

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. 7075



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

Republic Act No. 6541¹ otherwise known as the *National Building Code of the Philippines* provides for all buildings and structures a framework of minimum standards and requirements by guiding, regulating, and controlling their location, siting, design, quality of materials, construction, use, occupancy, and maintenance, including their environment, utilities, fixtures, equipment, and mechanical electrical, and other systems and installations. This is in fulfillment of the State's duty and responsibility to identify and oversee the methods and/or requirements for the safe construction of all buildings and structures in the country.

A building permit is one basic requirement before one can start with the construction of a building or structure whether for residential, commercial or industrial use. On the other hand, a certificate of occupancy is a certification issued after construction and inspection of the building and/or structure, to attest to the fact that the same is built in accordance with approved standards and the same is ready and safe for occupancy already. It is well-known fact that perennial problems in the tedious and burdensome process of securing building permits as well as certificates of occupancy have inevitably brought about undue delays and has fostered and allowed corruption to persist.

In order to rectify this unfortunate situation, this measure seeks to amend the existing national building code to make the process of securing building permits and certificates of occupancy more efficient and more predictable by putting in place stricter provisions on the time frame for processing and approval thereof and amending the appeals process as well as the imposition of penalties on erring officials.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

¹ Republic Act No. 6541 <http://www.chanrobles.com/republicactno6541.htm#.VWp5Ds-qqko>

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AN ACT
TO EXPEDITE AND STREAMLINE THE APPLICATION PROCESS FOR SECURING
BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY, AMENDING FOR
THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 6541, OTHERWISE
KNOWN AS THE NATIONAL BUILDING CODE OF THE PHILIPPINES

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

1 **SECTION 1. Amending Section 1.02.03 (d) of RA No. 6541.** – SEC. 1.02.03 (d) of
2 Republic Act No. 6541, otherwise known as the National Building Code of the Philippines, is
3 hereby amended to read as follows:

4
5 “(d) The applicant for a building permit for private buildings or structures after having
6 complied with all the requirements prescribed therefor in accordance with the provisions
7 of this Code, shall be issued a building permit within fifteen (15) days from the date of
8 payment of the permit fee for Groups A and J Occupancies and within thirty (30) days
9 from the date of payment of the permit fee for other Group Occupancies[.]. **IF THE**
10 **SAME IS NOT ACTED UPON BY THE APPROVING OFFICER WITHIN THE**
11 **PRESCRIBED PERIOD, IT SHALL BE PRESUMED THAT THE BUILDING**
12 **PERMIT IS APPROVED**, unless any local government official or his Deputy
13 authorized to issue the permit. It shall inform the applicant in writing why the permit
14 should not be issued, and shall indicate thereon the particular provisions of the Code
15 violated by the applicant or the particular requirements not complied with. Within fifteen
16 (15) days from the date of receipt by the applicant of advice from any local government
17 official or his Deputy authorized to issue the permit why the building permit should not
18 be issued, or why the building permit is suspended or revoked, the applicant may appeal
19 the non-issuance, suspension, or revocation thereof, to the [Mayor of the chartered city or
20 municipality, or the Governor of the province] **LEGAL DIVISION OF THE**
21 **DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH)** [where the
22 building or structure for which the permit is being applied for is located]. Said appeal
23 shall be decided within fifteen (15) days from receipt thereof, otherwise, the applicant
24 may bring the matter to the proper Court of Justice for final disposition.”

25
26 **SECTION 2. Amending Section 1.02.05 (b) of RA No. 6541.** – SEC. 1.02.05 (b) of
27 Republic Act No. 6541, otherwise known as the National Building Code of the Philippines, is
28 hereby amended to read as follows:
29

1 “(b) **Certificates of Occupancy.** The proper Certificate of Occupancy shall be issued to
2 the applicant within seven (7) days from completion of the requirements for inspection
3 and occupancy and payment of any and all fees therefor[.]. **IF THE SAME IS NOT**
4 **ACTED UPON BY THE APPROVING OFFICER WITHIN THE PRESCRIBED**
5 **PERIOD, IT SHALL BE PRESUMED THAT THE CERTIFICATE OF**
6 **OCCUPANCY IS APPROVED,** unless [b]any local government official or his Deputy
7 issuing the Certificate shall show cause in writing why the Certificate should not be
8 issued and shall indicate thereon the particular provisions of the Code violated or the
9 particular requirements not complied with. Within fifteen (15) days from receipt by the
10 applicant of the advice from any local government official or his Deputy authorized to
11 issue the certificate why the certificate should not be issued, or why the certificate is
12 suspended or revoked, the applicant may appeal the non-issuance, suspension, or
13 revocation thereof, to the [Mayor of the chartered city or municipality, or the Governor of
14 the province] **LEGAL DIVISION OF THE DEPARTMENT OF PUBLIC WORKS**
15 **AND HIGHWAYS (DPWH)** [where the building for which the certificate is being
16 applied for is located]. Said appeal shall be decided within fifteen (15) days from receipts
17 thereof, otherwise, the applicant may bring the matter to the proper Court of Justice for
18 final disposition. The building may be occupied only upon issuance of the Certificate of
19 Occupancy.”

20
21 **SECTION 3. Penalties.** – Any local government official and/or his Deputy who commit
22 acts in violation of Republic Act No. 6541, otherwise the National Building Code of the
23 Philippines, as amended, as well as in cases of frivolous, false and/or malicious findings leading
24 to delay and/or disapproval of applications for building permit and/or certificate of occupancy
25 shall face prosecution under the Revised Penal Code and/or any local ordinance, as well as civil
26 action under our civil laws and administrative disciplinary action under the Revised
27 Administrative Code and/or the Civil Service Law and Rules.

28
29 **SECTION 4. Separability Clause.** – If any part or provision of this Act is declared
30 invalid or unconstitutional, the other provisions not affected thereby shall remain in full force
31 and effect.

32
33 **SECTION 5. Repealing Clause.** – All laws, executive orders and other administrative
34 issuances and parts thereof, which are inconsistent with the provisions of this Act, are hereby
35 repealed or modified accordingly.

36
37 **SECTION 6. Effectivity Clause** – This Act shall take effect fifteen (15) days following
38 its complete publication in the Official Gazette or in two (2) newspapers of general circulation in
39 the Philippines.

Approved,