

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

8 NOV 17 10:34

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SENATE

S. B. NO. 2882

Introduced by Senator Antonio "Sonny" F. Trillanes IV

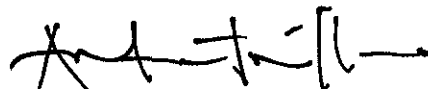
EXPLANATORY NOTE

The collapse of the three-storey The Evangelical Promise school building in Petion Ville, a suburb of the Haitian capital of Port-au-Prince, last Friday, November 7, 2008 left at least 50 dead and hundreds injured with many still trapped in the rubbles¹.

The tragedy is reminiscent of the similar collapse of the Central Colleges of the Philippines school building in Cabanatuan, Nueva Ejica 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 along way in ensuring the suitability, safety and structural of the buildings being used by school children and young students all over the country.

The passage of this legislative measure is respectfully enjoined.



SEN. ANTONIO "SONNY" F. TRILLANES IV

¹ CNN International; Rescue continues into the night after Haiti school collapses;
<http://edition.cnn.com/2008/WORLD/americas/11/07/haiti.school.collapse/index.html> ;
Retrieved on 08 November 2008

² The Christian Science Monitor; China's quake: Why did do many schools collapse?
<http://www.csmonitor.com/2008/0514/p06s05-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 by 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 2009*”.

3
4 **SEC. 2. Declaration of Policy.** – It is hereby declared that it is the policy of the
5 State to ensure the safety, security, suitability and structural integrity of each and every
6 school building in the country at the beginning of each school year to ensure that the
7 same are safe, secure, 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
11 City Engineer or the Municipal Engineer and/or the Building Official of each and every
12 the City or Municipality in the country to conduct an annual inspection of all school
13 buildings, whether private or public, within their territorial jurisdiction at least forty-five
14 (45) days prior to the start of each and every school year. The purpose of such inspection
15 shall be to ensure the safety, security, suitability and structural integrity all school

1 buildings for use by school children and/or students for the purpose or purposes for which
2 the same are intended.

3

4 **SEC. 4. Report.** – Within three (3) days after the inspection, the City or
5 *Municipal Engineer or Building Official shall render a comprehensive report disclosing*
6 *his findings and recommendations for each and every school building inspected which*
7 *should cover the following matters, to wit:*

8

9 (a) The structural integrity of the building and its fitness to be used for the
10 purpose/s it is intended, including its capacity to accommodate the number of
11 students or persons intended use the same, including the capacity of the
12 building to withstand earthquakes and typhoons and similar natural
13 occurrences; and -

14

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

19

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

23

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

27

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

5

6 **SEC. 5. Defects And Deficiencies.** – In case defects and/or deficiencies are noted
7 or reported by the City or Municipal Engineer or the Building Official, it shall be the duty
8 of the Principal of the school as well as the local DepEd and/or CHED officials
9 concerned to take the appropriate action to ensure that the defects and/or deficiencies
10 noted and/or reported are properly addressed, corrected, repaired and/or rectified at the
11 soonest time possible and before the beginning of the school year. On the other hand, it
12 shall be the duty of the City or Municipal Mayor to oversee that the said defects and/or
13 deficiencies are corrected, repaired and/or rectified before the beginning of the school
14 year.

15

16 **SEC. 6. Unsuitable, Unfit Or Unsafe Buildings.** – In case the City or Municipal
17 Engineer or the Building Officials has made a determination that a school building is
18 unsuitable, unfit or unsafe for use by school children or students, the same shall not be
19 used until after the necessary repair work has been undertaken and completed and until
20 the same has received the approval of the City or Municipal Engineer after re-inspection.
21 In such a case, it shall be the duty of the Principal concerned, together with the City or
22 Municipal Mayor, the local DepEd and/or CHED officials and/or the owners of the
23 school in case of private schools to look for another suitable for the temporary use of the
24 affected school children and/or students.

25

26 **SEC. 7. Highest Priority.** – Considering the public interest involved, the annual
27 inspection of all school buildings located within their territorial jurisdiction shall be the

1 highest priority of City or Municipal Engineers and/or Building Officials except in case
2 of calamities and/or local or national emergencies and disasters. Failure of a City or
3 Municipal Engineer or Building Official to undertake the annual inspection mandated by
4 this Act shall constitute dereliction of duty and may be a basis for removal from office of
5 the City or Municipal Engineer or Building Official concerned.

6

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

11

12 **SEC. 8. Penal Provisions.** – Any person who refuses to act on the report and/or
13 recommendations of the City or Municipal Engineer or Building Official rendered
14 pursuant to Section 4 of this Act shall suffer a penalty of Six (6) months to Two (2) Years
15 of imprisonment and/or a fine from Ten Thousand Pesos (P10,000.00) to One Hundred
16 Thousand Pesos (P 100,000.00) or both, at the discretion of the Court plus perpetual
17 disqualification from holding public office.

18 **SEC. 9. Severability.** – If any provision of this Act or the applicability of such
19 provision to any person or circumstance shall be held invalid, the validity of the other
20 provisions of this Act and the applicability of such provisions to other persons or
21 circumstances shall not be affected thereby.

22 **SEC. 10. Repealing Clause.** – All laws, executive issuances, orders and rules and
23 regulations contrary to or inconsistent with this Act, or any part thereof, are hereby
24 repealed, amended and/or modified accordingly.

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

Approved,