

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

HOUSE BILL NO.: 4195



Introduced by **HON. EDUARDO C. ZIALCITA, Ph.D.**

EXPLANATORY NOTE

The prevalence of both subterranean and drywood termite in the Philippines is of common knowledge. The soil, climate and ecological conditions in our tropical country favor the continuing development of these insects.

Its deleterious effects to man and his environment, his precious dwelling, to public buildings and structures have an insidious effect on his future. For the investments that were infused in these structures must be protected to ensure its longevity. The economics of construction maybe waylaid by this simple looking but yet complex insect.

While this threat has been addressed by our construction industry through our legitimate pest control operators in the country, no specific mandate, legislative fiat or executive order has been enacted to officially stipulate as a national public policy, this critical public concern.

For this purpose therefore, an amendment to the existing National Building Code of the Philippines to incorporate a provision on PRE CONSTRUCTION TERMITE PROOFING on private and public buildings on Chapter 3 of the Code is proposed to be enacted.

The Philippines experience, vis a vis damage statistics attribute to termites, can only be compared to the US-setting and more, considering the tropical conditions and ecology of the Philippines. And, in the light of the pest control industry that increased since 1978 when the Fertilizer and Pesticide Authority commenced with its accreditation and licensing program, it is safely assumed that the statistics of termite infestation nationwide has likewise flourished.

In terms of mandate, there have been no specific legislative enactment, degree or executive order that will stipulate as a pre-construction requirement for all building structures that these must undergo termite proofing procedures such as soil poisoning for pre-construction.

However, the National Housing Authority (NHA), in its addendum to the NHA Building Code in Section 2A under the heading-Soil Treatment For Termite Control – specifically requires this pest control procedure in all NHA construction projects.

Further, the then Ministry of Human Settlements (MHS), in its Tender Documents for housing projects, (Section SP on Soil Poisoning under Division 2 its General Specifications) required soil poisoning procedures to be followed.

The Philippines may well profit from the mandates institutes by two notable countries, the USA and Australia. The US Department of Housing and Urban Development has issued the

“... are intended to provide a sound technical bases for the planning and design of housing... the standards describe those characteristics in a property which will provide present and continuing utility, durability, desirability, economy of maintenance and safe and healthful environment”.

Under its Section 606-2 on Termite Protection, the Standards stipulates two (2) areas of termite treatment procedures: chemical and physical barriers.

In Australia, an Australian Standard for the Protection of Buildings from Subterranean Termites was constituted by the Standards Association of Australia.

The Standards covers the scope of chemical treatment, Site Preparation, Chemicals and Concentration, Methods of application; and Notice of Treatment and Certification.

Pursuant to the abovementioned facts, the amendment of the National Building Code of the Philippines to include a provision on Termite Proofing in all private and public structures is highly imperative.

Only in Chapter 9 under Section 905 on Pest and Vermin Control was there any mention of pest control but this is mainly for SANITATION purposes and not for termite control procedures.

While Section 102 and 104 of the Declaration of Policy and General Building Requirements of the National Building Code refers to “maintenance” and to “the principles of construction”; no explicit provision on termite proofing as a Standard or Pre-requisite to construction is stated.

The exigencies of ensuring the longevity of our dwelling and buildings require the built-in mandate for incorporation in the existing National Building Code. In order to streamline its implementation, the operating guidelines to the Minimum Standard Requirements are herein instituted to form part of this proposal.

The use of soil chemicals for treatment against termites is not as simple as it appears. Error in formulation and application could spell a lot of difference between effective treatment and pure waste of money. Further, improper handling and use of these chemicals could bring about ill effects in the environment, and may also pose danger to lives of human and animals.

It is important therefore that only Pest Control Operators duly licensed by the Fertilizer and Pesticide Authority (FPA), the government agency in charge of licensing and accrediting pest control operators in the Philippines, be permitted to undertake the services of termite proofing, certify to government authorities the compliance to the minimum standards set herein and when or where necessary guarantee their service for the protection of the beneficiary.

In view of the foregoing, the approval of the bill is earnestly sought.



EDUARDO C. ZIALCITA

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

HOUSE BILL NO.: **4195**

Introduced by HON. EDUARDO C. ZIALCITA, Ph.D.

AN ACT

TO AMEND THE NATIONAL BUILDING CODE OF THE PHILIPPINES AND TO INCORPORATE IN CHAPTER 3 THEREIN A PROVISION ON THE STANDARD MINIMUM REQUIREMENT FOR TERMITE PROOFING IN ALL PRIVATE AND PUBLIC BUILDINGS IN THE PHILIPPINES AND TO INSTITUTE THE OPERATING GUIDELINES FOR ITS IMPLEMENTATION AND FOR OTHER PURPOSES.

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

SECTION 1. ***Statement of Policy*** - It is hereby declared to be a public policy of the State to recognize the importance of setting as pre-requisite for construction of any private or public building the institution of pre-construction termite proofing to ensure the longevity of private and public properties

SECTION 2. ***Institution of Pre-construction Termite Proofing*** – Section 302, Chapter 3 of the National Building Code is hereby amended to read as follows:

SECTION 302. Application for permits

In order to obtain a building permit, the applicant shall file an application thereof in writing and on the prescribed form with the Office of the Building Official. Every applicant shall provide at least the following information:

- (1) A description of the work to be covered by the permit applied for;

- (2) Description and ownership of the lot on which the proposed work is to be done as evidenced by TCT and/or copy of the contract of lease over the lot of applicant is not the registered owner;
- (3) The use or occupancy for which the proposed work is intended;
- (4) Estimated cost of the proposed work.
- (5) **A WRITTEN CONTRACT FOR PRE-CONSTRUCTION TERMITE PROOFING WITH A DULY LICENSED PEST CONTROL OPERATOR.**

To be submitted together with such application are at least five sets of corresponding plans and specifications prepared, signed and sealed by a duly licensed architect or civil engineer in case of mechanical plans, by a registered electrical engineer in case of electrical plans and by a licensed sanitary engineer or master plumber in case of plumbing or sanitary installation plans except in those cases exempted or not required by the Building Official under this Code.

SECTION 3. ***Guidelines on the Minimum Standard Requirements for Termite Proofing of Public and Private Dwelling and Building*** – Guidelines on the Minimum Standard Requirements for Termite Proofing of Public and Private Dwelling and Building shall be formulated by the Fertilizer and Pesticide Authority (FPA), in consultation with the Pest Control Association of the Philippines (PCAP) and the Pest Exterminators Association of the Philippines, Inc. (PEAP).

SECTION 4. ***Repealing Clause*** - All laws, decrees and orders inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 5. ***Effectivity Clause*** – This act shall take effect upon its approval and release and publication of the guidelines in newspapers of general circulation throughout the country.

APPROVED,