

Implementing Rules and Regulations (IRR) of **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

**RULE I: TITLE, POLICY STATEMENT,
DEFINITION OF TERMS, AND SCOPE
OF PRACTICE**

SECTION 1: Title

SECTION 2. Statement of Policy

SECTION 3. Definition of Terms

SECTION 1: Title

- This Rules and Regulations shall be known as “THE RULES AND REGULATIONS IMPLEMENTING THE PROVISIONS OF **REPUBLIC ACT NO. 9266**”, otherwise known as “**THE ARCHITECTURE ACT OF 2004**”. For brevity, it may be cited as “IRR of the Architecture Act of 2004”.

SECTION 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.
- This “IRR of the Architecture Act of 2004” shall be interpreted, construed, and carried out in the light of the Statement of Policy found in Section 2 of Republic Act No. 9266, as stated above.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, 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;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(2) “Architect”** means a person professionally and academically qualified, registered and licensed under R.A. No. 9266 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;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **2. (a) “Architect-of-record”** means the architect registered and licensed under R.A. No. 9266, who is directly and professionally responsible for the total design of the project for the client and who shall assume the civil liability for the plans, specifications and contract documents he/she has signed and sealed;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **2. (b) “Architect-in-charge of construction”** means an architect registered and licensed under R.A. No. 9266, who is directly and professionally responsible and liable for the construction supervision of the project;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **2. (c) “Consulting Architect”** means the architect registered and licensed or permitted to practice under R.A. No. 9266, who is professionally and academically qualified and with exceptional or recognized expertise or specialization in any branch of architecture;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(3) “General Practice of Architecture”** 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;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(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:

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- (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;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- (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;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- (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;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- (g) the planning, architectural lay-outing 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-outing of mechanical, electrical, electronic, sanitary, plumbing, communications and other utility systems, equipment and fixtures;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

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

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- (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 or 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

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- (j) all other works, projects and activities which require the professional competence of an architect, including teaching of architectural subjects and architectural computer-aided design;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(5) “Structural Conceptualization”** means the act of conceiving, choosing and developing the type, disposition, arrangement and proportioning of the structural elements of an architectural work giving due consideration to safety, cost-effectiveness, functionality and aesthetics;
- **(6) “Architectural Firm”** means a sole proprietorship, a partnership or a corporation registered with the DTI AND/OR SEC and then with the Board of Architecture and PRC;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(7) “Authorship”** refers to the author or authors of a set of architectural plans or specifications who are in charge of their preparation whether made by them personally or under their immediate supervision;
- **(8) “Board”** refers to the Professional Regulatory Board of Architecture;
- **(9) “Commission”** means the Professional Regulation Commission;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(10) “Service Agreement”** means a duly notarized written contract or equivalent public instrument stipulating the scope of services and guaranteeing compensation of such services to be rendered by an architect registered and licensed under R.A. No. 9266;
- Violation of the Service Agreement is a basis for a civil liability under Art. 1723 of the Civil Code unless he/she attempts and/or succeeds to interfere or contravene the legal and professional functions of the Architect-of-Record: the Consulting Architect.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(11) “Integrated and Accredited Professional Organization”** means the existing official national organization of all architects of the Philippines in which all registered Filipino architects shall be members without prejudice to membership in other voluntary professional associations;
- **(12) “Continuing Professional Development”** refers to a sustaining and progressive learning process that maintains, enhances, or increases the knowledge and continuing ability of architects;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(13) “DTI”** shall mean the Department of Trade and Industry;
- **(14) “SEC”** shall mean the Securities and Exchange Commission;
- **(15) “Association”** any formal grouping of two or more architects or architectural firms working in joint venture on a project basis.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(16) “Architectural Company”** means a juridical entity that shall be synonymous with an Architectural Partnership (see definition of Architectural Partnership) registered with the SEC.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(17) “Architecture Corporation”** means a group of professionals in architecture and allied professions, incorporated with Architects for the purpose of delivering professional service in architecture and allied professions; in case an existing Architectural Corporation does not comply with the 75% composition requirement, it shall comply and register again with the SEC and the BOA.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(18) “Architectural Documents”** means an architectural drawings, specifications, and other outputs of an Architect that only an Architect can sign and seal consisting, among others, of vicinity maps, site development plans, architectural program, perspective drawings, architectural floor plans, elevations, sections, ceiling plans, schedules, detailed drawings, technical specifications and cost estimates, and other instruments of service in any form.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(19) “Architectural Interiors”** means a detailed planning and design of the indoor/enclosed areas of any proposed building/structure, including retrofit or renovation work and which shall cover all architectural and utility aspects, including the architectural lay-outing of all building engineering systems found therein.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(20) “Architectural Partnership”** means a group of two or more Architects duly registered with the SEC and then with the Board of Architecture.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(21) “Architectural Plans”** means a two (2)-dimensional representations reflecting a proposed development/redevelopment of an enclosed/ semi-enclosed or open area showing features or elements such as columns, walls, partitions, ceiling, stairs, doors, windows, floors, roof, room designations, door and window call-outs, the architectural layout of equipment, furnishings, furniture and the like, specifications callouts, elevation references, drawing references and the like;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- ...the architectural plan is the representation of a lateral section for a proposed building/ structure (running parallel to the ground) and at a height of from 1.0 – 1.5 meters above the finished floor; the term may also collectively refer to other architectural designs such as cross/ longitudinal sections, elevations, roof plan, reflected ceiling plan; detailed sections and elevations showing architectural interiors, detailed architectural designs, door and window schedules, other architectural finishing schedules and the like.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(22) “Building”** means a structure for the purpose and function of habitation and other uses.
- **(23) “Certificate of Registration”** means a certificate bearing a registration number, issued to an individual, by the Professional Regulation Commission through the Board of Architecture, signifying that the individual has successfully passed the Licensure Examination and is registered to practice his/her profession as Architect.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(24) “Code of Ethical Conduct”** means a document which forms part of the Architects’ National Code which contains the norms and principles governing the practice of the profession of architecture in the highest standards of ethical conduct.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(25) “Consulting Architect”** a registered and licensed Architect, who is academically and professionally qualified, and with exceptional or recognized expertise or specialization in any branch of architecture; the Consulting Architect assumes no civil liability under Art. 1723 of the Civil Code unless he/she attempts and/or succeeds to interfere or contravene the legal and professional functions of the Architect-of-Record; the Consulting Architect assumes the normal civil liability under the service agreement he/she signs with a Client

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(26) “Contract Documents”** are the documents attached to the agreement identified therein as Contract Documents, including all additions, deletions and modifications incorporated therein. These generally include the following documents:
 - a) Special Provisions or conditions
 - b) General Conditions
 - c) Drawings
 - d) Specifications
 - e) Other Bid Document

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(27) “Copyright (or Copyright Ownership)”** shall refer to the intellectual proprietary rights retained by an Architect over any architectural documents/ work that he/she prepares unless there is a written stipulation to the contrary, copyright in a work of architecture shall include the right to control the erection of any building which reproduces the whole or a substantial part of the work either in its original form or in any form recognizably derived from the original;

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

-however, the copyright in any such work shall not include the right to control the reconstruction or rehabilitation in the same style as the original of a building to which the copyright relates.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(28) “CPD Providers”** means an entities, agencies, organizations and the like that have been accredited/registered with the Board of Architecture of the Professional Regulation Commission to deliver seminars, lectures, and other continuing professional education modules for architects, other than the Integrated Accredited Professional Organization of Architects which is automatically accredited by the Board of Architecture as a CPD Provider.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(29) “Diversified Architectural Experience”** a post-baccalaureate, pre-licensure experience of two (2) years required of a graduate of architecture prior to taking the licensure examination; consisting of a variation of experiences in the different phases of architectural service.
- **(30) “Foreign Architect”** means an architect who is not a Filipino citizen nor an Architect registered and licensed in the Philippines, but who is duly registered and licensed in his/her home country as an Architect.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(31) “Filipino Counterpart”** the local Philippine architect, partnership or corporation that must work in association with a foreign architect, partnership or corporation, on a project on Philippine soil.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(32) “Ownership”** shall refer to proprietary rights to an architectural work such as plans, designs and other documents by a person/ juridical entity who commissions the Architect and whose ownership of an architectural work by such a person/ juridical entity shall only be confined to the use of the architectural documents for executing /implementing the work described therein for one (1) or the original project; ownership shall not apply to the use of a part of or of the entire architectural work/architectural documents to repetitions or to subsequent projects.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(33) “Planning”** refers to physical planning at site, community or urban level by an Architect.
- **(34) “Physical Planner”** refers to an Architect who specializes in the detailed physical planning of land or property on which vertical structures such as buildings and/or structures and horizontal developments such as rights-of-way, open spaces and recreational/ sports/ entertainment/ tourism and related facilities are to be proposed.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(35) “Physical Planning”** the detailed physical planning of land or property on which vertical structures such as buildings, monuments and/or structures and horizontal developments such as rights-of-way, open spaces and recreational/ sports/ establishments/ tourism and related facilities are to be proposed.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(36) “Professional”** refers to a person whose name and registration/professional license number is entered in the Professional Regulation Commission registry book and computerized database as one legally authorized to practice his profession.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(37) “Professional Identification Card”** a document bearing the registration number, date of issuance with an expiry date, due for periodic renewal, duly signed by the Chairperson of the PRC to a registered Architect upon payment of the annual registration fees for three (3) years.
- **(38) “Site Planning”** the detailed site development planning of all areas surrounding a building/structure and/or a group of buildings/structures but only within the property limits of the land on which such buildings/structures are to be erected.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(39) “Standards of Professional Practice”** means a document embodied in the Architects National Code, which defines all aspects of professional service, prescribes minimum basic fees and establishes the rights and obligations of both the Architect and the client.
- **(40) “Sole Proprietorship”** means an individual Architect practicing and delivering architectural services, duly registered with the DTI, BOA and the PRC.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(41) “Specialization”** an expertise and special knowledge in the field of architecture acquired by an Architect through formal education and training or through continuing professional development and experience, for which the Architect may be engaged as Consulting Architect.
- **(42) “Syllabi”** the outlines embodying topics and concepts of major subjects prescribed in specific course of study to serve as basis for test questions in the licensure examinations.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(43) “Technology Transfer”** refers to contracts or arrangements involving the transfer of systematic knowledge for the manufacture of a product, the application of a process, or rendering of a service including management contracts; and the transfer, assignment or licensing of all forms of intellectual property rights.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(44) “Urban Design”** physical and systemic design undertaken by an Architect on a community and urban plane, more comprehensive than, and an extension of the architecture of buildings, spaces between buildings, entourage, utilities and movement systems.

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(45) Acronyms and Laws:**
- **(A) ARCHITECTURE ACT OF 2004** – R.A. No. 9266
- **(B) BOA** – Board of Architecture
- **(C) CHED** – Commission on Higher Education
- **(D) CIAC** – Construction Industry Arbitration Commission
- **(E) CPD** – Continuing Professional Development
- **(F) DOLE** – Department of Labor and Employment
- **(G) DTI** – Department of Trade and Industry

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(h) IAPOA** – Integrated Accredited Professional Organization of Architects (the same as United Architects of the Philippines, Inc.)
- **(i) Intellectual Property Code of the Philippines** – R.A. No. 8293
- **(j) PCAB** – Philippine Contractors Accreditation Board
- **(k) PDCB** – Philippine Domestic Construction Board
- **(l) PRB** – Professional Regulatory Board (the same as BOA for the profession of architecture)

SECTION 3. Definition of Terms

As used in this “IRR of the Architecture Act of 2004”, in R.A. No. 9266 or other laws, the following terms shall be defined as follows:

- **(m) PRC** – Professional Regulation Commission
- **(n) PRC Modernization Act of 2000** – R.A. No. 8981
- **(o) SEC** – Securities and Exchange Commission
- **(p) UAP** – United Architects of the Philippines, Inc