

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5231



Introduced by **Representative AGATHA PAULA "AGAY" A. CRUZ**

EXPLANATORY NOTE

In 1977, the National Building Code of the Philippines (Presidential Decree No. 1096) laid down a simple but powerful rule: no person, firm, or corporation, including any agency or instrumentality of the government, shall construct any building or structure without first securing a building permit from the local Building Official.

Nearly half a century later, that principle still stands as the backbone of building safety and local governance. But in practice, its reach has become uneven. Many national government agencies and government-owned or -controlled corporations (GOCCs), in their earnest haste to deliver public infrastructure, have sometimes treated the building permit as a formality best left to private contractors, or as a local courtesy rather than a legal duty. The law itself is clear, but its observance has become clouded by administrative habit.

This proposed measure seeks to lift that fog. It clarifies and strengthens the existing mandate under PD 1096 that all government entities, without exception, must secure the proper local building or infrastructure permit before construction. It codifies compliance, harmonizes procedures, and establishes a One-Stop Government Infrastructure Permit Desks (GIPD) in all LGUs to streamline processing, ensure safety, and uphold local autonomy.

Far from creating a new bureaucratic hurdle, this proposal reaffirms an old obligation that government itself must obey the same rules it enforces. By marrying national development with local oversight, and by coupling efficiency with accountability, this bill aims to ensure that every public project stands not only on concrete foundations, but also on the solid ground of law, coordination, and good governance.

Under this framework, compliance will no longer mean red tape. Processing time is bounded by the Ease of Doing Business and Efficient Government Service Delivery Act. The bill also mandates digital submissions, inter-agency coordination, and a clear appeal

process to resolve disputes swiftly and fairly.

Moreover, recognizing disparities in local technical capacity, the measure calls upon DPWH and DILG to extend technical and staffing support to LGUs, ensuring that even the smallest municipality can competently enforce national building standards.

In view of the foregoing, the early passage of this clarificatory measure is earnestly recommended so that the government may lead by example, not by exception.


AGATHA PAULA "AGAY" AGUILAR CRUZ
Representative, Fifth Legislative District of Bulacan



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HOUSE BILL NO. 5231

Introduced by **Representative AGATHA PAULA “AGAY” A. CRUZ**

AN ACT
CLARIFYING AND STRENGTHENING THE ENFORCEMENT OF EXISTING
REQUIREMENTS UNDER PRESIDENTIAL DECREE NO. 1096, OTHERWISE
KNOWN AS THE “NATIONAL BUILDING CODE OF THE PHILIPPINES,”
AMENDING FOR THE PURPOSE RELEVANT PROVISIONS OF PRESIDENTIAL
DECREE NO. 1096, AND REPUBLIC ACT NO. 7160

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

1 **Section 1.** Section 301, Chapter III (Permits and Inspection) of Presidential Decree
2 No. 1096, otherwise known as the “National Building Code of the Philippines”, is hereby
3 amended to read as follows:
4

5 “Section 301. Building **AND GOVERNMENT**
6 **INFRASTRUCTURE** Permits. – No person, firm or corporation, including
7 any agency, **GOCC**, or instrumentality of the government shall erect,
8 construct, alter, repair, move, convert or demolish any building, ~~[or]~~
9 structure, **OR GOVERNMENT INFRASTRUCTURE** or cause the same to
10 be done without first obtaining a ~~[a]~~Building ~~[p]~~Permit **OR**
11 **GOVERNMENT INFRASTRUCTURE PERMIT** therefor from the
12 **OFFICE OF THE** Building Official (**OBO**) **OF THE LOCAL**
13 **GOVERNMENT UNIT (LGU)** ~~[assigned in the place]~~ where the subject
14 building **OR GOVERNMENT INFRASTRUCTURE PROJECT** is located
15 or the building ~~[work]~~ **OR PUBLIC WORKS** is to be done.
16

17 **FOR PURPOSES OF THIS CODE, “GOVERNMENT**
18 **INFRASTRUCTURE” INCLUDES, BUT IS NOT LIMITED TO, ROADS,**
19 **BRIDGES, FLOOD-CONTROL AND DRAINAGE WORKS,**
20 **SEAWALLS, PORTS, WATER SUPPLY AND SEWERAGE FACILITIES,**
21 **PUBLIC SCHOOLS AND HOSPITALS, ADMINISTRATIVE**
22 **BUILDINGS, MASS HOUSING, TRANSMISSION TOWERS, AND**

1 SIMILAR PUBLIC WORKS, WHETHER IMPLEMENTED BY
2 NATIONAL AGENCIES OR GOCCS.

3
4 THE OBO SHALL PROCESS AND ISSUE SUCH PERMITS IN
5 ACCORDANCE WITH THIS CODE AND ITS IRR, RELATED
6 REFERRAL CODES, AND APPLICABLE LOCAL ORDINANCES
7 WITHIN THE TIMELINES UNDER REPUBLIC ACT NO. 11032, OR
8 THE EASE OF DOING BUSINESS AND EFFICIENT GOVERNMENT
9 SERVICE DELIVERY ACT.”

10
11 **Section 5.** A new Section 301-A is hereby inserted after Section 301 of PD 1096 to
12 read as follows:

13
14 “SECTION 301-A. *LGU ONE-STOP GOVERNMENT*
15 *INFRASTRUCTURE PERMIT DESK (GIPD).* – EACH OBO SHALL
16 MAINTAIN A ONE-STOP DESK FOR GOVERNMENT PROJECTS TO
17 COORDINATE ZONING, LOCATIONAL CLEARANCES, FIRE
18 SAFETY EVALUATION, AND OTHER STATUTORY CLEARANCES.
19 THE MAXIMUM PROCESSING TIME SHALL BE 3 WORKING DAYS
20 FOR SIMPLE, 7 WORKING DAYS FOR COMPLEX, AND 20 WORKING
21 DAYS FOR HIGHLY TECHNICAL APPLICATIONS. ANY EXTENSION
22 SHALL COMPLY WITH REPUBLIC ACT NO. 11032 AND ITS IRR. THE
23 OBO SHALL ACCEPT ELECTRONIC SUBMISSIONS CONSISTENT
24 WITH E-GOVERNMENT STANDARDS.”

25
26 **Section 5.** A new Section 301-B is hereby inserted after Section 301-A of PD 1096
27 to read as follows:

28
29 “SECTION 301-B. *EMERGENCY WORKS.* – IN CASES OF
30 OFFICIALLY DECLARED CALAMITIES OR IMMINENT DANGER TO
31 LIFE OR PROPERTY, NATIONAL AGENCIES MAY COMMENCE
32 TEMPORARY EMERGENCY WORKS TO STABILIZE OR PROTECT
33 INFRASTRUCTURE WITHOUT PRIOR PERMIT, PROVIDED THAT A
34 NOTICE OF EMERGENCY WORKS IS FILED WITH THE OBO
35 WITHIN 48 HOURS AND A RETROACTIVE PERMIT IS SECURED
36 WITHIN 15 CALENDAR DAYS. PERMANENT WORKS SHALL
37 REQUIRE FULL COMPLIANCE WITH SECTION 301 AND RELATED
38 LAWS.”

39
40 **Section 6.** A new Section 301-C is hereby inserted after Section 301-B of PD 1096 to
41 read as follows:

42
43 “SEC. 301-C. *APPEAL AND DISPUTE RESOLUTION*
44 *MECHANISM.* –

1
2 (A) GENERAL RULE. — ANY APPLICANT GOVERNMENT
3 AGENCY, GOVERNMENT-OWNED OR -CONTROLLED
4 CORPORATION, OR INSTRUMENTALITY WHOSE APPLICATION
5 FOR A GOVERNMENT INFRASTRUCTURE PERMIT HAS BEEN
6 DENIED, SUSPENDED, OR REVOKED BY THE OBO MAY APPEAL
7 TO THE SECRETARY OF THE DEPARTMENT OF PUBLIC WORKS
8 AND HIGHWAYS (DPWH), IN HIS OR HER CAPACITY AS THE
9 NATIONAL BUILDING OFFICIAL, WITHIN FIFTEEN (15)
10 CALENDAR DAYS FROM NOTICE OF SUCH ACTION. THE
11 SECRETARY SHALL DECIDE THE APPEAL WITHIN TWENTY (20)
12 WORKING DAYS FROM RECEIPT OF COMPLETE RECORDS.
13

14 (B) INTERGOVERNMENTAL DISPUTES. — IN CASES WHERE
15 THE PERMIT APPLICANT IS THE DPWH OR ONE OF ITS
16 ATTACHED BUREAUS, AND THE PERMIT-ISSUING AUTHORITY IS
17 A LOCAL GOVERNMENT UNIT (LGU), THE DISPUTE SHALL BE
18 TREATED AS AN INTERGOVERNMENTAL CONTROVERSY. IN
19 SUCH INSTANCES, THE APPEAL SHALL BE FILED DIRECTLY WITH
20 THE OFFICE OF THE PRESIDENT, WHICH SHALL RESOLVE THE
21 MATTER WITHIN THIRTY (30) WORKING DAYS, PURSUANT TO
22 EXISTING LAW.
23

24 (C) FINALITY. — THE DECISION OF THE OFFICE OF THE
25 PRESIDENT SHALL BE FINAL AND EXECUTORY, WITHOUT
26 PREJUDICE TO JUDICIAL REVIEW UNDER EXISTING LAWS.
27 PENDING APPEAL, NO CONSTRUCTION SHALL PROCEED,
28 EXCEPT EMERGENCY WORKS UNDER SECTION 301-B.”
29

30 **Section 7.** Sections 444(b)(3)(iv) and 455(b)(3)(iv) of Republic Act No. 7160, as
31 amended, otherwise known as the “Local Government Code of 1991”, are hereby
32 amended to read as follows:
33

34 “Section 444. *The Chief Executive: Powers, Duties, Functions and Compensation.*
35 —
36

37 (a) x x x;
38

39 (b) x x x:
40

41 (1) x x x;
42

43 (2) x x x;
44

1 (3) x x x:

2
3 (i) x x x;

4
5 (ii) x x x;

6
7 (iii) x x x;

8
9 (iv) Issue licenses and permits and suspend or revoke the same for
10 any violation of the conditions upon which said licenses or
11 permits had been issued, pursuant to law or
12 ordinance[;]**PROVIDED, THAT SUCH AUTHORITY**
13 **SHALL INCLUDE THE POWER TO ISSUE, SUSPEND, OR**
14 **REVOKE BUILDING PERMITS, GOVERNMENT**
15 **INFRASTRUCTURE PERMITS, OR SIMILAR**
16 **CLEARANCES REQUIRED UNDER PRESIDENTIAL**
17 **DECREE NO. 1096 (NATIONAL BUILDING CODE OF THE**
18 **PHILIPPINES), AS AMENDED, AND RELATED LAWS,**
19 **WHETHER THE APPLICANT OR PROJECT PROPONENT**
20 **IS A PRIVATE PERSON, A GOVERNMENT-OWNED OR -**
21 **CONTROLLED CORPORATION, OR A NATIONAL**
22 **GOVERNMENT AGENCY OR INSTRUMENTALITY**
23 **IMPLEMENTING A PROJECT WITHIN THE**
24 **TERRITORIAL JURISDICTION OF THE LOCAL**
25 **GOVERNMENT UNIT: PROVIDED, FURTHER, THAT THE**
26 **EXERCISE OF THIS AUTHORITY SHALL BE**
27 **CONSISTENT WITH NATIONAL BUILDING**
28 **STANDARDS AND REGULATIONS, AND SUBJECT TO**
29 **THE SUPERVISORY POWER OF THE PRESIDENT**
30 **UNDER ARTICLE X, SECTION 4 OF THE 1987**
31 **CONSTITUTION AND THE APPEAL MECHANISMS**
32 **ESTABLISHED UNDER SECTION 301-C OF PD 1096.**

33
34 x x x''

35
36 "Section 455. *Chief Executive; Powers, Duties and Compensation.*

37
38 (a) x x x;

39
40 (b) x x x:

41
42 (1) x x x;

43
44 (2) x x x;

(3) x x x:

(i) x x x;

(ii) x x x;

(iii) x x x;

(iv) Issue licenses and permits and suspend or revoke the same for any violation of the conditions upon which said licenses or permits had been issued, pursuant to law or ordinance[?]: **PROVIDED, THAT SUCH AUTHORITY SHALL INCLUDE THE POWER TO ISSUE, SUSPEND, OR REVOKE BUILDING PERMITS, GOVERNMENT INFRASTRUCTURE PERMITS, OR SIMILAR CLEARANCES REQUIRED UNDER PRESIDENTIAL DECREE NO. 1096 (NATIONAL BUILDING CODE OF THE PHILIPPINES), AS AMENDED, AND RELATED LAWS, WHETHER THE APPLICANT OR PROJECT PROPONENT IS A PRIVATE PERSON, A GOVERNMENT-OWNED OR -CONTROLLED CORPORATION, OR A NATIONAL GOVERNMENT AGENCY OR INSTRUMENTALITY IMPLEMENTING A PROJECT WITHIN THE TERRITORIAL JURISDICTION OF THE LOCAL GOVERNMENT UNIT: PROVIDED, FURTHER, THAT THE EXERCISE OF THIS AUTHORITY SHALL BE CONSISTENT WITH NATIONAL BUILDING STANDARDS AND REGULATIONS, AND SUBJECT TO THE SUPERVISORY POWER OF THE PRESIDENT UNDER ARTICLE X, SECTION 4 OF THE 1987 CONSTITUTION AND THE APPEAL MECHANISMS ESTABLISHED UNDER SECTION 301-C OF PD 1096.**

x x x''

Section 8. General Welfare Clause and Local Autonomy. – Implementing national government agencies shall coordinate with local government units in the planning and siting of government infrastructure projects, recognizing local autonomy and the general welfare clause. In cases of conflict, PD 1096, as amended, controls as general law on safety standards, without prejudice to more stringent local ordinances not inconsistent with national standards.

Section 9. Capacity-Building and Staffing of Offices of the Building Official. –

- 1 (a) The DPWH, through the National Building Code Development Office
2 (NBCDO), shall, in coordination with DILG, appoint or designate Building
3 Officials in local government units without regular OBOs, and provide
4 training, templates, and digital systems to operationalize the GIPD.
5
6 (b) The Department of Budget and Management (DBM) shall prioritize staffing
7 items for OBOs.
8

9 **Section 10. Penalties and Administrative Liability. –**
10

- 11 (a) *Existing Penalties under PD 1096.* Any person, firm, corporation, or government
12 official who violates the provisions of PD 1096 or this Act shall be subject to the
13 penalties prescribed in Section 213 of PD 1096 and other applicable laws.
14
15 (b) *Administrative Liability of Responsible Officials.* Heads of agencies, project
16 managers, or officers-in-charge who willfully commence, authorize, or allow
17 the implementation of any government infrastructure project without the
18 requisite building or government infrastructure permit shall be
19 administratively liable under relevant civil service and anti-graft laws, and
20 may be subject to disciplinary action including suspension, dismissal, or
21 perpetual disqualification from holding public office.
22
23 (c) *Suspension of Project Implementation.* The OBO may recommend, and the local
24 chief executive may order, the suspension of project implementation until full
25 compliance with permit requirements is demonstrated. Such suspension shall
26 not prejudice the filing of administrative or criminal charges where warranted.
27
28 (d) *Audit Disallowance.* Any expenditure or disbursement made for a government
29 infrastructure project implemented in violation of PD 1096 or this Act shall be
30 subject to audit disallowance by the Commission on Audit (COA), and the
31 responsible officials shall be jointly and severally liable for the amounts
32 disallowed, without prejudice to criminal or administrative proceedings.
33
34 (e) *Liability of GOCC Officials.* Corporate officials of GOCCs and government
35 instrumentalities who violate this Act shall be personally liable, consistent with
36 Section 213 of PD 1096 and pertinent laws on fiduciary responsibility.
37

38 **Section 11. Transitory Provision. –** Projects already awarded but not yet issued a
39 Notice to Proceed upon effectivity shall secure the required permits prior to mobilization.
40 Ongoing projects shall file for validation permits within 30 calendar days; no suspension
41 shall be ordered where safety is not compromised.
42

43 **Section 12. Appropriations. –** The amount necessary for the implementation of this
44 Act shall be charged against the current appropriations of the DPWH and DILG.

1 Thereafter, such sums as may be necessary shall be included in the annual General
2 Appropriations Act.

3
4 **Section 13. *Implementing Rules and Regulations (IRR).*** – Within 90 days, the
5 Secretaries of DPWH, as National Building Official, and DILG, in consultation with
6 ARTA, LGUs, other relevant government agencies, and industry stakeholders, shall
7 promulgate the necessary rules and regulations to implement this Act. The IRR shall,
8 among others, harmonize national technical standards with local permitting processes
9 and aligning documentary checklists, digital submission standards, and the 3-7-20 day
10 processing rule.

11
12 **Section 14. *Separability Clause.*** – If any part or provision of this Act is held
13 unconstitutional or invalid, the remainder thereof not otherwise affected shall remain in
14 full force and effect.

15
16 **Section 15. *Repealing Clause.*** – All laws, decrees, executive orders, rules, and
17 regulations, or parts thereof inconsistent with the provisions of this Act are hereby
18 repealed or modified accordingly.

19
20 **Section 16. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
21 publication in the *Official Gazette* or in a newspaper of general circulation.

22
23 *Approved,*