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 unbiased 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 or another country, and regardless of whether such persons are performing one or all of these duties, or whether such duties are performed in person or as the directing head of an office or organization performing them.

(D) Authorship defined. — The author or authors of a set of plans or specifications are those in responsible charge of their preparation, whether made by them personally or under their immediate supervision.

SEC. 15. Architects Registered when this Law is Passed. — All architects registered at the time this law takes effect shall automatically be registered under the provisions hereof, subject, however, to the provisions herein set forth as to future requirements.

Certificates of registration held by such persons in good standing shall have the same force and effect as though issued after the passage of this Act.

SEC. 16. Exemption from Registration. — 1. Any person residing in the Philippines may make plans and specifications for any of the following:

- (a) Any building in chartered cities or in municipalities with building ordinances, not exceeding the space requirement specified therein, as requiring the services of an architect.
- (b) Any building enlargement or alteration which is to be used for farm purpose only and costing not more than ten thousand pesos.
- (c) Provided, however, that nothing herein contained shall prevent any person from designing or directing the designing of buildings that are to be constructed for his own personal use or for that of his family, unless such buildings are intended for public employment, assembly or other occupancy by the public, in which case an architect shall be employed for the purpose: And provided, further, That such person does not use the title architect or any title derived therefrom.

2. Nor shall anything in this Act prevent draftsmen, students, clerks-of-work, superintendents and other employees of those lawfully engaged in the practice of architecture under the provisions of this Act, from acting under the instruction, control or supervision of their employer.

3. Nor shall anything in this Act prevent professional civil, mechanical, electrical, mining and chemical engineers duly licensed or registered to practice their profession: Provided however, such persons do not use the designation "Architect."

4. Nor shall anything in this Act prevent persons, who prior to the approval of this Act, have been lawfully engaged in the practice of "Maestro de Obras" to continue as such, provided they shall not undertake the making of plans and supervision for the following classes of work:

- (a) Building of concrete whether reinforced or not.
- (b) Building of more than two stories.
- (c) Building with frames of structural steel.
- (d) Building of structures intended for public gathering or assemblies such as theaters, cinematographs, stadia, churches, or the structure of like nature.

5. Officers and enlisted men of the Armed Forces of the United States and the Philippines, and civilian officials and employees of the Government of the United States stationed in the Philippines, while engaged in the practice of architecture for the United States and/or the Philippines.

6. Architects employed by or under contract with the Government as experts, advisers or consultants, shall be given temporary license after submitting the necessary credentials and subject to the approval of the Board, for a period not to exceed six months, subject to renewals for a like period until his contract with the Government expires. Architects shall not be allowed, if licensed in such capacity, to dedicate themselves to the private practice of architecture nor charge fees for services rendered except those received from the Government.

SEC. 17. Examination Required. — Except as otherwise specifically allowed, all applicants for registration for the practice of architecture shall be required to undergo a technical examination as provided in this Act.

SEC. 18. Qualifications of Applicants for Examination. — Any person applying for examination and for a certificate of registration as architect shall, prior to admission to examination, establish to the satisfaction of the Board:

- (a) That he is at least twenty-one years of age;
- (b) That he is of good reputation and moral character;
- (c) That he has completed the high school course or its equivalent;
- (d) That he is a graduate of a four-year course in architecture or its equivalent of a school, college, academy, or institute duly recognized by the Government and in addition has a specific record of at least two years of diversified experience as architectural draftsman, clerk-of-work, specification writer or superintendent: Provided, however, That an applicant holding a Master's degree in Architecture from a school, college, university or institute recognized by the Government or the state in which it is established, shall be credited one year in his practical experience.

SEC. 19. Fraudulent Applications. — The Board may refuse to renew, or may suspend or revoke, any certificate of registration obtained by false swearing or any misrepresentations made in applying for registration or examination and may refuse to renew or grant registration to any applicant whose application contains such false evidence or information.

SEC. 20. Holding of Examination. — Examination for candidates desiring to practice architecture in the Philippines, shall be given twice a year in the City of Manila and other places where conditions may warrant, on the second Mondays, Tuesdays, and Wednesdays of January and July, provided such days do not fall on a holiday, in which case the working day following will be the day of examination. Written or printed notice of such examination shall be mailed to each applicant who has filed his name and address with the Secretary of the Board, at least thirty days prior to the first day of examination.

SEC. 21. Subjects of examination. — The subjects in which applicants for architect's certificate shall be examined are:

- (1) Architectural Design.
- (2) History and Theory of Architecture.
- (3) Architectural Engineering:
 - (a) Structural Design.
 - (b) Mechanical and Electrical equipment.
 - (c) Plumbing.
- (4) Architectural Practice and Materials:
 - (a) Building Laws, legal and ethical knowledge and responsibilities.
 - (b) Business and professional functions of the architect.
 - (c) Specifications.
- (5) Building Materials and Methods of Construction.

SEC. 22. Report of Ratings. — The Board of Examiners for Architects shall, within one hundred and twenty days after the date of completion of the examination, report the rating by each candidate to the Commissioner of Civil Service, who shall submit such ratings to the Secretary of Public Works and Communications for approval.

SEC. 23. Reexamination. — An applicant who for the third time fails to pass the examination for the same grade shall not be allowed to take another until at least one year has elapsed after his last examination.

SEC. 24. Issuance of Certificates. — The Secretary of Public Works and Communications shall, upon recommendation of the Board, issue a certificate of registration upon payment of the registration fee as provided in this act to any applicant who, in the opinion of the Board and after approval by the Secretary of Public Works and Communications, has satisfactorily met all the requirements specified in this Act.

All certificates of registration shall show the full name of the registrant, shall have a serial number, and shall be signed by all the members of the Board, the Secretary of Public Works and Communications and the Commissioner of Civil Service, and shall be attested by the official seal of the same Board.

The issuance of certificate of registration by the Board to a registrant shall be evidence that the person named therein is entitled to all the rights and privileges of a registered architect, while said certificate remains unrevoked and unsuspended.

SEC. 25. Seal and Use of Seal. — (1) Each registrant hereunder shall, upon registration, obtain a seal of such design as the examining body shall authorize and direct. Plans and specifications prepared by, or under the direct supervision of a registered architect shall be stamped with said seal during the life of the registrant's certificate, and it shall be unlawful for any one to stamp or seal any documents with said seal after the certificate of the registrant named thereon has expired or has been revoked, unless said certificate shall have been renewed or reissued.

(2) No officer or employee of this Republic, chartered cities, provinces and municipalities, now or hereafter charged with the enforcement of laws, ordinances or regulations relating to the construction or alteration of buildings, shall accept or approved any plans or specifications which have not been prepared and submitted in full accord with all the provisions of this Act. Nor shall any payment be approved by any such officer for any work, the plans and specifications for which have not been so prepared and signed and sealed by the author.

(3) Signing of plans, specifications and other documents. — It shall be unlawful for any architect to sign his name, affix his seal, or use any other method of signature in plans, specifications or other documents made under another architect's supervision, unless the same is made in such manner as to clearly indicate the part or parts of such work actually performed by the former; and it shall be unlawful for any person, except the architect in charge, to sign for any branch of the work, or any function or architectural practice, not actually performed by him. The architect in charge, shall be fully responsible for all plans, specifications, and other documents issued under his seal or authorized signature.

The Board shall make all necessary rules and regulations relating to signing and sealing of drawings, specifications, reports, and other documents registered by architects.

(4) Drawings and specifications duly signed, stamped or sealed, as instruments of service, are the property and documents of the architect, whether the object for which they are made is executed or not. It shall be unlawful for any person, without the written consent of the architect or author of said documents, to duplicate or to make copies of said documents for use in the repetition of and for other projects or buildings, whether executed partly or in whole.

SEC. 26. Fees for Examination and Registration. – For the purpose of defraying the expenses of said Board for carrying out the provisions of this Act, the following fees shall be paid to the Secretary of the Board:

- (A) By an applicant to an examination, forty pesos.
- (B) By an applicant for a Certificate of Registration as a registered architect, ten pesos.
- (C) By an applicant for reinstatement or restoration of registration that has been voluntarily surrendered, revoked or suspended, or for replacement of lost certificate, ten pesos.

All of the above fees shall accompany the application; and no part of said fee shall be refunded.

SEC. 27. Refusal to Issue Certificate. – The Board of Examiners for Architects shall refuse to issue or renew a certificate of registration to any person convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude or to any person guilty of immoral or dishonorable conduct or to any person guilty of immoral or dishonorable conduct or to any person of unsound mind. In the event of refusal to issue certificates for any reason, the Board shall give the applicant a written statement setting forth the reasons for such action, which statement shall be incorporated in the record of the Board.

SEC. 28. Suspension and Revocation of Certificates. – The Board shall have the power, upon notice and hearing, to suspend and revoke any certificate of registration of any registrant for any cause specified in the preceding section, or for the use or perpetration of any fraud or deceit in obtaining a certificate of registration, or for gross negligence or incompetency or for unprofessional or dishonorable conduct; Provided, however, That such action of the Board shall be subject to appeal to the Secretary of Public Works and Communications whose decision shall be final.

It shall be sufficient ground for the revocation of a certificate issued to a person under this Act for unprofessional or dishonorable conduct, if:

- (A) He has signed, and affixed or permitted to be signed or affixed his name or seal on any plans, designs, specifications, drawings, technical reports, valuation, estimate, or other similar documents or work not prepared by him, or not executed under his immediate supervision, or
- (B) Has paid money except the regular fees provided for, to secure a certificate of registration; or
- (C) Has falsely impersonated a practitioner, or former practitioner of a like or different name, or has practiced under an assumed, fictitious or corporate name other than that of the registered;
- (D) Has aided or abetted in the practice of architecture any person not duly authorized to practice architecture in the Philippines.

Any person, firm or association, may prefer charges in accordance with the provisions of this section against any registrant, or the Board may motu proprio investigate and/or take cognizance of acts and practices constituting sufficient cause for suspension or revocation of the certificate of registration by proper resolution or order. Such charges shall be in writing and shall be sworn to by the person making them and shall be filed with the secretary of the Board.

SEC. 29. Reissue of revoked or suspended certificates and replacement of lost certificates. – The Board may, after the expiration of one year from the date of revocation or suspension of a certificate for reasons it may deem sufficient, entertain an application for a new certificate of registration from a person whose certificate has been revoked or suspended, and, in doing so it may, in its discretion, exempt the applicant from the necessity of undergoing an examination. It may also replace certificates which have been lost.

Article III
SUNDRY PROVISIONS RELATIVE TO THE PRACTICE
OF ARCHITECTURE

SEC. 30. Prohibitions in the Practice of Architecture. — Any person who shall practice or offer to practice architecture in the Philippines without being registered or exempted from registration in accordance with the provisions of this Act, or any person presenting or attempting to use as his own the certificate of registration or seal of another, or any person who shall give any false or forged evidence of any kind to the Board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any registrant of like or different name, or any person who shall attempt to use a revoked or suspended certificate of registration, or any person who shall use in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is an architect when he is not an architect, or any person who shall violate any of the provisions of this Act, shall be guilty of misdemeanor and shall, upon conviction, be sentenced to a fine of not less than five hundred pesos nor more than one thousand pesos or to suffer imprisonment for a period not exceeding three months, or both, in the discretion of the Court.

SEC. 31. Non-Registered Persons shall not Claim Equivalent Service. — Persons not registered in the Republic of the Philippines as architects shall not claim nor represent either services or work as equivalent to those of a duly qualified registered architect, or that they are qualified for any branch or function of architectural practice, even though no form of the title "Architect" is used.

SEC. 32. Liability of Representatives of Non-Registered Persons. — It shall be hereafter unlawful for any person or firm or corporation to seek to avoid the provisions of this Act by having a representative or employee seek architectural work in their behalf, unless, and until, such persons have duly qualified and are duly registered; otherwise, both those represented and the representative, the employer and the employee shall be deemed guilty of violation of this Act. Solicitation of architectural work shall be construed as offering to practice architecture and it shall be unlawful for any but registered architects to do so.

SEC. 33. Collection of Professional Fees. — It shall be unlawful for any unregistered person to collect a fee for architectural services except as an employee collecting a fee as representative of a Registered Architect.

SEC. 34. Corporation Cannot Register. — The practice of architecture is a professional service, admission to which shall be determined upon the basis of individual, personal qualifications. No firm, company, partnership, association or corporation may be registered or licensed as such for the practice of architecture: Provided, however, That persons properly registered and licensed as architects may, among themselves or with a person or persons properly registered and licensed as civil engineers, form, and obtain registration of, a firm, partnership or association using the term "Architects" or "Architects and Engineers," but, nobody shall be a member or partner of such firm, partnership or association unless he is a duly registered and licensed architect or civil engineer, and the members who are architects shall only render work and services proper for an architect as defined in this Act, and members who are civil engineers shall also only render work and services which are proper for a civil engineer as defined under the law regulating the practice of civil engineering; individual members of such firm, partnership or association shall be responsible for their respective acts. (As amended by R.A. 1581, approved on June 16, 1956).

SEC. 35. Reciprocity Requirements. — No person who is not a citizen of the Philippines at the time he applies to take the examination shall be allowed to take it unless he can prove in the manner provided by the Rules of Court that, by specific provision of law, the country of which he is a citizen, subject or national either admits citizens of the Philippines to the practice of the same profession without restriction or allows them to practice it after an examination on terms of strict and absolute equality with citizens, subjects, or nationals of the country concerned, including the unconditional recognition of degrees issued by institutions of learning duly recognized for the purpose by the Government of the Philippines: Provided, That if he is not a citizen of the Philippines, and was admitted to the practice of a profession in the Philippines after December 8, 1941, his active practice in that profession either in the Philippines or in the state or country where he was practicing his profession, shall not have been interrupted for a period of two years or more prior to July 4, 1946, and that the country or state from which he comes allows the citizens of the

Philippines by specific provision of law, to practice the same profession without restriction or on terms of strict and absolute equality with citizens, subjects or nationals of the country or state concerned.

SEC. 36. Enforcement of the Act by Office of the Law. — It shall be the duty of all constituted officers of the law of the National Government, of any provincial, city or municipal government or of any political subdivision thereof to prosecute any person violating the provisions of this Act. The Secretary of Justice or any assistant duly designated by the former shall act as legal adviser of the Board and render such legal assistance as may be necessary in carrying out the provisions of this Act.

SEC. 37. Act not Affecting Other Professions. — This Act shall not be constituted to affect or prevent the practice of any other legally recognized profession.

SEC. 38. Operation of Decisions in Judging any Part of the Act Invalid. — If any clause, sentence, paragraph or part of this Act shall be declared unconstitutional or invalid, such judgment is rendered.

SEC. 39. All existing provisions of provincial, city or municipal ordinances or regulations pertaining to examinations for architects, and all other laws, part of laws, orders, ordinances or regulations in conflict with the provisions of this Act are hereby repealed.

SEC. 40. This Act shall take effect upon its approval.

Approved, June 17, 1950.