



Republic of the Philippines
Professional Regulation Commission
Manila



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

Your Ref:

Our Ref: 07_PRBoA-059

27 July 2007

Republic of the Philippines
Office of the DoJ Secretary
DoJ Office, City of Manila

ATTENTION : **THE HON. RAUL GONZALES**
Secretary

SUBJECT : **Follow-up on the PRBoA's URGENT PRBoA REQUEST FOR**
LEGAL OPINION dated 12 June 2007

REFERENCES : 1) Sec. 44 Art. V of **Republic Act No. 9266** "The Architecture Act of 2004" which was **approved** by Pres. Gloria Macapagal - Arroyo on 17 March 2004 and which took **effect** 10 April 2004 (repealing R.A. Nos. 1581 and 545), Res. No. 07 Series of 2004, cited as "IRR of the Architecture Act of 2004" effective 01 December 2004 and derivative regulations; 2) the ongoing and apparently willful/deliberate violations of the provisions of the foregoing law and IRR and its derivative regulations by agents of the DPWH, agents of the DILG and agents of LGUs nationwide; and 3) Urgent PRBoA Request for Legal opinion dated 12 June 2007 (received at the Office of the DoJ Secretary 15 June 2007)

Dear Sec. Gonzales,

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

The PRBoA would like to be apprised of the status of its request for a legal opinion to enable it to confer anew with the PRC on the matter of the legal signatory to **all architectural** documents in the country.

Further to our request and should there still be some time, we additionally request clarification on the following important matters as well:

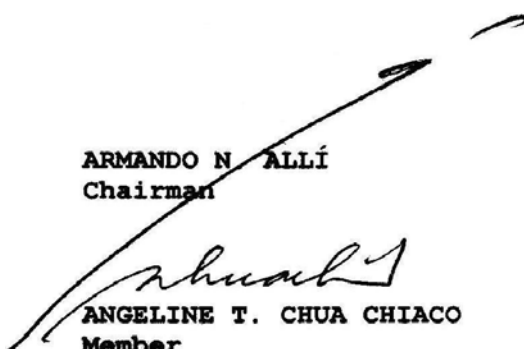
- 1) are local government officials given the latitude to interpret R.A. No. 9266 or even to selectively implement or enforce the same?;
- 2) if local government officials have conflicting interpretations concerning the implementation and enforcement of R.A. No. 9266, shall the one/s upholding R.A. 9266 (a statute) over lesser laws (such as ordinances) prevail?;
- 3) do local government officials, department secretaries and heads of agencies still need to issue a **memorandum**, a **special order** or a **department order** and the like to fully implement and enforce R.A.No. 9266?; and
- 4) what is the coverage of the repeal clause of R.A. No. 9266?

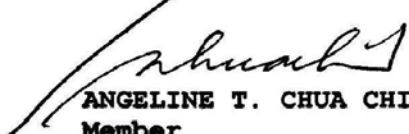
We hope that through the requested DoJ opinion, both the DILG and the DPWH (and their agents), which are the key offices of the executive branch of government currently implementing and enforcing the National Building Code of the Philippines or NBCP, otherwise known as P.D. No. 1096) in relation to R.A. No. 9266, may finally be able to fully implement and enforce R.A. No. 9266.

Your and the DoJ's understanding and assistance will go a very long way in helping relieve the continuing/ decades-long injustice foisted on Philippine 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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cc : 1) Office of the PRC Chairperson, Office of the PRC Secretary and the Office of the PRC Legal & Investigation Division;
2) Office of the Ombudsman (Hon. Merceditas Gutierrez);
3) Office of the Executive Secretary (Hon. Eduardo R. Ermita).