

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 5437



Introduced by Representatives Mariano Michael M. Velarde Jr. and William Irwin
Tieng (BUHAY Party List)

EXPLANATORY NOTE

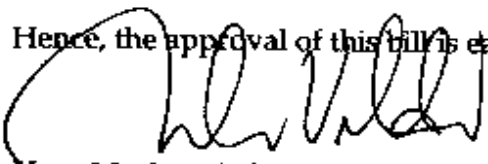
The recent earthquakes all over the world, more particularly those that occurred in Pakistan, Haiti, and China, caused the collapse of several school buildings thereby killing thousands of students.

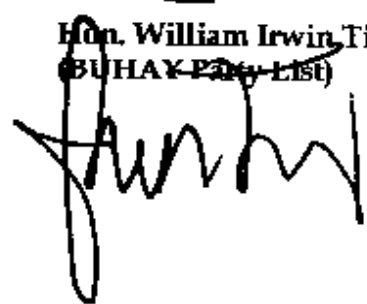
Having several faults and being located in the Pacific Ring of Fire, the Philippines should be gearing up for what is inevitable. Of course, the concerned government agencies must ensure that all the buildings and structures in our country are structurally sound through compliance with various building and construction laws. But special attention must be given to school buildings, not only for the reason that the people who stand to be victimized by an earthquake are mostly helpless children, but also because the great majority of these buildings belong to public schools which we very well know are ordinarily old and dilapidated.

Significantly, the Department of Education, in 2010, reported that about 671 school buildings out of 779 were inspected and were found to have structural defects and, at present, there are 45,625 elementary and high schools across the country, 752 of which are in the NCR region.

In this light, it is imperative for the State to take immediate action to institutionalize the inspection of all school buildings to assess their safety during an earthquake, or any other calamity for that matter. Otherwise, we risk suffering another Christian College tragedy which killed 250 teachers and students during the big quake on July 16, 1990.

Hence, the approval of this bill is earnestly requested.


Hon. Mariano Michael M. Velarde Jr.


Hon. William Irwin Tieng
(BUHAY Party List)

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AN ACT PROVIDING FOR MANDATORY ANNUAL INSPECTION OF ALL PUBLIC AND PRIVATE SCHOOL BUILDINGS BY THE CITY OR MUNICIPAL ENGINEER OR BUILDING OFFICIAL AND FOR OTHER RELATED PURPOSES

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

SECTION 1. Short Title. - This law shall be known as the "*School Building Safety Act of 2011*".

SEC. 2. Declaration of Policy. - It is hereby declared that it is the policy of the State to ensure the safety, security, suitability and structural integrity of each and every school building in the country at the beginning of each school year to ensure that the same are safe, secure, appropriate and suitable for the use of school children.

SEC. 3. Mandatory Annual Inspection. - It shall be the principal duty of the City Engineer or the Municipal Engineer and/or the Building Official of each and every the City or Municipality in the country to conduct an annual inspection of all school buildings, whether private or public, within their territorial jurisdiction at least forty-five (45) days prior to the start of each and every school year. The purpose of such inspection shall be to ensure the safety, security, suitability and structural integrity all school buildings for use by school children and/or students for the purpose or purposes for which the same are intended.

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

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

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

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

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

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

SEC. 5. Defects and Deficiencies. - In case defects and/or deficiencies are noted or reported by the City or Municipal Engineer or the Building Official, it shall be the duty of the Principal of the school as well as the local DepEd and/or CHED officials concerned to take the appropriate action to ensure that the defects and/or deficiencies noted and/or reported are properly addressed, corrected, repaired and/or rectified at the soonest time possible and before the beginning of the school year.

On the other hand, it shall be the duty of the City or Municipal Mayor to oversee that the said defects and/or deficiencies are corrected, repaired and/or rectified before the beginning of the school year.

SEC. 6. Unsuitable, Unfit or Unsafe Buildings. - In case the City or Municipal Engineer or the Building Officials has made a determination that a school building is unsuitable, unfit or unsafe for use by school children or students, the same shall not be used until after the necessary repair work has been undertaken and completed and until the same has received the approval of the City or Municipal Engineer after re-inspection.

In such a case, it shall be the duty of the Principal concerned, together with the City or Municipal Mayor, the local DepEd and/or CHED officials and/or the owners of the school in case of private schools to look for another suitable building for the temporary use of the affected school children and/or students.

SEC. 7. Highest Priority. - Considering the public interest involved, the annual inspection of all school buildings located within their territorial jurisdiction shall be the highest priority of City or Municipal Engineers and/or Building Officials except in case of calamities and/or local or national emergencies ffield disasters. Failure of a City or Municipal Engineer or Building Official to undertake the annual inspection mandated by this Act shall constitute dereliction of duty and may be a basis for removal from office of the City or Municipal Engineer or Building Official concerned.

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

SEC. 8. Penal Provisions. - Any person who refuses to act on the report and/or recommendations of the City or Municipal Engineer or Building Official rendered pursuant to Section 4 of this Act shall suffer a penalty of Six (6) months to two (2) years of imprisonment and/or a fine from Ten Thousand Pesos (P10,000.00) to One Hundred

Thousand Pesos (P100,000.00) or both, at the discretion of the Court plus perpetual disqualification from holding public office.

SEC. 9. Severability Clause. - If any provision of this Act or the applicability of such provision to any person or circumstance shall be held invalid, the validity of the other provisions of this Act and the applicability of such provisions to other persons or circumstances shall not be affected thereby.

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

SEC. 11. Effectivity Clause. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,



Hon. Mariano Michael M. Velarde Jr.

Hon. William Irwin Tieng
(BUHAY Party List)

