



Republic of the Philippines
Professional Regulation Commission
Manila



**The Professional Regulatory
Board of Architecture
(PRBoA)**

Your Ref:

Our Ref: 07_PRBoA-052

24 July 2007

LGU of Naga City
Camarines Sur, Region V

ATTENTION : **THE HON. JESSE ROBREDO**
City Mayor

SUBJECT : **FINAL CALL/ REQUEST FOR THE FULL IMPLEMENTATION
AND ENFORCEMENT OF R.A. No. 9266 (THE
ARCHITECTURE ACT OF 2004) IN NAGA CITY**

REFERENCES : 1) Sec. 44 of **Republic Act (R.A.) No. 9266** (The Architecture Act of 2004) **approved** by Pres. Gloria Macapagal - Arroyo on 17 March 2004 and which took **effect** 10 April 2004 (repealing R.A. Nos. 1581 and 545), its Implementing Rules and Regulations (IRR) effective 01 December 2004 and derivative regulations; 2) the apparent ongoing, willful/ deliberate violations of provisions of R.A. No. 9266, its IRR and its derivative regulations by agents of the LGU of Naga City; and 3) 2 previous PRBoA letters to the LGU of Naga City (and to the City Mayor) sent months ago and which have remained unanswered to date

Dear Mayor Robredo,

Warm greetings again from the **Professional Regulatory Board of Architecture** (the "PRBoA")!

The PRBoA, a body under the **Professional Regulation Commission** (the "PRC") is tasked with implementing **R.A. No. 9266** which states that **only registered and licensed Architects** are allowed to sign and seal architectural plans and documents. Yet despite the **full effectivity** of **R.A. No. 9266** since 10 April 2004 (over 3 years ago), registered and licensed Civil Engineers (the "CEs") in Naga City continue to practice architecture through their preparation, signing and dry-sealing of **architectural** documents, plans, designs and specifications.

The PRBoA, a collegial body, fully believes that these acts are clear, unequivocal, continuing, orchestrated and willful violation of multiple provisions under **Republic Act (R.A.) No. 9266 (Architecture Act of 2004)**, its **Implementing Rules and Regulations (IRR)** and derivative regulations.

The PRBoA also believes that this **issue of signatory to architectural documents** is one of **national importance** because for

the last several decades, the situation has already resulted in the **degenerative quality of our physical environment (both natural and built)** e.g. substandard and uncomfortable living spaces, overbuilding even on mandated open spaces, too much use of concrete, glass and metal surfaces that increase near-ground and ambient temperatures, incorrect building orientations, major National Building Code of the Philippines (P.D. No. 1096) violations such as windows and/or mounted billboard structures on firewalls, illegal and informal structures and/or settlements within private and public lands and within the road-right-of-way and rights-of-way/ easements (RROWS and ROWs, which all form part of the public domain), the perennial lack of fire escapes, violations of the law on accessibility for the disabled, etc., to mention only a few.

Add to these improper grading practices coupled with the rampant cutting of trees (resulting in flooding even on higher elevations/ slopes), garish displays such as billboards and incoherent signages all over the urban and rural landscapes, disregard for various forms of pollution control and energy savings, relative absence of tropical design & green architecture/sustainable building technologies, etc.

For the PRBoA, these are issues that relate to **public interest, safety and welfare** and are clearly attributable to a **non**-architect's apparent lack of training, focus and aptitude in the design and physical planning of buildings, open spaces and their environs (the "built environment").

To enable the Naga City-based architects to truly help your LGU in partaking of the nationwide effort aimed at building a new Philippines, there is therefore clear need to effect the soonest the full implementation and enforcement of the provisions of **R.A. No. 9266** and its IRR in Naga City, particularly the sections that **limit the preparation, signing and dry-sealing of all architectural documents only to architects registered and licensed by the state.**

In view of the foregoing, the PRBoA respectfully requests You and Your LGU to heed this final call to fully implement and enforce R.A. 9266 and to prosecute any person violating the same within Your jurisdiction at the soonest possible time, in full compliance with Sec. 44 of the same.

Our past two (2) letters to You, which have remained unanswered to date, are self-explanatory and very clear in its statement/s concerning the matter of the application of the court-issued May 2005 injunction i.e. which does **not** apply to R.A. No. 9266 nor to its IRR and its derivative regulations. Please be advised that the said letters were crafted and signed by the Chairman of the PRBoA with the full knowledge and participation of the two (2) other PRBoA members, who are signatories to this final call/ request.

We also ask You and Your LGU to take the matter of the January 2004 Department of Justice (DoJ) opinion (covering R.A. 1581 and 545, the predecessor laws of R.A. No. 9266) seriously since Your LGU, and even the DPWH and the DILG, for that matter are all still part of the executive branch of government, and as such should be properly guided in the implementation of both the National Building Code of the Philippines (NBCP, otherwise known as P.D. No. 1096) and R.A. No. 9266. The opinion's signatory is now the incumbent Ombudsman, who shall be furnished a copy of this letter.

Your and Your LGU's understanding and assistance will go a very long way in helping relieve the continuing/ decades-long


injustice foisted on Philippine architects (particularly the Naga City-based architects), presently exacerbated by the flagrant, orchestrated and willful violations of R.A. No. 9266 for the nearly 3 years that it has been in full effect.

Thank You very much.

Yours sincerely,



ARMANDO N. ALLÍ
Chairman



ANGELINE T. CHUA CHIACO
Member



MARIETTA B. SEGOVIA
Member

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att : the June 2007 PRBoA Memorandum (duly approved by the PRC) and issued by the PRC to all National and Local Government Agencies named

cc : 1) Office of the PRC Chairperson, Office of the PRC Secretary, Office of the PRC Legal & Investigation Division and the PRC Regional Office (Region V);
2) Office of the Ombudsman (Hon. Merceditas Gutierrez);
3) Office of the Secretary of Justice (Hon. Raul Gonzales);
4) Office of the DILG Secretary (Hon. Ronaldo Puno); and
5) Office of the Executive Secretary (Hon. Eduardo R. Ermita).