

[REPUBLIC ACT NO. 545, June 17, 1950]

AN ACT TO REGULATE THE PRACTICE OF ARCHITECTURE IN THE PHILIPPINES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

ARTICLE I.-Organization

SECTION 1. *Creation and composition of a Board of Examiners for Architects.*-Within thirty days after the approval of this Act, there shall be created a Board of Examiners for Architects to be composed of a chairman and two members to be appointed by the Secretary of Public Work's and Communications.

SEC. 2. *Powers vested in Board.*-The Board of Examiners for Architects shall administer the provisions of this Act; issue, suspend or revoke certificates of registration for the practice of architecture; and administer oaths in connection with such certificates of registration.

In carrying into effect the provisions of this Act, the Board may, under the hand of its chairman and the seal of the Board, *subpoena* witnesses, compel their attendance, and require the production of books, documents, and similar evidence in a case involving violation of any of the provisions of this Act. Any member of the Board may administer oaths or affirmations to witnesses appearing before it. If any person shall refuse to obey any *subpoena* so issued, or shall refuse to testify or produce any book, document, etc., the Board may present its petition to the Court of First Instance, setting forth the facts, and therein such court shall, in a proper case, issue its *subpoena* to such person, requiring his appearance before such court ad there to testify or produce such books, papers, documents etc., as may be deemed necessary and pertinent by the Board. Any person failing or refusing to obey the subpoena or order of the said court may be proceeded against in the same manner as for refusal to obey any other *subpoena* or order of the court.

The Board shall, from time to time, look into conditions affecting the practice of architecture in the Philippines and, whenever necessary, recommend to the Secretary of Public Works and Communications the adoption of such measures as may be deemed proper for the maintenance of good ethics and standards in the practice of architecture in the Philippines and for the protection of public welfare, life, health, and property.

SEC. 3. *Qualifications of Board members.*-Each member of the Board shall, at the time of his appointment:

1. Be a citizen of the Philippines and a resident thereof;

2. Hold the degree of B. S. Arch., B. in Arch., M. S. Arch, M. in Arch., or the equivalent thereof conferred by an architectural school or college legally chartered and of good standing;
3. Be legally qualified to practice architecture for at least ten years and actually in active practice on the date of his appointment;
4. Not be a member of the faculty of any school, college or university where a regular course in architecture is taught, nor have pecuniary interest in such institution. No former member of the faculty of any school, institute or university where architecture is taught can become a member of the board unless he had stopped teaching for at least three consecutive years.

SEC. 4. *Terms of office.*-The members of the Board shall hold office for a term of three years after appointment or until their successors shall have been appointed and shall have duly qualified. The members of the Board first appointed under this Act shall hold office for the following terms: One member for one year; one member for years; and one member for three years. Each member of the Board shall qualify by taking the proper oath prior to entering upon the performance of his duties.

SEC. 5. *Executive officer of the Board.*-The Commissioner of Civil Service shall be the executive officer of the Board, and shall conduct the examinations given by the Board and shall designate any subordinate officer of the Bureau of Civil Service to act as Secretary of the Board. All records and minutes of the Board, including all examination papers, shall be kept by the Bureau of Civil Service.

SEC. 6. *Vacancy and removal of Board members.*-Any vacancy occurring in the membership of said Board before the expiration of the term of office of the member separated therefrom shall be filled for the unexpired term by appointment by the Secretary of Public Works and Communications. The Secretary of Public Works and Communications may remove any member of the Board for continued neglect of duty or incompetency, or for unprofessional or dishonorable conduct, after having given the member concerned an opportunity to defend himself in the proper administrative investigation.

SEC. 7. *Compensation of Board.*-The members of the Board shall each receive as compensation the sum of five pesos for each applicant examined or registered. Any architect in the service of the Government of the Republic appointed as member of the Board shall receive the compensation herein provided, in addition to his salary. All fees shall be received by the disbursing officer of the Bureau of Civil Service, and such officer shall pay all authorized expenditures of the Board, including the compensation provided for by this Act for the members of the Board.

SEC. 8. *Rules and regulations.*-The Board may, with the approval of the Secretary of Public Works and Communications, adopt such rules and regulations as may be necessary to carry out the provisions of this Act into effect. Penal provisions may be included in said regulations, the violation of which shall be punishable by a fine of not less than five hundred pesos nor more than one thousand pesos or by imprisonment for not less than six months, nor more than one year, or both, in the discretion of the Court.

SEC. 9. *Annual report.*-The Board shall submit an annual report to the Secretary of Public Works and Communications after the close of each fiscal year giving detailed

account of its proceedings during the year and making such recommendations as it may deem proper

SEC. 10. *Roster of architects.*-A roster showing the names and place of business of all registered professional architects shall be prepared by the Commissioner of Civil Service during the month of July of every year, commencing one year after the date this Act becomes effective. Copies of this roster shall be mailed to each person so registered and placed on file with the Secretary of Public Works and Communications and, copies thereof shall be furnished to all department heads, to the mayors of all chartered cities, to the Director of Public Works, to the Collector of Customs, to such other Bureaus or government agencies and provincial and municipal authorities as may be deemed necessary and to the public upon request.

ARTICLE II.-*Registration and Examination*

SEC. 11. *Certificate and registration.*-Wherever the provisions and requirements for registration under the provisions of this Act have been fully complied with and fulfilled by an applicant, the Board shall issue a certificate of registration of said successful applicant as registered architect. Said certificate shall authorize the person whom it is issued to practice architecture in this country, subject to the provisions of this Act and the Rules and Regulations of the Board.

SEC. 12. *Registration of architects required.*-In order to safeguard life, health and property, no person practice architecture in this country, or engage in preparing plans, specifications or preliminary data for the erection or alteration of any building located within the boundaries of this country, except in this last case when he is a duly registered civil engineer, or use the title "Architect", or display or use any title, sign, card, advertisement, other device to indicate that such person practices or offers to practice architecture, or is an architect, unless such person shall have secured from the examining body a certificate of registration in the manner hereinafter provided, and shall thereafter comply with the provisions of the laws of the Philippines governing the registration and licensing of architects.

SEC. 13. *Inhibition against the practice of architecture.*- Unless exempt from registration, no person shall practice or offer to practice architecture in the Philippines without having previously obtained a certificate of registration from the Board of Examiners for Architects.

It shall be unlawful for any architect, or any person practicing architecture, to seek to avoid the provisions of this Act by the use of any other than the title "Architect", and no such persons shall practice or offer to practice architecture in this country, or present themselves as qualified for such practice, unless and until they have qualified and been registered as provided in this Act.

SEC. 14. *Definition of terms.*-

- A. *An architect defined.*-An architect is: A person who is technically and legally qualified to practice architecture.
- B. *Who may be known as an architect or practice architecture.*-Only those who have qualified and received a certificate of registration issued by the Board shall be permitted to practice architecture within the Republic of the Philippines, or to use the title of

"Architect" or any words, letters, figures, signs, cards, or other means to indicate that the one using them is an architect, or to advertise or indicate in any manner whatever that they are Qualified to perform the work of an architect.

- C. *General practice of architecture.*-The practice of architecture is hereby defined to be: The act of planning, architectural and structural designing, specifying, supervising, and giving general administration and responsible direction to the erection, enlargement or alterations of buildings and architectural design of engineering structures or any part thereof, the scientific, aesthetic and orderly coordination of all the processes which enter into the production of a complete building or structure performed through the medium of unbiased preliminary studies of plans, consultations, specifications, conferences, evaluations investigations, contract documents and oral advice and directions regardless of whether the persons engaged in such practice are residents of the Philippines or have their principal office or place of business in this or another country, and regardless of whether such persons are performing one or all of these duties, or whether such duties are performed in person or as the directing head of an office or organization performing them.
- D. *Authorship defined.*-The author or authors of a set of plans or specifications are those in responsible charge of their preparation, whether made by them personally or under their immediate supervision.

SEC. 15. *Architects registered when this law is passed.*- All architects registered at the time this law takes effect shall automatically be registered under the provisions hereof, subject, however, to the provisions herein set forth as to future requirements. Certificates of registration held by such persons in good standing shall have the same force and effect as though issued after the passage of this Act.

SEC. 16. *Exemption from registration.*-

1. Any person residing in the Philippines may make plans and specifications for any of the following:
 - (a) Any building in chartered cities or in municipalities with building ordinances, not exceeding the space requirement specified therein, as requiring the services of an architect.
 - (b) Any building enlargement or alteration which is to be used for farm purpose only and costing not more than ten thousand pesos.
 - (c) *Provided, however,* That nothing herein contains shall prevent any person from designing or directing the designing of buildings that are to be constructed for own personal use or for that of his family, unless sue buildings are intended for public employment, assembly or other occupancy by the public, in which case an architect shall be employed for the purpose: *And provided, futher,* That such person does not use the title architect or any title derived therefrom.
2. Nor shall anything in this Act prevent draftsmen, students, clerks-of-work, superintendents and other employees of those lawfully engaged in the practice of architecture under the

provisions of this Act, from acting under the instruction, control or supervision of their employer.

3. Nor shall anything in this Act prevent professional civil, mechanical, electrical, mining and chemical engineers duly licensed or registered to practice their profession: *Provided, however,* Such persons do not use the designation "Architect".
4. Nor shall anything in this Act prevent persons, who prior to the approval of this Act, have been lawfully engaged in the practice of "Maestro de Obras" to continue as such, provided they shall not undertake the making of plans and supervision for the following classes of work:
 - (a) Building of concrete whether reinforced or not.
 - (b) Building of more than two stories.
 - (c) Building with frames of structural steel.
 - (d) Building of structures intended for public gathering or assemblies such as theaters, cinematographs, stadia, churches, or the structures of like nature.
5. Officers and enlisted men of the Armed Forces of the United States and the Philippines, and civilian officials and employees of the Government of the United States stationed in the Philippines, while engaged in the practice of architecture for the United States and/or the Philippines.
6. Architects employed by or under contract with the Government as experts, advisers or consultants, shall be given temporary license after submitting the necessary credentials and subject to the approval of the Board, for a period not to exceed six months, subject to renewals for a like period until his contract with the Government expires. Architects, shall not be allowed, if licensed in such capacity, to dedicate themselves to the private practice of architecture nor charge fees for services rendered except those received from the Government.

SEC. 17. *Examination required.*-Except as otherwise specifically allowed, all applicants for registration for the practice of architecture shall be required to undergo technical examination as provided in this Act.

SEC. 18. *Qualifications of applicants for examination.*-Any person applying for examination and for a certificate of registration as architect shall, prior to admission to examination, establish to the satisfaction of the Board:

- a. That he is at least twenty-one years of age;
- b. That he is of good reputation and moral character;
- c. That he has completed the high school course or its equivalent;
- d. That he is a graduate of a four year course in architecture or its equivalent of a school, college, academy, or institute duly recognized by the Government and in addition has a specific record of at least two years of diversified experience as architectural draftsman, clerk-of-work, specification writer or superintendent: *Provided, however,* That an applicant holding a Master's degree in Architecture from a school, college, university or institute recognized by the Government or the state in which it is established, shall be credited one year in his practical experience.