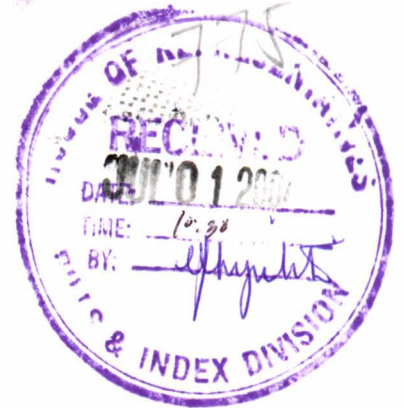


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

13th Congress
HOUSE BILL NO. 775



Introduced by Representative Harlin Cast. Abayon

EXPLANATORY NOTE

In the Ozone Disco fire tragedy which resulted in the death and injuries to more than one hundred sixty persons, mostly teenagers, a controversy arose as to who is responsible for the actuation of Quezon City employees over the issuance of certain municipal permits or licenses over establishments.

In an opinion of the Secretary of Justice, it was ruled that under the National Building Code, it is provided that in the issuance of building permits, the city employees concerned are under the supervision and control of the Secretary of the department of the Public Works and Highways. This opinion seems to run counter to the spirit of the Local Government Code of 1991 which is aimed at developing and expanding more and more the local autonomy mandated in the 1987 Constitution of the Philippines.

To erase any doubt as to the true spirit and intent of the lawmaking body on the subject, the bill seeks to vest in the local officials the responsibility for the actuation of local government employees in the performance of their assigned duties, particularly in the issuance of licenses or permits, the opinion of the Secretary of Justice, as well as other laws to the country notwithstanding.

To remedy the flaw in the law brought about by the Ozone Disco incident, early approval of the bill is earnestly requested.


HARLIN CAST. ABAYON

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

13th Congress
First Regular Session

HOUSE BILL NO. 775

Introduced by Representative Harlin Cast. Abayon

INVESTING IN ALL CITY AND MUNICIPAL MAYORS THE AUTHORITY TO EXERCISE EXCLUSIVE DIRECT OPERATIONAL SUPERVISION AND CONTROL OVER ALL CITY AND MUNICIPAL EMPLOYEES TASKED WITH THE DUTY OR FUNCTIONS OF ISSUING ALL KINDS OF CITY OR MUNICIPAL PERMITS AND LICENSES, AND FOR OTHER PURPOSES.

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

SECTION 1. Any existing law, rules and regulations, opinion of the Secretary of Justice and other administrative issuances to the contrary notwithstanding, all city and municipal permits and licenses are hereby placed under the exclusive direct operational supervision and control of their respective city or municipal mayor, who shall be directly responsible for any act of malfeasance, misfeasance or non-feasance committed by them in the performance of their assigned tasks.

SECTION 2. Any act of malfeasance, misfeasance or nonfeasance committed by a city or municipal mayor or city municipal employee in the performance of his function of issuing a city or municipal permit or license shall be punished with imprisonment for a period of not less than (2) two years nor more than five (5) years, at the discretion of the court. In addition, the offender shall suffer the penalty of perpetual absolute disqualification from holding a public office.

SECTION 3. This act shall take effect fifteen (15) days after publication in at least two (2) national newspapers of general circulation.

Approved,