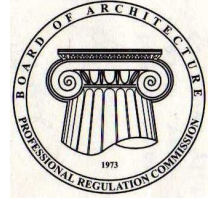




Republic of the Philippines
Professional Regulation Commission
Manila

The Professional Regulatory
Board of Architecture
(PRBoA)
Office of the Chairman



Your Ref:

Our Ref: 07_PRBoA-044

06 June 2007

LGU of Ozamiz City
Misamis Occidental, **Region X**

ATTENTION : **THE HON. REYNALDO O. PAROJINOG, SR.**
City Mayor

THROUGH : **Carlos Patricio C. Bernad**
City Vice Mayor

Engr. Romeo T. Cabrera
Building Official

SUBJECT : **URGENT PRBoA CALL TO FULLY IMPLEMENT/ ENFORCE
R.A. No. 9266 (THE ARCHITECTURE ACT OF 2004) IN
YOUR JURISDICTION**

REFERENCES : 1) **Republic Act (RA) No. 9266** (Architecture Act of 2004) approved by Pres. Gloria Macapagal-Arroyo on 17 March 2004 and which took effect 10 April 2004, its Implementing Rules and Regulations (IRR) effective 01 December 2004 and derivative regulations; and 2) the apparent willful/ deliberate violations of provisions of **RA 9266**, its IRR and its derivative regulations as reported by registered/licensed architects in Your jurisdiction

Dear Mayor Parojinog,

Warm greetings from the **Professional Regulatory Board of Architecture ("PRBoA")** and congratulations on Your recent election to a new term of office!

The PRBoA, a body under the **Professional Regulation Commission ("PRC")** is tasked with implementing **Republic Act (R.A.) No. 9266 (Architecture Act of 2004)**, which states that **only registered and licensed Architects** shall sign and seal **ALL architectural** documents i.e. plans, specifications and the like.

Yet despite the **full effectivity** of **R.A. No. 9266** since 10 April 2004 (over 3 years ago), registered and licensed civil engineers ("**CEs**") continue to **prepare, sign and dry-seal architectural** documents, plans, designs, specifications, estimates, contract documents and the like. These acts appear to be clear, unequivocal, continuing, orchestrated and willful violations of **R.A. No. 9266**, its **Implementing Rules and Regulations (IRR)** and derivative regulations.

The PRBoA fully 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 violations of the National Building Code of the Philippines (NBCP, otherwise known as **P.D. No. 1096**) such as windows on firewalls, illegal structures within the road-right-of-way (RROW, which is part of the public domain) and the perennial lack of fire escapes, etc., improper grading coupled with the rampant cutting of trees (resulting in flooding even on higher elevations/ slopes), garish displays such as billboards all over the urban and rural landscapes, etc. to mention only a few. 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 and their environs.

There is therefore clear need to effect the soonest the nationwide implementation and enforcement of the provisions of **R.A. No. 9266** and its **IRR**, particularly the multiple sections that **limit the preparation, signing and dry-sealing of all architectural documents only to Architects registered and licensed by the state.** Over the past three (3) months, the PRBoA has been communicating with some LGUs to make known its official **position** concerning said matter, particularly in the light of some LGUs' repeated references to a May 2005 court-issued injunction that does **not** apply to **R.A. No. 9266** (reference **Annex 1** and its attachments).

In full accord with **Sec. 44 (Enforcement of the Act)** of **R.A. No. 9266**, **the PRBoA hereby officially calls on/ requests the assistance of Your LGU to fully enforce the provisions of R.A. No. 9266, its IRR and its derivative regulations within Your jurisdiction, and to prosecute any person violating provisions of the same.** A **Special Order** from Your office may be a good start in attaining the primary objective of Your LGU's lawful compliance with **R.A. No. 9266**.

The PRBoA looks forward to Your kind attention and to Your prompt/ resolute action on this very urgent matter. Your 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,
For the PRBoA

ORIGINAL SIGNED
Armando N. ALLÍ
Chairman

att : **Annex 1)** PRBoA Letter Addressed to All LGUs under the Subject: THE OFFICIAL PRBoA POSITION ON THE SIGNING OF **ARCHITECTURAL** DOCUMENTS BY REGISTERED/ LICENSED CIVIL ENGINEERS (CEs) AND **OFFICIAL PRBOA CALL FOR LGUs TO FULLY IMPLEMENT/ ENFORCE RA 9266**

- attachments 1) copy of the January 2004 Department of Justice (DoJ) Legal Opinion - 3 pages;
2) copy of Sec. 302 of PD 1096 (The National Building Code of the Philippines) as signed by Pres. Ferdinand E. Marcos (FEM) in February 1977 (as certified by the Malacañang Records Office) - 1 page;
3) copy of signature page of PD 1096 as signed by Pres. FEM in February 1977(as certified by the Malacañang Records Office) - 1 page;
4) copy of Sec. 302 of PD 1096 appearing in the published Official Gazette - 1 page;
5) copy of Secs. 302.3 and 302.4 of the 2004 Revised IRR of PD 1096 of 1977 - 2 pages.

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