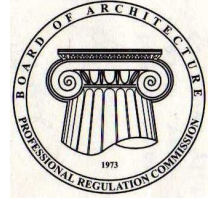




Republic of the Philippines
Professional Regulation Commission
Manila

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



Email Address: prboa.prc.gov.ph@gmail.com
URL/ website : www.architectureboard.ph

Your Ref:

Our Ref: 08_PRBoA-163

30 May 2008

Arch. Rozanno Rosal, *fuap*
Makati City, NCR

SUBJECT : **REQUESTED PRBOA COMMENTS ON A JOINT PLEADING FILED AT A PROSECUTOR'S OFFICE BY AN UNREGISTERED PERSON CRIMINALLY CHARGED WITH THE ILLEGAL PRACTICE OF ARCHITECTURE AND BY THE REGISTERED AND LICENSED ARCHITECT (RLA) LIKEWISE CRIMINALLY CHARGED WITH AIDING AND ABETTING THE SAME**

Dear Arch. Rosal

Warm greetings.

In response to Your recent request and in the due exercise of its powers and functions, please find hereafter the initial **PRBoA** comments on the subject pleading:

- 1) Anent item 4.(a) on page 2 and items 5. and 6. on page 3 of the pleading, please be advised that the **regulated practice of architecture** in the Philippines (under the special law **R.A. No. 9266**, otherwise known as The Architecture Act of 2004), specifically **includes** the act of **architectural consulting**, which does **not** require the **natural** person performing the work of architecture to sign and seal the **architectural** document nor to assume the attendant professional responsibility and civil liability arising from the performance of **architectural** work or the preparation of **architectural** documents normally done by an **Architect-of-record (Aor)**, viz;
 - a) R.A. No. 9266 Sec. 3. (2) (c) which defines the **Consulting Architect**;
 - b) 2004 IRR of R.A. No. 9266 Sec. 3. (2) (c) which also defines the **Consulting Architect**; and
 - c) 2004 IRR of R.A. No. 9266 Sec. 3. (25) which defines the limits of the liability of a **Consulting Architect**.

- 2) Anent item 4.(b) on page 2 and items 5. and 6. on page 3 of the pleading, please be also advised that the **regulated practice of architecture** in the Philippines specifically **includes** the planning and **designing** of **architectural interiors**, which also means that a **registered and licensed architect (RLA)** need **not** secure **separate** documents from the Professional Regulation Commission (**PRC**) to become a registered and licensed interior designer (**RLID**) to lawfully engage in the planning/ design of **architectural interiors**, viz;
- a) R.A. No. 9266 Sec. 3. (4) (g) which specifically mentions **architectural interiors** and **space planning** as part of the scope of the practice of architecture;
 - b) 2004 IRR of R.A. No. 9266 Sec. 3. (4) (g) which also specifically mentions **architectural interiors** and **space planning** as part of the scope of the practice of architecture; and
 - c) R.A. No. 9266 Sec. 3. (19) which specifically defines the term **architectural interiors**.
- 3) Anent items 5. and 6. on page 3 of the pleading, it may be construed that if the unregistered person (**non-RLA**) was indeed engaged in the planning and designing of **architectural interiors**, then that person may be deemed to have practiced part of the regulated profession of **architecture**, quite possibly under illegal circumstances; consequently, the **RLA** who may have aided and abetted such an unregistered person in the performance of **architectural** work/ services, may be deemed equally liable for potential violations of R.A. No. 9266.
- 4) Anent item 7. on page 4 of the pleading and all the other succeeding items in the pleading apparently claiming that the subject unregistered person has been engaged in the practice of **interior design** (rather than of **architecture**), the **PRBoA**, based on the information supplied by You, has requested a certification from the **PRC**, which as of the date of this writing, yielded the following information on the subject unregistered person, viz:
- a) that there is **no** PRC resolution granting an **interior designer** registration and license to the subject unregistered person; and
 - b) the subject unregistered person is **not** a registered and licensed interior designer (**RLID**); therefore, the same person may **not** legally practice the separate regulated profession of **interior design** in the Philippines (as governed by the special law **R.A. No. 8534**, the Interior Design Act of 1998).
- 5) Anent item 8. on page 5 of the pleading, please be advised of the following:
- a) R.A. No. 9266 Sec. 3. (6) which defines the term **Architectural Firm**;
 - b) R.A. No. 9266 Sec. 37. (b) which requires that **RLAs** must substantially own and operate a registered architectural firm (**RAF**) i.e. at least 75.0% of ownership and 75.0% of management positions;
 - c) R.A. No. 9266 Sec. 37. (d) and **PRBoA Resolution No. 5, series of 2007**, (which took effect last January 2008), which both require that **RAFs** be registered

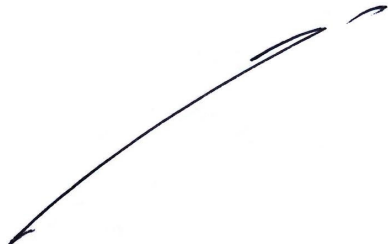
with the **PRBoA** after satisfying the conditions under Sec. 37 of R.A. No. 9266; as of this writing, the respondents' collaborative partnership is **not** yet registered with the **PRBoA**;

- d) 2004 IRR of R.A. No. 9266 Sec. 3. (6) which also defines the term **Architectural Firm** and which lists the public entities with which the future **RAF**s must register;
 - e) 2004 IRR of R.A. No. 9266 Sec. 37. which also prescribe requirements for the registration of **RAF**s;
 - f) the terms **Planning + Interior Design** as appearing in the respondents' description of their collaborative partnership may be misleading to the general public, particularly **if none** of the respondents or the listed owners of their collaborative partnership are **registered and licensed environmental planners (RLEnPs**, whose regulated professional practice is governed by the special law **P.D. No. 1308**, the Environmental Planning Law) or are **registered and licensed interior designers (RLIDs**, whose regulated professional practice is governed by the special law **R.A. No. 8534**, the Interior Design Act of 1998).
- 6) Anent items 10. and 11. on page 6 and item 12.a. on page 7 of the pleading, please be advised that R.A. No. 8534 Sec. 15. (2) lists **furniture design** and construction as a subject of the licensure examination for interior designers.

For Your information only.

Yours sincerely,

For the PRBoA



Armando N. ALLÍ
Chairman

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cc : Offices of the PRC Chairperson, Professional Regulatory Board (PRB) Secretary;

United Architects of the Philippines (UAP), the Integrated and Accredited Professional Organization of Architects (IAPoA)