

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

19th Congress
First Regular Session
House Bill No. **6125**



Introduced by **REPRESENTATIVE EMIGDIO P. TANJUATCO III**

EXPLANATORY NOTE

As we continue to push for economic resurgence, development remains an utmost priority for the Philippines as a nation. It is imperative that we ensure the availability of basic commodities such as water, electricity and cellular connectivity to all our constituents. While the continuity of these plans for growth is essential, it is of equal importance that the proper processes are complied with by the various parties involved in development projects.

The local government unit is the most important governing agency for provinces, municipalities, cities and townships. As the executive, they are the backbone for ensuring the plans of the national government are implemented in an efficient manner. However, there have been instances cited by the local government wherein the projects of private and public utility companies begin without any coordination with the LGU. Additionally, it was discovered that some of these companies begin public works without securing the proper permits from the LGU. This results in unnecessary delays and inconvenience shouldered by the constituents of the locality that could be avoided if proper protocols are followed by both public and private utility companies. As such, this bill aims to ensure that all protocols such as securing of permits and adhering to timelines are followed by private and public utility companies. This also ensures that all parties are held accountable to avoid any inefficiencies that may fall upon our constituents as we push for continued development in the years to come.

In view of the aforementioned, the approval of this bill is earnestly sought.


HON. EMIGDIO P. TANJUATCO III
Representative
2nd District of Rizal

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Introduced by **REPRESENTATIVE EMIGDIO P. TANJUATCO III**

**AN ACT MANDATING ALL PUBLIC AND PRIVATE UTILITY COMPANIES TO
SECURE ALL APPROPRIATE GOVERNMENT PERMITS FROM THE PROVINCE
AND THE HOST LGU BEFORE COMMENCING ANY FORM OF CONSTRUCTION
OR ACTIVITY NECESSARY FOR THE INTRODUCTION, REPAIR,
IMPROVEMENT OR REMOVAL OF A PARTICULAR UTILITY SERVICE AND TO
SUBMIT ITS TIMELINE AND PROGRAM OF WORKS TO THE LOCAL
GOVERNMENT UNIT CONCERNED**

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

SEC. 1. Title. – This Act shall be known as the **"No Permit No Construction Act"**.

SEC. 2. Declaration of Policy. – It is the policy of the State to deliver efficient and effective public utilities which provide essential services needed to improve the economic well-being of its constituents and social institutions. Considering that public utilities play a vital role in economic and social development, the state shall endeavor to develop public utilities in a timely manner and without causing undue inconvenience or unnecessary interruption to other public services.

SEC. 3. Objectives. – The objectives of this Act are as follows:

- (a) To provide basic public utilities to developing areas in the country, especially to those areas with the poorest populations;
- (b) To remind local government units of their responsibility for ensuring reliable universal access of service under accountable regulatory frameworks; and
- (c) To impose penalties and sanctions against public and private utility companies found to be violating any of the provisions stated herein.

SEC. 4. Definition of terms:

- (a) Public Utility Company – a company that operates as a public-service corporation, and provides essential services to the public such as electricity, telephone service, natural gas, water or postal services. The public utility is typically regulated by the national, state or local government.
- (b) Private Utility Company – a company that provides utilities which extend beyond service meters or public utilities, often on to privately owned property such as electrical feeders and gas mains running through parking lots or to critical facilities such as hospitals or fire stations.
- (c) Public Utility Services – are the basic services provided by the government, and at the same time required by everyone in a particular society, including but not limited to water supply, electricity and transportation.
- (d) Construction or Activity – the expression is not limited to excavation, dredging or digging, boring of public roads or properties, blockade or sealing off an area to prevent entry or exit, rerouting of vehicular traffic for any road introduction, widening, reduction or repair. Activities conducted in preparation for water pipeline laying, joining or for electricity wiring, installation, including the activities conducted prior to the establishment of network or internet connectivity or anything of similar import with respect to the delivery of public utility services in the concerned LGU.
- (e) Timeline and Program of Works – the Authorized Utility Company shall, before commencing or undertaking any construction or activity, provide the LGU a specific timeline when the particular utility service will be completed, including the different stages of its development. The aforesaid Company is likewise required to submit a detailed progress report every week to the LGU.
- (f) Authorized On-site Representative – this title is inclusive but not limited to a representative from the Public or Private Utility Company, Provincial Planning Office, City Planning Office, Municipal Planning Office, and the Philippine National Police, to promote peace, order and efficient traffic management.

SEC. 5. Authorized Public and Private Utility Companies. - No Public or Private Utility Company shall be authorized to commence or undertake any construction or activity as defined herein unless such Company has already secured the necessary permit before the concerned LGU where the proposed or already established utility service is located.

SEC. 6. Authorized On-site Representative Presence. – All Public and Private Utility Companies, together with the concerned LGU, shall provide an authorized on-site representative upon the commencement of the construction or activity to ensure peace, order, and efficient traffic management. The representatives will be tasked to report to the site of construction to check on the progression status of the project subject to the schedule provided by the concerned LGU.

SEC. 7. Penalties. – The following penalties shall be imposed on violations under this Act:

- (a) Any Public or Private Utility Company found to be guilty of Sec 5 of this Act shall be punished with imprisonment of prision mayor or a fine of at least Two Hundred Thousand Pesos (P200,000.00) and restitutionary damages on the public or private property.

- (b) Non-compliance of Sec 4e may result to the revocation of the permit issued by the LGU or a fine of at least Twenty Thousand Pesos (P20,000.00) in the first instance of non-submission of a Timeline, Program of Works and Weekly Progress Reports.
- (d) Furthermore, non-compliance of any of the aforementioned provisions of this section will empower the LGU to enjoin or restrain any on-going utility projects of the violator.

SEC. 8. *Exceptions* – The penalties provided under the immediately preceding paragraph shall not be applicable in cases of force majeure or fortuitous events.

SEC. 9. *Implementing Rules and Regulations*. – Within sixty (60) days from the approval of this Act, the DILG, in consultation with the concerned LGU and Utility Company, shall formulate and promulgate the necessary rules and regulations to implement the provisions of this Act. The implementing rules and regulations issued pursuant to this section shall take effect thirty (30) days after its publication in at least two (2) national newspapers of general circulation.

SEC. 10. *Separability Clause*. – If any part or section of this Act is declared unconstitutional, such declaration shall not affect in any manner other parts or sections hereof.

SEC. 11. *Repealing Clause*. – All laws, decrees, proclamations, issuances, or ordinances that are contrary to or inconsistent with the provisions of this Act are hereby amended, repealed or modified accordingly.

SEC. 12. *Effectivity*. – This Act shall take effect fifteen (15) days after its publication in the official gazette or in a newspaper of general circulation in the Philippines.

Approved,