

**MAY 2014 REFERRED/ SHARED POSTS FROM THE SOCIAL NETWORKS (NO. 1):
WHAT IS STATED IN SEC. 302 OF THE TRUE, OFFICIALLY PUBLISHED, OFFICIALLY
CERTIFIED AND ORIGINAL TEXT OF P.D. NO. 1096 (1977 NBCP)?**

Active Links to Electronic Copies of P.D. No. 1096 (1977 NBCP) as Maintained by the Official Gazette and by the Supreme Court E-Library:

- 1) <http://www.gov.ph/1977/02/19/presidential-decree-no-1096-s-1977/>; and
- 2) <http://elibrary.judiciary.gov.ph/thebookshelf/showdocs/26/53320>.

Both these official National Government copies of P.D. No. 1096 (1977 NBCP) carry the true text of of Sec. 302 of P.D. No. 1096.

More discussions on the true text of P.D. No. 1096 are ongoing over at National Building Code of the Philippines - NBCP or BuildingCode.Ph at www.facebook.com/BuildingCode.Ph.

Know more about the laws affecting the practice of PH architects. It is Your duty as a RLA, RA or as an aspiring architect.

LET ALL RAs/ RLAs/ ASPIRANTS TO THE PROFESSION ALWAYS KEEP THIS IN MIND (SO THAT WE CAN ALWAYS BE REMINDED OF WHAT IS GOOD AND TRUE) : WHAT IS STATED IN SEC. 302 OF THE TRUE, OFFICIALLY PUBLISHED, OFFICIALLY CERTIFIED AND ORIGINAL TEXT OF P.D. NO. 1096 (1977 NBCP)?

"SECTION 302. Application for permits.

In order to obtain a building permit, the applicant shall file an application therefor in writing and on the prescribed form from the office of the Building Official. Every application shall provide at least the following information:

- (1) A description of the work to be covered by the permit applied for;
- (2) Certified true copy of the TCT covering the lot on which the proposed work is to be done. If the applicant is not the registered owner, in addition to the TCT, a copy of the contract of lease shall be submitted;
- (3) The use or occupancy for which the proposal work is intended;
- (4) Estimated cost of the proposed work.

To be submitted together with such application are at least five sets of corresponding plans and specifications PREPARED, SIGNED AND SEALED BY A DULY MECHANICAL ENGINEER IN CASE OF MECHANICAL PLANS, and by a registered electrical engineer in

case of electrical plans, except in those cases exempted or not required by the Building Official under this Code." (*emphases supplied*)

Annotations: The foregoing is the very same text already thrice (3x) certified by the Malacanang Records Office, the sole repository of the original of P.D. No. 1096 (the 1977 NBCP) as signed by President Ferdinand E. Marcos in February 1977, the very same text at least twice (2x) certified by the National Printing Office (NPO), the Publisher of the Official Gazette, which is the official copy of the law, and the very same text appearing in the Supreme Court E-Library (an online source of the true text of Philippine laws).

As can be clearly gleaned from above, nothing in Section 302 is stated pertaining to ARCHITECTURAL documents and as to which State-regulated professional shall prepare, sign and seal such ARCHITECTURAL documents. P.D. No. 1096 is only a GENERAL law. The matter of the preparation, signing and dry-sealing of ARCHITECTURAL documents is found in a SPECIAL law i.e. R.A. No. 9266, particularly in its Sec. 20.5 which states that only REGISTERED AND LICENSED ARCHITECTS (RLAs) shall sign and seal ARCHITECTURAL documents.

A SPECIAL law (such as R.A. No. 9266) is HIGHER than a GENERAL law (such as P.D. No. 1096). R.A. No. 9266 is a VALID AND SUBSISTING LAW that is NOT covered by any TRO or injunction. R.A. No. 9266 is in FULL FORCE and EFFECT. R.A. No. 9266 carries HEAVY FINES and PENALTIES (imprisonment) for its violation, particularly against NON-RLAs who continue to sign and seal ARCHITECTURAL documents. Thank You.