

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



'22 JUL 11 P 6 :43

SENATE

S. No. 289

RECEIVED BY: _____

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 STIFF 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.

FRANCIS G. ESCUDERO *ap*



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

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

11

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

17

1 Sec. 3. *Implementing Rules and Regulations.* – The DPWH, the
2 NDRRMC and the DILG shall issue the necessary implementing rules and
3 regulations for the effective implementation of this Act.
4

5 Sec. 4. *Penalty.* - Buildings Officials, as defined under PD 1096,
6 as amended, who shall fail to or falsely issue building permits, clearances,
7 certificates or certifications relative to their functions as such shall suffer the
8 penalty of at least six (6) years imprisonment, absolute perpetual
9 disqualification to hold office and permanent revocation of their professional
10 license.
11

12 False issuance shall mean any forms of misrepresentation, deceit,
13 machination or fraud in the inspection of buildings and issuance of permits,
14 clearances, certificates or certifications pursuant to PD 1096, as amended, or
15 this Act.
16

17 Sec. 5. *Repealing Clause.* -- All laws, presidential decrees,
18 executive orders, proclamations and/or administrative regulations which are
19 inconsistent with the provisions of this Act are hereby amended, modified,
20 superseded or repealed accordingly.
21

22 Nothing in this Act shall be construed, however, as repealing or
23 amending the current standards set forth under PD No. 1096, as amended.
24

25 Sec. 6. *Effectivity Clause.* This Act shall take effect fifteen (15)
26 days from its publication in the Official Gazette or at least two (2) newspapers
27 of general circulation, whichever comes first.
28

29 *Approved,*