

SENATE

S. No. 277

REC. FILED


Introduced by **Senator Francis G. Escudero**

AN ACT
STRENGTHENING PRESIDENTIAL DECREE NO. 1096, THE NATIONAL BUILDING CODE OF THE PHILIPPINES, AS AMENDED, BY MANDATING A COMPREHENSIVE NATIONWIDE INSPECTION OF BUILDINGS AND IMPOSING STIFFER PENALTIES AGAINST BUILDING OFFICIALS WHO VIOLATE THE PERTINENT PROVISIONS OF THE SAID CODE

EXPLANATORY NOTE

In the light of a growing public concern on the impact of geologic hazards to the structural integrity of houses and buildings in the country, a comprehensive review of the National Building Code has time and again been contemplated, especially when major earthquakes do happen.

Experts suggest that the cause of concern should start with either the lack of or the false or faulty issuance of building permits, clearances, certificates or certifications to owners, developers, contractors or builders by government building officials prior to construction.

In the interest of public safety, the urgency of this bill cannot be understated, and thus deserves immediate consideration and approval.



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

1 Section 1. *Inspection and Clearance.* – The Department of Public Works and
2 Highways (DPWH), in coordination with the Department of the Interior and Local
3 Government (DILG), the National Disaster Risk Reduction and Management Council
4 (NDRRMC) and all leagues of Local Government Units, shall, within three (3) years
5 from the effectivity of this Act, initiate and conduct a comprehensive inspection of all
6 buildings nationwide, and consequently cause the issuance by the Building Officials
7 concerned the corresponding Certificate of Inspection and Clearance stating, among
8 others, that the building so inspected conforms with the provisions of Presidential
9 Decree (PD) No. 1096, as amended.

10 *Sec. 2. Reportorial Requirement.* – The result of the comprehensive inspection
11 under Section 1 hereof shall be contained in a report to be submitted to the Office of
12 the President and Congress with recommendations on how to improve and strengthen
13 further PD No. 1096, as amended.

1 Sec. 3. *Implementing Rules and Regulations.* – The DPWH, the NDRRMC and
2 the DILG shall issue the necessary implementing rules and regulations for the effective
3 implementation of this Act.

4 Sec. 4. *Penalty.* – Building Officials, as defined under PD 1096, as amended,
5 who shall fail to or falsely issue building permits, clearances, certificates or
6 certifications relative to their functions as such shall suffer the penalty of at least six
7 (6) years imprisonment, absolute perpetual disqualification to hold office and
8 permanent revocation of their professional license.

9 For the purposes of this section, False Issuance shall refer to any form of
10 misrepresentation, deceit, machination or fraud in the inspection of buildings and
11 issuance of permits, clearances, certificates or certifications pursuant to PD 1096, as
12 amended, or this Act.

13 Sec. 5. *Repealing Clause.* – All laws, presidential decrees, executive orders,
14 proclamations and/or administrative regulations which are inconsistent with the
15 provisions of this Act are hereby amended, modified, superseded or repealed
16 accordingly: *Provided, however,* That nothing in this Act shall be construed as
17 repealing or amending the current standards set forth under PD No. 1096, as
18 amended.

19 Sec. 6. *Effectivity.* – This Act shall take effect fifteen (15) days from its
20 publication in the Official Gazette or at least two (2) newspapers of general circulation,
21 whichever comes first.

Approved,