

Republic Act No. 8534

An Act Regulating the Practice of Interior Design in the Philippines

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

Article I

TITLE

Section 1. *Title.*- This Act shall be known as the "Philippine Interior Design Act of 1998.Ó

Article II

DEFINITION OF TERMS

Section 2. *Definition of Terms.*- (a) *Practice of Interior Design* - The practice of interior design is the act of planning, designing, specifying, supervising and giving general administration and responsible direction to the functional, orderly and aesthetic arrangement and development of interiors of buildings and residences that shall contribute to the enhancement and safeguard of life, health and property and the promotion and enrichment of the quality of life. It shall embrace the following activities relative thereto:

- (1) Consultation, advice, direction, evaluation, estimates, appraisals, adjustments and operational programming;
- (2) Schematic designs and development, professional contract documents and construction phases;
- (3) Preparation of preliminary technical, economic and financial feasibility studies including preparation of specialized studies;
- (4) Preparation of plans, specifications, bill of materials, project cost estimates, general conditions and their contract documents;
- (5) Interior construction and project management: administration, supervision, coordination and direction to the planning, designing, construction, renovation, demolition, alteration, preservation or restoration of building interiors;
- (6) The practice of interior design shall also include all other works, projects and activities which require the professional competence of the interior designer, including teaching of interior design subjects and computer- aided design.

(b) *Interior Designer* - An interior designer is a natural person who has been issued a certificate of registration and a valid professional license by the Board of Interior Design.

Article III

BOARD OF INTERIOR DESIGN

Section 3. *Creation and Composition of the Board of Interior Design.*- There is hereby created a Board of Interior Design, hereinafter called the Board, to be composed of a chairman and two (2) members to be appointed by the for each position, submitted by the Professional Regulation Commission hereinafter called the Commission, from a list of five (5) nominees for each position recommended by the duly accredited and integrated association of interior designers in the Philippines. The first Board shall be organized within thirty (30) days from the effectivity of this Act.

Section 4. *Qualifications of Members of the Board.*- A member of the Board shall, at the time of his appointment, possess the following qualifications:

- (a) Must be a citizen and resident of the Philippines;
- (b) Must be at least thirty-five (35) years of age, of proven integrity as evidenced by his past professional conduct;
- (c) Must be holder of a Bachelor's Degree in Interior Design conferred by a school, academy, college or university in the Philippines or abroad that is recognized and/or accredited by the Philippine government;

- (d) Must be a registered interior designer with a valid certificate of registration and professional license and an active practitioner of interior design for not less than ten (10) years prior to appointment;
- (e) Must not be a member of the faculty of any school, where a regular course in Interior Design is being taught, nor have pecuniary interest in, or administrative supervision over any such institution of learning;
- (f) Must not be connected with a review center or with any group giving review classes or lectures in preparation for the licensure examination;
- (g) Must be a member in good standing of the duly accredited and integrated association of interior designers in the Philippines; and
- (h) Has never been convicted of any offense involving moral turpitude.

Section 5. *Term of Office.*- The members of the Board shall hold office for a term of three (3) years and until their successors shall have been appointed and qualified. They may, however, be reappointed for a second term. Of the members to be appointed for the first Board, one (1) member shall hold office as Chairman for three (3) years; one (1) member for two (2) years; and one (1) member for one (1) year. Each member of the Board shall take the proper oath prior to assumption of duty.

Section 6. *Compensation of the Board Members.*-The Chairman and members of the Board shall receive compensation and allowances comparable to the compensation and allowances received by existing regulatory boards with the Professional Regulation Commission as provided for in the General Appropriations Act.

Section 7. *Vacancy and Removal of Board Members.*- Any vacancy occurring in the membership of the Board within the term of a member shall be filled for the unexpired portion of the term only. The President may remove any member of the Board on the following grounds:

- (a) Neglect of duty or incompetence;
- (b) Malpractice or tolerance of irregularities in the examinations;
- (c) Violation or tolerance of the violation of this Act or the Code of Ethics for Interior Designers; or
- (d) Final judgment of crimes involving moral turpitude.

Section 8. *Powers and Duties of the Board.*- The Board shall exercise the following specific powers, functions, duties and responsibilities:

- (a) To adopt, promulgate and administer the rules and regulations necessary for carrying out the provisions of this Act;
- (b) To supervise and regulate the registration, licensure and practice of professional interior designers in the Philippines;
- (c) Administer oaths in connection with the administration of this Act;
- (d) Issue, suspend, revoke, or reinstate the certificate of registration or professional license for the practice of the interior design profession;
- (e) To adopt an official seal of the Board;
- (f) Monitor the conditions affecting the practice of interior design and adopt such measures as may be deemed proper for the enhancement of the profession and/or the maintenance of high professional, ethical and technical standards;
- (g) Ensure, in coordination with the Commission on Higher Education (CHED), that all higher educational institutions offering interior design comply with the policies, standards and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library and facilities;
- (h) To prescribe and/or adopt a Code of Ethical and Professional Standards for the practice of the interior design profession;
- (i) To hear and try administrative cases involving violations of this Act, its implementing rules and regulations, the Code of Ethics for Professional Interior Designers and for this purpose, to issue *subpoena* and

subpoena duces tecum to secure the appearance of witnesses and the production of documents in connection therewith;

- (j) Prescribe guidelines in the Continuing Professional Education (CPE) program in coordination with the accredited and integrated association for professional interior designers;
- (k) Insofar as applicable, adopt a program for the full computerization of the licensure examination;
- (l) Prepare, adopt and issue the syllabi of the subjects for examination by determining and preparing the questions, which shall strictly be within the scope of the syllabi of the subject for examination;
- (m) Approve, issue, limit or revoke temporary license to practice interior design; and
- (n) Discharge such other duties and functions as may be deemed necessary for the enhancement of the interior design profession and the upgrading, development and growth of interior design education in the Philippines.

Section 9. *Administrative Supervision of the Board, Custodian of its Records, Secretarial and Support Services*- The Board shall be under the administrative supervision of the Commission. All records of the Board, including applications for examination, administrative and other investigative cases conducted by the Board shall be under the custody of the Commission. The Commission shall designate the secretary of the Board and shall provide the secretariat and other support services to implement the provisions of this Act.

Section 10. *Implementing Rules and Regulations*.- The Board with the approval of the Commission shall adopt and promulgate such rules and regulations, to carry out the provisions of this Act as approved by the Commission, which shall be effective after fifteen (15) days following their publication in the *Official Gazette* or in a major daily newspaper of general circulation.

Section 11. *Annual Report*.- The Board shall, at the close of each calendar year, submit an annual report to the President of the Philippines, through the Professional Regulation Commission, giving a detailed account of its proceedings and accomplishments during the year and making recommendations for the adoption of measures that will upgrade and improve the conditions affecting the practice of interior design in the Philippines.

Article IV

EXAMINATION AND REGISTRATION

Section 12. *Examination Required*.- All applicants for registration for the practice of interior design shall be required to undergo and pass a written technical examination as provided for in this Act subject to the payment of fees prescribed by the Commission.

Section 13. *Qualifications of Applicant for Examination*. - Every applicant for examination shall, prior to admission to the examination, establish to the satisfaction of the Board that:

- (a) He is a citizen of the Philippines;
- (b) He has not been convicted of any crime involving moral turpitude; and
- (c) He is a Bachelor of Interior Design or Master of Interior Design degree holder in a school, academy, institute, or college duly recognized by the government.

Section 14. *Fraudulent Application*.- The Board may suspend or revoke any certificate of registration obtained by any misrepresentation made in the application for examination.

Section 15. *Scope of Examination*. - The examination for interior design shall basically cover the following subjects:

- (1) Interior Design;
- (2) Furniture Design and Construction;
- (3) Materials of Decoration;
- (4) History of Arts and Interior Design;
- (5) Building Construction;
- (6) Professional Practice and Ethics.

The said subjects and their syllabi may be amended by the Board so as to conform to technological changes brought about by continuing trends in the profession.

Section 16. *Rating in the Board Examination.*- To be qualified as having passed the Board examination for interior designers, a candidate must obtain a weighted general average of seventy-five percent (75%), with no grades lower than sixty percent (60%) in any given subject. However, an examinee who obtains a weighted general average rating of seventy-five percent (75%) or higher but obtains a rating below sixty percent (60%) in any given subject must take the examination in the subject or subjects where he obtained a grade below sixty percent (60%) within two (2) years from the date of his last examination.

Section 17. *Report of Ratings.*- The Board shall submit to the Commission the ratings obtained by each candidate within twenty (20) days after the examination, unless extended by the Commission for just cause. Upon the release of the results of the examination, the Board shall send by mail the rating received by each examinee at his given address using the mailing envelope submitted during the examination.

Section 18. *Re-examination.*- An applicant who fails to pass the examination for the third time shall be allowed to take another examination only after the lapse of one year.

Section 19. *Oath.*- All successful candidates in the examination shall be required to take an oath of profession before the Board or any government official authorized to administer oaths prior to entering the practice of the interior design profession.

Section 20. *Certificate of Registration and Professional License.*- A certificate of registration shall be issued to applicants who pass the examination for interior designers subject to payment of registration fees. The certificate of registration as professional interior designer shall bear the signatures of the chairman of the Commission and Board members, stamped with the official seal, indicating that the person named therein is entitled to practice the profession with all the privileges appurtenant thereto. This certificate shall remain in full force and effect until withdrawn, suspended or revoked, in accordance with this Act. A professional license bearing the registration number, date of issuance, expiry date and duly signed by the chairman of the Board, shall likewise be issued to every registrant, who has paid the required fees. This license will serve as evidence that the licensee can lawfully practice his profession until the expiration of its validity.

Section 21. *Seal and Use of Seal.*- A duly registered interior designer shall affix the seal approved by the Board of Interior Design on all plans and specifications prepared by, or under his direct supervision.

(a) Each registrant shall, upon registration, obtain the seal of such design as the Board of Interior Design may adopt. Plans and specifications prepared by, or under the direct supervision of a registered interior designer, shall be stamped with said seal during the validity of the professional license. No person shall stamp or seal any document with the seal of a registrant after his professional license has expired or lost its validity unless he has been reinstated to the practice and/or unless his license has been renewed.

(b) No officer or employee of the government, chartered cities, provinces and municipalities now or hereafter charged with the enforcement of laws, ordinances or regulations relating to the construction or alteration of the interiors of buildings, shall accept or endorse any interior plans or specifications which have not been prepared and submitted in full accord with the provisions of this Act, nor shall any payment be approved by any such officer for any work, the plans and specifications of which have not been so prepared, signed and sealed by a duly licensed interior designer.

(c) No interior designer shall sign his name, affix his seal or use any other method of signature on plans, specifications or other documents made by or under another interior designer's supervision unless the same is made in such manner as to clearly indicate the part of such work actually performed by him; and no person except the interior designer in charge shall sign for any branch of the work or any function of interior design practice not actually performed by him. The interior designer in charge shall be fully responsible for all plans, specifications, and other documents issued under his seal or authorized signature. The Board shall formulate, adopt and promulgate all necessary rules and regulations for the effective implementation of the provisions relating to the design of the seal, the signing and sealing of drawings, specifications, reports and other documents by interior designers.

(d) Drawings and specifications duly signed, stamped or sealed as instruments of service are the property and documents of the interior designer, whether the project for which they were made is executed or not. No person, without the written consent of the interior designer or author of said documents, shall duplicate or make copies of said documents for use in the repetition of and for other projects or buildings, whether executed partly or in whole.

(e) All drawings, specifications and other documents to be used for the construction, remodeling or refurbishing of interiors shall be signed and sealed by a licensed interior designer. Violation of the foregoing shall be a ground for administrative and/or criminal action.

Section 22. *Indication of License and Professional Tax Receipt.* The interior designer shall be required to indicate his professional license number, the duration of validity, including the professional tax receipt number on the documents he signs, uses or issues in connection with the practice of his profession.

Section 23. *Refusal to Issue Certificates of Registration.* - The Board of Interior Design shall refuse to register and/or renew a certificate of registration to any person who has been convicted by final judgment of a court of competent jurisdiction of any criminal offense involving moral turpitude, guilty of immoral or dishonorable conduct or judicially declared of unsound mind. It shall issue a written statement setting forth in detail the reasons of the Board. A party whose rights are adversely affected by such action of the Board may apply for relief with the Court of Appeals after having exhausted administrative remedies.

Section 24. *Suspension and Revocation of Certificates, Cancellation of Temporary/Special Permit.*- The Board shall have the power, upon due notice and hearing, to revoke or suspend the certificate of registration of an interior designer, or to cancel a temporary/special permit for any cause specified in the preceding section, or for the use or perpetration of any fraud or deceit in obtaining a certificate of registration, or for gross ignorance, negligence or for unprofessional, unethical or dishonorable conduct: chronic inebriety or habitual use of drugs; abetment of the illegal practice of interior design; violation of the provisions of this Act, its rules and regulations and other policies of the Board and the Commission and the Code of Ethics for Interior Designers: *Provided, however,* That such action of the Board shall be subject to appeal to the Commission, whose decision shall be final but without prejudice to the right of the aggrieved party to apply with the Court of Appeals for appropriate relief.

Article V

PRACTICE OF INTERIOR DESIGN

Section 25. *Vested Rights: Automatic Registration of Practicing Interior Designers.*- All practicing interior designers who are registered at the time this Act takes effect, shall automatically be registered.

Section 26. *Registration Without Examination.*- Any of the following persons may register as interior designer without examination:

(a) All interior designers registered under the Specialty Board of Interior Design;

(b) All interior designers who have taken at least sixty (60) units of interior design for the last ten (10) years prior to effectivity of this law and who can show proof of practice;

(c) All registered and duly licensed architects who had been practicing interior design for ten (10) years prior to the effectivity of this law and who can show proof of practice. Nothing in this Act shall be construed to effect or prevent the practice of any other legally recognized profession or to disqualify those who have been considered registered, qualified and actually performing acts constituting the legitimate practice of interior design before the effectivity of this Act, from engaging in the practice of interior design: *Provided,* That those who are situated before the effectivity of this Act, shall apply for registration with and be registered by the Board, without need of passing the examination required under this Act.

Section 27. *Practice Not Allowed for Firms and Corporations.* - The practice of interior design is a professional service, admission to which shall be determined upon the basis of an individual's personal qualifications. Hence, no firm, company, partnership, association or corporation may be registered or licensed as such for the practice of interior design: *Provided, however,* That persons properly registered and licensed as interior designers may among themselves or with a person or persons properly registered and licensed as building architects, town planners, landscape architects, civil engineers and any other allied design professionals, may form and obtain registration with the Securities and Exchange Commission of a firm, partnership or association using the term "Interior Design," "Interior Designers and Planners" or "Architect and Interior Designer" but nobody shall be a member, partner or associate unless he is a duly registered and licensed design professional, and the members who are interior designers shall only render work and services proper for an interior designer as defined in this Act.

Section 28. *Integration of the Interior Design Profession.* - The interior design profession shall be integrated into one (1) national organization which shall be recognized by the Board and accredited by the Commission as the one and only integrated and accredited association of interior designers. An interior designer duly registered with the Board shall automatically become a member of the integrated national organization and shall receive the benefits and privileges appurtenant thereto upon payment of the required fees and dues. Membership in the integrated organization shall not be a bar to membership in other associations of interior designers.

Section 29. *Foreign Reciprocity.*- No foreign interior designer shall be issued a temporary license to practice the interior design profession or consultancy thereof or be entitled to any of the rights and privileges under this Act unless the country of which he is a subject or citizen specifically permits Filipino interior designers to practice within its territorial limits on the same basis as the subjects or citizens of such foreign state or country.

Section 30. *Coverage of Temporary/Special Permits.*- Foreign nationals who have gained entry in the Philippines to perform professional services as interior designers or consultants in foreign-funded or assisted projects of the government, or employed or engaged by Filipino or foreign contractors or private firms, shall, before assuming his duties, functions and responsibilities as interior designer or consultant, secure a special temporary permit from the Professional Regulation Commission through the Board of Interior Design, to practice his profession in connection with the project to which he was commissioned: *Provided*, That certain conditions are satisfied as follows:

(a) That he is a citizen or subject of a country which specifically permits Filipino professionals to practice his profession within their territorial limits, on the same basis as the subjects or citizens of such foreign state or country;

(b) That he is legally qualified to practice interior design in his own country, and that his expertise is necessary and advantageous to our country particularly in the aspects of technology transfer and specialization; and

(c) Foreign nationals shall be required to work with a Filipino counterpart and professional fees and services, and expenses of documentation pertaining to the project shall be shared by both foreign and Filipino interior designers, including liabilities and taxes due to the Philippine government, if any, according to their participation in, or professional services rendered to, the project.

Section 31. *Appropriations.*- Such sums as may be necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

Article VI

FINAL PROVISIONS

Section 32. *Enforcement.*- The Professional Regulation Commission shall be the enforcement agency of the Board. As such, the Commission shall implement the concerned provisions of this Act, enforce its implementing rules and regulations as adopted by the Board, conduct investigations on complaints including violations of the Code of Conduct of the profession and prosecute when so warranted.

Section 33. *Penalties.*- In addition to the administrative sanctions imposed under this Act, any person who violates any of the provisions of this Act shall, upon conviction, be penalized by a fine of not less than Fifty thousand pesos (P50,000.00) nor more than Two hundred thousand pesos (P200,000.00), or imprisonment of not less than six (6) months nor more than three (3) years, or both fine and imprisonment at the discretion of the court.

Section 34. *Separability Clause.*- If any clause, provision, paragraph or part hereof shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other part hereof, but such judgment shall be merely confined to the clause, provision, paragraph or part directly involved in the controversy in which such judgment has been rendered.

Section 35. *Repealing Clause.*- All laws, decrees, executive orders and other administrative issuances and parts thereof which are inconsistent with the provisions of this Act are hereby modified, superseded or repealed accordingly.

Section 36. *Effectivity.*- This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in a major daily newspaper of general circulation in the Philippines, whichever is earlier.

Approved:

NEPTALI A. GONZALES
President of the Senate

JOSE DE VENECIA, JR.
Speaker of the House of Representatives

This Act which is a consolidation of House Bill No. 7420 and Senate Bill No. 2357 was finally passed by the House of Representatives and the Senate on February 6, 1998 and February 4, 1998, respectively.

HEZEL P. GACUTAN
Secretary of the Senate

ROBERTO P. NAZARENO
Secretary General House of Representatives

Approved:

FIDEL V. RAMOS
President of the Philippines