

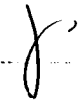
SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

Office of the Secretary

16 JUL 19 11:15

SENATE

S. No. 464

BY: 

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
TO EXPEDITE AND STREAMLINE THE APPLICATION PROCESS FOR
SECURING BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY,
AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT
NO. 6541, OTHERWISE KNOWN AS THE NATIONAL BUILDING CODE OF THE
PHILIPPINES

EXPLANATORY NOTE

Republic Act No. 6541¹ otherwise known as the *National Building Code of the Philippines* provides for all buildings and structures a framework of minimum standards and requirements by guiding, regulating, and controlling their location, siting, design, quality of materials, construction, use, occupancy, and maintenance, including their environment, utilities, fixtures, equipment, and mechanical electrical, and other systems and installations. This is in fulfillment of the State's duty and responsibility to identify and oversee the methods and/or requirements for the safe construction of all buildings and structures in the country.

A building permit is one basic requirement before one can start with the construction of a building or structure whether for residential, commercial or industrial use. On the other hand, a certificate of occupancy is a certification issued after construction and inspection of the building and/or structure, to attest to the fact that the same is built in accordance with approved standards and the same is ready and safe for occupancy already. It is well-known fact that perennial problems in the tedious and burdensome process of securing building permits as well as certificates of occupancy have inevitably brought about undue delays and has fostered and allowed corruption to persist.

In order to rectify this unfortunate situation, this measure seeks to amend the existing national building code to make the process of securing building permits and certificates of occupancy more efficient and more predictable by putting in place stricter provisions on the time frame for processing and approval thereof and amending the appeals process as well as the imposition of penalties on erring officials.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

¹ Republic Act No. 6541 <http://www.chanrobles.com/republicactno6541.htm#.VWp5Ds-qqko>

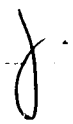
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 **SECTION 1. Amending Section 1.02.03 (d) of RA No. 6541.** – SEC. 1.02.03 (d)
2 of Republic Act No. 6541, otherwise known as the National Building Code of the
3 Philippines, is hereby amended to read as follows:
4

5 “(d) The applicant for a building permit for private buildings or structures after having
6 complied with all the requirements prescribed therefor in accordance with the
7 provisions of this Code, shall be issued a building permit within fifteen (15) days
8 from the date of payment of the permit fee for Groups A and J Occupancies and
9 within thirty (30) days from the date of payment of the permit fee for other Group
10 Occupancies[.]. **IF THE SAME IS NOT ACTED UPON BY THE APPROVING**
11 **OFFICER WITHIN THE PRESCRIBED PERIOD, IT SHALL BE PRESUMED**
12 **THAT THE BUILDING PERMIT IS APPROVED**, unless any local government
13 official or his Deputy authorized to issue the permit. It shall inform the applicant in
14 writing why the permit should not be issued, and shall indicate thereon the particular
15 provisions of the Code violated by the applicant or the particular requirements not
16 complied with. Within fifteen (15) days from the date of receipt by the applicant of
17 advice from any local government official or his Deputy authorized to issue the
18 permit why the building permit should not be issued, or why the building permit is
19 suspended or revoked, the applicant may appeal the non-issuance, suspension, or
20 revocation thereof, to the [Mayor of the chartered city or municipality, or the
21 Governor of the province] **LEGAL DIVISION OF THE DEPARTMENT OF**
22 **PUBLIC WORKS AND HIGHWAYS (DPWH)** [where the building or structure for
23 which the permit is being applied for is located]. Said appeal shall be decided within
24 fifteen (15) days from receipt thereof, otherwise, the applicant may bring the matter to
25 the proper Court of Justice for final disposition.”

1 **SECTION 2. Amending Section 1.02.05 (b) of RA No. 6541.** – SEC. 1.02.05 (b) of
2 Republic Act No. 6541, otherwise known as the National Building Code of the Philippines, is
3 hereby amended to read as follows:

4
5 “(b) **Certificates of Occupancy.** The proper Certificate of Occupancy shall be issued to
6 the applicant within seven (7) days from completion of the requirements for inspection
7 and occupancy and payment of any and all fees therefor[.]. **IF THE SAME IS NOT**
8 **ACTED UPON BY THE APPROVING OFFICER WITHIN THE**
9 **PRESCRIBED PERIOD, IT SHALL BE PRESUMED THAT THE**
10 **CERTIFICATE OF OCCUPANCY IS APPROVED,** unless [b]any local
11 government official or his Deputy issuing the Certificate shall show cause in writing why
12 the Certificate should not be issued and shall indicate thereon the particular provisions
13 of the Code violated or the particular requirements not complied with. Within fifteen
14 (15) days from receipt by the applicant of the advice from any local government official
15 or his Deputy authorized to issue the certificate why the certificate should not be issued,
16 or why the certificate is suspended or revoked, the applicant may appeal the non-
17 issuance, suspension, or revocation thereof, to the [Mayor of the chartered city or
18 municipality, or the Governor of the province] **LEGAL DIVISION OF THE**
19 **DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH)** [where the
20 building for which the certificate is being applied for is located]. Said appeal shall be
21 decided within fifteen (15) days from receipts thereof, otherwise, the applicant may
22 bring the matter to the proper Court of Justice for final disposition. The building may be
23 occupied only upon issuance of the Certificate of Occupancy.”

24
25 **SECTION 3. Penalties.** – Any local government official and/or his Deputy who
26 commit acts in violation of Republic Act No. 6541, otherwise the National Building Code of
27 the Philippines, as amended, as well as in cases of frivolous, false and/or malicious findings
28 leading to delay and/or disapproval of applications for building permit and/or certificate of
29 occupancy shall face prosecution under the Revised Penal Code and/or any local ordinance,
30 as well as civil action under our civil laws and administrative disciplinary action under the
31 Revised Administrative Code and/or the Civil Service Law and Rules.

32
33 **SECTION 4. Separability Clause.** – If any part or provision of this Act is declared
34 invalid or unconstitutional, the other provisions not affected thereby shall remain in full force
35 and effect.

36 **SECTION 5. Repealing Clause.** – All laws, executive orders and other
37 administrative issuances and parts thereof, which are inconsistent with the provisions of this
38 Act, are hereby repealed or modified accordingly.

1 **SECTION 6. *Effectivity Clause*** – This Act shall take effect fifteen (15) days
2 following its complete publication in the Official Gazette or in two (2) newspapers of general
3 circulation in the Philippines.

Approved,