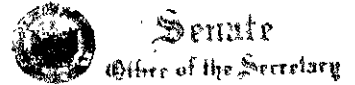


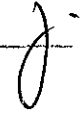
SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



'15 AUG 18 AIO :05

SENATE

S.NO. 2902

RECEIVED BY: 

Introduced by Sen. 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

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



Senate
Office of the Secretary

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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) 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 “(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 provisions
7 of this Code, shall be issued a building permit within fifteen (15) days from the date of
8 payment of the permit fee for Groups A and J Occupancies and within thirty (30) days
9 from the date of payment of the permit fee for other Group Occupancies[.]. **IF THE**
10 **SAME IS NOT ACTED UPON BY THE APPROVING OFFICER WITHIN THE**
11 **PRESCRIBED PERIOD, IT IS SHALL BE PRESUMED THAT THE BUILDING**
12 **PERMIT IS APPROVED**, unless the Building Official or his Deputy authorized to
13 issue the permit shall inform the applicant in writing why the permit should not be issued,
14 and shall indicate thereon the particular provisions of the Code violated by the applicant
15 or the particular requirements not complied with. Within fifteen (15) days from the date
16 of receipt by the applicant of advice from the Building Official or his Deputy authorized
17 to issue the permit why the building permit should not be issued, or why the building
18 permit is suspended or revoked, the applicant may appeal the non-issuance, suspension,
19 or revocation thereof, to the [Mayor of the chartered city or municipality, or the Governor
20 of the province] **LEGAL DIVISION OF THE DEPARTMENT OF PUBLIC**
21 **WORKS AND HIGHWAYS (DPWH)** [where the building or structure for which the

1 **WORKS AND HIGHWAYS (DPWH)** [where the building or structure for which the
2 permit is being applied for is located]. Said appeal shall be decided within fifteen (15)
3 days from receipt thereof, otherwise, the applicant may bring the matter to the proper
4 Court of Justice for final disposition.”

5
6 **SECTION 2. Amending Section 1.02.05 (b) of RA No. 6541.** – SEC. 1.02.05 (b) of
7 Republic Act No. 6541, otherwise known as the National Building Code of the Philippines, is
8 hereby amended to read as follows:

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

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

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

4
5 **SECTION 5. *Repealing Clause*** – All laws, executive orders and other administrative
6 issuances and parts thereof, which are inconsistent with the provisions of this Act, are hereby
7 repealed or modified accordingly.

8
9 **SECTION 6. *Effectivity Clause*** – This Act shall take effect fifteen (15) days following
10 its complete publication in the Official Gazette or in two (2) newspapers of general circulation in
11 the Philippines.

Approved,