

SENATE

S. NO. 281

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

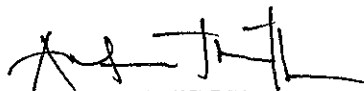
EXPLANATORY NOTE

The collapse of the three-storey The Evangelical Promise school building in Petion Ville, a suburb of the Haitian capital of Port-au-Prince, on Friday, November 7, 2008 left at least 50 dead and hundreds injured with many still trapped in the rubble¹.

The tragedy is reminiscent of the similar collapse of the Central Colleges of the Philippines school building in Cabanatuan, Nueva Ecija during the July 1990 earthquake as well as the more recent collapse of numerous school buildings in the wake of 7.9- magnitude earthquake in China's southwestern province of Sichuan last May 12, 2008².

As a preemptive and preventive measure and to minimize if not totally avoid the occurrence of similar tragedies in the Philippines in the future, the proponent believes that it would be prudent to institute the annual mandatory inspection of all school buildings in the country. This could be done economically, using existing local government resources and/or personnel, and would go a long way in ensuring the suitability, safety and structural stability of the buildings being used by school children and young students all over the country.

The passage of this legislative measure is respectfully enjoined.



ANTONIO "SONNY" F. TRILLANES IV
Senator

¹ CNN International; Rescue continues into the night after Haiti school collapses;

² The Christian Science Monitor; *China's quake: Why did many schools collapse?* <http://www.csmonitor.com/2008/0514/pb6s05-woap.html>; Retrieved on 08 November 2008.

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AN ACT

PROVIDING FOR MANDATORY ANNUAL INSPECTION OF ALL PUBLIC AND PRIVATE SCHOOL BUILDINGS BY THE CITY OR MUNICIPAL ENGINEER OR BUILDING OFFICIAL AND FOR OTHER RELATED PURPOSES

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

1 **SECTION 1. *Short Title.*** - This law shall be known as the "***School Building Safety Act***
2 ***of 2010***".

3
4 **SEC. 2. *Declaration of Policy.*** - It is hereby declared that it is the policy of the State to
5 ensure the safety, security, suitability and structural integrity of each and every school building
6 in the country at the beginning of each school year to ensure that the same are safe, secure,
7 appropriate and suitably for use by the school children and students
8 intended to use the same.

9
10 **SEC. 3. *Mandatory Annual Inspection.*** - It shall be the principal duty of the City
11 Engineer or the Municipal Engineer and/or the Building Official of each and every the City or
12 Municipality in the country to conduct an annual inspection of all school buildings, whether
13 private or public, within their territorial jurisdiction at least forty-five (45) days prior to the start
14 of each and every school year. The purpose of such inspection shall be to ensure the safety,
15 security, suitability and structural integrity all school buildings for use by school children and/or
16 students for the purpose or purposes for which the same are intended.

17
18 **SEC. 4. *Report.*** - Within three (3) days after the inspection, the City or Municipal
19 Engineer or Building Official shall render a comprehensive report disclosing his findings and

1 recommendations for each and every school building inspected which should cover the following
2 matters, to wit:

3 (a) The structural integrity of the building and its fitness to be used for the purpose/s it is
4 intended, including its capacity to accommodate the number of students or persons intended use
5 the same, including the capacity of the building to withstand earthquakes and typhoons and
6 similar natural occurrences, and -

7 (b) The level of suitability and/or safety of the building for use by school children and/or
8 students taking into account the availability of sufficient comfort rooms, proper ventilation and
9 lighting, garbage disposal facilities, fire safety equipment, etc.;

10 (c) The repairs, improvements, renovations and/or changes recommended by the City or
11 Municipal Engineer or Building Official to address noted defects and/or deficiencies to ensure
12 the safety, suitability and/or structural integrity of the building for the use of school children
13 and/or students;

14 The report shall also make a determination of whether or not the building is suitable for use by
15 school children or students for the purpose it is intended during the upcoming school year.

16 The report shall be addressed to the City or Municipal Mayor, copy furnished the local
17 Superintendent of Schools, the Principal of the school concerned, the local Department of
18 Education (DepEd) or Commission on Higher Education (CHED) offices as well as the
19 Sangguniang Panlungsod or Sangguniang Bayan and Sangguniang Panlalawigan.

20
21 **SEC. 5. Defects and Deficiencies.** - In case defects and/or deficiencies are noted or
22 reported by the City or Municipal Engineer or the Building Official, it shall be the duty of the
23 Principal of the school as well as the local DepEd and/or CHED officials concerned to take the
24 appropriate action to ensure that the defects and/or deficiencies noted and/or reported are
25 properly addressed, corrected, repaired and/or rectified at the soonest time possible and before
26 the beginning of the school year. On the other hand, it shall be the duty of the City or Municipal
27 Mayor to oversee that the said defects and/or deficiencies are corrected, repaired and/or rectified
28 before the beginning of the school year.

29
2

1 **SEC. 6. *Unsuitable, Unfit Or Unsafe Buildings.*** - In case the City or Municipal
2 Engineer or the Building Officials has made a determination that a school building is unsuitable,
3 unfit or unsafe for use by school children or students, the same shall not be used until after the
4 necessary repair work has been undertaken and completed and until the same has received the
5 approval of the City or Municipal Engineer after re-inspection.

6 In such a case, it shall be the duty of the Principal concerned, together with the City or
7 Municipal Mayor, the local DepEd and/or CHED officials and/or the owners of the school in
8 case of private schools to look for another suitable for the temporary use of the affected school
9 children and/or students.

10
11 **SEC. 7. *Highest Priority.*** - Considering the public interest involved, the annual
12 inspection of all school buildings located within their territorial jurisdiction shall be the highest
13 priority of City or Municipal Engineers and/or Building Officials except in case of calamities
14 and/or local or national emergencies and disasters. Failure of a City or Municipal Engineer or
15 Building Official to undertake the annual inspection mandated by this Act shall constitute
16 dereliction of duty and may be a basis for removal from office of the City or Municipal Engineer
17 or Building Official concerned.

18 The DepEd, CHED and Concerned local government unit/s and/or private institutions and
19 individuals concerned are required to give the highest budgetary priority to the repairs and/or
20 rectification of defects and deficiencies noted and reported in the Report issued pursuant to
21 Section 4 hereof.

22
23 **SEC. 8. *Penal Provisions.*** - Any person who refuses to act on the report and/or
24 recommendations of the City or Municipal Engineer or Building Official rendered pursuant to
25 Section 4 of this Act shall suffer a penalty of Six (6) months to two (2) years of imprisonment
26 and/or a fine from Ten Thousand Pesos (P10,1000.00) to One Hundred Thousand Pesos (P
27 100,000.00) or both, at the discretion of the Court plus perpetual disqualification from holding
28 public office.

1 **SEC. 9. Severability Clause.** - If any provision of this Act or the applicability of such
2 provision to any person or circumstance shall be held invalid, the validity of the other provisions
3 of this Act and the applicability of such provisions to other persons or circumstances shall not be
4 affected thereby.

5
6 **SEC. 10. Repealing Clause.** - All laws, executive issuances, orders and rules and
7 regulations contrary to or inconsistent with this Act, or any part thereof, are hereby repealed,
8 amended and/or modified accordingly.

9
10 **SEC. 7. Effectivity Clause.** This Act shall take effect fifteen (15) days after its complete
11 publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,