



Republic of the Philippines
Professional Regulation Commission
Manila



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

Your Ref:

Our Ref: 07_PRBoA-055

26 July 2007

Republic of the Philippines
Office of the DILG Secretary
DILG Head Office
EDSA, Quezon City

ATTENTION : **THE HON. RONALDO PUNO**
Secretary

SUBJECT : **URGENT CALL/ REQUEST FOR THE FULL IMPLEMENTATION
AND ENFORCEMENT OF R.A. No. 9266 (THE
ARCHITECTURE ACT OF 2004) BY THE DILG**

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; and 2) the ongoing and apparently willful/ deliberate violations of provisions of R.A. No. 9266, its IRR and its derivative regulations by agents of the DPWH, agents of the DILG and agents of LGUs nationwide

Dear Sec. Puno,

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

The PRBoA, a body under 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) and despite the **non-applicability** of the court-issued May 2005 injunction to R.A. No. 9266, its IRR and its derivative regulations, registered and licensed Civil Engineers (the "**CEs**") continue to practice architecture through their preparation, signing and dry-sealing of architectural documents, plans, designs and specifications.

The PRBoA fully believes that the act of a registered and licensed CE signing and sealing architectural documents is a clear, unequivocal, continuing, orchestrated and willful violation of multiple provisions of **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 24,000 Filipino architects to truly help the government in 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 nationwide, particularly the sections that **limit the preparation, signing and dry-sealing of all architectural documents only to architects registered and licensed by the state.**

Our recent letter to the various LGUs nationwide (reference Annex 1), which is 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, have already received varied reactions to date, some positive, some negative. There is therefore need for the DILG to help these LGUs comply fully with the law, possibly through the issuance of a **memorandum**, a **special order** or a **department order**.

We also ask the DILG 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, reference Attachment 1 of Annex 1) seriously since both the DILG (and the DPWH) are important parts of the executive branch of government implementing the National Building Code of the Philippines (NBCP, otherwise known as P.D. No. 1096), in relation to R.A. No. 9266, and as such should be properly guided. The opinion's signatory is now the incumbent Ombudsman, who shall be furnished a copy of this letter.

In view of the foregoing, the PRBoA respectfully requests Your office to issue official instructions **to all LGUs nationwide (through the Offices of the Governors, Vice Governors, Mayors, Vice Mayors, Sanggunian Members, Building Officials and most importantly to the Offices of the Municipal/ City Engineers (who double as**

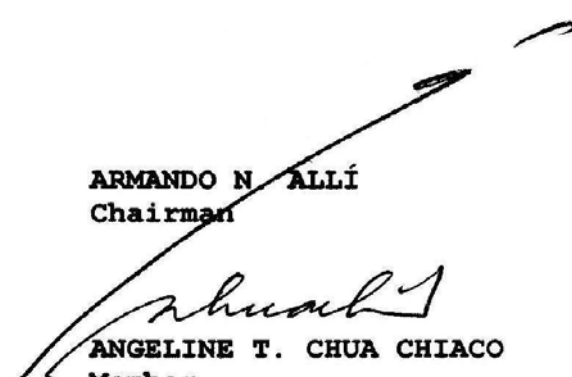
Acting Building Officials) for these/ them to fully comply with R.A. No. 9266 through the concerned LGU officials' acceptance only of the signature and seal of registered and licensed architects on all architectural documents (labeled as the A-sheets of building plans).

Such an order must be explicit in its prohibition of the acceptance of the signatures and seals of registered and licensed CEs on **architectural** documents, a clear violation of the law (specifically of R.A. No. 9266). The PRBoA believes that this singular act of the DILG shall help pave the way for the smooth implementation and enforcement of R.A. No. 9266 in all LGUs nationwide.

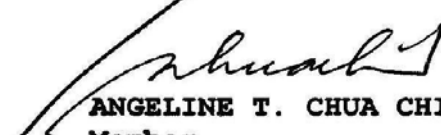
Your and the DILG's understanding and assistance will go a very long way in helping relieve the continuing/ decades-long injustice foisted on Philippine architects, presently exacerbated by the flagrant, orchestrated and willful violations of R.A. No. 9266 for the nearly 3 years that it has been in full effect.

Thank You very much.


Yours sincerely,



ARMANDO N. ALLÍ
Chairman



ANGELINE T. CHUA CHIACO
Member



MARIETTA B. SEGOVIA
Member

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annexes: PRBoA Letters (duly approved by the PRC) to 1) the various Local Government Units (LGUs) nationwide (sent by the PRC over the period April through July 2007); 2) the DPWH OIC Manuel Bonoan (received at the DPWH on 17 June 2007); and 3) 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 and the Office of the PRC Legal & Investigation Division;
2) Office of the Ombudsman (Hon. Merceditas Gutierrez);
3) Office of the Secretary of Justice (Hon. Raul Gonzales);
4) Office of the DPWH Secretary (Hon. Hermogenes Ebdane); and
5) Office of the Executive Secretary (Hon. Eduardo R. Ermita).