



REPUBLIKA NG PILIPINAS  
REPUBLIC OF THE PHILIPPINES  
KAGAWARAN NG EDUKASYON  
DEPARTMENT OF EDUCATION  
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**DepED MEMORANDUM**

No. 38 s, 2007

JAN 29 2008

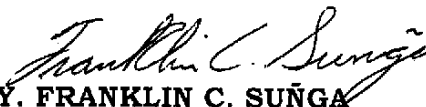
**DISSEMINATION OF R.A. 9266  
(THE ARCHITECTURE ACT OF 2004)**

**To :** Bureau Directors  
Regional Directors  
Schools division/City Superintendents  
Heads, Public and Private Elementary and Secondary Schools

1. For the information and guidance of all concerned, is the provision of Item (5) of Article III of Republic Act No. 9266 otherwise known as "*The Architecture Act of 2004*", quoted as follows:

"(5) **All architectural** plans, designs, specifications, drawings and architectural documents relative to the construction of a building shall bear the seal and signature only of an architect registered and licensed under this Act together with his/her professional identification card number and the date of its expiration."

2. Compliance with the above-quoted provision of law and immediate dissemination of this Memorandum are desired.

  
**ATTY. FRANKLIN C. SUÑGA**  
Undersecretary

Encl.:  
As stated

Reference:  
None

Allotment: 1—(D.O. 50-97)

To be indicated in the Perpetual Index  
under the following subjects:

BUILDING  
LEGISLATION

Republic of the Philippines  
Congress of the Philippines  
Metro Manila  
Twelfth Congress  
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-eighth day of July, two thousand three.

**REPUBLIC ACT NO. 9266**

**AN ACT PROVIDING FOR A MORE RESPONSIVE AND COMPREHENSIVE REGULATION FOR THE REGISTRATION, LICENSING AND PRACTICE OF ARCHITECTURE, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 545, AS AMENDED, OTHERWISE KNOWN AS "AN ACT TO REGULATE THE PRACTICE OF ARCHITECTURE IN THE PHILIPPINES," AND FOR OTHER PURPOSES**

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

**ARTICLE I  
GENERAL PROVISIONS**

SECTION 1. *Short Title.* - This Act shall be known as "The Architecture Act of 2004."

SEC. 2. *Statement of Policy.* - The State recognizes the importance of architects in nation building and development. Hence, it shall develop and nurture competent, virtuous, productive and well-rounded professional architects whose standards of practice and service shall be excellent, qualitative, world-class and globally competitive through inviolable, honest, effective and credible licensure examinations and through **regulatory measures, programs and activities that foster their professional growth and development.**

SEC. 3. *Definition of Terms.* - As used in this Act, the following terms shall be defined as follows:

(1) "Architecture" is the art, science or profession of planning, designing and constructing buildings in their totality taking into account their environment, in accordance with the principles of utility, strength and beauty;

(2) "Architect" means a person professionally and academically qualified, registered and licensed under this Act with a Certificate of Registration and Professional Identification Card issued by the Professional Regulatory Board of Architecture and the Professional Regulation Commission, and who is responsible for advocating the fair and sustainable development, welfare and cultural expression of society's habitat in terms of space, forms and historical context;

(3) "General Practice of Architecture" means the act of planning and architectural designing, structural conceptualization, specifying, supervising and giving general administration and responsible direction to the erection, enlargement or alterations of buildings and building environments and architectural design in 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 country or another territory, and regardless of whether such persons are performing one or all these duties, or whether such duties are performed in person or as the directing head of an office or organization performing them;

(4) "Scope of the Practice of Architecture" encompasses the provision of professional services in connection with site, physical and planning and the design, construction, enlargement, conservation, renovation, remodeling, restoration or alteration of a building or group of buildings. Services may include, but are not limited to:

(a) planning, architectural designing and structural conceptualization;  
(b) consultation, consultancy, giving oral or written advice and directions, conferences, evaluations, investigations, quality surveys, appraisals and adjustments, architectural and operational planning, site analysis and other pre-design services;  
(c) schematic design, design development, contract documents and construction phases including professional consultancies;  
(d) preparation of preliminary, technical, economic and financial feasibility studies of plans, models and project promotional services;

(e) preparation of architectural plans, specifications, bill of materials, cost estimates, general conditions and bidding documents;  
(f) construction and project management, giving general management, administration, supervision, coordination and responsible direction or the planning, architectural designing, construction, reconstruction, erection, enlargement or demolition, renovation, repair, orderly removal, remodeling, alteration, preservation or restoration of buildings or structures or complex buildings, including all their components, sites and environs, intended for private or public use;

(g) the planning, architectural lay-outting and utilization of spaces within and surrounding such buildings or structures, housing design and community architecture, architectural interiors and space planning, architectural detailing, architectural lighting, acoustics, architectural lay-outting of mechanical, electrical, electronic, sanitary, plumbing, communications and other utility systems, equipment and fixtures;

(h) building programming, building administration, construction arbitration and architectural conservation and restoration;

(i) all works which relate to the scientific, aesthetic and orderly coordination of all works and branches of the work, systems and processes necessary for the production of a complete building or structure, whether for public or private use, in order to enhance and safeguard life, health and property and the promotion and enrichment of the quality of life, the architectural design of engineering structures or any part thereof; and

**ARTICLE III  
EXAMINATION, REGISTRATION AND LICENSURE**

(2) No officer or employee of this Republic, chartered cities, provinces and municipalities, now or hereafter charged with the enforcement of laws, ordinances or regulations relating to the construction or alteration of buildings, shall accept or approve any architectural plans or specifications which have not been prepared and submitted in full accord with all the provisions of this Act; nor shall any payments be approved by any such officer for any work, the plans and specifications for which have not been so prepared and signed and sealed by the author.

(5) All architectural plans, designs, specifications, drawings and architectural documents relative to the construction of a building shall bear the seal and signature only of an architect registered and licensed under this Act together with his/her professional identification card number and the date of its expiration.

**ARTICLE IV  
PRACTICE OF ARCHITECTURE**

**SEC. 29. Prohibition in the Practice of Architecture and Penal Clause.** - Any person who shall practice or offer to practice architecture in the Philippines without being registered/licensed and who are not holders of temporary or special permits in accordance with the provisions of this Act, or any person presenting or attempting to use as his/her own the Certificate of Registration/Professional Identification Card or seal of another or temporary or special permit, or any person who shall give any false or forged evidence of any kind to the Board or to any member thereof in obtaining a Certificate of Registration/Professional Identification Card or temporary or special permit, or any person who shall falsely impersonate any registrant of like or different name, or any person who shall attempt to use a revoked or suspended Certificate of Registration/Professional Identification Card or cancelled special/temporary permit, or any person who shall use in connection with his/her name or otherwise assume, use or advertise any title or description tending to convey the impression that he/she is an architect when he/she is not an architect, or **any person whether Filipino or foreigner, who knowingly allows the use, adoption, implementation of plans, designs or specifications made by any person, firm, partnership or company not duly licensed to engage in the practice of architecture, or any person who shall violate any of the provisions of this Act, its implementing rules and regulations, the Code of Ethical Conduct and Standards of Professional Practice, or any policy of the Board and the Commission, shall be guilty of misdemeanor and charged in court by the Commission and shall, upon conviction be sentenced to a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Five million pesos (P5,000,000.00) or to suffer imprisonment for a period not less than six (6) months or not exceeding six (6) years, or both, at the discretion of the Court.**

**ARTICLE V  
FINAL PROVISIONS**

**SEC. 44. Enforcement of the Act.** - It shall be the **primary duty of the Commission and the Board to effectively enforce the provisions of this Act. All duly constituted law enforcement agencies and officers of national, provincial, city or municipal government or of any political subdivision thereof, shall, upon the call or request of the Commission or the Board, render assistance in enforcing the provisions of this Act and to prosecute any person violating the provisions of the same.** The Secretary of Justice or his duly designated representative shall act as to the Commission and the Board and shall render legal legal adviser assistance as may be necessary in carrying out the provisions of this Act.

**Any person may bring before the Commission, Board or the aforementioned officers of the law, cases of illegal practice or violations of this Act committed by any person or party.**

The Board shall assist the Commission in filing the appropriate charges through the concerned prosecution office in accordance with law and the Rules of Court.

Approved,

(ORIGINAL SIGNED)  
**FRANKLIN M. DRILON**  
*President of the Senate*

(ORIGINAL SIGNED)  
**JOSE DE VENECIA, JR.**  
*Speaker of the House of Representatives*

This Act which is a consolidation of House Bill No. 5389 and Senate Bill No. 2710 was finally passed by the House of Representatives and the Senate on January 28, 2004 and January 29, 2004, respectively.

(ORIGINAL SIGNED)  
**OSCAR G. YABES**  
*Secretary of the Senate*

(ORIGINAL SIGNED)  
**ROBERTO P. NAZARENO**  
*Secretary General of the House of Representatives*

Approved:

(ORIGINAL SIGNED 17 MARCH 2004)  
**GLORIA MACAPAGAL-ARROYO**  
*President of the Philippines*