



**BOARD RESOLUTION NO. 897
Series of 2011**

**CHANGE OF AUTHORIZED MANAGING OFFICER (AMO) BETWEEN SPOUSES
IN SOLE PROPRIETORSHIP CONSTRUCTION FIRMS**

WHEREAS, in sole proprietorship construction firms owned by married individuals, only one (1) spouse is recognized by PCAB to act as Authorized Managing Officer (AMO) for licensing purposes;

WHEREAS, there are instances when the recognized AMO requests for the transfer of such authority to his/her spouse and files an application for Change of AMO;

WHEREAS, in the absence of a pre-nuptial agreement on separation of property, either community or conjugal property/resources will be used in the furtherance of the construction business;

WHEREAS, Arts. 96 and 124 of the Family Code provide that the administration and enjoyment of community and conjugal property, respectively, shall belong to both spouses jointly;

WHEREAS, based on the joint administration by the spouses stated in the said law, such a request may be granted;

NOW THEREFORE for and consideration of the foregoing premises, the Board RESOLVES as it is hereby RESOLVED to allow a change of AMO in sole proprietorship from one spouse to the other on the same license with corresponding track record credits subject to the following:

1. The change of AMO under this scheme shall only be allowed for spouses with Property Relations under Absolute Community or Conjugal Partnership of Gains;
2. The AMO shall submit to PCAB a letter nominating/authorizing his/her spouse as new AMO in his/her stead with an Affidavit from both spouses that the Property Relations existing in the marriage is either Absolute Community or Conjugal Partnership of Gains;



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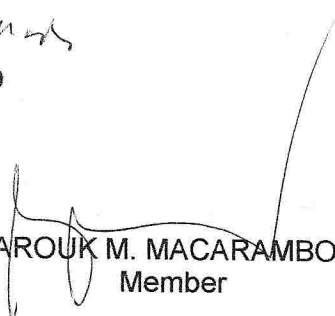
3. The newly-nominated spouse shall possess all of the qualifications required of AMOs, i.e., two-year managerial experience in the construction industry, and the like;
4. The newly-nominated spouse shall pass all the procedures required of AMOs, i.e., AMO exam and the like;
5. The firm shall inform PCAB of any change in the property relations between the spouses.

SO ORDERED.


Makati City, Philippines, 22 November 2011.



RAMON F. ALLADO
Chairman


VICTORINO V. LAHOZ
Member


FAROUK M. MACARAMBON
Member

Attested by:


RENE E. FAJARDO
Officer-in-Charge


CONSOLACION G. VILLAFUERTE
Board Secretary