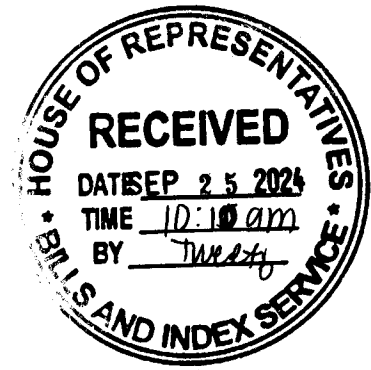


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
NINETEENTH CONGRESS
Third Regular Session
HOUSE BILL NO. 10971



Introduced by Representative Ivan Howard A. Guintu

EXPLANATORY NOTE

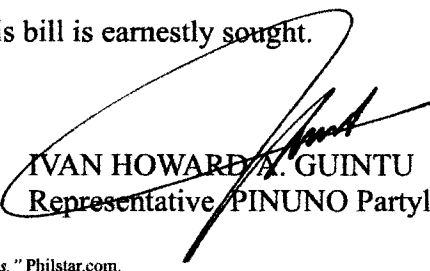
Section 16, Article II of the Constitution provides that “[t]he State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.”

According to the United Nations Environment Program, as reported by Lee-Brago, buildings contribute nearly 40 percent of the world’s greenhouse gas emissions and account for 36 percent of all energy consumption.¹ However, it should also be noted that there is potential in significantly reducing these contributions to pollution if sustainable practices in construction of buildings are implemented, and the use of energy-efficient appliances and renewable energy resources are prioritized.

The presence of buildings and urban developments may signify local economic growth due to their potential for investors and businesses, however, there is a need to adopt sustainable practices in construction of buildings in order to adapt to present environmental issues and challenges that we face.

This measure seeks to propose a Green Building Code and Rating System which shall provide incentives to those who comply with the Act in order to adopt environmentally sustainable practices in constructing buildings. Now, more than ever, as the United Nations seeks to mitigate the effects of global warming, there is a need to propose measures that shall adopt environmentally sustainable practices.

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


IVAN HOWARD A. GUINTU
Representative / PINUNO Partylist

¹Lee-Brago, P. (2019, January 3). “Buildings account for 40% of greenhouse emissions.” Philstar.com.
<https://www.philstar.com/business/science-and-environment/2019/01/03/1881751/buildings-account-40-greenhouse-emissions>

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AN ACT
ESTABLISHING A NATIONAL GREEN BUILDING CODE AND RATING SYSTEM,
PROVIDING INCENTIVES THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. Title. - This Act shall be known as “The Philippine Green Building Act of 2024.”

SEC 2. Declaration of Policies. - The State hereby affirms the state policies enshrined in the Constitution and in various national laws such as but not limited to the following:

- a) Protection and promotion of the people’s right to health and to a balanced and healthful ecology.
- b) Primary focus on pollution prevention rather than on control, and providing for a comprehensive management program for air pollution.
- c) Safeguarding of life, health, property, and public welfare consistent with the sound principles of environmental management and control, and to this end, providing for all buildings and structures an expanded framework of standards and requirements to regulate and control their design, construction, use, occupancy, repair and maintenance.
- d) Promotion and pursuit of the United Nations’ principle and policy of sustainable development.
- e) Promotion and encouragement of commercial and industrial buildings that are environmentally friendly and energy-efficient.
- f) Promotion and encouragement of cooperation and self-regulation among citizens and industries through the application of fiscal incentives and promotion of the role of private industrial enterprises in shaping its regulatory profile within the acceptable boundaries of public health and environment.
- g) Creation, development, maintenance, and improvement of conditions under which man and nature can thrive in productive and enjoyable harmony with each other; fulfillment of

social, economic, and other requirement of present and future generations of Filipinos; and insuring the attainment of an environmental quality that is conducive to a life of dignity and wellbeing.

- h) Recognition and fulfillment of the responsibilities of each generation as trustee and guardian of the environment for succeeding generations; assuring the people of a safe, decent healthful, productive, and aesthetic environment; encouragement of the wildest exploitation of the environment without degrading it, or endangering human life, health and safety, or creating conditions adverse to agriculture, commerce, and industry; attainment of a rational and orderly balance between population and resource use; and improvement of the utilization of renewable and non-renewable resources.

SEC. 3. Green Building. - 1) The practice of increasing the efficiency with which buildings and their sites use energy, water, and materials, and reducing building impacts on the environment and human health, through better siting, design, construction, operation, maintenance, and demolition.

2) The promotion and practice of sustainable site development, improvement of indoor air quality, use of efficient energy, improvement of water management, utilization of green materials, and the preservation of cultural heritage.

3) A building, whether commercial or non-commercial, whose siting, design, construction, retrofitting, renovation, use and reuse are both resource-efficient and ecologically efficient. For purposes of determining whether a building is resource-efficient and ecologically efficient, full compliance with relevant green building laws and regulations shall be considered in the following aspects:

- a) Planning and design;
- b) Energy efficiency
- c) Water efficiency and conservation
- d) Material conservation and resource efficiency; and
- e) Environment quality.

The Philippine Green Building Committee, established under Section 7 of this Act, shall prepare the specification requirements which shall be used for the Green Building compliance of developers for the purpose of this Act.

SEC. 4. Building Laws and Regulations. - For purposes of this Act, building laws, rules and regulations shall cover law, rules and regulations, and other codes and regulations referenced therein, whose primary aim is the protection and safeguarding of life, health, public welfare, and environment, such as but not limited to the following:

- a) National land use rules and regulations;
- b) National Building Code (Presidential Decree No. 1096);

- c) National Structural Code;
- d) Philippine Environmental Code (Presidential Decree No. 1152);
- e) Philippine Environmental Policy (Presidential Decree No. 1151);
- f) Environmental Impact Statement System (Presidential Decree No. 1586);
- g) Code of Sanitation of the Philippines (Presidential Decree No. 856);
- h) Philippine Electrical Code;
- i) Revised National Plumbing Code of 1999;
- j) Philippine Society of Mechanical Engineers Code;
- k) Fire Code of the Philippines (Republic Act No. 9541);
- l) Philippine Clean Air Act of 1999 (Republic Act No. 8749);
- m) Water Code of the Philippines (Presidential Decree No. 1067);
- n) National Water Crisis Act (Republic Act No. 8041);
- o) Philippine Clean Water Act of 2004 (Republic Act No. 9275) and;
- p) Department of Energy (DOE) Guidelines on Energy Conserving Design of Buildings.

SEC. 5. Incentives. - 1) Individuals, whether self-employed or earning compensation income, and juridical persons engaged in business who shall own, operate, and maintain certified green buildings shall be entitled to an annual tax deduction of Two Thousand Five Hundred Pesos (Php 2,500.00) from their gross income.

2) Certified green buildings shall be entitled to a five percent (5%) discount of the base value of their annual real property tax assessments from the local government units in which they are located, or shall be entitled to an increase of five percent (5%) in floor area ratio (FAR) of the development, whichever the developer prefers.

3) Applications for permits and certificates under National Building Code for the construction and renovation of green buildings shall be entitled to a five percent (5%) discount from the appropriate Office of Building Official.

4) Without prejudice to the foregoing incentives, issuances of permits, and certificates, payments of taxes, fees, and other assessments, and other related government transactions involving certified green buildings shall enjoy priority and shall be processed and handled in special or priority lanes made for the purpose in the appropriate government agencies and offices.

SEC. 6. Substantiation Requirements. - For purposes of this Act, the qualified persons, companies, and institutions desiring to avail of the benefits of this Act shall substantiate their claim for incentives with sufficient evidence, such as compliance certifications, inspection reports, checklists, punchlists and the like, evaluation sheets, self-assessment affidavits, or other adequate records.

SEC. 7. Philippine Green Building Committee - The Philippine Green Building Committee is hereby established which shall be an independent third-party monitoring and verification body to

be composed of representatives from the DOE, Department of Environment and Natural Resources (DENR), Department of Public Works and Highways (DPWH), and from the private sector in the fields of business, architecture, engineering, construction, environment protection and climate change mitigation.

SEC. 8. - Green Building Rating and Certification System. - For purposes of determining compliance with this Act, there shall be adopted and implemented a Green Building Rating and Certification System that shall be administered by the Philippine Green Building Committee.

SEC. 9. - Compliance. - All national, regional, and local infrastructure projects shall comply with the National Green Building Code after the passage of this Act. If there are any ongoing multi-year infrastructure programs, then the DPWH shall endeavor to comply with this Act.

SEC. 10. Implementing Rules and Regulations. - Within sixty (60) days from the effectivity of this Act, the DENR, DOE, and DPWH shall jointly promulgate the rules and regulations to effectively implement and monitor the Green Building Rating and Certification System. Within the same period, the Bureau of Internal Revenue shall promulgate the rules and regulations to effectively implement and monitor the incentives under this Act.

SEC. 11. Separability Clause. - The provisions of this Act are hereby declared to be separable and if any clause, sentence, provision or section of this Act or its application thereof to any person or circumstance should, for any reason, be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Act which can be given force and effect.

SEC. 12. Repealing Clause. - All laws, decrees, charters, executive orders, administrative orders, proclamations, rules and regulations, or parts thereof insofar as they are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 13. Effectivity. - This Act shall take effect fifteen (15) days after completion of publication in the Official Gazette or in a newspaper of general circulation.

Approved,