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UNITED ARCHITECTS OF THE PHILIPPINES

The Integrated and Accredited Professional Organization of Architects (IAPOA)

MEMORANDUM CIRCULAR NO. 34, s. 2011

February 2, 2011

To : **ALL CHAPTER PRESIDENTS
ALL DISTRICT DIRECTORS
ALL AREA VICE PRESIDENTS**

Re : **REQUEST TO DISSOLVE INCORPORATED CHAPTERS /
REQUEST TO REFRAIN UAP CHAPTERS FROM
REGISTERING WITH THE SECURITIES AND EXCHANGE
COMMISSION (SEC) AS INCORPORATION**

1. The 2009 UAP By-laws states that a UAP Chapter is created “to promote maximum participation of all members in all activities and programs, in advancing the objectives of the organization” and serves as an “extension of the national organization in the Chapter’s territory or jurisdiction”.
2. Upon checking with the Securities and Exchange Commission (SEC), the UAP National Office had been informed that some of the UAP local Chapters have been registered with SEC as **Incorporation**, with a juristic person that is separate and distinct from UAP. As corporations in their own right, these incorporated UAP Chapters are not bound by the UAP Bylaws since they have separate and independent personalities from UAP.
3. Relative to this, our Legal Counsel, Poblador Bautista & Reyes Law Offices, advised the UAP National Board of Directors that the incorporation of UAP chapters will be **contrary** to the Bylaws of UAP. Under Article III of the UAP Bylaws, the Chapters are just “**extensions**” of UAP (Section 1). They are **subject to the supervision** of UAP (Section 2[1][c]) and cannot directly or indirectly contravene the Bylaws or the rules promulgated by the National Board (Section 2[1][b]). Also, it is the UAP National Board of Directors which has the

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authority to prescribe rules and regulations for the creation or organization of a new chapter (Section 2). **The incorporation of UAP Chapters is inconsistent with all of these Bylaws provisions because it makes the UAP Chapters independent of UAP.**

4. The UAP National Board of Directors in its regular meeting held last February 2, 2011 held at UAP National Headquarters Building passed a resolution (***NBD Resolution 10-11 No. 5-07, s. 2011***) prohibiting the incorporation of UAP Chapters and requiring the members of these incorporated UAP Chapters to **dissolve the said corporations immediately**, otherwise, if they refuse, the UAP National Board of Directors may subject them (as UAP members) to disciplinary proceedings.
5. The UAP National Board of Directors conveys this **FINAL DEMAND NOTICE** to these incorporated UAP Chapters. If they refuse to heed this demand, the UAP may file the appropriate legal proceedings against them by filing an injunction case with the courts, and a petition to compel change of name with the SEC. Consequently, these incorporated UAP Chapters should immediately withdraw the use of "UAP" in their corporate names because they have no authority from UAP to do so, and to stop representing to the public that they are authorized by UAP.
6. Immediate dissemination of this Memorandum and corresponding appropriate action is highly appreciated.

ARCH. RAMON S. MENDOZA, FUAP
UAP National President

By the President:

ARCH. REY S. GABITAN, UAP
Secretary General

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