



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

23 MAR -7 P3:02

RECEIVED BY:

SENATE

S. No. 1970

Introduced by Senator Francis "Tol" N. Tolentino

AN ACT
REGULATING THE PLANNING, DESIGN, CONSTRUCTION, OCCUPANCY,
MAINTENANCE, AND DEMOLITION OF BUILDINGS, PROMOTING BUILDING
RESILIENCE AGAINST EARTHQUAKE, FIRE, FLOOD, LANDSLIDE, STORM,
VOLCANO, AND MULTIPLE HAZARDS WITHIN AN ALL-HAZARDS APPROACH
TO RESILIENCE BUILDING, ENACTING A NEW PHILIPPINE BUILDING ACT,
THEREBY REPEALING PRESIDENTIAL DECREE NO. 1096 AND REPUBLIC ACT
NO. 6541, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Republic Act No. 6541, passed on 26 August 1972, ordained and institutionalized a National Building Code which regulated the construction industry in the Philippines.¹ Said law was replaced in 1977 by Presidential Decree No. 1096 (PD 1096) to keep the country's building standards at par with the ongoing technological advancements in building design and construction from all over the world.²

However, forty-six (46) years later, or more than ten (10)³ destructive earthquakes and more than ten (10)⁴ destructive typhoons, the Philippines unfortunately still relies on the antiquated provisions of PD 1096.

¹ <https://thecorpusjuris.com/legislative/republic-acts/ra-no-6541.php>

² <https://www.ianfulgar.com/architecture/national-building-code-of-the-philippines-its-history-current-state-and-future/>

³ <https://www.philatlas.com/articles/most-severe-earthquakes.html>

⁴ <https://philstarlife.com/news-and-views/755589-most-destructive-typhoons-ph-typhoon-rolly?page=4>

With the recent catastrophic disaster that happened in Syria and Turkiye, which resulted in more than 50,000⁵ deaths as of this writing, the Philippines must update its Building Code and ensure that we do not suffer the same kind of fate in the unfortunate event that an earthquake of the same magnitude happens in the Philippines.

One of the deficiencies of the current National Building Code is its lack of consideration of some environmental scenarios. Hence, emphasis on concerns for the various environmental hazards is one of the reforms being put forth by this bill.

In particular, the bill mandates that the use of building materials and components must be safe for the health of users or occupants. It must not cause any substantive negative impact on the environment, such as but not limited to air, water, and soil.

The bill also proposes a reclassification of the types of structures, puts in place a new permitting process, and correspondingly imposes incentives and penalties.

This measure likewise puts a premium on the importance of conducting regular inspections on the structures and making a permit for the full use of the structure renewable every five (5) years. The bill further mandates the Office of the National Building Official to establish a system of monitoring, reporting, and evaluating maintenance and inspection activities.

Moreso, the bill also makes it mandatory for the National Building Official to promulgate specific rules and regulations for the compulsory inspection and assessment of all buildings as to structural stability and fire safety construction after the occurrence of regional catastrophic events such as widely destructive earthquakes and typhoons. It likewise mandates the inspection and retrofit of public buildings and bridges in Metro Manila every three (3) years.

To promote accountability not just on the part of the government, the measure also provided specific responsibilities for the building owner, the building professional, and the building contractors.

The bill also has special provisions for buildings completed more than 15 years before the effectivity of this Act.

Further, this measure seeks the creation of the Building Regulations and Standards Council (BRSC) to assist the National Building Official in reviewing and recommending rules and regulations, and reference standards to accomplish the objectives of this Act. The BRSC shall be composed of:

- Undersecretary for Technical Services of the Department as Chair;
- Undersecretary of the Department of Human Settlements and Urban Development (DHSUD) for technical services or planning as Vice-chair;
- Commissioner of the Professional Regulation Commission (PRC) in charge of supervision of regulatory boards of building professionals;
- Chief of Bureau of Fire (BFP);

⁵ <https://www.aljazeera.com/news/2023/2/25/death-toll-climbs-above-50000-after-turkey-syria-earthquakes>

- Undersecretary of the Department of Trade and Industry (DTI) in charge of supervision of product standards and contractor accreditations;
- Undersecretary of the Department of Science and Technology (DOST) for scientific and technological services;
- Undersecretary of the Department of Environment and Natural Resources (DENR) for planning and policy making regarding environmental concerns;
- Undersecretary of the Department of Health (DOH) for public health services;
- President of a national association of local building officials;
- President of a national association of building developers or subdivision and housing developers, national association of building owners, national association of building managers, or national association of building administrators;
- President of a PRC-accredited national professional organization of building professionals;
- President of a national association of building contractors;
- A high-ranking regular faculty member from a recognized higher education institution involved in the training of building professionals; and
- Two (2) representatives-at-large coming from any concerned sectors whose participation is deemed by the National Building Official as timely and complementary to those of other members enumerated.

Finally, this bill empowers the Local Building Officials by providing capacity building, data management, monitoring and evaluation, and establishing and maintaining linkages with concerned institutions.

Given the preceding, the passage of this bill is earnestly sought.



FRANCIS "TOL" N. TOLENTINO

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AN ACT
REGULATING THE PLANNING, DESIGN, CONSTRUCTION, OCCUPANCY, MAINTENANCE, AND DEMOLITION OF BUILDINGS, PROMOTING BUILDING RESILIENCE AGAINST EARTHQUAKE, FIRE, FLOOD, LANDSLIDE, STORM, VOLCANO, AND MULTIPLE HAZARDS WITHIN AN ALL-HAZARDS APPROACH TO RESILIENCE BUILDING, ENACTING A NEW PHILIPPINE BUILDING ACT, THEREBY REPEALING PRESIDENTIAL DECREE NO. 1096 AND REPUBLIC ACT NO. 6541, AND FOR OTHER PURPOSES

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

1

CHAPTER I

2

GENERAL PROVISIONS

3

SECTION 1. *Short Title.* - This Act shall be known as the "Philippine Building Act of 2023."

4

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SEC. 2. *Declaration of Principles and Policies.* - The State shall safeguard life, health, property, and public welfare, consistent with principles of sustainable development. Towards this end, it shall be the policy of the State to provide for all buildings and structures, a framework of minimum standards and requirements,

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1 mainstreaming disaster risk reduction and management, to regulate and control their
2 location, planning, design, construction, occupancy, maintenance, and demolition. In
3 pursuit of these policies, the State shall institutionalize a system that will provide for
4 periodic review and flexible mechanisms in the updating of regulations and standards
5 and will strengthen the participation of relevant stakeholders, taking into account the
6 importance of allowing for continuing innovation in building design and construction.

7 **SEC. 3. Objectives of the Act.** - The objectives of this Act are as follows:

8 (a) Provide for the minimum standards for the regulation of location,
9 planning, design, construction, occupancy, maintenance, and demolition of buildings
10 and structures, the establishment of a permitting process based on their
11 classifications, and the setting of reference standards to:

12 (1) Safeguard life and protect people from injury;

13 (2) Ensure the health and well-being of the people who use them, without
14 impinging on the safety of the general public or endangering the
15 environment;

16 (3) Protect property from physical damage; and

17 (4) Reduce and manage hazards, exposures, and vulnerabilities, thereby
18 minimizing disaster risk;

19 (b) Promote the accountability of relevant stakeholders in ensuring
20 enforcement of, and compliance with this Act, rules and regulations, and reference
21 standards;

22 (c) Establish sustainability standards for buildings, mitigating any negative
23 environmental, economic, and social impacts; and

1 (d) Craft administrative and legal remedies for the enforcement of related
2 rights of persons, both natural and juridical.

3

4 **SEC. 4. *Scope and Application.*** - This Act shall cover all private and public
5 buildings and structures, and their location, planning, design, materials, construction,
6 use, occupancy, maintenance, addition, alteration, conversion, rehabilitation,
7 relocation, repair, retrofit, and demolition.

8

9 **SEC. 5. *Interpretation.*** - Nothing in this Act shall be interpreted to prevent local
10 government units, pursuant to local autonomy, from enacting local ordinances relating
11 to buildings or structures and their location and planning that will better safeguard life,
12 health, property, and public welfare, consistent with the objectives of this Act.

13 Such local ordinances by local government units of contiguous jurisdictions
14 shall be harmonized for purposes of buildings that may straddle territories of local
15 government units.

16 Before such local ordinance shall take effect, consultation with and concurrence
17 by the National Building Official shall be required through the review process specified
18 in the promulgated rules and regulations.

19 Every such local ordinance shall be published in manners that are clear to all
20 stakeholders, through measures that include but are not limited to those provided in
21 Section 68 of this Act.

22 **SEC. 6. *Definition of Terms.*** - As used in this Act:

1 (a) **Addition** - refers to any construction which increases the height or the
2 floor area of an existing building or structure;

3 (b) **All-Hazards Approach** - refers to a comprehensive and coordinated
4 approach in taxonomy and characterization of hazards, both natural and human-
5 induced including but not limited to biological, environmental and technological, and
6 approach in risk assessment and emergency planning such that the full range of
7 potential threats are identified, associated exposures, vulnerabilities and risks are
8 mitigated, assessed and ranked, and emergency plans are imbued with elements that
9 are shared among multiple hazards and elements that are unique to some;

10 (c) **Alteration** - refers to any construction in an existing building or structure
11 involving changes in the materials used, partitioning, location or size of openings,
12 structural parts, existing utilities, or equipment but does not increase the building
13 height nor floor area;

14 (d) **Ancillary Structure** - refers to a structure intended to provide support
15 to main buildings or structures, which may include: bank and records vaults; swimming
16 pools; firewalls separate from the building or structure; towers; silos; smokestacks;
17 chimneys; commercial or industrial fixed ovens; industrial kilns or furnaces; water or
18 waste treatment tanks; septic vaults; concrete and steel tanks; booths, kiosks, and
19 stages; tombs, mausoleums, and niches; and similar structures;

20 (e) **Build Better** - refers to planning, based on the evolving or evolved
21 disaster risks and ahead of disasters, to finance, design, and build after a disaster or
22 crisis with consideration of the need to further strengthen disaster preparedness for
23 response, take action in anticipation of events, and ensure that improved capacities
24 are in place for more effective response, recovery, and reconstruction;

1 (f) **Building** - refers to any temporary or permanent structure, anchored to
2 the ground, for the shelter, enclosure, or support of persons, animals, plants,
3 agrifishery produce or products, goods, machinery, or chattels;

4 (g) **Building Contract** - refers to a legally enforceable agreement,
5 regardless of titles such as prime contract, subcontract, or deed of assignment, to
6 carry out construction work, supply goods, or provide services;

7 (h) **Building Contractor** - refers to a person duly registered and licensed
8 by the Philippine Contractors Accreditation Board, to whom is awarded a building
9 contract;

10 (i) **Building Owner** - refers to a person who orders construction work for a
11 building or structure by contract; or a person undertaking one's own construction
12 without engaging a Building Contractor therefor, as owner-builder; or a person holding
13 the legal right of possession or title to a building or structure;

14 (j) **Building Professional** - refers to a person lawfully engaged in the
15 design, construction supervision, or inspection of a building or structure, who is duly
16 registered and currently licensed by the Professional Regulation Commission (PRC),
17 through a professional regulatory law for each profession, to provide such services;

18 (k) **Building Site** - refers to the lot of building location, which is described
19 by technical descriptions delineating boundaries of the property to be developed, over
20 which the Building Owner has a title or legal right to build; for design purposes, the
21 term shall also cover areas and spaces around the lot, the conditions of which bear on
22 the operability and safety of the building or structure;

1 (l) **Comprehensive Land Use Plan (CLUP)** - refers to the document,
2 formulated by the local government in consultation with its stakeholders, that defines
3 or provides guidelines on the allocation, utilization, development and management of
4 all lands within a given territory or jurisdiction according to the inherent qualities of the
5 land itself and supportive economic, demographic, socio-cultural and environmental
6 objectives;

7 (m) **Construction** - refers to any and all on-site work including but not limited
8 to preparation, excavation, foundation, and assembly or installation of components,
9 utilities, machinery, and equipment of building or structure;

10 (n) **Conversion** - refers to a change in the use or occupancy of an existing
11 building or structure or any portion/s thereof to another occupancy group or sub-group
12 that has different requirements under this Act;

13 (o) **Demolition** - refers to the systematic dismantling, destruction, or
14 removal of a building or structure, in whole or in part;

15 (p) **Department** - means the Department of Public Works and Highways
16 (DPWH);

17 (q) **Disaster Risk** - means the potential disaster losses in lives, health
18 status, livelihood, assets and services, which could occur to a particular community or
19 a society over some specified future time period;

20 (r) **Disaster Risk Reduction and Management** - means the systematic
21 process of using administrative directives, organizations, and operational skills and
22 capacities to implement strategies, policies and improved coping capacities in order
23 to lessen the adverse impacts of hazards and the possibility of disaster; prospective

1 disaster risk reduction and management refers to risk reduction and management
2 activities that address and seek to avoid the development of new or increased disaster
3 risks, especially if risk reduction policies are not put in place;

4 (s) **Exposure** - refers to people, property, systems, or other elements
5 present in hazard zones that are thereby subject to potential losses, or to the degree
6 to which the elements at risk are likely to experience hazard events of different
7 magnitudes;

8 (t) **Fire Resistance Rating** - refers to the time, in minutes or hours, that a
9 building material or assembly can withstand a fire exposure as determined by
10 generally recognized and accepted testing methods;

11 (u) **Hazard** - refers to a dangerous phenomenon, substance, human activity,
12 or condition that may cause loss of life, injury or other health impacts, property
13 damage, loss of livelihood and services, social and economic disruption, or
14 environmental damage; for purposes of this Act, definition of "hazard" shall conform to
15 the latest United Nations system of all-hazards approach to taxonomy and
16 characterization of natural and human-induced threats;

17 (v) **Hazard Zone** - refers to an area identified in generally recognized and
18 accepted hazard maps as exposed to natural hazards, such as floods, wind storms,
19 storm surges, landslides, volcanic eruptions, and earthquakes;

20 (w) **Innovative Construction Technology** - refers to a construction
21 technology that is emerging or being reintroduced locally or nationally in the field of
22 construction, with corresponding evidence of acceptable performance from laboratory

1 tests, field tests, and analytical studies to comply with Chapter V and Chapter VI of
2 this Act, rules and regulations, and reference standards;

3 (x) **Locational Clearance** - refers to the document issued by the planning
4 and development officer of the local government unit certifying that the proposed
5 construction has the appropriate traffic impact assessment (TIA), is located in an
6 appropriate zone, and does not violate the Comprehensive Land Use Plan (CLUP),
7 any zoning ordinance or regulation of the concerned local government unit, nor other
8 applicable laws, ordinances or regulations, which document is submitted to the Local
9 Building Official in support of an application for a permit;

10 (y) **Permit** - refers to any of the permits that may be issued by the Local
11 Building Official as set forth in this Act;

12 (z) **Recognized Certifier**- refers to a person possessing experience in
13 building assessment and other qualifications of a Building Professional, and
14 recognized by the Office of the National Building Official to issue certificates to confirm
15 that a building or structure that is more than fifteen (15) years of age meets the
16 requirements of Chapter VII of this Act, rules and regulations, and reference standards
17 as to structural stability and fire safety construction;

18 (aa) **Recognized Inspector** - refers to a person possessing experience and
19 other qualifications of a Building Professional, and recognized by the Office of the
20 National Building Official, whose service is engaged by the Local Building Official to
21 inspect buildings or structures in accordance with this Act, rules and regulations, and
22 reference standards;

1 (bb) **Recognized Structural Peer Reviewer** - refers to a person possessing
2 experience and other qualifications of a Building Professional, and recognized by the
3 Office of the National Building Official to provide independent verification that the
4 structural design of a proposed or new building or structure complies with this Act,
5 rules and regulations, and reference standards;

6 (cc) **Recognized Testing Laboratory** - refers to an establishment or
7 institution recognized by the Office of the National Building Official to perform tests to
8 determine if the building materials and components used in the construction of a
9 building or structure comply with Chapter VI of this Act, rules and regulations, and
10 reference standards;

11 (dd) **Reference Standards** - refers to technical standards that the National
12 Building Official promulgates through rules and regulations in administering and
13 enforcing this Act; for this purpose, consistent with Section 40, Section 41, and Section
14 67, applicable Philippine National Standards and existing referral codes of Presidential
15 Decree No. 1096 or portions thereof that are technical in nature shall hereinafter be
16 renamed and referred to accordingly as "reference standards;"

17 (ee) **Rehabilitation** - refers to the act or process of making possible a
18 compatible use for an existing building or structure through repair or alteration while
19 preserving those portions or features which convey its acknowledged heritage
20 significance;

21 (ff) **Relocation** - refers to the transfer of an existing building or structure or
22 portion/s thereof from original location or position to another, either within the same
23 site or to a different one;

1 (gg) **Renovation** - refers to any physical change made on an existing
2 building or structure to increase the value or improve the quality or aesthetics, without
3 addition to building height or floor area, nor alteration of structural parts;

4 (hh) **Repair** - refers to remedial work done on any damaged or deteriorated
5 portion/s of an existing building or structure to restore its original condition;

6 (ii) **Retrofit** - refers to the construction of any new element or system, or the
7 alteration of any element or system, required to bring an existing building or structure,
8 or portion thereof, into conformance with this Act, rules and regulations, and reference
9 standards;

10 (jj) **Secretary** - refers to the Secretary of the Department of Public Works
11 and Highways;

12 (kk) **Special Site** - refers to a site that requires special rules and regulations
13 to mitigate potential adverse impacts of the site conditions;

14 (ll) **Structure** - refers to that which is built or constructed, an edifice, or
15 building of any kind, or any piece of work artificially built or constructed or composed
16 of parts joined together in some definite manner, but shall not include streets,
17 highways, bridges and viaducts, railroads, canals, river and shore improvements, dry
18 docks, dams, irrigation, flood protection, tunnels, transmission towers and lines, and
19 structures regulated by other national laws or competent national agencies;

20 (mm) **Traditional Indigenous Family Dwelling** - refers to a residential
21 building or structure intended for the use and occupancy by the family of the owner
22 only and constructed with native or local materials such as nipa, cogon, bamboo, log,

1 lumber, or stone, the estimated total cost of which does not exceed the limit prescribed
2 by the National Building Official through rules and regulations;

3 (nn) **Vulnerability** - refers to the characteristics and circumstances of a
4 community, system or asset that make it susceptible to the damaging effects of a
5 hazard; vulnerability may arise from various physical, social, economic, and
6 environmental factors such as poor design and construction of buildings, inadequate
7 protection of assets, lack of public information and awareness, limited recognition of
8 risks and preparedness measures, and disregard for sound environmental
9 management; and

10 (oo) **Zoning** - refers to the division of a city or municipality into districts, zones
11 or sub-zones and overlay zones according to present and potential uses of land in
12 order to maximize, regulate, and direct their use and development according to the
13 Comprehensive Land Use Plan (CLUP); it is also concerned primarily with the use of
14 land and through imposition of building heights, bulks, open space and density in a
15 given area.

16 Additional definitions shall be included in the implementing rules and
17 regulations and with the reference standards; *provided*, that these shall be non-
18 redundant to, non-contradictory with, and only supplementary to, the definitions as
19 used in this Act.

20

CHAPTER II

21

CLASSIFICATION OF BUILDINGS

22

SEC. 7. Classification System. - A system of classification of buildings and

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structures in the Philippines as to: (a) type of construction according to fire resistance

1 rating; (b) use or occupancy; and (c) required track of permitting process, is hereby
2 adopted.

3 **SEC. 8. Buildings Classified by Type of Construction According to Fire**
4 **Resistance Rating.** - The building or structure shall be classified according to fire
5 resistivity and fire resistance rating consistent with Republic Act No. 9514, or the Fire
6 Code of the Philippines, and its Implementing Rules and Regulations.

7 **SEC. 9. Buildings Classified According to Use or Occupancy.** - The
8 building or structure shall be identified based on the use or occupancy and shall be
9 classified as follows:

10 Group A, Assembly occupancies shall include all buildings and structures, or
11 portions thereof, used for gathering together of 50 or more persons for any purpose,
12 including but not limited to deliberation, worship, entertainment, eating, drinking,
13 amusement, and awaiting transportation;

14 Group B, Business occupancies are those used for the transaction of business
15 other than those covered under Group M, Mercantile, including the keeping of
16 accounts and records and similar purposes for such offices of less than fifty (50)
17 occupants as, but not limited to, offices of professionals, general offices, business
18 process outsourcing, internet shops, massage parlors, beauty shops, and
19 barbershops;

20 Group D, Disaster Risk Reduction and Management (DRRM) occupancies are
21 those buildings and structures designated for DRRM training, early warning system,
22 or emergency operation centers, and permanent centers for refuge (Sub-group DP);

1 Group E, Educational occupancies shall include buildings, or portions thereof,
2 used for the gathering of group of six (6) or more persons for purposes of instruction,
3 such as but not limited to schools, colleges, universities, academies, and
4 kindergartens;

5 Group F, Factory and Industrial occupancies are those used for operations
6 including, but not limited to, product processing, fabricating, manufacturing,
7 assembling and disassembling, mixing, packaging, finishing or decorating, repairing,
8 and material recovery, including but not limited to factories of all kinds, laboratories,
9 laundries, dry-cleaning plants, power plants, pumping stations, smokehouses, gas
10 plants, refineries, creameries, and sawmills;

11 Group G, Agricultural and Biological occupancies are those used for the
12 production, harvesting, processing, storage, manufacture, preserving, transporting,
13 and distribution of agricultural and biological products or materials including, but not
14 limited to, silos and its components, agricultural and biosystems machinery and
15 equipment sheds, farm houses, green/screen houses, poultry houses, piggery
16 houses, slaughterhouses, agricultural and biological products storage/warehouses,
17 buildings and structures for poultry, livestock, fishery and forestry production and
18 processing, kiln drying and lumber treatment structure, and structures for farm
19 equipment, farm supplies, and agricultural waste utilization and management;

20 Group I, Institutional occupancies are those used to house one or more persons
21 under varied degrees of restraint or security where such occupants are mostly
22 incapable of self-preservation because of security measures not under the occupants'
23 control (Sub-group ID), or government buildings and quarters rendering civic or public
24 assistance and peace and order (Sub-group IG), or those in which care or supervision

1 is provided to persons who are mostly incapable of self-preservation without physical
2 assistance because of age, or physical or mental condition or ability (Sub-group IH),
3 such as health care and day care occupancies;

4 Group M, Mercantile or Commercial occupancies are those used for the display
5 or sale of merchandise, and involves stocks of goods, wares, and merchandise
6 incidental to such purposes and accessible to the public, of less than fifty (50)
7 occupants, such as but not limited to showrooms, stores, markets, malls, and
8 restaurants;

9 Group R, Residential occupancies are those in which sleeping
10 accommodations are provided for normal residential or dwelling purposes, for example
11 the socialized (Sub-group RS) and economic (Sub-group RE) housing covered by
12 Batas Pambansa Blg. 220, or residential board and care buildings that are used for
13 lodging and boarding of four (4) or more residents, not related by blood or marriage to
14 the operators or owners, for less than fifty (50) total occupants;

15 Group S, Storage occupancies include all buildings or structures utilized
16 primarily for the storage or sheltering of goods, merchandise, products, or vehicles;

17 Group U, Utilities and Miscellaneous occupancies are those with an ancillary
18 character such as, but not limited to, those enumerated in Section 6 (d) Ancillary
19 Structure, or those which cannot be properly classified in any of the other occupancy
20 groups in this Section, such as, but not limited to billboards and commercial
21 signboards; and

22 Group Z, High-Hazard occupancies mean those with storage and handling of
23 flammable, highly combustible, highly infectious, or other highly hazardous materials

1 that would constitute a physical or health hazard, in quantities in excess of those
2 allowed by regulations.

3 The National Building Official may determine, through implementing rules and
4 regulations, sub-groups within Group A to Z. Any other use or occupancy not
5 mentioned specifically under this Section, or about which there is any question, shall,
6 upon approval by the National Building Official, be included in the group which it most
7 nearly resembles based on the associated hazard or risk to life, health, property, and
8 public welfare.

9 Under Group D, in addition to permanent centers for refuge, Sub-group DP,
10 buildings, structures, or portions thereof may be designated as temporary evacuation
11 centers, Sub-group DT, provided they comply with the specific rules and regulations
12 promulgated by the National Building Official.

13 When a building or structure is of mixed occupancy or used for more than one
14 occupancy, the whole building or structure shall be subject to the most restrictive
15 requirement pertaining to any of the occupancy groups found therein, except when a
16 minor use does not occupy more than ten percent (10%) of the area of any floor or as
17 otherwise provided in applicable rules and regulations for mixed occupancy or use.

18 For each group or sub-group of use or occupancy, the National Building Official
19 shall promulgate specific rules and regulations and reference standards in accordance
20 with this Act.

21 **SEC. 10. Buildings Classified According to Required Track of Permitting**
22 **Process.** - Buildings and structures shall be classified based on the required track of
23 permitting process as follows:

1 (a) **Simple (Track T1) Structures** - are buildings or structures belonging to sub-
2 group/s under Group R, Residential, either traditional indigenous family
3 dwellings regardless of number of floors, or individually constructed dwellings
4 for up to three (3) families, with maximum total gross floor area limit for each
5 case as prescribed by the National Building Official through rules and
6 regulations, but shall exclude such structures under any government-approved
7 mass housing project developed by the government, non-government
8 organization, or private developer. These Simple (Track T1) Structures shall
9 comply with Simplified Reference Standards as prescribed by the National
10 Building Official under a simplified track of permitting process. *Provided*, that
11 mass housing development structures by subdivision and condominium
12 developers under Batas Pambansa Blg. 220, to the extent that these structures
13 are comparable in simplicity with Simple (Track T1) Structures, shall have a
14 similarly simplified track (Track T1M) of housing permitting process in
15 coordination with Housing One-Stop Processing Centers (HOPCs) according
16 to promulgated specific rules and regulations and reference standards under
17 this Act.

18 (b) **Regular (Track T2) Structures** - are buildings or structures that do not fall
19 under either one of the classifications of Simple (Track T1) Structures and
20 Special (Track T3) Structures. Regular (Track T2) Structures shall require the
21 regular track of permitting process.

22 (c) **Special (Track T3) Structures** - are buildings or structures that are
23 distinguished by special physical attributes in terms of size, span, or form, by
24 very advanced structural calculation method, or by nature of use or occupancy.
25 These structures shall be any of the following:

- 1 (1) buildings and other structures exceeding seventy-five (75) meters in
2 height or a higher height threshold as prescribed based on rules and
3 regulations by the National Building Official;
- 4 (2) long span structures exceeding thirty (30) meters in span or a longer
5 span threshold as prescribed based on rules and regulations by the
6 National Building Official;
- 7 (3) buildings and other structures with two (2) or more floor levels, and in
8 any single floor level exceeding twenty-five thousand (25,000) square
9 meters of gross floor area;
- 10 (4) buildings and other structures with gross floor area exceeding forty
11 thousand (40,000) square meters;
- 12 (5) underground or underwater structures;
- 13 (6) facilities belonging to Group D, DRRM occupancies;
- 14 (7) hospitals belonging to a sub-group under Group I, Institutional, that need
15 to provide higher than the minimum level of services in terms of
16 functional capacity as classified by competent national agency on
17 healthcare facilities;
- 18 (8) facilities belonging to Group Z, High-Hazard occupancies;
- 19 (9) structures that have non-regular structural form as classified in structural
20 reference standards; or
- 21 (10) buildings and other structures using very advanced structural
22 calculation methods in design as classified in structural reference
23 standards.

24 Accordingly, the special track of permitting process for these Special (Track T3)
25 Structures shall require a peer review of the structural stability. The terms of reference

1 of the peer review shall be clear and acceptable to both the original professional and
2 the peer reviewer, and conforming to this Act, rules and regulations, and reference
3 standards.

4 For buildings and structures that have non-regular structural form (sub-class (9)
5 in this Section) or using very advanced structural calculation method in design (sub-
6 class (10) in this Section), the peer review shall be conducted by a Recognized
7 Structural Peer Reviewer duly qualified for such specific sub-classes, respectively.

8 *Provided*, that prior certification for innovative construction technology
9 according to Section 29 of this Act shall be deemed to satisfy the requirement of
10 structural peer review. *Provided further*, that the Office of the National Building Official
11 shall establish or recognize competent government agencies in charge of certification
12 of innovative construction technologies as provided for in Section 29.

13 The act of reviewing does not pass on the responsibility and the liability of the
14 Building Professional for structural design to the Recognized Structural Peer Reviewer
15 on the structural integrity of the building, without prejudice to administrative charges
16 under applicable professional regulations.

17 *Provided*, that should the Building Owner opt, under applicable laws and
18 professional regulations, to lawfully disengage the previously engaged Building
19 Professional for structural design and to engage as a new Building Professional for
20 structural design a Recognized Structural Peer Reviewer who has been previously
21 engaged as Peer Reviewer according to this Section, a new independent Recognized
22 Structural Peer Reviewer shall be required.

1 **SEC. 11. *Buildings and Structures.*** - For purposes of this Act, structures shall
2 include buildings, ancillary structures, and other structures as defined in this Act.

3 **SEC. 12. *Requirements for Each Type of Construction According to Fire***
4 ***Resistance Rating.*** - The National Building Official shall prescribe standards for each
5 type of construction according to fire resistivity and fire resistance rating as allowed
6 under this Act correspondingly for each group or sub-group of use or occupancy, and
7 promulgate rules and regulations and reference standards therefor, in general terms
8 of structural system, exterior walls and openings, interior walls and enclosures, floors,
9 exits and stairs construction, and roofs, among other elements.

10 **SEC. 13. *Changes in Use or Occupancy and Type of Construction***
11 ***According to Fire Resistance Rating.*** - No change shall be made in the use or
12 occupancy or the type of construction according to fire resistivity and fire resistance
13 rating of any building or structure which would place the building or structure in a
14 different occupancy group or different type of construction, unless such building or
15 structure is made to comply with the requirements for the new occupancy group or
16 type of construction; *provided*, that the change may be approved by the Local Building
17 Official upon determination that the new use or occupancy and type of construction
18 poses less risk to life, health, property, and public welfare, according to rules and
19 regulations promulgated by the National Building Official.

20

CHAPTER III

21

LOCATION AND ZONING REQUIREMENTS

22

23

SEC. 14. *General Requirements for Location and Zoning.* - The site upon
which will be located any building or structure, including associated parks or open

1 spaces, shall be sanitary, hygienic, and accessible, and shall not pose high hazard for
2 the intended use or occupancy, as determined by competent and appropriate
3 authorities and cleared through a locational clearance and other clearance/s or
4 certificate/s as prescribed by applicable laws and regulations. It shall not obstruct
5 existing easement or right-of-way of the national government and all local government
6 units, as well as departments, regulatory agencies, instrumentalities, government
7 owned and controlled corporations, and implementing units of the same, in
8 accordance with existing laws and rules and regulations.

9 **SEC. 15. *Protection of the Site Environment.*** - Any proposed construction,
10 including its location and use, shall take into account the environment and its
11 conservation and protection. It shall not gravely affect the heritage and environmental
12 significance of the site; and shall not harm nor aggravate the state of the
13 neighborhood, environment, and natural resources surrounding it. No construction, its
14 location, and use shall be allowed without complying with the applicable heritage,
15 environmental, and natural resources laws and regulations, as determined by
16 competent and appropriate authorities and cleared through a locational clearance and
17 other clearance/s or certificate/s as prescribed by applicable laws and regulations.

18 **SEC. 16. *Protection of the Public.*** - Any proposed construction shall not
19 cause harm to the general public nor infringe on public spaces.

20 **SEC. 17. *Requirements in Hazard Zones and Special Sites.*** - The Building
21 Owners and Building Professionals shall ensure that every proposed construction, its
22 location, and use, will not increase the vulnerabilities of the people who will occupy the
23 building and their neighborhood on account of the hazard zone or special site. Within
24 hazard zones as established in the Comprehensive Land Use Plan (CLUP) and hazard

1 maps published by the national government, risk mitigation and adaptation
2 requirements and measures shall be incorporated in the rules and regulations and
3 reference standards as promulgated by the National Building Official.

4 **SEC. 18. Resilience.** - Buildings and structures damaged in a disaster or crisis
5 shall adhere to principles of building better in post-disaster or post-crisis recovery and
6 reconstruction.

7 The National Building Official shall cause to integrate disaster risk reduction
8 and management measures in the rules and regulations and reference standards for
9 planning, design, and reconstruction of buildings and structures.

10 The National Building Official shall promulgate specific rules and regulations
11 and reference standards for temporary post-disaster or post-crisis structures.

12 CHAPTER IV

13 DESIGN REQUIREMENTS

14 **SEC. 19. General Requirements for Design.** - The design of all buildings and
15 structures shall comply with the requirements prescribed by this Act, rules and
16 regulations, and reference standards;

17 *Provided,* that there shall be specific levels of standards and technical
18 requirements for socialized housing (residential occupancy Sub-group RS) and
19 economic housing (residential occupancy Sub-group RE) structures as provided by
20 Batas Pambansa Blg. 220, as formulated by the Department of Human Settlements
21 and Urban Development and recommended through the Building Regulations and
22 Standards Council (BRSC).

1 *Provided further*, that Group G, Agricultural and Biological occupancies shall
2 consider biosystems design requirements for the protection of persons, animals,
3 crops, and the environment.

4 Buildings and structures on or in special sites shall consider special design
5 requirements and risk mitigation measures called for by the specific site conditions.

6 Reference standards shall comprehensively and consistently address the
7 technical details, including but not limited to comprehensive architectural, structural,
8 and other engineering analyses as appropriate according to the system of
9 classification of buildings and structures, that are required to carry out the objectives
10 of this Act and as such shall be recognized by and enumerated through the
11 implementing rules and regulations.

12 **SEC. 20. *Strength and Stability.*** - All buildings and structures shall be
13 designed to be structurally adequate in strength and stability against anticipated
14 combinations of loads and effects so as to safeguard people and property from
15 physical harm or damage.

16 Subject to the provisions of Articles 684 to 686 of Republic Act No. 386, or Civil
17 Code of the Philippines, on lateral and subjacent support, the design and quality of
18 materials used structurally in excavation, footings, and in foundations shall conform to
19 prescribed reference standards and project specifications.

20 **SEC. 21. *Protection from Fire.*** - All buildings and structures shall be designed
21 to safeguard persons and properties from any harm or damage caused by fire in
22 accordance with Republic Act No. 9514, or the Fire Code of the Philippines, and its
23 Implementing Rules and Regulations.

1 All fire safety constructions as defined by the Fire Code of the Philippines shall
2 be designed in accordance with specific rules and regulations and reference standards
3 under this Act.

4 **SEC. 22. Protection from Moisture and Surface Water.** - All buildings shall
5 be designed to provide adequate resistance to penetration by, and the accumulation
6 of, excessive moisture and surface water.

7 **SEC. 23. Protection from Other Hazards.** - All buildings and structures shall
8 be designed to safeguard persons and properties from other site-specific multiple
9 hazards.

10 **SEC. 24. Safety of Users or Occupants.** - All buildings and structures shall
11 be designed to safeguard their users or occupants from harm, injury, or loss, including,
12 but not limited to, safeguarding against accidental falls from windows, balconies and
13 the like, or safeguarding against transmission of disease pathogens indoors, in
14 manners compatible with fire safety construction, and promoting occupational safety
15 and health.

16 **SEC. 25. Ingress, Circulation, and Egress.** - Safe access into, circulation
17 within, and egress from the buildings, including emergency exits, shall be provided for
18 persons and vehicles, including, but not limited to, persons with disabilities, complying
19 with mandatory requirements of applicable laws such as Batas Pambansa Blg. 344 or
20 "An Act to Enhance the Mobility of Disabled Persons".

21 **SEC. 26. Energy and Water Efficiency.** - The design of buildings and
22 structures shall include, wherein required, practices and technologies that maximize
23 efficiency of use of energy and water.

1 The National Building Official shall promulgate specific rules and regulations
2 applicable to buildings and structures exceeding a threshold total gross floor area,
3 depending on the classification of use or occupancy.

4 **SEC. 27. Services and Facilities.** - All building services and facilities, their
5 equipment and installations, shall be designed to be adequate, safe, and efficient, to
6 promote the well-being of the users or occupants and the general public.
7 Constructability and ease of maintenance of the services and facilities shall be highly
8 considered in the design.

9 As required by the occupancy group, buildings and structures shall be designed
10 to provide services and facilities including but not limited to the following: light; air
11 circulation and ventilation; water supply; rainwater harvesting and management;
12 drainage; wastewater disposal; sewage disposal; solid waste management; pest and
13 vermin control; power and fuel supply; information and communication technology
14 facilities; conveyance and parking facilities; fire lane and fire hydrants; and other
15 services and facilities for persons with disabilities, complying with mandatory
16 requirements of applicable laws.

17 *Provided*, that the carriageways, sidewalks, and all parts of road right-of-way
18 for public roads adjoining a building site shall not be used to meet the requirements of
19 parking facilities for the building as required by this Act, rules and regulations, and
20 reference standards. *Provided further*, that queuing areas, driveways, ramps,
21 entrances to, and exits from parking facilities for a building shall not encroach on the
22 road right-of-way nor obstruct the movement of pedestrians and vehicles on the public
23 roads adjoining the building.

1 prescribed by the National Building Official. Buildings and other structures using an
2 innovative construction technology with prior certification shall be deemed to satisfy
3 the requirement of structural peer review.

4 *Provided*, that innovative technologies appropriate for socialized and economic
5 housing, as covered by Batas Pambansa Blg. 220, shall be subject for accreditation
6 and certification by the Department of Human Settlements and Urban Development.

7 *Provided further*, that the Office of the National Building Official shall establish
8 or recognize a competent national agency to be in charge of accreditation and
9 certification of other innovative technologies, including so-called smart, clean and
10 green technologies, that are for applications other than socialized or economic
11 housing.

12 *Provided finally*, that nothing in this Act shall be interpreted to prevent the
13 National Building Official, in cooperation with other concerned agencies, from causing
14 the establishment and recognition of a unified competent national agency to be in
15 charge of accreditation and certification of innovative technologies for various
16 construction applications.

17 **SEC. 30. Safety and Protection During Construction.** - All buildings shall be
18 constructed or demolished without causing any harm or injury to the construction
19 workers and the public.

20 **SEC. 31. Protection of Property During Construction.** - All public or private
21 properties adjacent, above or below the ground, shall be protected from any damage
22 by any work being done under the permit. The protection shall be maintained while

1 such work is being done and shall not obstruct the normal functioning of any such
2 property.

3 **SEC. 32. *Phased or Incremental Construction.*** - All uncompleted portions of
4 buildings subject to phased or incremental construction shall be protected and shall
5 not pose harm to the public. Any additional or incremental work shall not compromise
6 the safety and well-being of the users or occupants.

7 **SEC. 33. *Construction and Demolition Waste Management.*** All buildings
8 shall be constructed with proper management of construction and demolition waste.
9 There shall be promulgated specific rules and regulations on the extent of reuse or
10 recycling of construction and demolition wastes, as well as reference standards on the
11 conduct of demolition.

12 CHAPTER VI

13 BUILDING MATERIALS

14 **SEC. 34. *General Requirements for Materials.*** - All building materials and
15 components must be tested and shall comply with the requirements prescribed by this
16 Act, rules and regulations, and reference standards.

17 The use of building materials and components must be safe for the health of
18 users or occupants and must not cause any substantive negative impact to the
19 environment such as, but not limited to, air, water, and soil.

20 *Provided,* that product standards promulgated by competent national agency
21 shall be harmonized with or incorporated together with the reference standards under
22 this Act.

1 inspection as appropriate according to rules and regulations. The Office of the
2 National Building Official shall establish a system for monitoring, reporting, and
3 evaluating maintenance and inspection activities.

4 The Office of the National Building Official shall assist Building Owners of
5 structures falling within the classification Simple (Track T1) Structures and Regular
6 (Track T2) Structures in conducting a simplified or regular inspection of their buildings.

7 For buildings and structures with occupancies falling under Group A, Assembly,
8 Group D, DRRM, Group E, Educational, or Group Z, High-Hazard, there shall be
9 periodic inspections by Local Building Officials and Recognized Inspectors subject to
10 specific rules and regulations promulgated by the National Building Official.

11 The Office of the National Building Official shall coordinate with relevant
12 government agencies that regulate business operations in buildings and structures.
13 Structural stability clearance from the Office of the Local Building Official shall be a
14 prerequisite for the issuance or renewal of business permits or permits to operate, for
15 new occupancy or occupancy after 15 years from the date of completion of the building
16 or structure.

17 Mandatory inspection and assessment by a Recognized Certifier as to
18 structural stability and fire safety construction shall be commissioned by the Building
19 Owner at the 15th year from date of completion of the building and every 15 years
20 thereafter, in the case of Special (Track T3) Structures. In cases of addition, alteration,
21 conversion, rehabilitation, relocation, repair, and retrofit requiring more recent
22 structural stability assessment and corresponding certification and clearance, the date
23 of reckoning of 15 years for purposes of this Section shall be counted from the

1 completion date of the latest building permit that involved the most recent structural
2 stability clearance under this Act.

3 The National Building Official shall promulgate rules and regulations and
4 reference standards for mandatory inspection and assessment of buildings as to
5 structural stability and fire safety construction, specific to the various building
6 classifications; *provided*, that Recognized Certifiers need not be engaged for Simple
7 (Track T1) Structures and Regular (Track T2) Structures. *Provided further*, that
8 Recognized Certifiers need not be engaged for simple mass-housing-development
9 structures.

10 The National Building Official shall promulgate specific rules and regulations for
11 mandatory inspection and assessment of all buildings as to structural stability and fire
12 safety construction after regional catastrophic events such as, but not limited to, widely
13 destructive earthquakes and typhoons. The determination of an event that is
14 catastrophic as to warrant mandatory assessment of all buildings in a geographic area
15 shall be made by the National Building Official in consultation and coordination with
16 other government agencies. According to specific implementing rules and regulations,
17 Local Building Officials in such regional emergency inspections shall have authority to
18 deputize government-recognized citizens to assist in the timely assessment of
19 structural stability and fire safety. The conduct of such emergency inspections and
20 assessments shall also be closely coordinated with the rules and regulations and
21 reference standards under Section 18.

22 The Office of the National Building Official through the Offices of the Local
23 Building Official shall maintain a computerized national database of permits and other
24 periodic data about all buildings and structures, including but not limited to reports on

1 maintenance, inspection, and assessment. The information contained in the database
2 shall be used by the national and local agencies in relation to disaster risk reduction
3 and management; *provided*, that such information shall be made available to the public
4 for awareness and preparedness subject to Republic Act No. 10173 otherwise known
5 as the Data Privacy Act.

6 The Office of the National Building Official through the Offices of the Local
7 Building Official shall prioritize the conduct of a comprehensive inspection of all
8 buildings and bridges in Metro Manila and shall conduct a regular inspection and
9 retrofitting of the same every three (3) years thereafter.

10 Within three (3) years from the effectivity of this Act, Local Building Officials
11 shall conduct a comprehensive inspection of the buildings and structures covered by
12 this section and prioritize in accordance to the implementing rules and regulations of
13 this Act.

14 **SEC. 38. *Special Provision for Buildings Completed More than 15 Years***
15 ***Prior to the Effectivity of this Act.*** - To ensure the safety of the people and to reduce
16 risks, for Special (Track T3) Structures and those buildings and structures with
17 occupancies falling under Group A, Assembly and Group E, Educational, that were
18 completed more than fifteen (15) years prior to the effectivity of this Act, the Building
19 Owners are mandated to have an assessment of the design based on the
20 requirements in Chapter IV of this Act as specified in rules and regulations, as to
21 structural stability and fire safety construction, and the Building Owners are to submit
22 the certifications or findings of appropriate Building Professionals, serving as
23 Recognized Certifiers, to the concerned Local Building Officials regarding the state of
24 such buildings and structures and their safety or need for retrofit.

1 Within three (3) months from the effectivity of this Act, the Department through
2 the Office of the National Building Official, in consultation with relevant agencies and
3 stakeholders, shall implement a phased approach to prioritize compliance with the
4 provisions of this Section by Building Owners of both public and private buildings in
5 hazard zones, such as but not limited to those near earthquake fault lines or in coastal
6 zones affected by sea level rise, or in hazard zones or areas otherwise identified in
7 hazard maps, or those used for assemblies in large numbers or by vulnerable users
8 or occupants.

9 The National Building Official, in coordination with other concerned agencies,
10 shall develop and administer incentive schemes, such as those allowed by the disaster
11 risk reduction and management funds, to support immediate voluntary retrofit by the
12 Building Owners requiring modifications for the safety of the users or occupants and
13 the general public.

14 There shall be specific implementing rules and regulations governing the
15 authorities, responsibilities, and liabilities, including any transfer thereof, in case of
16 retrofitting works.

17 **SEC. 39. *Abatement of Dangerous and Ruinous Buildings.*** - When any
18 building or structure is found or declared to be dangerous or ruinous, the Local Building
19 Official shall order its repair, vacation, or demolition depending upon the degree of
20 danger to life, health, property, and public welfare. This is without prejudice to further
21 action that may be taken under the provisions of Articles 482 and 694 to 707 of the
22 Civil Code of the Philippines and other existing laws.

23 For purposes of this Section, dangerous or ruinous buildings are buildings or
24 structures determined by the Local Building Official to be structurally unstable; or not

1 provided with safe egress; or which constitute a fire hazard; or are otherwise
2 dangerous to human life; or which in relation to existing use, constitute a hazard to life
3 safety, health, or public welfare because of inadequate maintenance, dilapidation,
4 obsolescence, or abandonment; or which otherwise contribute to the pollution of the
5 site or the community to an intolerable degree.

6 Abatement and rehabilitation of buildings and structures covered under
7 Republic Act No. 10066 or the National Cultural Heritage Act of 2009, shall be
8 coordinated with the National Commission for Culture and the Arts (NCCA) prior to
9 any action of abatement or rehabilitation.

10 CHAPTER VIII

11 ADMINISTRATION

12 **SEC. 40. *National Building Official (NBO): Powers, Obligations, and***
13 ***Functions.*** - The Secretary of the Department shall be the National Building Official.
14 As such he shall have the duty to ensure that all laws relating to building design and
15 construction are faithfully executed and is primarily charged with the administration
16 and enforcement of the provisions of this Act, including its rules and regulations, and
17 reference standards. Nothing in this Act shall be interpreted to diminish the duties,
18 responsibilities, functions, obligations, and powers of the Secretary of the Department
19 under current issuances relative to codes, regulations, standards, and guidelines for
20 the planning, design, construction, maintenance, and operation of all public and private
21 structures.

1 The Secretary shall ensure harmonization of rules and regulations and
2 reference standards between government-funded and non-government funded
3 buildings and structures, consistent with the objectives of this Act.

4 As the National Building Official, the Secretary shall have the following general
5 powers, obligations, and functions:

6 (a) Issue and promulgate rules and regulations to implement the provisions
7 of this Act, upon recommendation of the Building Regulations and Standards Council,
8 and ensure compliance with policies, plans, standards, and guidelines formulated. The
9 Building Regulations and Standards Council shall be formed in accordance with the
10 provisions of this Act;

11 (b) Approve and take final action on changes and amendments to reference
12 standards based on recommendations of the Building Regulations and Standards
13 Council. For this purpose, existing referral codes or portions thereof that are technical
14 in nature shall hereinafter be renamed and referred to accordingly as “reference
15 standards;”

16 (c) Appoint Local Building Officials, in the manner as provided for by this
17 Act, and exercise supervision and control over them as the National Building Official;

18 (d) Designate Local Building Officials, in the manner as provided for by this
19 Act, and exercise supervision and control over them as the National Building Official;

20 (e) Create the Office of the Local Building Official in case of clustered
21 municipalities, as set forth in this Act, and exercise administrative as well as technical
22 supervision and control;

1 (f) Appoint the Regional Building Appeals Boards, as provided for by this
2 Act, and exercise administrative supervision over them;

3 (g) Prescribe and fix the schedule of fees, appeal bonds, and other charges
4 that the National Building Official and Local Building Officials shall collect in the
5 exercise of their regulatory functions;

6 (h) Inspect at reasonable times any building or structure, covered by this
7 Act, rules and regulations, and reference standards; *provided*, that in case of a single-
8 family dwelling, an inspection must be upon the consent of the occupant or upon lawful
9 order from the proper court;

10 (i) With due process, issue appropriate orders, including cease and desist
11 orders and demolition orders, against any person or entity to prevent injury to the
12 public and compel compliance with the provisions of this Act, rules and regulations,
13 and reference standards;

14 (j) With due process, impose fines, penalties, and other administrative
15 sanctions for failure or refusal to comply with, or violation of any provision of this Act,
16 rules and regulations, and reference standards, or any order, instruction, or ruling;

17 (k) Enlist the aid and support of, and deputize any and all enforcement
18 agencies of the government in the implementation of his powers and functions under
19 this Act, rules and regulations, and reference standards;

20 (l) Delegate applicable powers, obligations, and functions to the
21 Local Building Officials as deemed necessary; and

1 (m) Exercise such other powers and perform such functions as may be
2 needed to carry out the objectives of this Act, rules and regulations, and reference
3 standards.

4 **SEC. 41. Building Regulations and Standards Council (BRSC).** - A Building
5 Regulations and Standards Council is hereby created to assist the National Building
6 Official in reviewing and recommending rules and regulations and reference standards
7 to accomplish the objectives of this Act.

8 (a) **Members.** - The Building Regulations and Standards Council shall be
9 composed of the following:

- 10 (1) Undersecretary for Technical Services of the Department as Chair;
- 11 (2) Undersecretary of the Department of Human Settlements and Urban
12 Development (DHSUD) for technical services or planning as Vice-Chair;
- 13 (3) Commissioner of the Professional Regulation Commission (PRC) in
14 charge of supervision of regulatory boards of building professionals;
- 15 (4) Chief of the Bureau of Fire Protection (BFP);
- 16 (5) Undersecretary of the Department of Trade and Industry (DTI) in charge
17 of supervision of product standards and contractor accreditations;
- 18 (6) Undersecretary of the Department of Science and Technology (DOST)
19 for scientific and technological services;
- 20 (7) Undersecretary of the Department of Environment and Natural
21 Resources (DENR) for planning and policy making regarding
22 environmental concerns;
- 23 (8) Undersecretary of the Department of Health (DOH) for public health
24 services;
- 25 (9) President of a national association of local building officials;

- 1 (10) President of a national association of building developers or
2 subdivision and housing developers, national association of building
3 owners, national association of building managers, or national
4 association of building administrators;
- 5 (11) President of a PRC-accredited national professional organization
6 of building professionals;
- 7 (12) President of a national association of building contractors;
- 8 (13) A high-ranking regular faculty member from a recognized higher
9 education institution involved in the training of building professionals;
10 and
- 11 (14) Two (2) representatives-at-large coming from any concerned
12 sectors whose participation is deemed by the National Building Official
13 as timely and complementary to those of other members enumerated.

14 Each from a list of nominees submitted by their respective sectors, all
15 representatives from the private, academic, or non-government sectors, enumerated
16 above from (9) to (13), shall be appointed by the National Building Official for a term
17 of three (3) years; *provided*, that each said member, during his/her term in the Council,
18 shall remain a certified member-in-good-standing of the association, organization, or
19 institution that has been originally represented. In case of substitution or replacement
20 of a member representing a specific sector, the new member shall serve for the
21 remainder of the three-year term.

22 For these sectors enumerated above from (9) to (13), a different association,
23 organization, or institution other than the one currently represented shall be given
24 preference by the National Building Official in the next full three-year term

1 appointment, in order to practice a rotation of representation from among the various
2 associations, organizations, or institutions in each sector.

3 The two (2) representatives-at-large, enumerated above as (14), shall serve *ex-*
4 *officio* if officials and representatives of a government agency, or shall serve for a term
5 of three (3) years without immediate reappointment within one (1) year if coming from
6 the private, academic, or non-government sectors.

7 In the absence or temporary incapacity of the Undersecretary for Technical
8 Services of the Department, the Undersecretary of DHSUD shall act as the Chair of
9 the Council.

10 In the absence or temporary incapacity of the Undersecretary for Technical
11 Services of the Department and the Undersecretary of DHSUD, the Officer-in-Charge
12 (OIC) Undersecretary for Technical Services of the Department shall act as the Chair
13 of the Council.

14 A simple majority of the members of the Council shall constitute a quorum. The
15 presence of either the Chair or Vice-Chair of the BRSC is indispensable in counting
16 the quorum.

17 (b) ***Duties and Responsibilities.*** - The Building Regulations and Standards
18 Council shall have the following duties and responsibilities:

19 (1) Review existing rules and regulations and existing referral codes, the
20 technical parts of which are renamed as reference standards under this
21 Act, and formulate new ones in line with the provisions of this Act and
22 rules and regulations, including but not limited to the guidelines on the
23 process of reviewing local ordinances that are subject for concurrence
24 by the National Building Official;

- 1 (2) Formulate and recommend policies and strategies, for design and
2 construction, with reference to global standards, and taking into account
3 local conditions;
- 4 (3) Formulate a system of recognition of qualified Building Professionals as
5 Recognized Certifiers, Recognized Structural Peer Reviewers, and
6 Recognized Inspectors, and qualified establishments or institutions as
7 Recognized Testing Laboratories;
- 8 (4) Collect relevant information, conduct research, and support studies on
9 all matters relating to design and construction, such as, but not limited
10 to, the performance and results achieved of the standards in
11 mainstreaming disaster risk reduction and management in building
12 planning, design, construction, occupancy, and maintenance;
- 13 (5) Submit recommendations, including rules and regulations and reference
14 standards, to the National Building Official for approval;
- 15 (6) Submit an annual report to the National Building Official; and
- 16 (7) Perform such other functions that the National Building Official may
17 authorize or assign as may be necessary in carrying out the objectives
18 of this Act.
- 19 (c) **Technical Working Groups (TWGs).** - To support the BRSC in the
20 performance of its duties and responsibilities, the National Building Official shall
21 constitute Technical Working Groups (TWGs) composed of relevant
22 stakeholders. The sectors concerned shall nominate members of the TWGs
23 that are most closely associated with their respective mandates and concerns.

1 (d) **Secretariat.** - The BRSC shall have its Secretariat personnel separate from
2 the Office of the National Building Official, to assist in the operation of the
3 Council and TWGs.

4 (e) **Procedures.** - The National Building Official, in consultation with relevant
5 stakeholders, shall prescribe, based on rules and regulations, the procedures
6 of the Building Regulations and Standards Council, ensuring the periodic review
7 of reference standards every five (5) years and the participation of the relevant
8 stakeholders including, but not limited to, building officials, building developers,
9 building owners, building managers or administrators, building professionals
10 and professional organizations, building contractors, and higher education
11 institutions, in setting performance standards for design and construction.

12 The National Building Official shall issue, every five (5) years or more frequently
13 as needed, updated reference standards.

14 (f) **Budget.** - The BRSC budget shall be included in the annual budget of the
15 Department.

16 **SEC. 42. Office of the National Building Official (ONBO).** - The Office of the
17 National Building Official, within the Department, is hereby created to provide sufficient
18 technical, legal, administrative, and support personnel to the National Building Official
19 in the exercise of his powers and the performance of his duties.

20 This Office, headed by a Director, who shall be a registered and currently
21 licensed professional, be a member of good standing of the duly accredited national
22 organization of the profession, and have at least ten (10) years of diversified and
23 professional experience in building design, construction, and regulation, shall be
24 placed under the supervision of the Undersecretary for Technical Services of the

1 Department. It shall comprise highly qualified personnel eligible to act as building
2 professionals, scientists, or technicians, who possess diversified and professional
3 experience in the field of building design and construction, and lawyers.

4 The Office of the National Building Official shall provide assistance to the
5 National Building Official in the institutional strengthening of Offices of the Local
6 Building Official, capacity building of Local Building Officials, data management,
7 monitoring and evaluation, and establishing and maintaining linkages with concerned
8 institutions. A mandatory continuing education and training program shall be pursued
9 for the Local Building Officials and their staff, as well as the staff of the Office of the
10 National Building Official.

11 The Office of the National Building Official shall coordinate the Regional
12 Building Appeals Boards.

13 The Office of the National Building Official shall formulate plans, programs, and
14 projects on building planning, design, construction, occupancy, and maintenance
15 pursuant to this Act in consideration of global best practices and the local exposure of
16 the country to multiple hazards. It shall plan and implement a computerized national
17 database of buildings and structures, for purposes of Section 37 and other provisions
18 of this Act and rules and regulations. It shall also be in-charge of the implementation
19 of a system of recognition of qualified Building Professionals as Recognized Certifiers,
20 Recognized Structural Peer Reviewers, and Recognized Inspectors, and qualified
21 establishments or institutions as Recognized Testing Laboratories.

22 *Provided,* that existing offices, bureaus, divisions, or units of the Department
23 with functions, duties, and responsibilities relative to regulations and standards for
24 building design and construction shall transition and transfer such functions, duties,

1 and responsibilities to the Office of the National Building Official that are within the
2 mandate of the latter, consistent with Section 67.

3 **SEC. 43. Regional Building Appeals Boards (RBABs).** - Regional Building
4 Appeals Boards with appropriate personnel are hereby created in Regional Offices of
5 the Department and placed under the administrative supervision of the National
6 Building Official; *provided*, that an RBAB may be created by the National Building
7 Official to serve a group of adjacent regions. Each RBAB shall be chaired by a member
8 of the Philippine Bar, and assisted by two technical personnel of the Department sitting
9 as the other members of the Board and by support staff, all of whom are appointed by
10 the National Building Official. It shall have regional exclusive appellate jurisdiction to
11 review decisions of the Local Building Officials, and resolve appeals and complaints
12 after the same shall have been acted upon, or not given due course, by the respective
13 Local Building Officials within their region. In case of appeal for reconsideration by an
14 aggrieved party on the same matter, the decision of the RBAB shall be subject to
15 review by the National Building Official pursuant to Section 60 of this Act. Absent such
16 an appeal, said decision of the RBAB shall become final and executory fifteen (15)
17 days after receipt of the copy of the decision by the parties.

18 **SEC. 44. Offices of the Local Building Official (OLBOs) and Local Building**
19 **Officials (LBOs).** - Cities and first-class municipalities shall create and operate a
20 separate Office of the Local Building Official headed by a Local Building Official who
21 shall be appointed by and accountable to the National Building Official. The Local
22 Building Official shall be appointed by the National Building Official from a list of at
23 least three (3) qualified recommendees of the Mayor, subject to civil service law and
24 rules and regulations. The Local Building Official shall be responsible for carrying out

1 the provisions of this Act, rules and regulations, and reference standards within the
2 territorial jurisdictions. Notwithstanding the foregoing, the National Building Official
3 shall have complete supervision and control over the Local Building Official.

4 Depending upon their needs and in order to improve their frontline service
5 delivery, subject to technical and budgetary requirements, second- to sixth-class
6 municipalities may create and operate a separate Office of the Local Building Official
7 upon request to and approval by the National Building Official. These municipalities, if
8 adjacent and accessible to each other, may also opt to request the National Building
9 Official to create and operate a cluster Office of the Local Building Official to serve
10 their clustered municipalities, which office shall be under the National Building Official.
11 This cluster Office shall be located at a municipality within the cluster as determined
12 by the National Building Official. Each cluster of municipalities may recommend to the
13 National Building Official the appointment of one Local Building Official for such cluster
14 from a list of at least three (3) qualified recommendees of the Mayors of the cluster,
15 subject to civil service law and rules and regulations.

16 Absent a request to and approval by the National Building Official for either a
17 separate or a cluster Office of the Local Building Official, the municipal engineers of
18 the second- to sixth-class municipalities shall be designated by the National Building
19 Official to act, in concurrent capacity, as the Local Building Officials in their respective
20 territorial jurisdictions. For purposes of this Chapter and this Section, the Office of the
21 Municipal Engineer in such second- to sixth-class municipalities shall be referred to
22 also as Office of the Local Building Official.

23 Staff of the Offices of the Local Building Official shall include highly qualified
24 personnel eligible to act as building professionals in the various professions. *Provided,*

1 that Local Building Officials and their staff shall not engage in private-sector practice
2 of their respective professions that is in conflict with their government service.

3 The concerned local government unit shall provide the funding for and operate
4 the separate Office of the Local Building Official. The Office of the National Building
5 Official shall fund and operate cluster Offices of the Local Building Official. The sharing
6 and use of fees and fines among the offices shall be in conformity with Section 46 of
7 this Act.

8 **SEC. 45. *Special Jurisdictions.*** - There shall be Local Building Officials for
9 special jurisdictions such as the Armed Forces of the Philippines (AFP), the Philippine
10 Economic Zone Authority (PEZA), the Department of Agriculture (DA), and other
11 government agencies, in each case as explicitly provided for by the applicable laws,
12 who shall regulate the design and construction of buildings or structures under their
13 jurisdiction and their registered locators and enterprises. These Local Building Officials
14 in special jurisdictions shall likewise be designated by and accountable to the National
15 Building Official.

16 Said Local Building Officials shall be designated by the National Building Official
17 from a list of at least three (3) qualified recommendees of the head of their agency,
18 subject to civil service law and rules and regulations.

19 Special jurisdictions shall consistently implement Section 54 and the rest of this
20 Act, rules and regulations, and reference standards as promulgated by the National
21 Building Official.

22 **SEC. 46. *Sharing and Use of Fees and Fines.*** - Consistent with the provisions
23 of this Act that the National Building Official through the Department shall exercise

1 supervision over all Local Building Officials, an appropriate share of revenues relative
2 to this Act shall be remitted to the national office for use as maintenance and other
3 operating expenses of national and regional bodies in the performance of their
4 functions, duties, and responsibilities under this Act.

5 Out of the total collection derived from fees, permit fees, fines, and other
6 charges, the Office of the Local Building Official shall retain fifteen percent (15%)
7 thereof and deposit in a special account created by the Local Treasurer, to fund its
8 maintenance and other operating expenses. The Office of the Local Building Official
9 shall cause to remit five percent (5%) of the said total collections to the National
10 Building Official. The remaining eighty percent (80%) shall accrue to the general fund
11 of the local government unit or the agency with special jurisdiction, which created and
12 operated the Office.

13 However, in the case of a cluster Office of the Local Building Official, it shall
14 retain fifteen percent (15%) thereof and deposit it in a special account created by the
15 Local Treasurer, to fund its maintenance and other operating expenses, cause to remit
16 sixty-five percent (65%) of the said total collections to the National Building Official,
17 and cause to divide the remaining twenty percent (20%) between or among the
18 clustered municipalities in proportion to the total fees and fines originating from each
19 municipality, and to accrue to their respective general funds.

20 The share of income to be remitted to the National Building Official shall be
21 used to cover honoraria for the BRSC Secretariat, BRSC TWGs, RBABs, and other
22 operating expenses of the BRSC, ONBO, RBABs, and cluster OLBOs.

23 Any provision of law to the contrary notwithstanding, the National Building
24 Official is hereby authorized to prescribe the procedures for the use of the fifteen

1 percent (15%) retained for the Office of the Local Building Official. Such income may
2 be used to cover necessary operating expenses including the purchase of equipment,
3 supplies, and materials; expenses for travel; continuing education and training
4 programs; engaging Recognized Inspectors and Recognized Structural Peer
5 Reviewers; obligation expenses including attorney's fees and other legal expenses,
6 including sheriff's fees as well as hazard pay for employees and authorized
7 representatives of the Office of the Local Building Official when the cause is in line
8 with the performance of duties; and payment of other prior years' obligations not
9 adequately funded, subject to existing budgetary and auditing rules and regulations.

10 **SEC. 47. *Qualifications of Local Building Officials.*** - No person shall be
11 appointed as a Local Building Official unless the person possesses the following
12 qualifications:

- 13 (a) A Filipino citizen and of good moral character;
14 (b) A duly registered and licensed architect or civil engineer;
15 (c) A member of good standing of the duly accredited professional organization
16 of architects or of civil engineers, for not less than ten (10) years; and
17 (d) Has at least ten (10) years of diversified and professional experience in building
18 design and construction.

19 Municipal engineers appointed by their mayors and who shall concurrently be
20 designated by the National Building Official as Local Building Officials, shall comply
21 with the qualifications prescribed for their positions as municipal engineers in the Local
22 Government Code.

1 The Local Building Official for a special jurisdiction shall comply with the
2 qualifications prescribed for the position by the specific law that is applicable to said
3 special jurisdiction.

4 *Provided*, that Local Building Officials are preferably Career Executive Service
5 Officers.

6 **SEC. 48. Powers, Obligations, and Functions of Local Building Officials. -**

7 In addition to the other powers, obligations, and functions mentioned in this Act, the
8 Local Building Official shall have the following general powers, obligations, and
9 functions:

- 10 (a) Approve applications for, and issue, reject, suspend, or revoke permits within
11 his territorial or special jurisdictions; for this purpose, the Local Building Official
12 shall base the decision upon the completeness and integrity of the application
13 documents supported by the appropriate certifications of Building Professionals
14 and clearances from relevant government agencies, in accordance with this
15 Act, rules and regulations, and reference standards;
- 16 (b) Hear and decide cases filed by parties on complaints related to the permitting
17 process concerning specific buildings and structures;
- 18 (c) Enter any building, structure, or its premises at reasonable times to inspect
19 and determine compliance with the requirements of this Act, rules and
20 regulations, and reference standards, as well as the terms and conditions of the
21 permit/s issued; *provided*, that in case of a single-family dwelling, an inspection
22 by the Local Building Official or Recognized Inspector must be upon the
23 consent of the occupant or upon lawful order from the proper court;

- 1 (d) Engage qualified and recognized Building Professionals as inspectors and
2 structural peer reviewers;
- 3 (e) With due process, order the work stopped and prescribe the terms and
4 conditions for the work to be allowed to resume, or issue any appropriate order,
5 including cease and desist order and demolition order, when any construction
6 is found to be contrary to the provisions of this Act, rules and regulations,
7 reference standards, and the terms and conditions of the permit/s issued;
- 8 (f) With due process, order the discontinuance of the use or occupancy of any
9 building or structure, or a portion thereof, found to be used or occupied contrary
10 to the provisions of this Act, rules and regulations, and reference standards,
11 and the terms and conditions of the permit/s issued;
- 12 (g) Keep a permanent record and accurate account of all fees, fines, and other
13 charges fixed and authorized by the National Building Official to be collected
14 and received under this Act;
- 15 (h) Validate and submit data on a computerized national database of buildings and
16 structures, for purposes of Section 37 and other provisions of this Act and rules
17 and regulations;
- 18 (i) Submit an annual situational report to the National Building Official; and
- 19 (j) Exercise such powers and perform such other obligations and functions needed
20 to assist the National Building Official in carrying out the objectives of this Act,
21 rules and regulations, and reference standards.

22 In the exercise of the abovementioned powers, obligations, and functions, the
23 Local Building Official shall comply with the prescribed timelines and other provisions
24 of Republic Act No. 9485 or the Anti-Red Tape Act, as amended by Republic Act No.
25 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act,

1 and their implementing rules and regulations, as well as the provisions of other
2 relevant laws, rules and regulations.

3 **SEC. 49. Responsibilities of Building Owners.** - To promote accountability,
4 Building Owners and Building Owner-Builders shall be responsible for their
5 compliance with the provisions of this Act, rules and regulations, and reference
6 standards. These responsibilities shall include but not be limited to:

7 (a) Providing and submitting true and correct information and documents in
8 support of their application for permits and their prerequisite certifications and
9 clearances;

10 (b) Adhering to the plans and specifications;

11 (c) Complying with the terms and conditions of the permit issued, and other
12 prerequisite certifications and clearances;

13 (d) Maintaining the building consistent with its maintenance strategy and
14 conducting periodic inspection in accordance with this Act, rules and
15 regulations, and reference standards;

16 (e) Engaging the services of Building Professionals and Building Contractors for
17 any proposed construction, as may be required by this Act, rules and
18 regulations, except for Simple (Track T1) Structures; and

19 (f) Engaging the services of Building Professionals or Recognized Certifiers for
20 the assessment of structural stability and fire safety construction of the building,
21 as may be required by this Act, rules and regulations, except for Simple (Track
22 T1) Structures and Regular (Track T2) Structures. *Provided*, that Building
23 Professionals or Recognized Certifiers need not be engaged by individual unit
24 owners for simple mass-housing-development structures.

1 Offer to transfer ownership, or actual transfer of ownership, involving owners of
2 subdivision projects shall be made pursuant to Presidential Decree No. 957, or the
3 Subdivision and Condominium Buyers' Protective Decree.

4 Offer to transfer ownership, or actual partial or full transfer of ownership,
5 involving owners of condominium projects shall be made pursuant to Presidential
6 Decree No. 957, or the Subdivision and Condominium Buyers' Protective Decree, and
7 to Republic Act No. 4726, or the Condominium Act, as amended.

8 **SEC. 50. Responsibilities of Building Professionals.** - To promote
9 accountability, the various Building Professionals, all of whom are registered and
10 currently licensed by their respective professional regulatory boards under the
11 Professional Regulation Commission (PRC), shall be responsible for the accuracy of
12 their work and their corresponding certifications. *Provided*, that every registered and
13 licensed professional shall only offer and provide work that is contemplated in the
14 applicable professional regulatory law.

15 *Provided further*, that the implementing rules and regulations shall recognize
16 and enumerate the various government-regulated professions from among which may
17 come the building professionals.

18 (a) Design professionals shall be responsible for the correctness and
19 consistency of their design and the preparation of duly signed and sealed
20 drawings, technical specifications, calculations, designs, and analyses.
21 They are not precluded from conducting inspection of the construction
22 work or building or structure to check and determine adherence to the
23 plans and specifications of the work as submitted with the permit
24 application; *provided*, that in case of a single-family dwelling, an

1 inspection must be upon the consent of the occupant or upon lawful
2 order from the proper court.

3 (b) Professionals in charge of construction shall be responsible for the
4 correctness of construction, including correctness of materials, pieces of
5 equipment, plants, and tools used, procedures followed, personnel
6 engaged, and temporary works carried out in compliance with
7 construction methodologies and standards; for compliance with safety
8 and health requirements; and for proper construction supervision at the
9 site works. They shall undertake the full-time inspection and supervision
10 of the work, and keep at the work site at all times a logbook wherein the
11 actual progress of work including tests conducted, weather conditions,
12 and other pertinent data are recorded. They shall be responsible for the
13 consistency and integrity of the documents such as logbook and as-built
14 plans. They shall also be responsible for the submission of the said
15 documents, all duly signed and sealed, upon completion or stoppage of
16 construction, to the Local Building Official.

17 (c) Other professionals engaged to perform specific tasks, such as
18 Recognized Certifiers, Recognized Structural Peer Reviewers,
19 Recognized Inspectors, and technical personnel of Recognized Testing
20 Laboratories shall accomplish their assigned tasks with the highest
21 degree of professionalism, reasonableness, and moral standards, and
22 shall act within the bounds of the authority delegated to them.

23 **SEC. 51. Responsibilities of Building Contractors.** - To promote
24 accountability, Building Contractors shall adhere to the duly signed and sealed
25 drawings, technical specifications, and construction procedure, as prepared and

1 certified by the Building Professionals and relied upon by the Local Building Officials
2 in the issuance of the permit. They shall also adhere to the additional details, issued
3 during construction, conforming to the submitted documents. Building Contractors
4 shall possess a valid license from the Philippine Contractors Accreditation Board
5 (PCAB), and comply with all other relevant laws, rules and regulations, including those
6 pertaining to the safety and health of construction workers, in addition to protection
7 afforded to them by labor laws. As principals, they shall be solidarily responsible for
8 the acts and omissions of their representatives, agents, subcontractors, and
9 employees in relation to construction. They shall engage Building Professionals in-
10 charge of construction.

11 Every building contractor shall ensure that its PCAB license is valid from start
12 to completion of construction of the project and shall provide the Building Owner a
13 certified true copy thereof or with proof of its authenticity and validity.

14 CHAPTER IX

15 PERMITS AND INSPECTIONS

16 **SEC. 52. Types of Permits.** - The Building Owner of any proposed construction
17 or existing building or structure must secure the appropriate permit from the Local
18 Building Official, prior to the start of such work or occupancy:

19 (a) Building Permit – a permit for the construction of building or structure or any
20 addition, alteration, conversion, rehabilitation, relocation, repair, or retrofit of
21 such;

22 (b) Ancillary Permit – a permit for the construction of ancillary structure as defined
23 in this Act;

- 1 (c) Excavation Permit – a permit for construction involving the removal of soil or
2 rock from a site to form an open face, hole, or cavity using tools, machinery, or
3 explosives;
- 4 (d) Demolition Permit – a permit for demolition of a building, structure, or portion
5 thereof including that which will be removed in the course of an on-going
6 construction; and
- 7 (e) Occupancy Permit – previously termed Certificate of Occupancy; a permit for
8 the full use or occupancy of a building or structure, or a partial permit for use or
9 occupancy of portion or portions thereof prior to the completion of the entire
10 building or structure, or a temporary permit for temporary use or occupancy
11 thereof prior to the completion of the entire work covered by the permit;
12 *provided*, that such portion or portions shall be used or occupied safely and that
13 the Local Building Official shall set a time period during which the partial permit
14 or temporary permit shall be valid in accordance with rules and regulations.

15 The National Building Official may prescribe in the rules and regulations such
16 other permits as he may deem necessary in accordance with objectives of this Act.
17 *Provided*, that for mass housing development structures by subdivision and
18 condominium developers under Batas Pambansa Blg. 220, to the extent that these
19 structures are comparable in simplicity with Simple (Track T1) Structures, there shall
20 be the option (Track T1M) for Mass permits to be processed in coordination with
21 Housing One-Stop Processing Centers (HOPCs) according to promulgated specific
22 rules and regulations and reference standards under this Act.

23 No permit shall be required for minor constructions, repairs, or demolitions, as
24 prescribed in the rules and regulations, insofar as these shall not violate any objective

1 or provision of this Act. *Provided*, that the implementing rules and regulations shall
2 stipulate reportorial requirements by the Building Owners, excluding any fees, in order
3 to keep the building records updated and accurate.

4 **SEC. 53. Detailed Classification of Buildings for Permitting Purposes. -**

5 The National Building Official shall prescribe the requirements for and procedure in
6 securing the different types of permits, as may be appropriate, based on the
7 classification of buildings in Section 10 of this Act. The procedures to be laid out by
8 the National Building Official shall include: (a) a simplified track of permitting process
9 for Simple (Track T1) Structures; (b) a regular track of permitting process for Regular
10 (Track T2) Structures; and (c) a special track of permitting process with mandatory
11 structural peer review of the stability for Special (Track T3) Structures.

12 The organizational structure of each Office of the Local Building Official laid out
13 by the National Building Official, based on rules and regulations, shall take these three
14 (3) tracks of permitting processes in consideration. *Provided*, that there shall be full
15 coordination with the HOPCs according to promulgated specific rules and regulations
16 and reference standards under this Act.

17 To aid the simplified track of permitting process, the National Building Official
18 shall cause, through Simplified Reference Standards, the detailed documentation and
19 regionwide or nationwide information and education campaign on the proper location,
20 design, and construction of Simple (Track T1) Structures including Traditional
21 Indigenous Family Dwellings.

22 **SEC. 54. Application for Permit. -** Any person desiring to apply for the
23 appropriate permit shall file a duly accomplished permit application form with the Local

1 Building Official of the local government unit, cluster thereof, or special jurisdiction
2 where the building or structure, proposed or existing, is located.

3 In case of expired or revoked permit, the Building Owner may apply for a
4 renewal of permit in accordance with the prescribed rules and regulations.

5 The National Building Official may require the payment of corresponding fees
6 according to a schedule provided in the rules and regulations and shall prescribe such
7 other standard requirements to be submitted with the duly accomplished permit
8 application; *provided*, that no application fees shall be required for Simple (Track T1)
9 Structures.

10 Together with duly accomplished permit application form/s, the applicant shall
11 submit: (a) documents relating to ownership of building site that support the authority
12 to order construction work for a building or structure and to hold legal right of
13 possession or title to a building or structure; (b) relevant clearances from other
14 agencies, such as but not limited to fire safety evaluation clearance or fire safety
15 inspection clearance from the Bureau of Fire Protection; (c) documents relating to
16 building use or occupancy, location, plans, specifications, and maintenance strategy;
17 and (d) estimated construction cost. According to the permit being applied for and the
18 classification of building or structure involved, whether Simple (Track T1), Regular
19 (Track T2), or Special (Track T3) Structure, the National Building Official, through rules
20 and regulations, shall require specific parts of building plans, specifications, and
21 related documents to be submitted as evidence of compliance with this Act, rules and
22 regulations, and reference standards.

23 The National Building Official, through rules and regulations, shall require
24 specific parts of building plans and specifications to be prepared, signed and sealed

1 by appropriate Building Professionals; *provided*, that various building professionals
2 may be appropriately authorized according to their respective professional regulatory
3 laws to prepare, sign, and seal certain parts, sheets, or pages of building plans,
4 specifications, and related documents. *Provided further*, that every registered and
5 licensed professional shall only offer and provide work that is contemplated in the
6 applicable professional regulatory law.

7 Consistent with Section 37 and the mandate of the Office of the National
8 Building Official through the Offices of the Local Building Official to maintain a
9 computerized national database, the Government shall prioritize the enabling of
10 electronic filing and transaction of application for permit.

11 **SEC. 55. Processing of the Permit Application.** - Pursuant to Republic Act
12 No. 9485, or the Anti-Red Tape Act as amended by Republic Act No. 11032, or Ease
13 of Doing Business and Efficient Government Service Delivery Act, within a reasonable
14 time from the filing of the duly-accomplished permit application, payment of fees as
15 applicable, and compliance with other standard requirements to be determined by the
16 National Building Official, the Local Building Official shall give due course to the
17 application and issue the permit applied for upon satisfaction of the completeness and
18 integrity of the application documents supported by the appropriate certifications of
19 Building Professionals and clearances from relevant government agencies, in
20 accordance with this Act, rules and regulations, and reference standards.

21 **SEC. 56. Validity of Permit.** - A Building Owner with issued permits has the
22 continuing obligation to comply with the provisions of this Act, rules or regulations, and
23 reference standards throughout the lifespan of the building or structure.

1 When submitted plans and specifications of an issued permit are subsequently
2 found to be erroneous, the Local Building Official is authorized to oblige the applicant
3 to effect the necessary corrections in said plans and specifications and the
4 corresponding construction or, with due process, to prevent or stop any or all building
5 operations that are in violation of this Act, rules and regulations, and reference
6 standards.

7 A permit issued under the provisions of this Act shall expire and become null
8 and void if the building or work authorized therein is not commenced within a period
9 of one (1) year after the issuance of the permit. A partial or temporary Occupancy
10 Permit shall be valid for the time period set by the Local Building Official in accordance
11 with the prescribed rules and regulations. For phased or incremental construction
12 referred to in Section 32 of this Act, the Building Owner may apply for an extension of
13 the validity of the permit, or renewal of the permit as appropriate, in accordance with
14 the prescribed rules and regulations. A permit for the full use of the structure shall be
15 renewed every five (5) years.

16 **SEC. 57. Grounds for Non-issuance, Suspension, or Revocation of Permit.**

17 - The Local Building Official may, with due process, order or cause the non-issuance,
18 suspension, or revocation of permits on any or all of the following reasons or grounds:

19 (a) Non-compliance with or violation of the provisions of this Act, rules and
20 regulations, and reference standards;

21 (b) Substantial errors found in the plans and specifications;

22 (c) Non-compliance by the building contractor with the requirement for a valid
23 license from the Philippine Contractors Accreditation Board (PCAB);

- 1 (d) Use of sub-standard building material or sub-standard workmanship and
2 refusal to rectify upon notice;
- 3 (e) Absence of work being done in the site for more than one hundred twenty
4 (120) days for excavations left open or building construction abandoned; or
- 5 (f) Fraudulent misrepresentation of data or information supplied in the application
6 for permit.

7 Notice of non-issuance, suspension, or revocation of permit shall always be
8 made by the Local Building Official in writing, stating the reasons or grounds therefor.
9 Said action by the Local Building Official shall be proportionate to the reasons or
10 grounds committed or omitted by the applicant, in accordance with this Act and rules
11 and regulations.

12 **SEC. 58. *Complaint.*** - Based on the grounds enumerated in Section 57 of this
13 Act, any person aggrieved by the proposed, ongoing, or existing construction, use, or
14 occupancy may file before the Local Building Official of the local government unit,
15 cluster thereof, or special jurisdiction where the concerned construction is located, a
16 complaint for the non-issuance, suspension, or revocation of the corresponding permit
17 applied for by, or granted to, the Building Owner. The aggrieved party shall be notified
18 of the action taken by the Local Building Official in case the permit is granted, or
19 furnished with a copy of the decision, order, or notice of non-issuance, suspension, or
20 revocation of a permit of the Local Building Official.

21 **SEC. 59. *Appeal to the Regional Building Appeals Board.*** - Within fifteen
22 (15) days from the date of receipt of notice of the non-issuance, suspension, or
23 revocation of the permit or of the action taken by the Local Building Official, the
24 aggrieved party may file an appeal with the Regional Building Appeals Board based

1 on lack of factual or legal basis in the non-issuance, suspension, or revocation of the
2 permit or the action of the Local Building Official.

3 The Regional Building Appeals Board shall render a decision within fifteen (15)
4 days from date of receipt of appeal. The Regional Building Appeals Board's decision
5 shall be in writing, stating specifically the reason/s or ground/s therefor. In case it finds
6 the appeal to be meritorious, the Regional Building Appeals Board shall direct the
7 Local Building Official to issue the appropriate permit or order.

8 The decision of the Regional Building Appeals Board shall become final and
9 executory fifteen (15) days after receipt of a copy thereof by the party adversely
10 affected unless, within that period, an appeal to the National Building Official has been
11 perfected.

12 **SEC. 60. Appeal to the National Building Official.** - Within fifteen (15) days
13 from the date of receipt of notice of the decision of the RBAB, the aggrieved party may
14 file an appeal to the National Building Official; an appeal shall be deemed perfected
15 upon filing of the notice of appeal and posting of the corresponding appeal bond.

16 The National Building Official shall render a decision within thirty (30) days from
17 perfection of the appeal. The National Building Official's decision shall be in writing,
18 stating specifically the reason/s or ground/s therefor. In case the NBO finds the appeal
19 to be meritorious, he shall direct the Local Building Official to issue the appropriate
20 permit or order. The decision of the National Building Official shall become final and
21 executory fifteen (15) days after receipt of the copy of the decision by the parties. The
22 decision of the National Building Official is appealable to the Office of the President.

1 **SEC. 61. *Inspection and Supervision of Work and Building or Structure.* -**

2 Subject to the primary responsibility of Building Owners, Building Professionals, and
3 Building Contractors to inspect and supervise construction and as set forth in this Act,
4 the Local Building Officials may, upon motion of any aggrieved party or *motu proprio*,
5 visit and inspect at reasonable times the ongoing constructions or existing buildings
6 and structures to ensure compliance with the terms and conditions of the permits and
7 the provisions of this Act, rules and regulations, and reference standards.

8 The National Building Official shall promulgate specific rules and regulations for
9 inspection of single-family dwellings, to be carried out by the Local Building Officials
10 and Recognized Inspectors.

11 The Local Building Officials shall conduct periodic inspections of existing
12 buildings and structures in accordance with Chapter VII of this Act, rules and
13 regulations, and reference standards.

14 **CHAPTER X**

15 **INCENTIVES AND PENALTIES**

16 **SEC. 62. *Incentives.* -** The National Building Official, in coordination with
17 relevant agencies, shall develop and administer incentive schemes, which can be
18 administrative, financial, or otherwise, to promote voluntary compliance of existing
19 buildings and structures with the provisions of this Act, rules and regulations, and
20 reference standards, as well as to encourage all owners of buildings and structures,
21 either existing or proposed, to promote the use of environmentally sound or
22 sustainable materials, methods, practices, and technologies.

1 The National Building Official, in coordination with other relevant agencies, may
2 also develop and promulgate incentive schemes for owners of both public and private
3 buildings to secure insurance coverage for the residual risk after complying with
4 mandatory requirements of applicable laws.

5 The National Building Official may recommend funding support for local
6 government units and communities that have endorsed disaster risk reduction and
7 management activities for buildings and structures, especially those falling within the
8 classification of Simple (Track T1) Structures, in their jurisdictions.

9 **SEC. 63. *Prohibited Acts and Omissions.*** - The following are prohibited acts
10 and omissions:

11 (a) By the Building Owner and representative:

- 12 (1) misrepresentation or submission of false statements or documents;
- 13 (2) use of unauthorized documents and certifications of Building
14 Professional/s;
- 15 (3) undertaking any construction without the required permit/s;
- 16 (4) non-compliance with or violation of the terms and conditions of the
17 permit, including prerequisite clearances by other government agencies;
- 18 (5) not maintaining the building in accordance with the submitted
19 maintenance strategy;
- 20 (6) engaging or continuing to engage non-licensed building professionals
21 in the design, review, construction, or certification of building;
- 22 (7) engaging or continuing to engage non-licensed building contractors in
23 the construction of building;

- 1 (8) authorizing the use of materials not conforming to reference standards
2 or those not authorized/approved by the Local Building Official; or
3 (9) analogous acts, omissions, and violations of this Act, rules and
4 regulations, and reference standards.

5 (b) By the Building Professional:

- 6 (1) misrepresentation or false statements;
7 (2) certifying documents that s/he did not prepare, or certifying acts that s/he
8 did not perform;
9 (3) submission of incorrect or inconsistent drawings, technical specifications,
10 calculations, designs, and analyses;
11 (4) non-compliance with construction methodologies and standards in case
12 of a professional in charge of construction;
13 (5) violation of safety and health standards prescribed by law or regulations
14 in case of a professional in charge of construction;
15 (6) non-submission of duly signed and sealed documents, or submission of
16 inconsistent or deceitful documents, such as logbook and as-built plans in
17 case of a professional in charge of construction; or
18 (7) analogous acts, omissions, and violations of this Act, rules and
19 regulations, and reference standards.

20 (c) By the Building Contractor:

- 21 (1) deviation from the plans and specifications certified by Building
22 Professionals and submitted to the Local Building Official, in a way that
23 increases the risk to life, health, property, or public welfare;
24 (2) violation of safety and health standards prescribed by law or regulations;
25 (3) not engaging a Building Professional in charge of construction; or

1 (4) analogous acts, omissions, and violations of this Act, rules and
2 regulations, and reference standards.

3 (d) By the Recognized Certifier:

4 (1) misrepresentation or false statements in order to be recognized by the
5 Office of the National Building Official;

6 (2) certifying buildings and structures that do not meet the requirements of
7 this Act, rules and regulations, and reference standards, and other
8 applicable laws;

9 (3) refusing or failing to certify buildings and structures that meet the
10 requirements of this Act, rules and regulations, and reference standards;

11 or

12 (4) analogous acts, omissions, and violations of this Act, rules and
13 regulations, and reference standards.

14 (e) By the Recognized Structural Peer Reviewer:

15 (1) misrepresentation or false statements in order to be recognized by the
16 Office of the National Building Official;

17 (2) providing false information to the Building Owner and Building
18 Professional regarding the review;

19 (3) false certification on the compliance of structural design with this Act,
20 rules and regulations, and reference standards; or

21 (4) analogous acts, omissions, and violations of this Act, rules and
22 regulations, and reference standards.

23 (f) By the Recognized Testing Laboratory:

24 (1) misrepresentation or false statements in order to be recognized by the
25 Office of the National Building Official;

- 1 (2) misrepresentation or false statements in the tests and test results of
- 2 building materials;
- 3 (3) tampering with the equipment and instruments;
- 4 (4) conducting test methods non-conforming to reference standards; or
- 5 (5) analogous acts, omissions, and violations of this Act, rules and
- 6 regulations, and reference standards.

7 (g) By the Recognized Inspector:

- 8 (1) misrepresentation or false statements in order to be recognized by the
- 9 Office of the National Building Official;
- 10 (2) providing false information to the Local Building Official regarding the
- 11 inspection;
- 12 (3) false certification on the inspection, in consideration of any offer, promise,
- 13 gift, or present received; or
- 14 (4) analogous acts, omissions, and violations of this Act, rules and
- 15 regulations, and reference standards.

16 (h) By the Local Building Official:

- 17 (1) unjustifiable delay or gross negligence in the performance of powers,
- 18 obligations, and functions;
- 19 (2) willful engagement of non-recognized inspector;
- 20 (3) willful non-compliance with the orders of the National Building Official,
- 21 Office of the National Building Official, and Regional Building Appeals
- 22 Board; or
- 23 (4) analogous acts, omissions, and violations of this Act, rules and
- 24 regulations, and reference standards.

1 **SEC. 64. Fines and Penalties.** - Any prohibited act or omission falling under
2 paragraphs (a) to (g) in Section 63 of this Act shall be subject to the administrative
3 fines and penalties to be imposed by the National Building Official, acting through the
4 Local Building Official. Such fines shall not be lower than one-hundredth of one
5 percent (0.01%) nor higher than one percent (1.0%) of the construction cost, per
6 violation, in accordance with the gravity of the offense and the category of violator as
7 provided in Section 63; *provided*, that the Local Building Official may not issue, may
8 suspend, or may revoke any permit issued to the violator, as may be appropriate, and
9 may order the suspension or cessation of any construction until such time that
10 compliance with this Act, rules and regulations, and reference standards is
11 undertaken; *provided further*, that in case the Building Owner is also the builder or
12 Building Owner-Builder, the liability is only considered as one and that of the Building
13 Owner or the Building Contractor whichever is more stringent; *provided furthermore*,
14 that the Office of the National Building Official may suspend or revoke any recognition;
15 *provided furthermore*, that in case of Building Professionals and Building Contractors
16 found to commit any of the prohibited acts and omissions, the Local Building Official
17 shall also endorse such violation to the Professional Regulation Commission (PRC)
18 and the Construction Industry Authority of the Philippines (CIAP), respectively, for
19 corresponding administrative sanctions; and *provided finally*, that should there be
20 more than one violator for a single prohibited act or omission, their liability shall be
21 solidary.

22 These administrative sanctions imposed by the National Building Official,
23 through the Local Building Official, are without prejudice to the right of any affected
24 person to file the appropriate administrative, civil, or criminal action in the proper
25 forum.

1 For offenses falling under paragraph (h) in Section 63 of this Act, the National
2 Building Official, upon recommendation of the Regional Building Appeals Board and
3 after notice and hearing, may suspend or revoke the appointment or designation of
4 the Local Building Official as such, without prejudice to the administrative, civil, or
5 criminal liability of said official in accordance with existing laws.

6 **SEC. 65. *Criminal Liabilities of Building Owners, Building Professionals,***
7 ***Building Contractors, Recognized Certifiers, Recognized Structural Peer***
8 ***Reviewers, Recognized Testing Laboratories, and Recognized Inspectors.*** - In
9 case of gross violation of this Act and rules and regulations, the National Building
10 Official and Local Building Official may recommend to the appropriate government
11 agencies the filing of criminal charges against the violators. Gross violations shall
12 mean any of the following:

- 13 (a) starting work in the site of any kind, including but not limited to demolition,
14 without first securing the required corresponding permit or permits;
- 15 (b) occupying or using a completed or partially completed building, structure and
16 mechanical apparatus without first securing the required corresponding
17 permits;
- 18 (c) unauthorized change in type of construction from more fire-resistive to less
19 fire-resistive;
- 20 (d) non-compliance with order to abate or demolish;
- 21 (e) non-compliance with cease-and-desist order for construction;
- 22 (f) not having any work being done in the site for more than one hundred twenty
23 (120) days and without justifiable cause, for excavations left open or building
24 construction abandoned;

- 1 (g) blatant disregard of the orders of the Local Building Official in relation to the
2 protection of life, health, property, and public welfare, such as the non-payment
3 of fines and breaking of seals or operating despite the existence of an order for
4 suspension or revocation; or
- 5 (h) two or more offenses falling under Section 63 of this Act regardless of which
6 paragraphs from (a) to (g).

7 In each case, the offender shall be punished, per violation, by a fine not lower
8 than one-hundredth of one percent (0.01%) nor higher than one percent (1.0%) of the
9 estimated construction cost, or by imprisonment of not less than six (6) months nor
10 more than six (6) years, or both, at the discretion of the court, without prejudice to the
11 civil liability of the offender in accordance with existing laws. Where the violation is
12 attended by injury, loss of life or loss of property, the offender shall be proceeded
13 against under the applicable provisions of the Revised Penal Code and other special
14 laws. If the offender is a juridical entity, the officers, directors, agents, or employees
15 who willfully and knowingly vote for, assent to, or be primarily responsible for the
16 commission of the foregoing violation/s shall be held liable.

17 When the offenses are lack of permits or permit requirements or failure to
18 comply with legitimate orders or resolutions of the Local Building Official, the court or
19 tribunal of proper jurisdiction may include additional administrative penalties: (a) to
20 require the offenders to comply with the permit requirements or the orders; and (b) to
21 require the offenders to demolish, retrofit, or repair the subject building or structure for
22 failure to comply with the permit requirements or the orders.

1 *Provided that*, for failure to comply with the penalties as adjudicated penalties
2 of the court, said court may cite said offenders for contempt until the penalties are
3 complied with.

4 **SEC. 66. *Administrative and Criminal Liability of Local Building Officials***
5 ***and Staff and Other Public Officers.*** - Any Local Building Official and staff who shall
6 conspire to commit any of the enumerated gross violations with any offender as
7 provided in Section 65 of this Act shall be punished, per violation, by a fine not lower
8 than one-hundredth of one percent (0.01%) nor higher than one percent (1.0%) of the
9 estimated construction cost involved, or by imprisonment of not less than six (6)
10 months nor more than six (6) years, or both, at the discretion of the court, without
11 prejudice to the civil liability of the offender in accordance with existing laws. Any public
12 officer who fails to enforce and implement the provisions of this Act, or fails to perform
13 their functions as herein required, shall be subject to administrative and criminal
14 liability under Republic Act No. 3019 or the Anti-Graft and Corrupt Practices Act,
15 Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public
16 Officials and Employees, and other relevant laws, rules and regulations.

17 **CHAPTER XI**

18 **FINAL PROVISIONS**

19 **SEC. 67. *Transitory Provision.*** - There shall be a systematic transition of
20 implementation of building regulations and standards from Presidential Decree No.
21 1096 to this Act.

1 To initiate and facilitate the transition, the Secretary, as the National Building
2 Official, is mandated to immediately establish the Office of the National Building
3 Official within three (3) months of the effectivity of this Act.

4 City and Municipal Engineers already acting as Local Building Officials in their
5 respective jurisdictions, and Local Building Officials already appointed or designated
6 by the Secretary and performing as such, shall continue to act in such capacity, until
7 new appointments and designations shall be made for Local Building Officials.

8 Engagement of Recognized Certifiers, Recognized Inspectors, Recognized
9 Structural Peer Reviewers, and Recognized Testing Laboratories as provided for in
10 this Act, shall take effect following the implementation by the ONBO of the system of
11 recognition, as formulated by the BRSC and promulgated by the NBO. The initial list
12 of recognized persons shall be published by the ONBO within one (1) year from the
13 promulgation of the system of recognition.

14 Consistent with Section 40 and Section 41 of this Act, existing referral codes or
15 parts thereof that are technical in nature, renamed as reference standards by this Act,
16 shall remain valid until after the National Building Official promulgates new, revised, or
17 amended reference standards after the review and recommendation of the BRSC.

18 *Provided*, that absent reference standards that are locally or nationally adopted
19 by the competent government agency for a particular subject, the latest standards by
20 the International Organization for Standardization (ISO) may be used as default
21 standards.

22 **SEC. 68. *Implementing Rules and Regulations.*** - Within one (1) year from
23 the effectivity of this Act, the National Building Official, upon the recommendation of

1 the Building Regulations and Standards Council and in consultation with relevant
2 stakeholders, shall promulgate the Implementing Rules and Regulations of this Act,
3 including, but not limited to, a system of recognition of qualified Building Professionals
4 as Recognized Certifiers, Recognized Structural Peer Reviewers, and Recognized
5 Inspectors, and qualified establishments or institutions as Recognized Testing
6 Laboratories. For this purpose, the Secretary, as the National Building Official, is
7 mandated to immediately constitute the Building Regulations and Standards Council
8 within three (3) months of the effectivity of this Act.

9 The Implementing Rules and Regulations of this Act shall be reviewed every
10 five (5) years, or more frequently as needed.

11 The National Building Official shall ensure that all buildings owned by the
12 national government and all local government units, as well as departments, regulatory
13 agencies, instrumentalities, government owned and controlled corporations, and
14 implementing units of the same, shall implement an integrated, or whole-building,
15 approach to the location, planning, design, materials, construction, use, occupancy,
16 maintenance, addition, alteration, conversion, rehabilitation, relocation, repair, retrofit,
17 and demolition, so they are sustainable, energy efficient, secure and safe, cost-
18 effective, accessible, functional, productive, and aesthetic.

19 The National Building Official shall ensure that this Act is implemented in
20 manners that are clear to all stakeholders, through measures that include but are not
21 limited to the following.

22 Every rule or regulation for the administration and enforcement of the provisions
23 of this Act, including any standard that may be referenced by such, shall clearly
24 indicate the section or sub-section of this Act to which it corresponds.

1 Subject to Section 5 of this Act, every approved local ordinance with the effect
2 of modifying a national rule, regulation, or standard, towards better safeguarding of
3 life, health, property, and public welfare, shall clearly indicate the national rule,
4 regulation, or standard which it improves.

5 All forms, tables, charts, illustrations, drawings, and other annexes included
6 with rules, regulations, standards, and ordinances shall be systematically, uniquely,
7 and clearly labeled, and duly referenced within the text of the associated rule,
8 regulation, standard, or ordinance.

9 **SEC. 69. *Non-Retroactivity Clause.*** - This Act shall have no retroactive effect
10 insofar as all buildings and structures constructed under Presidential Decree No. 1096,
11 or the National Building Code of the Philippines, as amended, or existing city or
12 municipal building ordinances, if legally done in accordance therewith, shall be
13 respected subject to such limitations in this Act and except as otherwise stated in
14 Section 38 of this Act.

15 However, additions, alterations, conversions, rehabilitations, relocations,
16 repairs, retrofits, and demolitions to be made in such buildings and structures shall be
17 subject to the provisions of this Act.

18 **SEC. 70. *Oversight Committee.*** - This Act and its implementing rules and
19 regulations shall undergo a review of provisions every five (5) years, or more
20 frequently as necessary, to make the law more responsive to the needs of the times.
21 For this purpose, an oversight committee shall be created which shall be composed
22 of four (4) members each from the House of Representatives and Senate to be
23 designated by the Speaker of the House and President of the Senate, respectively.

1 **SEC. 71. Appropriations.** -

2 **SEC. 72. Separability Clause.** - If any portion of this Act is declared
3 unconstitutional or invalid, the other portions which are not affected thereby shall
4 continue in full force and effect.

5 **SEC. 72. Repealing and Modification Clause.** - Presidential Decree No.
6 1096, or the National Building Code of the Philippines, as amended, is hereby
7 repealed and replaced with this Act. Republic Act No. 6541, or An Act to Ordain and
8 Institute a National Building Code of the Philippines, is also hereby repealed. Other
9 existing laws, decrees, executive orders, and rules and regulations or parts thereof
10 that are inconsistent with this Act, are hereby repealed.

11 Existing laws mandating the integration of the National Building Code of the
12 Philippines as a major subject in the curriculum of the bachelor of science degree
13 programs in architecture and engineering, and its inclusion as a topic in the licensure
14 examinations for those professions, are hereby modified to mandate the integration of
15 the Philippine Building Act in place of the National Building Code of the Philippines.

16 Sec. 477 of Republic Act No. 7160, also known as the Local Government Code,
17 is modified accordingly.

18 **SEC. 73. Effectivity Clause.** - This Act shall take effect fifteen (15) days after
19 its publication in the Official Gazette or in two (2) newspapers of general circulation.

20 *Approved.*

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