

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 5327

Introduced by **REP. BERNADETTE "DETTE" G. ESCUDERO**

AN ACT
REGULATING THE PLANNING, DESIGN, CONSTRUCTION, OCCUPANCY,
MAINTENANCE, AND DEMOLITION OF BUILDINGS, PROMOTING
BUILDING RESILIENCE AGAINST EARTHQUAKE, FIRE, FLOOD,
LANDSLIDE, STORM, VOLCANIC ERUPTION, AND MULTIPLE HAZARDS
WITHIN AN ALL-HAZARDS APPROACH TO RESILIENCE BUILDING,
ENACTING A NEW PHILIPPINE BUILDING ACT, REPEALING FOR THE
PURPOSE REPUBLIC ACT NO. 6541, "AN ACT TO ORDAIN AND INSTITUTE
A NATIONAL BUILDING CODE OF THE PHILIPPINES", AND PRESIDENTIAL
DECREE NO. 1096, OTHERWISE KNOWN AS THE "NATIONAL BUILDING
CODE OF THE PHILIPPINES"

EXPLANATORY NOTE

Undeniably, the increasing frequency and intensity of natural disasters pose a grave threat to the countries of the ASEAN region, particularly the Philippines.¹ These calamities impact millions of Filipinos,² affecting households and the government with costly recovery and rehabilitation costs as well as the adverse impacts on health and well-being from these disasters.³ This issue calls for the necessary reform and amendment in the Philippine Building Act, specifically the repeal of Republic Act No. 6541 and Presidential Decree No. 1096.

The proposed bill addresses the need for a modern and comprehensive law in planning, design, construction, occupancy, maintenance, and demolition of both private and public buildings and structures. It also aims to enforce an all-hazards approach embodying the principles of disaster risk reduction and management (DRRM), sustainability, and resilience-building. It ensures that buildings are designed

¹ ReliefWeb (July 2025) *ASEAN Weekly Disaster Update Week 30 | 21 - 27 July 2025*. Accessed last: 7 October 2025 from: <https://reliefweb.int/report/philippines/asean-weekly-disaster-update-week-30-21-27-july-2025>.

² UNDRR (May 27, 2025) *Global Assessment Report (GAR) 2025*. Accessed last 7 October 2025 from: <https://www.undrr.org/gar/gar2025>.

³ Pastrana N. (May 2022) *DISASTER MENTAL HEALTH PREPAREDNESS AMONG RESIDENTS OF FLOOD-PRONE BARANGAYS IN SAN JOSE OCCIDENTAL MINDORO, PHILIPPINES*, *Cognizance* 2, no. 5 : 36–46. Accessed last 7 October 2025 from: <https://cognizancejournal.com/vol2issue5/V2I503.pdf>.

and constructed to withstand multiple hazards brought forth by natural disasters by providing an updated classification and standard of buildings that integrate sustainability and environmental protection. Moreover, it promotes innovation and inclusivity by acknowledging new building technologies, including smart and green technologies, while also offering standards specific to socialized, economic, and low-cost housing projects. Lastly, buildings and structures will be assessed periodically and retrofitted, especially those older than fifteen (15) years.

In order to ensure accountability and enforcement, the bill also strengthens the powers of the National Building Official (NBO) and the creation of the Office of the National Building Official (ONBO), while institutionalizing the Building Regulations and Standards Council (BRSC).

Considering these realities, it is incumbent upon Congress to review and introduce the necessary amendments encapsulated in this bill to existing laws and regulations governing building safety and disaster resilience. These provisions have already been the subject of discussions in the 19th Congress, underscoring the continuing need to strengthen the country's legal and institutional framework to ensure that infrastructure development aligns with the principles of safety, sustainability, and disaster risk reduction.

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



HON. BERNADETTE "DETTE" G. ESCUDERO

Representative
1st District, Sorsogon

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

CHAPTER I

SECTION 1. Short Title. – This Act shall be known as the "New Philippine Building Act."

SEC. 2. Declaration of Principles and Policies. – It is hereby declared the policy of the State to safeguard life, health, property, and public welfare, consistent with the principles of environmental management and sustainable development. To this end, the State shall provide for all buildings and structures a framework of minimum standards and requirements by guiding, regulating, and controlling their location, planning, design, quality of materials, construction, use, occupancy, maintenance, assessment, evacuation, and demolition, including their environment, utilities, fixtures, equipment, and mechanical, electrical, and other systems and installations.

In pursuit of these objectives, the State shall mainstream disaster risk reduction and management in all phases of building regulation and development, and institutionalize a system of periodic review, flexible mechanisms for the updating of regulations and standards, and the active participation of relevant stakeholders. The

1 State likewise recognizes the importance of fostering continuing innovation in building
2 design and construction to ensure resilience, safety, and sustainability.

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

4 (a) Provide for the minimum standards for the regulation of location,
5 planning, design, construction, use, occupancy, maintenance, assessment,
6 evacuation, and demolition of buildings and structures, the establishment of a
7 permitting process based on their classifications, and the setting of reference
8 standards to: Safeguard life and protect people from injury;

9 (b) Ensure the health and well-being of the people who use these
10 buildings and structures without impinging on the safety of the general public
11 or endangering the environment; Protect property from physical damage; and
12 Reduce and manage hazards, exposures, and vulnerabilities, thereby
13 minimizing disaster risk;

14 (c) Promote the accountability of relevant stakeholders in ensuring
15 enforcement of and compliance with this Act, its rules and regulations, and
16 reference standards;

17 (d) Establish sustainability standards for buildings, mitigating any
18 negative environmental, economic, and social impacts; and

19 (e) Craft administrative and legal remedies for the enforcement of
20 related rights and obligations of persons, both natural and juridical.

21 **SEC. 4. Scope and Application.** – This Act shall cover all private and public
22 buildings and structures, and their location, planning, design, materials, construction,
23 use, occupancy, maintenance, addition, alteration, conversion, rehabilitation,
24 relocation, repair, retrofit, and demolition.

25 **SEC. 5. Interpretation.** – All doubts in the implementation or interpretation
26 of the provisions of this Act shall be construed in a manner that is consistent with and
27 promotes the policies and objectives of the Act. Nothing in this Act shall be interpreted
28 to prevent local government units (LGUs), pursuant to local autonomy, from enacting
29 local ordinances relating to buildings or structures and their location and planning that
30 will better safeguard life, health, property, and public welfare, consistent with the
31 objectives of this Act and the charter of the concerned LGU. Local ordinances by
32 LGUs of contiguous jurisdictions shall be harmonized for purposes of construction
33 of buildings that may straddle territories of LGUs: Provided, That before the
34 effectivity of such local ordinance, consultation with and concurrence by the National
35 Building Official (NBO), pursuant to Section 41 of this Act, shall be required through
36 the review process to be specified in the rules and regulations of this Act: Provided,
37 further, That such local ordinances shall be published in a manner that is clear to all
38 stakeholders, through measures that include those provided in Section 68 of this Act

39 **SEC. 6. Definition of Terms.** – As used in this Act:

40 (a) Addition refers to any construction that increases the height or the
41 floor area of an existing building or structure;

(b) All-hazards approach refers to a comprehensive and coordinated approach in taxonomy and characterization of hazards, both natural and human-induced including biological, environmental and technological, and approach in risk assessment and emergency planning such that the full range of potential threats are identified, associated exposures, vulnerabilities, and risks are mitigated, assessed and ranked, and emergency plans are imbued with elements that are shared among multiple hazards and elements that are unique to some;

(c) Alteration refers to any construction in an existing building or structure involving changes in the materials used, partitioning, location or size of openings, structural parts, existing utilities, or equipment but not increasing the building height nor the floor area;

(d) Ancillary structure refers to a structure intended to provide support to main buildings or structures, which may include: bank and records vaults; swimming pools; firewalls separate from the building or structure; towers; silos; smokestacks; chimneys; commercial or industrial fixed ovens; industrial kilns or furnaces; water or waste treatment tanks; septic vaults; concrete and steel tanks; gazebos, booths, kiosks, and stages; tombs, mausoleums, and niches; and similar structures;

(e) Build better refers to planning, financing, designing, and building after a disaster or crisis, based on evolving or evolved disaster risk, in order to strengthen preparedness against a similar further disaster, mitigate its adverse effects, and ensure that capacities are in place for effective disaster response, recovery, and reconstruction;

(f) Building refers to any temporary or permanent structure, anchored to the ground, for the shelter, enclosure, or support of persons, animals, plants, agri-fishery produce or products, goods, machinery, or chattels;

(g) Building contract refers to a legally enforceable agreement, regardless of titles such as prime contract, subcontract, or deed of assignment, to carry out construction work, supply goods, or provide services;

(h) Building contractor refers to a person duly registered and licensed by the Philippine Contractors Accreditation Board or competent government agency, to whom is awarded a building contract;

(i) Building owner refers to a natural or juridical person who orders construction work for a building or structure by contract; or a person undertaking one's own construction without engaging a building contractor therefor, as owner-builder; or a person holding the legal right of possession or title to a building or structure;

(j) Building professional refers to a person lawfully engaged in the design, construction supervision, or inspection of a building or structure, who is duly registered and currently licensed by the Professional

1 Regulation Commission (PRC), through a professional regulatory law for each
2 profession, to provide such services;

3 (k) Building site refers to the lot of the building location, which is
4 described by technical descriptions delineating boundaries of the property to
5 be developed, over which the building owner has a title or legal right to build;
6 for design purposes, the term shall also cover areas and spaces around the lot,
7 the conditions of which bear on the operability and safety of the building or
8 structure;

9 (l) Comprehensive Land Use Plan (CLUP) refers to the document,
10 formulated by the concerned LGU consistent with the promulgated national
11 land use plan and in consultation with its stakeholders, that defines or provides
12 guidelines on the allocation, utilization, development, and management of all
13 lands within a given territory or jurisdiction according to the inherent qualities
14 of the land itself and supportive economic, demographic, socio-cultural, and
15 environmental objectives;

16 (m) Construction refers to any and all on-sitework, including
17 preparation, excavation, foundation, and assembly or installation of
18 components, utilities, machinery, and equipment of building or structure;

19 (n) Conversion refers to a change in the use or occupancy of an
20 existing building or structure or any portion thereof to another occupancy group
21 or sub-group that has different requirements under this Act;

22 (o) Demolition refers to the systematic dismantling, destruction, or
23 removal of a building or structure, in whole or in part;

24 (p) Disaster risk means the potential disaster losses in lives, health
25 status, livelihood, assets and services, which could occur to a particular
26 community or a society over some specified future time period;

27 (q) Disaster risk reduction and management means the systematic
28 process of using administrative directives, organizations, and operational skills
29 and capacities to implement strategies, policies, and improved coping capacities
30 in order to lessen the adverse impacts of hazards and the possibility of disaster;
31 prospective disaster risk reduction and management refers to risk reduction
32 and management activities that address and seek to avoid the development of
33 new or increased disaster risks, especially if risk reduction policies are not put
34 in place;

35 (r) Exposure refers to the situation where people, property, systems, or
36 other elements in hazard zones are subject to potential losses;

37 (s) Fire resistance rating refers to the time, in minutes or hours, that
38 a building material or assembly can withstand a fire exposure as determined
39 by generally recognized and accepted testing methods or as certified by
40 a recognized testing laboratory;

1 (t) Hazard refers to a dangerous phenomenon, substance,
2 human activity, or condition that may cause loss of life, injury or other health
3 impacts, property damage, loss of livelihood and services, social and economic
4 disruption, or environmental damage; the definition of "hazard" shall conform
5 to the latest United Nations system of all-hazards approach to
6 taxonomy and characterization of natural and human-induced threats;

7 (u) Hazard zone refers to an area identified in generally recognized
8 and accepted hazard maps as exposed to natural hazards, such as floods, wind
9 storms, storm surges, landslides, volcanic eruptions, and earthquakes;

10 (v) Innovative construction technology refers to a
11 construction technology that is emerging or being reintroduced locally or
12 nationally in the field of construction, with corresponding evidence of
13 acceptable performance from laboratory tests, field tests, and analytical studies
14 to comply with Chapter V and Chapter VI of this Act, its rules and regulations,
15 and reference standards;

16 (w) Locational clearance refers to the document issued by the
17 planning and development officer of the LGU certifying that the proposed
18 construction has the appropriate traffic impact assessment (TIA), is located in
19 an appropriate zone, and does not violate the CLUP, any zoning ordinance or
20 regulation of the concerned LGU, nor other applicable laws, ordinances or
21 regulations, which document is submitted to the Local Building Official (LBO)
22 in support of an application for a permit;

23 (x) Permit refers to any of the permits that may be issued by the LBO
24 as set forth in this Act;

25 (y) Recognized certifier refers to a person possessing experience in
26 building assessment and other qualifications of a building professional, and
27 recognized by the Office of the National Building Official (ONBO) to issue
28 certificates to confirm that a building or structure that is more than fifteen (15)
29 years of age meets the requirements of Chapter VII of this Act, its rules and
30 regulations, and reference standards as to structural stability and fire safety
31 construction;

32 (z) Recognized inspector refers to a person possessing experience and
33 other qualifications of a building professional, and recognized by the ONBO,
34 whose service may be engaged by the LBO to inspect buildings or structures in
35 accordance with this Act, its rules and regulations, and reference standards;

36 (aa) Recognized Structural Peer Reviewer refers to a person
37 possessing experience and other qualifications of a building professional, and
38 recognized by the ONBO to provide independent verification that the structural
39 design of a proposed or new building or structure complies with this Act, its
40 rules and regulations, and reference standards;

41 (bb) Recognized testing laboratory refers to an establishment or
42 institution recognized by the ONBO to perform tests to determine if the building

1 materials and components used in the construction of a building or structure
2 comply with Chapter VI of this Act, its rules and regulations, and reference
3 standards;

4 (cc) Reference standards refer to technical standards that the NBO
5 promulgates through rules and regulations in administering and enforcing this
6 Act. For this purpose, consistent with Section 41, Section 42, and Section 69 of
7 this Act, applicable Philippine National Standards and existing referral codes of
8 Presidential Decree No. 1096, otherwise known as the "National Building Code
9 of the Philippines" or portions thereof that are technical in nature shall
10 hereinafter be renamed and referred to accordingly as "reference standards".
11 The implementing rules and regulations to be promulgated under Section 68 of
12 this Act shall enumerate all reference standards to be used, together with the
13 corresponding agencies that are authorized by law to formulate, revise, and
14 propose such reference standards to the NBO;

15 (dd) Rehabilitation refers to the act or process of making possible a
16 compatible use for an existing building or structure through repair or alteration
17 while preserving those portions or features which convey its acknowledged
18 heritage significance;

19 (ee) Relocation refers to the transfer of an existing building or
20 structure or portion/s thereof from its original location or position to another,
21 either within the same site or to a different one;

22 (ff) Renovation refers to any physical change made on an existing
23 building or structure to increase the value or improve the quality or aesthetics,
24 without addition to building height or floor area, nor alteration of structural
25 parts;

26 (gg) Repair refers to remedial work done on any damaged or
27 deteriorated portion/s of an existing building or structure to restore its original
28 condition;

29 (hh) Retrofit refers to the construction of any new element or system,
30 or the alteration of any element or system, required to bring an existing building
31 or structure, or portion thereof, in conformity with the provisions of this Act, its
32 rules and regulations, and reference standards;

33 (ii) Special site refers to a site that requires special rules and
34 regulations to mitigate potential adverse impacts of the site conditions;

35 (jj) Structure refers to a building or other object that is built or
36 constructed, an edifice, tower, or building of any kind, or any piece of work
37 artificially built or constructed or composed of parts joined together in some
38 definite manner, but shall not include streets, highways, bridges and viaducts,
39 railroads, canals, river and shore improvements, dry docks, dams, irrigation,
40 flood protection, tunnels, transmission lines, and structures regulated by other
41 national laws or competent national agencies;

(kk) Traditional indigenous family dwelling refers to a residential building or structure intended for the use and occupancy by the family of the owner only and constructed with native or local materials such as nipa, cogon, bamboo, log, lumber, or stone, the estimated total cost of which does not exceed the limit prescribed by the NBO through rules and regulations;

(ll) Vulnerability refers to the characteristics and circumstances of a community, system or asset that make it susceptible to the damaging effects of a hazard; vulnerability may arise from various physical, social, economic, and environmental factors such as poor design and construction of buildings, inadequate protection of assets, lack of public information and awareness, limited recognition of risks and preparedness measures, and disregard for sound environmental management; and

(mm) Zoning refers to the division of a city or municipality into districts, zones or sub-zones, and overlay zones according to present and potential uses of land in order to maximize, regulate, and direct their use and development according to the CLUP; it is concerned primarily with the use of land through imposition of building heights, bulks, open space, and density in a given area. Additional definitions shall be included in the implementing rules and regulations and with the reference standards: Provided, That these shall be non- redundant to, non-contradictory with, and only supplementary to the definitions as used in this Act.

CHAPTER II

CLASSIFICATION OF BUILDINGS

SEC. 7. Buildings and Structures. – For purposes of this Act, structures shall include buildings, ancillary structures, and other structures as defined in this Act.

SEC. 8. Classification System. – A system of classification of buildings and structures in the Philippines as to: (a) type of construction according to fire resistance rating; (b) use or occupancy; and (c) required track of permitting process, is hereby adopted.

SEC. 9. Buildings Classified by Type of Construction According to Fire Resistance Rating. – The building or structure shall be classified according to fire resistivity and fire resistance rating consistent with Republic Act (RA) No. 9514, or the “Fire Code of the Philippines of 2008”, and its implementing rules and regulations.

SEC. 10. Buildings Classified According to Use or Occupancy. – The building or structure identified based on the use or occupancy shall be classified as follows:

(a) Group A, Assembly occupancies shall include all buildings and structures, or portions thereof, used for gathering together of fifty (50) or more persons for any purpose, including deliberation, worship, entertainment, eating, drinking, amusement, and awaiting transportation;

1 (b) Group B, Business occupancies are those used for the transaction of
2 business other than those covered under Group M on Mercantile in this Section,
3 including the keeping of accounts and records and similar purposes for such offices of
4 less than fifty (50) occupants such as, offices of professionals, general offices,
5 business process outsourcing, internet shops, massage parlors, beauty shops, or
6 barbershops;

7 (c) Group D, Disaster Risk Reduction and Management (DRRM) occupancies
8 are those buildings and structures designated for DRRM training centers, early warning
9 systems, emergency operation centers, triage structures, and permanent centers for
10 refuge (Sub-group DP); Under Group D, in addition to permanent centers for refuge,
11 Sub-group DP, buildings, structures, or portions thereof may be designated as
12 temporary evacuation centers, Sub-group DT, provided they comply with the
13 specific rules and regulations promulgated by the NBO;

14 (d) Group E, Educational occupancies shall include buildings, or portions
15 thereof, used for the gathering of a group of six (6) or more persons for purposes of
16 instruction, such as schools, colleges, universities, academies, kindergartens, or
17 nurseries;

18 (e) Group F, Factory and Industrial occupancies are those used for operations
19 such as product processing, fabricating, manufacturing, assembling and
20 disassembling, mixing, packaging, finishing or decorating, repairing, and material
21 recovery, including factories of all kinds, laboratories, laundries, dry-cleaning plants,
22 power plants, pumping stations, smokehouses, gas plants, refineries, creameries, or
23 sawmills;

24 (f) Group G, Agricultural and Biosystems occupancies are those used for the
25 production, harvesting, processing, storage, manufacture, preserving, transporting,
26 and distribution of agricultural and biosystems products or materials including silos
27 and its components, agricultural and biosystems machinery and equipment sheds,
28 farm houses, green/screen houses, poultry houses, piggery houses, slaughterhouses,
29 agricultural and biosystems products storages or warehouses, buildings and structures
30 for poultry, livestock, fishery and forestry production and processing, kiln drying and
31 lumber treatment structures, and structures for farm equipment, farm supplies, and
32 agricultural waste utilization and management;

33 (g) Group I, Institutional occupancies are those used to house one or more
34 persons under varied degrees of restraint or security where such occupants are
35 mostly incapable of self-preservation because of security measures not under the
36 occupants' control (Sub-group ID), such as jails and penitentiaries, government
37 buildings and quarters rendering civic or public assistance and peace and order (Sub-
38 group IG), or those in which care or supervision is provided to persons who are mostly
39 incapable of self-preservation without physical assistance because of age, or physical
40 or mental condition or ability (Sub-group IH), such as hospitals, health care and day
41 care occupancies, and homes for the aged;

42 (h) Group M, Mercantile or Commercial occupancies are those used for the
43 display or sale of merchandise, and involve stocks of goods, wares, and merchandise

1 incidental to such purposes and accessible to the public, of more than fifty (50)
2 occupants, such as showrooms, stores, markets, malls, or restaurants;

3 (i) Group R, Residential occupancies are those in which sleeping
4 accommodations are provided for normal residential or dwelling purposes, for example
5 the socialized (Sub-group RS) and economic (Sub-group RE) housing covered by Batas
6 Pambansa Blg. 220, "An Act Authorizing the Ministry of Human Settlements to
7 Establish and Promulgate Different Levels of Standards and Technical Requirements
8 for Economic and Socialized Housing Projects in Urban and Rural Areas from those
9 Provided under Presidential Decrees Numbered Nine Hundred Fifty-Seven, Twelve
10 Hundred Sixteen, Ten Hundred Ninety-Six and Eleven Hundred Eighty-Five", low-cost
11 (Sub-group RL) housing covered by Presidential Decree No. 957, otherwise known as
12 "The Subdivision and Condominium Buyers' Protective Decree", or residential board
13 and care buildings that are used for lodging and boarding of four (4) or more residents,
14 not related by blood or marriage to the operators or owners, for less than fifty (50)
15 total occupants;

16 (j) Group S, Storage occupancies include all buildings or structures utilized
17 primarily for the storage or sheltering of goods, merchandise, products, or vehicles;

18 (k) Group U, Utilities and Miscellaneous occupancies are those with an ancillary
19 character, such as those enumerated in Section 6 (d) on Ancillary Structure of this
20 Act, or those which cannot be properly classified in any of the other occupancy groups
21 in this Section, such as billboards or commercial signboards; and

22 (l) Group Z, High-Hazard occupancies are those with storage and handling
23 of flammable, highly combustible, highly infectious, or other highly hazardous
24 materials that would constitute a physical or health hazard, in quantities in excess of
25 those allowed by regulations.

26 The NBO may determine, through implementing rules and regulations, sub-
27 groups within Groups A to Z. Any other use or occupancy not mentioned specifically
28 under this Section, or about which there is any question, shall, upon approval by the
29 NBO, be included in the group which it most nearly resembles based on the
30 associated hazard or risk to life, health, property, and public welfare.

31 For each group or sub-group of use or occupancy, the NBO shall promulgate
32 specific rules and regulations and reference standard in
33 accordance with this Act. When a building or structure is of mixed occupancy or used
34 for more than one occupancy, the whole building or structure shall be subject to the
35 most restrictive requirement pertaining to any of the occupancy groups found therein,
36 except when a minor use does not occupy more than ten percent (10%) of the area
37 of any floor or as otherwise provided in applicable rules and regulations for mixed
38 occupancy or use.

39 **SEC. 11. Buildings Classified According to Required Track of**
40 **Permitting Process.** – Buildings and structures shall be classified based on the
41 required track of permitting process as follows:

(a) Simple (Track T1) Structures are buildings or structures belonging to sub-group/s under Group R, Residential, either traditional indigenous family dwellings regardless of number of floors, or individually constructed dwellings for up to three (3) families, with maximum total gross floor area limit for each case as prescribed by the NBO through rules and regulations, but shall exclude such structures under any government-approved mass housing project developed by the government, non-government organization, or private developer. These Simple (Track T1) Structures shall comply with Simplified Reference Standards as prescribed by the NBO under a simplified track of permitting process: Provided, That mass housing development structures by subdivision and condominium developers under Batas Pambansa Blg. 220 or under Presidential Decree No. 957 to the extent that these structures are comparable in simplicity with Simple (Track T1) Structures, shall have a similarly simplified track (Track T1M) of housing permitting process in coordination with Housing One-Stop Processing Centers (HOPCs) according to promulgated specific rules and regulations and reference standards under this Act;

(b) Regular (Track T2) Structures are buildings or structures that do not fall under either one of the classifications of Simple (Track T1) Structures and Special (Track T3) Structures. Regular (Track T2) Structures shall require the regular track of permitting process.

(c) Special (Track T3) Structures are buildings or structures that are distinguished by special physical attributes in terms of size, span, or form, by very advanced structural calculation method, or by nature of use or occupancy. These structures shall be any of the following:

(1) buildings and other structures exceeding seventy-five (75) meters in height or a higher height threshold as prescribed based on rules and regulations by the NBO;

(2) long span structures exceeding thirty (30) meters in span or a longer span threshold as prescribed based on rules and regulations by the NBO;

(3) buildings and other structures with two (2) or more floor levels, and in any single floor level exceeding twenty-five thousand (25,000) square meters of gross floor area;

(4) buildings and other structures with gross floor area exceeding forty thousand (40,000) square meters;

(5) underground or underwater structures;

(6) facilities belonging to Group D, DRRM occupancies;

(7) agricultural and biosystems buildings belonging to Group G, Agricultural and Biosystems occupancies;

(8) hospitals belonging to a sub-group under Group I, Institutional, that need to provide higher than the minimum level of services in terms of functional capacity as classified by competent national agency on healthcare facilities;

- 1 (9) facilities belonging to Group Z, High-Hazard occupancies;
- 2 (10) structures that have non-regular structural form as classified in structural
3 reference standards; or
- 4 (11) buildings and other structures using very advanced structural calculation
5 methods in design as classified in structural reference standards.

6 Accordingly, the special track permitting process for Special (Track T3)
7 Structures shall require a peer review of the structural stability. The terms of reference
8 of the peer review shall be clear and acceptable to both the original professional and
9 the peer reviewer, and conforming to this Act, its rules and regulations, and reference
10 standards.

11 For buildings and structures that have non-regular structural form (sub-class
12 (10) in this Section or using very advanced structural calculation method in design
13 (sub-class (11) in this Section, the peer review shall be conducted by a Recognized
14 Structural Peer Reviewer duly qualified for such specific sub- classes, respectively.

15 The Recognized Structural Peer Reviewer shall be nominated by the building
16 owner from the list of building professionals duly recognized by the ONBO.

17 The act of reviewing does not pass on the responsibility and the liability of the
18 building professional for structural design to the Recognized Structural Peer Reviewer
19 on the structural integrity of the building, without prejudice however, to administrative
20 charges under applicable professional regulations: Provided, That should the building
21 owner opt, under applicable laws and professional regulations, to lawfully disengage
22 the previously engaged building professional for structural design and to engage as a
23 new building professional for structural design a Recognized Structural Peer Reviewer
24 who has been previously engaged as peer reviewer according to this Section, a
25 new independent Recognized Structural Peer Reviewer shall be required.

26 Prior certification for innovative construction technology according to Section
27 30 of this Act shall be deemed to satisfy the requirement of structural peer review:
28 Provided, That the ONBO shall establish or recognize competent government agencies
29 in charge of certification of innovative construction technologies as provided for in
30 Section 30 of this Act.

31 **SEC. 12. Requirements for Each Type of Construction According to**
32 **Fire Resistance Rating.** – The NBO shall prescribe standards for each type of
33 construction according to fire resistivity and fire resistance rating as allowed under
34 this Act correspondingly for each group or sub-group of use or occupancy, and
35 promulgate rules and regulations and reference standards therefor, in general terms
36 of structural system, exterior walls and openings, interior walls and enclosures, floors,
37 exits and stairs construction, and roofs, among other elements.

38 **SEC. 13. Changes in Use or Occupancy and Type of Construction**
39 **According to Fire Resistance Rating.** – No change shall be made in the use or
40 occupancy or the type of construction according to fire resistivity and fire resistance
41 rating of any building or structure which would place the building or structure in a

1 different occupancy group or different type of construction, unless such building or
2 structure is made to comply with the requirements for the new occupancy group or
3 type of construction: Provided, That the change may be approved by the LBO upon
4 determination that the new use or occupancy and the new type of construction pose
5 less risk to life, health, property, and public welfare, according to rules and regulations
6 promulgated by the NBO.

8 **CHAPTER III**

9 **LOCATION AND ZONING**

10 **SEC. 14. General Requirements for Location and Zoning.** – The site upon
11 which will be located any building or structure, including associated parks or open
12 spaces, shall conform to the CLUP of the concerned LGU. It shall be sanitary, hygienic,
13 and accessible, and shall not pose high hazard for the intended use or occupancy, as
14 determined by competent and appropriate authorities and cleared through a locational
15 clearance and other clearance/s or certificate/s as prescribed by applicable laws and
16 rules and regulations, and subject to statutes in force concerning no-build zones. It
17 shall not encroach on adjacent properties nor obstruct existing easement or right-of-
18 way of the national government and all LGUs, as well as departments, regulatory
19 agencies, instrumentalities, government owned and controlled corporations, and
20 implementing units of the same, in accordance with existing laws and rules and
21 regulations.

22 **SEC. 15. Protection of the Site Environment.** – Any proposed construction
23 including its location and use shall take into account the environment and its
24 conservation and protection. It shall not gravely affect the heritage and environmental
25 significance of the site and shall not harm nor aggravate the state of the
26 neighborhood, environment, and natural resources surrounding it. No construction, its
27 location, and use shall be allowed without complying with the applicable heritage,
28 environmental, and natural resources laws and regulations as determined by
29 competent and appropriate authorities and cleared through a locational clearance and
30 other clearance/s or certificate/s as prescribed by applicable laws and regulations.

31 **SEC. 16. Protection of the Public.** – Any proposed construction shall not
32 cause harm to the general public nor infringe on public spaces.

33 **SEC. 17. Requirements in Hazard Zones and Special Sites.** – The
34 building owners and building professionals shall ensure that every proposed
35 construction, its location, and use, will not increase the vulnerabilities of the people
36 who will occupy the building and their neighborhood on account of the hazard zone
37 or special site. Within hazard zones as established in the CLUP and hazard maps
38 published by the national government, risk mitigation and adaptation requirements
39 and measures shall be incorporated in the rules and regulations and reference
40 standards as promulgated by the NBO. The rules and regulations shall be periodically
41 updated to designate no-build zones, if any, that are deemed off-limits for new
42 building construction or addition, on account of extreme hazard as determined by
43 competent government agencies.

1 **SEC. 18. Resilience.** – Buildings and structures damaged in a disaster or crisis
2 shall adhere to principles of building better in post-disaster or post- crisis recovery and
3 reconstruction.

4 The NBO shall cause to integrate disaster risk reduction
5 and management measures in the rules and regulations and reference
6 standards for planning, design, and reconstruction of buildings and structures.

7 The NBO shall promulgate specific rules and regulations and reference
8 standards for temporary post-disaster or post-crisis structures.

10 **CHAPTER IV**

11 **DESIGN**

12 **SEC. 19. General Requirements for Design.** – The design of all buildings
13 and structures shall comply with the requirements prescribed by this Act, its rules and
14 regulations, and reference standards, and shall be prepared by building professionals:
15 Provided, That there shall be specific levels of standards and technical
16 requirements for socialized housing (residential occupancy Sub-group RS) and
17 economic housing (residential occupancy Sub-group RE) structures as provided by
18 Batas Pambansa Blg. 220, and low-cost housing (Residential Occupancy Sub-Group
19 RL) covered by Presidential Decree No. 957, as formulated by the Department of
20 Human Settlements and Urban Development (DHSUD) and recommended through the
21 Building Regulations and Standards Council (BRSC): Provided, further, That Group G,
22 Agricultural and Biosystems occupancies shall consider biosystems design
23 requirements for the protection of persons, animals, crops, and the environment, and
24 ensure optimum production, workers' safety, and biosecurity of plants and animals.
25 Buildings and structures on or in special sites shall consider special design
26 requirements and risk mitigation measures called for by the specific site conditions.

27 Reference standards shall comprehensively and consistently address the
28 technical details and other technical analyses, as appropriate, according to the system
29 of classification of buildings and structures, that are required to carry out the
30 objectives of this Act and as such shall be recognized by and enumerated through its
31 implementing rules and regulations.

32 **SEC. 20. Strength and Stability.** – All buildings and structures shall be
33 designed to be structurally adequate in strength and stability against anticipated
34 combinations of loads and effects so as to safeguard people and property from
35 physical harm or damage.

36 Subject to the provisions of Articles 684 to 686 of R.A. No. 386, or the "Civil
37 Code of the Philippines", on lateral and subjacent support, the design and quality of
38 materials used structurally in excavation, footings, and foundations shall conform to
39 prescribed reference standards and project specifications.

40 **SEC. 21. Protection from Fire.** – All buildings and structures shall be
41 designed to safeguard persons and properties from any harm or damage caused by

1 fire in accordance with the Fire Code of the Philippines of 2008 and its implementing
2 rules and regulations. All fire safety constructions as defined by the Fire Code of the
3 Philippines of 2008 shall be designed in accordance with specific rules and regulations
4 and reference standards under this Act.

5 **SEC. 22. Protection from Moisture and Surface Water.** – All buildings
6 shall be designed to provide adequate resistance to penetration by, and the
7 accumulation of, excessive moisture and surface water.

8 **SEC. 23. Protection from Other Hazards.** – All buildings and structures
9 shall be designed to safeguard persons and properties from other site-specific multiple
10 hazards, consistent with an all-hazards approach.

11 **SEC. 24. Safety of Users or Occupants.** – All buildings and structures shall
12 be designed to safeguard their users or occupants from harm, injury, or loss, including
13 safeguarding against accidental falls from windows, balconies and the like, or
14 safeguarding against transmission of disease pathogens indoors, in a manner
15 compatible with fire safety construction, promoting occupational safety and health,
16 and in accordance with Batas Pambansa Blg. 344 or "An Act to Enhance the Mobility
17 of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and
18 Public Utilities to Install Facilities and Other Devices".

19 **SEC. 25. Ingress, Circulation, and Egress.** – Safe access into, circulation
20 within, and egress from the buildings, including emergency exits, shall be provided for
21 persons and vehicles, including persons with disabilities, complying with mandatory
22 requirements of applicable laws such as Batas Pambansa Blg. 344.

23 **SEC. 26. Services and Facilities.** – All building services and facilities and
24 their equipment and installations shall be designed to be adequate, safe, and efficient,
25 to promote the well-being of the users or occupants and the general public.
26 Constructability and ease of maintenance of the services and facilities shall be highly
27 considered in the design.

28 As specifically required by the occupancy group or sub-group, buildings and
29 structures shall be designed to provide services and facilities, including light; air
30 circulation and ventilation; water supply; rainwater harvesting and detention where
31 applicable; drainage; wastewater disposal; sewage disposal; solid waste
32 management; pest and vermin control; power and fuel supply; information and
33 communication technology facilities; conveyance and parking facilities; fire lane and
34 fire hydrants; and other services and facilities for persons with disabilities, complying
35 with mandatory requirements of applicable laws: Provided, That the carriageways,
36 sidewalks, and all parts of road right-of-way for public roads adjoining a building site
37 shall not be used to meet the requirements of parking facilities for the building as
38 required by this Act, its rules and regulations, and reference standards: Provided,
39 further, That queuing areas, driveways, ramps, entrances to, and exits from parking
40 facilities for a building shall not encroach on the road right-of-way nor obstruct the
41 movement of pedestrians and vehicles on the public roads adjoining the building:
42 Provided, finally, That information and communication technology facilities such as,
43 in-building physical infrastructure and fiber-optic cabling for high-capacity and high-
44 speed requirements shall be mandatory in new buildings owned by the national

government and all LGUs, as well as departments, regulatory agencies, instrumentalities, and implementing units of the same, and their existing buildings that are subject to major renovation works.

SEC. 27. Energy and Water Efficiency. – The design of buildings and structures shall include, to the extent feasible for specified groups or sub-groups of use or occupancy, practices and technologies that maximize the efficiency of use of energy and water.

SEC. 28. Environmental Sustainability. – All buildings and structures shall be designed to minimize their negative environmental impact throughout their life cycle, through efficient energy, water, and waste management methods, use of sustainable materials and landscaping that considers a site's biodiversity and existing natural features, and climate change mitigating features, among other measures.

CHAPTER V

CONSTRUCTION

SEC. 29. General Requirements for Construction. – The construction of all buildings and structures shall comply with the requirements prescribed by this Act, its rules and regulations, and reference standards.

The use of materials, pieces of equipment, plants, and tools, and selection of personnel shall conform to reference standards on materials, methods, and practices, in order to ensure the quality of material and workmanship. Builders shall promote quality of construction as one of the essential links to the reduction of the vulnerability of the building or structure to hazards.

SEC. 30. Innovative Construction Technologies. – All innovative construction technologies used in building construction shall comply with any special tests or requirements as prescribed by the NBO pursuant to the policies and objectives of this Act. These technologies shall be installed by qualified personnel and supervised by technically competent professionals. The proponent of such innovative construction technology may apply for a certification by the competent national agency according to the rules and regulations prescribed by the NBO. Buildings and other structures using an innovative construction technology with prior certification shall be deemed to satisfy the requirement of structural peer review: Provided, That innovative technologies appropriate for socialized and economic housing, as covered by Batas Pambansa Blg. 220, or for low-cost housing under Presidential Decree No. 957, shall be subject for accreditation and certification by the DHSUD: Provided, further, That the ONBO shall establish or recognize a competent national agency to be in charge of accreditation and certification of other innovative technologies, including so-called smart, clean, and green technologies, that are for applications other than socialized, economic, or low-cost housing: Provided, finally, That nothing in this Act shall be interpreted to prevent the NBO, in cooperation with other concerned agencies, from causing the establishment and recognition of a unified competent national agency to be in charge of accreditation and certification of innovative technologies for various construction applications.

SEC. 31. Safety and Protection of Persons During Construction. – All buildings and structures shall be constructed or demolished without causing any harm or injury to the construction workers and the public.

SEC. 32. Protection of Property During Construction. – All public or private properties adjacent, above or below the ground, shall be protected from any damage by any work being done under the permit. The protection shall be maintained while such work is being done and shall not obstruct the normal functioning of any such property.

SEC. 33. Phased or Incremental Construction. – All uncompleted portions of buildings subject to phased or incremental construction shall be protected and shall not pose harm to the public. Any additional or incremental work shall not compromise the safety and well-being of the users or occupants.

SEC. 34. Construction and Demolition Waste Management. – All buildings shall be constructed with proper management of construction and demolition waste. There shall be promulgated specific rules and regulations on the extent of reuse or recycle of construction and demolition wastes as well as reference standards on the conduct of demolition.

CHAPTER VI

MATERIALS

SEC. 35. General Requirements for Materials. – All building materials and components shall comply with the requirements prescribed by this Act, its rules and regulations, and reference standards. The use of building materials and components must be safe for the health of users, occupants, and the general public, and must not cause any substantive negative impact to the environment including air, water, and soil: Provided, That product standards promulgated by competent national agency shall be harmonized with or incorporated together with the reference standards under this Act.

SEC. 36. Selection of Materials. – Building materials and components shall be selected following a set of criteria, including strength, fire resistivity, moisture resistance, durability, and sustainability, according to rules and regulations and reference standards promulgated by the NBO. To the extent feasible, building materials with recycled content such as products made from waste materials generated from manufacturing processes or by end-users of products in combination with raw materials shall be used in government-owned buildings without compromising their structural integrity and safety nor otherwise violating other provisions of this Act, its rules and regulations, and reference standards.

CHAPTER VII

OCCUPANCY, MAINTENANCE, AND ABATEMENT

SEC. 37. General Requirements for Occupancy, Maintenance, and Abatement. – Building owners shall use and maintain the buildings in accordance with the requirements prescribed by this Act, its rules and regulations, and reference standards. The use and maintenance of the buildings must be safe for the health of users, occupants, and the general public, and shall not cause any substantive negative impact to the environment including air, water, and soil.

SEC. 38. Maintenance, Inspection, and Assessment of Buildings and Reporting to the ONBO. – All buildings shall undergo regular maintenance and inspection in accordance with each building's maintenance strategy. The NBO shall promulgate rules and regulations to guide the preparation, approval, and implementation of appropriate maintenance strategies for buildings and structures. Building owners shall perform periodic maintenance and inspection; LBOs and recognized inspectors shall conduct inspection as appropriate according to rules and regulations. The ONBO shall establish a system for monitoring, reporting, and evaluating maintenance and inspection activities. Requirements under this Act, its rules and regulations, and reference standards are without prejudice to the inspection and evaluation by the Bureau of Fire Protection (BFP) under the Fire Code of the Philippines.

The ONBO shall assist building owners of structures falling within the classification "Simple (Track T1) Structures" and "Regular (Track T2) Structures" in conducting a simplified or regular inspection of their buildings.

For buildings and structures with occupancies falling under "Group A, Assembly", "Group D, DRRM", "Group E, Educational", or "Group Z, High- Hazard", there shall be periodic inspections by LBOs and recognized inspectors subject to specific rules and regulations promulgated by the NBO.

The ONBO shall coordinate with relevant government agencies that regulate business operations in buildings and structures. Clearance on structural stability and fire safety construction from the Office of the Local Building Official (OLBO) shall be a prerequisite for the issuance or renewal of business permits or permits to operate, for new occupancy or occupancy after fifteen (15) years from the date of completion of the building or structure.

In the case of "Special (Track T3)" Structures, mandatory inspection and assessment by a recognized certifier as to structural stability and fire safety construction shall be commissioned by the building owner at the fifteenth (15th) year from date of completion of the building and every fifteen (15) years thereafter.

In cases of addition, alteration, conversion, rehabilitation, relocation, repair, and retrofit requiring more recent structural stability assessment and corresponding certification and clearance, the date of reckoning of fifteen (15) years for purposes of this Section shall be counted from the completion date of the latest building permit that involved the most recent structural stability clearance under this Act.

1 The NBO shall promulgate rules and regulations and reference standards for
2 mandatory inspection and assessment of buildings as to structural stability and fire
3 safety construction, specific to the various building classifications: Provided, That
4 recognized certifiers need not be engaged for "Simple (Track T1)" Structures and
5 "Regular (Track T2)" Structures: Provided, further, That recognized certifiers need not
6 be engaged for simple mass-housing-development structures.

7 The NBO shall promulgate specific rules and regulations for mandatory
8 inspection and assessment of all buildings as to structural stability and fire safety
9 construction after regional catastrophic events such as widely destructive
10 earthquakes, volcanic eruptions, tsunamis, typhoons, storm surges, or other hazard
11 events. The determination of an event that is catastrophic as to warrant mandatory
12 assessment of all buildings in a geographic area shall be made by the NBO in
13 consultation and coordination with other government agencies. According to specific
14 implementing rules and regulations, LBOs in such regional emergency inspections shall
15 have authority to deputize government-recognized citizens to assist in the timely
16 assessment of structural stability and fire safety. The conduct of such emergency
17 inspections and assessments shall also be closely coordinated with the rules and
18 regulations and reference standards under Section 18 of this Act.

19 Within three (3) years from the effectivity of this Act, LBOs shall conduct a
20 comprehensive inspection of the buildings and structures covered by this Section and
21 prioritized in accordance with the implementing rules and regulations of this Act.

22 The ONBO through the OLBOs shall maintain a computerized national database
23 of permits and other periodic data about all buildings and structures, including reports
24 on maintenance, inspection, and assessment. The information contained in the
25 database shall be used by the national and local agencies in relation to disaster risk
26 reduction and management: Provided, That such information shall be made
27 available to the public for awareness and preparedness subject to RA 10173,
28 otherwise known as the "Data Privacy Act of 2012".

29 **SEC. 39. Provision for Buildings Completed More than Fifteen (15)**
30 **Years Prior to the Effectivity of this Act.** – To ensure the safety of the people and
31 to reduce risks, for Special (Track T3) Structures, and for those buildings and
32 structures with occupancies falling under "Group A, Assembly" and "Group E,
33 Educational" under all tracks of permitting process, that were completed more than
34 fifteen (15) years prior to the effectivity of this Act, the building owners are mandated
35 to have an assessment of the design based on the requirements in Chapter IV of this
36 Act as specified in the rules and regulations, as to structural stability and fire safety
37 construction, and the building owners are to submit the certifications or findings of
38 appropriate building professionals, serving as recognized certifiers, to the concerned
39 LBOs regarding the state of such buildings and structures and their safety or need for
40 retrofit.

41 Within three (3) months from the effectivity of this Act, the Department of
42 Public Works and Highways (DPWH), through the ONBO shall, in consultation
43 with relevant agencies and stakeholders, implement a phased approach to prioritize
44 compliance with the provisions of this Section by building owners of both public and

private buildings in hazard zones, such as those near earthquake fault lines or in coastal zones affected by sea level rise, in hazard zones or areas otherwise identified in hazard maps, or those used for assemblies in large numbers or by vulnerable users or occupants.

The NBO, in coordination with other concerned agencies, shall develop and administer incentive schemes, such as those allowed by the disaster risk reduction and management funds, to support immediate voluntary retrofit by the building owners requiring modifications for the safety of the users or occupants and the general public. There shall be specific implementing rules and regulations governing the authority, responsibility, and liability, including any transfer thereof, in case of retrofitting works.

SEC. 40. Abatement of Dangerous and Ruinous Buildings. – When any building or structure is found or declared to be dangerous or ruinous, the LBO shall order its repair, vacation, or demolition depending upon the degree of danger to life, health, property, and public welfare. This is without prejudice to further action that may be taken under the provisions of Articles 482 and 694 to 707 of the Civil Code of the Philippines and other existing laws.

For purposes of this Section, dangerous or ruinous buildings are buildings or structures determined by the LBO to be structurally unstable; not provided with safe egress; constitute a fire hazard; are otherwise dangerous to human life; in relation to existing use, constitute a hazard to life safety, health, or public welfare because of inadequate maintenance, dilapidation, obsolescence, or abandonment; or contribute to the pollution of the site or the community to an intolerable degree.

Abatement and rehabilitation of buildings and structures covered under RA 10066, or the “National Cultural Heritage Act of 2009”, shall be coordinated with the National Commission for Culture and the Arts prior to any action of abatement or rehabilitation.

CHAPTER VIII

OFFICIALS, OWNERS, PROFESSIONALS, AND CONTRACTORS

SEC. 41. National Building Official (NBO): Powers, Obligations, and Functions. – The Secretary of Public Works and Highways, hereinafter referred to as the Secretary, shall be the NBO who shall exercise the duty to ensure that all laws relating to building design and construction are faithfully executed and shall be primarily charged with the administration and enforcement of the provisions of this Act, its rules and regulations, and reference standards. Nothing in this Act shall be interpreted to diminish the duties, responsibilities, functions, obligations, and powers of the Secretary under current issuances relative to codes, regulations, standards, and guidelines for the planning, design, construction, maintenance, and operation of all public and private structures.

The Secretary shall ensure harmonization of rules and regulations and reference standards between government-funded and non-government funded buildings and structures, consistent with the objectives of this Act.

1 As the NBO, the Secretary shall have the following general powers, obligations,
2 and functions:

3 (a) Issue and promulgate rules and regulations to implement the provisions
4 of this Act, upon the recommendation of the Building Regulations and Standards
5 Council (BRSC) created under Section 42 herein, and ensure compliance with policies,
6 plans, standards, and guidelines that shall be formulated. The BRSC shall be
7 formed in accordance with the provisions of this Act;

8 (b) Approve and take final action on changes and amendments to reference
9 standards based on recommendations of the BRSC. For this purpose, existing referral
10 codes or portions thereof that are technical in nature shall hereinafter be renamed
11 and referred to accordingly as "reference standards;"

12 (c) Appoint LBOs, in the manner provided for by this Act, and exercise
13 supervision and control over them as the NBO;

14 (d) Designate LBOs, in the manner provided for by this Act, and exercise
15 supervision and control over them as the NBO;

16 (e) Create the cluster OLBO in case of clustered municipalities, as set forth
17 in this Act, and exercise administrative as well as technical supervision and control
18 over such offices;

19 (f) Appoint the Regional Building Appeals Boards (RBABs), as provided for
20 by this Act, and exercise administrative supervision over them;

21 (g) Prescribe and fix the schedule of fees, appeal bonds, and other charges
22 that the NBO and LBOs shall collect in the exercise of their regulatory functions;

23 (h) Inspect at reasonable times any building or structure, covered by this
24 Act, its rules and regulations, and reference standards: Provided, That in case of a
25 single-family dwelling, an inspection must be upon the consent of the occupant or
26 upon lawful order from the proper court;

27 (i) With due process, issue appropriate orders, including cease and desist
28 orders and demolition orders, against any person or entity to prevent injury to the
29 public and compel compliance with the provisions of this Act, its rules and regulations,
30 and reference standards;

31 (j) With due process, impose fines, penalties, and other administrative
32 sanctions for failure or refusal to comply with, or violation of any provision of this Act,
33 its rules and regulations, and reference standards, or any order, instruction, or ruling;

34 (k) Enlist the aid and support of, and deputize any enforcement agencies of
35 the government in the implementation of the powers and functions of the NBO under
36 this Act, its rules and regulations, and reference standards;

37 (l) Delegate applicable powers, obligations, and functions to the LBOs as
38 deemed necessary; and

(m) Exercise such other powers and perform such functions as may be needed to carry out the objectives of this Act, its rules and regulations, and reference standards.

SEC. 42. Building Regulations and Standards Council (BRSC). – A BRSC is hereby created to assist the NBO in reviewing and recommending rules and regulations and reference standards to accomplish the objectives of this Act.

(a) **Members.** - The BRSC shall be composed of the following:

(1) Undersecretary for Technical Services of the Department of Public Works and Highways (DPWH) as Chair;

(2) Undersecretary of the Department of Human Settlements and Urban Development (DHSUD) for technical services or planning as Vice-Chair;

(3) Chief of the Bureau of Fire Protection (BFP);

(4) Undersecretary of the Department of Trade and Industry (DTI) in charge of supervision of product standards and contractor accreditations;

(5) Undersecretary of the Department of Science and Technology (DOST) for scientific and technological services;

(6) Undersecretary of the Department of Environment and Natural Resources (DENR) for planning and policy making regarding environmental concerns;

(7) Undersecretary of the Department of Health (DOH) for public health services;

(8) Director of the Bureau of Agricultural and Fisheries Engineering (BAFE);

(9) President of a national association of LBOs;

(10) President of a national association of building developers or subdivision and housing developers, national association of building owners, national association of building managers, or national association of building administrators;

(11) President of a national PRC-accredited professional organization or accredited integrated professional organization for a building profession: Provided, That there shall be a rotation of representation in the BRSC from among the various professions;

(12) President of a national association of building contractors;

(13) A high-ranking regular faculty member from a recognized higher education institution involved in the training of building professionals;

In the absence or temporary incapacity of the Undersecretary for Technical Services of the DPWH and the Undersecretary of DHSUD, the Officer-in-Charge of the

1 office of the Undersecretary for Technical Services of the DPWH shall act as the Chair
2 of the Council.

3 A simple majority of the members of the Council shall constitute a quorum. The
4 presence of either the Chairperson or Vice-Chairperson of the BRSC is indispensable
5 in counting the quorum.

6 (b) **Duties and Responsibilities.** - The BRSC shall have the following
7 duties and responsibilities:

8 (1) Review existing rules and regulations and existing referral codes, the
9 technical parts of which are renamed as reference standards under this Act, and
10 formulate new ones in line with the provisions of this Act and its rules and regulations,
11 including the guidelines on the process of reviewing local ordinances that are subject
12 for concurrence by the NBO;

13 (2) Formulate and recommend policies and strategies for design and
14 construction, with reference to global standards and taking into account local
15 conditions;

16 (3) Formulate a system of recognition of qualified building professionals as
17 Recognized Certifiers, Recognized Structural Peer Reviewers, and Recognized
18 Inspectors, and qualified establishments or institutions as Recognized Testing
19 Laboratories;

20 (4) Collect relevant information, conduct research, and support studies on all
21 matters relating to design and construction, such as the performance and results
22 achieved of the standards in mainstreaming disaster risk reduction and management
23 in building planning, design, construction, occupancy, and maintenance; in this
24 regard, to the extent feasible, make use of relevant studies as well as applicable
25 research and development undertakings of competent agencies;

26 (5) Submit recommendations, including rules and regulations and reference
27 standards, to the NBO for approval;

28 (6) Submit an annual report to the NBO; and

29 (7) Perform such other functions that the NBO may authorize or assign as may
30 be necessary in carrying out the objectives of this Act.

31 (c) **Technical Working Groups (TWGs).** - To support the BRSC in the
32 performance of its duties and responsibilities, the NBO shall constitute TWGs
33 composed of relevant stakeholders as defined in the implementing rules and
34 regulations. The stakeholders shall nominate members of the TWGs that are most
35 closely associated with their respective mandates and concerns.

36 (d) **Secretariat.** - The BRSC shall have its Secretariat personnel separate
37 from the ONBO, to assist in the operation of the Council and TWGs.

38 (e) **Procedures.** - The NBO, in consultation with relevant stakeholders,
39 shall prescribe, based on rules and regulations, the procedures of the BRSC, ensuring

1 the periodic review of reference standards every five (5) years and the participation
2 of relevant stakeholders including building officials, building developers, building
3 owners, building managers or administrators, building professionals and professional
4 organizations, building contractors, and higher education institutions, in setting
5 performance standards for design and construction.

6 The NBO shall issue, every five (5) years or more frequently as needed, updated
7 reference standards.

8 (f) **Budget.** - The BRSC budget shall be included in the annual budget of
9 the DPWH.

10 **SEC. 43. Office of the National Building Official (ONBO).** – The ONBO,
11 within the DPWH, is hereby created to provide sufficient technical, legal,
12 administrative, and support personnel to the NBO in the exercise of powers and the
13 performance of duties.

14 The ONBO shall be headed by an Executive Director who shall be a registered
15 and currently licensed Architect or Civil Engineer, a member of good standing of the
16 duly accredited national organization of the profession, and have at least ten (10)
17 years of diversified and professional experience in building design, construction, and
18 regulation. It shall be placed under the supervision of the Undersecretary for Technical
19 Services of the DPWH. It shall comprise of highly qualified personnel eligible to act as
20 building professionals, scientists, or technicians, who possess diversified and
21 professional experience in the field of building design and construction.

22 The ONBO shall assist in the institutional strengthening of OLBOs, capacity
23 building of LBOs, data management, monitoring and evaluation, and establishing and
24 maintaining linkages with concerned institutions. A mandatory continuing education
25 and training program shall be pursued for the LBOs and their staff, as well as the staff
26 of the ONBO.

27 The ONBO shall coordinate with the Regional Building Appeals Boards. The
28 ONBO shall formulate plans, programs, and projects on building planning, design,
29 construction, occupancy, and maintenance pursuant to this Act in consideration of
30 global best practices and the vulnerability of the country to multiple hazards. It shall
31 plan and implement a computerized national database of buildings and structures, for
32 purposes of Section 38 and other provisions of this Act and its rules and regulations.
33 It shall also be in charge of the implementation of a system of recognition of qualified
34 building professionals as Recognized Certifiers, Recognized Structural Peer Reviewers,
35 and Recognized Inspectors, and qualified establishments or institutions as Recognized
36 Testing Laboratories: Provided, That existing offices, bureaus, divisions, or units of
37 the DPWH with functions, duties, and responsibilities relative to regulations and
38 standards for building design and construction shall transition and transfer such
39 functions, duties, and responsibilities to the ONBO that are within the mandate of the
40 latter, consistent with Section 68 herein.

41 **SEC. 44. Regional Building Appeals Boards (RBABs).** – Within the
42 Regional Offices of the DPWH, there shall be created RBABs, with appropriate
43 personnel, under the direct administrative supervision of the ONBO: Provided, That

an RBAB may be created by the NBO to serve a group of adjacent regions. Each RBAB shall be chaired by a member of the Philippine Bar and assisted by two technical personnel of the DPWH sitting as the other members of the Board, and by support staff, all of whom shall be appointed by the NBO. It shall have regional exclusive appellate jurisdiction to review decisions of the LBOs, and resolve appeals and complaints after the same shall have been acted upon, or not given due course, by the respective LBOs within their region. In case of appeal for reconsideration by an aggrieved party on the same matter, the decision of the RBAB shall be subject to review by the NBO pursuant to Section 61 of this Act. Absent such an appeal, said decision of the RBAB shall become final and executory fifteen (15) days after receipt of the copy of the decision by the parties.

SEC. 45. Local Building Officials (LBOs) and Offices of the Local Building Official (OLBOs). – Cities and first-class municipalities shall create and operate a separate OLBO headed by the LBO who shall be appointed by and accountable to the NBO. The LBO shall be appointed by the NBO from a list of at least three (3) qualified recommendees of the Mayor, subject to civil service law, professional regulatory laws, and its rules and regulations. The LBO shall be responsible for carrying out the provisions of this Act, its rules and regulations, and reference standards within the territorial jurisdictions. The LBO shall be considered an official of the LGU concerned. Notwithstanding the foregoing, the NBO shall have complete supervision and control over the LBO.

Depending upon their needs and in order to improve their frontline service delivery, subject to technical and budgetary requirements, second- to sixth-class municipalities may create and operate a separate OLBO upon request to and approval by the NBO.

Second- to sixth-class municipalities, if adjacent and accessible to each other, may also opt to request the NBO to create and operate a cluster OLBO to serve their clustered municipalities, whose office shall be under the NBO. The cluster OLBO shall be located at a municipality within the cluster as determined by the NBO. Each cluster of municipalities may recommend to the NBO the appointment of one LBO for such cluster from a list of at least three (3) qualified recommendees of the Mayors of the cluster, subject to civil service law and rules and regulations.

Absent a request to and approval by the NBO for either a separate or a cluster OLBO, the municipal engineers of the second- to sixth-class municipalities shall be designated by the NBO to act, in concurrent capacity, as the LBOs in their respective territorial jurisdictions. For purposes of this Chapter and this Section, the Office of the Municipal Engineer in such second- to sixth-class municipalities shall be referred to also as concurrent OLBO.

The staff of the OLBOs shall include highly qualified personnel eligible to act as building professionals in the various professions: Provided, That LBOs and their staff shall not engage in private-sector practice of their respective professions that is in conflict with their government service.

1 The concerned LGU shall provide the funding for and operate the separate
2 OLBO. The ONBO shall fund and operate cluster OLBOs. The sharing and use of fees
3 and fines among the offices shall be in conformity with Section 47 of this Act.

4 **SEC. 46. Special Jurisdictions.** – There shall be LBOs for special jurisdictions
5 such as the Armed Forces of the Philippines, the Philippine Economic Zone Authority,
6 the Department of Agriculture, or other government agencies, by virtue of the
7 respective laws that are directly applicable to the creation of each special jurisdiction,
8 who shall regulate the design and construction of buildings or structures under their
9 special jurisdiction and their registered locators and enterprises. The LBOs in special
10 jurisdictions shall likewise be designated by and accountable to the NBO.

11 Said LBOs shall be designated by the NBO from a list of at least three (3)
12 qualified recommendees of the head of their agency, subject to civil service law,
13 professional regulatory laws, and rules and regulations. Additional or equivalent
14 qualifications may be required in the respective laws that are directly applicable to the
15 creation of each special jurisdiction.

16 Special jurisdictions shall consistently implement Chapter IX of this Act on the
17 application of permit, and the rest of this Act, its rules and regulations, and reference
18 standards as promulgated by the NBO.

19 **SEC. 47. Sharing and Use of Income from Fees and Fines.** – Consistent
20 with the provisions of this Act that the NBO, through the DPWH, shall exercise
21 supervision over all LBOs, an appropriate share of revenues relative to this Act shall
22 be remitted to the national office for use as maintenance and other operating
23 expenses of national and regional bodies in the performance of their functions, duties,
24 and responsibilities under this Act.

25 Out of the total collection derived from fees, permit fees, fines, and other
26 charges, the OLBO shall retain fifteen percent (15%) thereof and deposit in a special
27 account created by the Local Treasurer, to fund its maintenance and other operating
28 expenses. The OLBO shall cause to remit five percent (5%) of the said total collections
29 to the NBO. The remaining eighty percent (80%) shall accrue to the general fund of
30 the LGU or the agency with special jurisdiction, which created and operated the Office.

31 A cluster OLBO shall retain fifteen percent (15%) of its income and deposit it
32 in a special account created by the Local Treasurer, to fund its maintenance and other
33 operating expenses, and shall remit sixty-five percent (65%) of the said total
34 collections to the NBO. The remaining twenty percent (20%) shall be divided between
35 or among the clustered municipalities in proportion to the total fees and fines
36 originating from each municipality, to accrue to their respective general funds.

37 The share from the income to be remitted to the NBO shall be used to cover
38 honoraria for the BRSC Secretariat, BRSC TWGs, RBABs, and other operating expenses
39 of the BRSC, ONBO, RBABs, and cluster OLBOs.

40 Any provision of law to the contrary notwithstanding, the NBO is hereby
41 authorized to prescribe the procedures for the use of the fifteen percent (15%)
42 retained for the OLBO. Such income may be used to cover necessary operating

1 expenses including the purchase of equipment, supplies, and materials; expenses for
2 official travels; continuing education and training programs; fees for Recognized
3 Inspectors and Recognized Structural Peer Reviewers; obligation expenses including
4 attorney's fees and other legal expenses including sheriff's fees as well as hazard pay
5 for employees and authorized representatives of the OLBO when the cause is in line
6 with the performance of duties; and payment of other prior years' obligations not
7 adequately funded, subject to existing budgetary and auditing rules and regulations.

8 **SEC. 48. Qualifications of LBOs.** – No person shall be appointed as LBO
9 unless the person possesses the following qualifications:

- 10 (a) A Filipino citizen and of good moral character;
- 11 (b) A duly registered and licensed architect or civil engineer;
- 12 (c) A member of good standing of the duly accredited professional
13 organization of architects or of civil engineers, for not less than ten (10) years; and
- 14 (d) Has at least ten (10) years of diversified and professional experience
15 in building design and construction.

16 Municipal engineers appointed by their mayors and who shall concurrently be
17 designated by the NBO as LBOs shall comply with the qualifications prescribed for
18 their positions as municipal engineers pursuant to RA 7160, otherwise known as the
19 "Local Government Code of 1991", as amended.

20 The LBO for a special jurisdiction shall comply with the qualifications prescribed
21 for the position by the specific law that is applicable to said special jurisdiction.

22 LBOs shall preferably be Career Executive Service Officers.

23 **SEC. 49. Powers, Obligations, and Functions of LBOs.** – In addition
24 to the other powers, obligations, and functions mentioned in this Act, the LBO shall
25 have the following general powers, obligations, and functions:

26 (a) Approve applications for, and issue, reject, suspend, or revoke permits
27 within his territorial or special jurisdiction and for this purpose, shall base the decision
28 upon the completeness and integrity of the application documents supported by the
29 appropriate certifications of building professionals and clearances from relevant
30 government agencies, in accordance with this Act, its rules and regulations, and
31 reference standards;

32 (b) Hear and decide cases filed by parties on complaints related to the
33 permitting process concerning specific buildings and structures;

34 (c) Enter any building, structure, or its premises at reasonable times to
35 inspect and determine compliance with the requirements of this Act, its rules and
36 regulations, and reference standards, as well as the terms and conditions of the
37 permit/s issued: Provided, That in case of a single-family dwelling, an inspection by
38 the LBO or Recognized Inspector must be upon the consent of the occupant or upon
39 lawful order from the proper court;

1 (d) Engage qualified and recognized building professionals as inspectors
2 and structural peer reviewers, at the LBO's discretion;

3 (e) With due process, order the work stopped and prescribe the terms and
4 conditions for the work to be allowed to resume, or issue any appropriate order,
5 including cease and desist order and demolition order, when any construction is found
6 to be contrary to the provisions of this Act, its rules and regulations, reference
7 standards, and the terms and conditions of the permit/s issued, or the building or
8 structure is found or declared, with due process, to be dangerous or ruinous;

9 (f) With due process, order the discontinuance of the use or occupancy of
10 any building or structure, or a portion thereof, when it is found to be used or occupied
11 contrary to the provisions of this Act, its rules and regulations, and reference
12 standards, and the terms and conditions of the permit/s issued, or the building or
13 structure is found or declared, with due process, to be dangerous or ruinous;

14 (g) Keep a permanent record and accurate account of all fees, fines, and
15 other charges fixed and authorized by the NBO to be collected and received under this
16 Act;

17 (h) Validate and submit data on a computerized national database of
18 buildings and structures, for purposes of Section 38 and other provisions of this Act
19 and its rules and regulations;

20 (i) Submit an annual situational report to the NBO; and

21 (j) Exercise such powers and perform such other obligations and functions
22 needed to assist the NBO in carrying out the objectives of this Act, its rules and
23 regulations, and reference standards.

24 In the exercise of the abovementioned powers, obligations, and functions, the
25 LBO shall comply with the prescribed timelines and other provisions of RA 9485 or the
26 "Anti-Red Tape Act of 2007", as amended by RA 11032 or the "Ease of Doing Business
27 and Efficient Government Service Delivery Act of 2018", and their implementing rules
28 and regulations, as well as the provisions of other relevant laws, rules and regulations.

29 **SEC. 50. Responsibilities of Building Owners.** – To promote
30 accountability, building owners and building owner-builders
31 shall be responsible for their compliance with the provisions of this Act, its
32 rules and regulations, and reference standards. These responsibilities shall include:

33 (a) Providing and submitting true and correct information and documents
34 in support of their application for permits and their prerequisite certifications and
35 clearances;

36 (b) Adhering to the plans and specifications;

37 (c) Complying with the terms and conditions of the permit issued, and other
38 prerequisite certifications and clearances;

1 (d) Maintaining the building consistent with its maintenance strategy and
2 conducting periodic inspection in accordance with this Act, its rules and regulations,
3 and reference standards;

4 (e) Engaging the services of building professionals and building
5 contractors for any proposed construction, as may be required by this Act, its rules
6 and regulations, except for Simple (Track T1) Structures; and

7 (f) Engaging the services of building professionals or recognized certifiers
8 for the assessment of structural stability and fire safety construction of the building,
9 as may be required by this Act, and its rules and regulations, except for Simple (Track
10 T1) Structures and Regular (Track T2) Structures: Provided, That Building
11 Professionals or Recognized Certifiers need not be engaged by individual unit
12 owners for simple mass-housing-development structures.

13 Offer to transfer ownership, or actual transfer of ownership, involving owners
14 of subdivision projects shall be made pursuant to Presidential Decree No. 957, or the
15 "Subdivision and Condominium Buyers' Protective Decree".

16 Offer to transfer ownership, or actual partial or full transfer of ownership,
17 involving owners of condominium projects shall be made pursuant to Presidential
18 Decree No. 957 and RA 4726, otherwise known as "The Condominium Act", as
19 amended.

20 **SEC. 51. Responsibilities of Building Professionals.** – To promote
21 accountability, the various building professionals, all of whom are registered and
22 currently licensed by their respective professional regulatory boards under the PRC,
23 shall be responsible for the accuracy of their work and their corresponding
24 certifications: Provided, That every registered and licensed professional shall only offer
25 and provide work that is contemplated in the applicable professional regulatory law:
26 Provided, further, That the implementing rules and regulations shall recognize and
27 enumerate the various government-regulated professions from among which may
28 come the building professionals.

29 (a) Design professionals shall be responsible for the correctness and
30 consistency of their design and the preparation of duly signed and sealed drawings,
31 technical specifications, calculations, designs, and analyses. They are not precluded
32 from conducting inspection of the construction work or building or structure to check
33 and determine adherence to the plans and specifications of the work as submitted
34 with the permit application: Provided, That in the case of a single-family dwelling, an
35 inspection must be done only upon the consent of the occupant or upon lawful order
36 from the proper court.

37 (b) Professionals in charge of construction shall be responsible for the
38 correctness of construction, including correctness of materials, pieces of
39 equipment, plants, and tools used, procedures followed, personnel engaged, and
40 temporary works carried out in compliance with construction methodologies and
41 standards; for compliance with safety and health requirements; and for proper
42 construction supervision at the site works. They shall undertake the full-time
43 inspection and supervision of the work, and keep at the work site at all times a logbook

1 wherein the actual progress of work including tests conducted, weather conditions,
2 and other pertinent data are recorded. They shall be responsible for the consistency
3 and integrity of the documents such as logbook and as-built plans. They shall also be
4 responsible for the submission of the said documents, all duly signed and sealed, upon
5 completion or stoppage of construction, to the LBO.

6 (c) Other professionals engaged to perform specific tasks, such as
7 Recognized Certifiers, Recognized Structural Peer Reviewers, Recognized Inspectors,
8 and technical personnel of Recognized Testing Laboratories shall accomplish their
9 assigned tasks with the highest degree of professionalism, reasonableness, and moral
10 standards, and shall act within the bounds of the authority delegated to them.

11 **SEC. 52. Responsibilities of Building Contractors.** – To promote
12 accountability, building contractors shall adhere to the duly signed and sealed
13 drawings, technical specifications, and construction procedure, as prepared and
14 certified by the building professionals and relied upon by the LBOs in the issuance of
15 the permit. They shall also adhere to the additional details, issued during construction,
16 conforming to the submitted documents. Building contractors shall possess a
17 category-appropriate and valid license from the PCAB or competent government
18 agency, and comply with all other relevant laws, rules and regulations, including those
19 pertaining to the safety and health of construction workers in addition to protection
20 afforded to them by labor laws. As principals, they shall be solidarily responsible for
21 the acts and omissions of their representatives, agents, subcontractors, and
22 employees in relation to construction. They shall engage building professionals in
23 charge of construction.

24 Every building contractor shall ensure that the license from the PCAB or
25 competent government agency is category-appropriate for the project and valid from
26 start to completion of construction of the project. The building contractor shall provide
27 the building owner a PCAB-certified true copy thereof or with proof of its authenticity
28 and validity.

30 **CHAPTER IX**

31 **PERMITS AND INSPECTIONS**

32 **SEC. 53. Types of Permits.** – The building owner of any proposed
33 construction or existing building or structure must secure the appropriate permit from
34 the LBO, prior to the start of such work or occupancy, such as:

35 (a) Building Permit. A permit for the construction of a building or structure
36 or any addition, alteration, conversion, rehabilitation, relocation, repair, or retrofit of
37 such;

38 (b) Ancillary Permit. A permit for the construction of ancillary structure
39 as defined in this Act;

1 (c) Excavation Permit. A permit for construction involving the removal
2 of soil or rock from a site to form an open face, hole, or cavity using tools, machinery,
3 or explosives;

4 (d) Demolition Permit. A permit for demolition of a building, structure,
5 or portion thereof including that which will be removed in the course of an on-going
6 construction;

7 (e) Conversion Permit. A permit for the conversion or change in the use or
8 occupancy of an existing building or structure or any portion/s thereof to another
9 occupancy group or sub-group; and

10 (f) Occupancy Permit. Previously termed Certificate of Occupancy, a permit
11 for the full use or occupancy of a building or structure, or a partial permit for use or
12 occupancy of a portion or portions thereof prior to the completion of the entire building
13 or structure, or a temporary permit for temporary use or occupancy thereof prior to
14 the completion of the entire work covered by the permit: Provided, That such portion
15 or portions shall be used or occupied safely and that the LBO shall set a time period
16 during which the partial permit or temporary permit shall be valid in accordance with
17 rules and regulations.

18 The NBO may prescribe in the rules and regulations such other permits as may
19 be deemed necessary in accordance with objectives of this Act: Provided, That for
20 mass housing development structures by subdivision and condominium developers
21 under Batas Pambansa Blg. 220 or low-cost housing under Presidential Decree
22 No. 957, to the extent that these structures are comparable in simplicity with Simple
23 (Track T1) Structures, there shall be the option (Track T1M) for Mass permits to be
24 processed in coordination with the HOPCs according to promulgated specific rules and
25 regulations and reference standards under this Act.

26 No permit shall be required for minor constructions, repairs, or
27 demolitions, as prescribed in the rules and regulations, insofar as these shall not
28 violate any objective or provision of this Act: Provided, That the implementing
29 rules and regulations shall stipulate reportorial requirements by the building owners,
30 excluding any fees, in order to keep the building records updated and accurate.

31 **SEC. 54. Detailed Classification of Buildings for Permitting Purposes.**

32 – The NBO shall prescribe the requirements for and procedure in securing the different
33 types of permits, as may be appropriate, based on the classification of buildings in
34 Section 11 of this Act. The procedures to be laid out by the NBO shall include: (a) a
35 simplified track of permitting process for Simple (Track T1) Structures; (b) a regular
36 track of permitting process for Regular (Track T2) Structures; and (c) a special track
37 of permitting process with mandatory structural peer review of the stability for
38 Special (Track T3) Structures.

39 The organizational structure of each OLBO laid out by the NBO, based on rules
40 and regulations, shall take these three (3) tracks of permitting processes in
41 consideration: Provided, That there shall be full coordination with the HOPCs
42 according to promulgated specific rules and regulations and reference standards
43 under this Act.

1 To aid the simplified track of permitting process, the NBO shall cause, through
2 simplified reference standards, the detailed documentation and regionwide or
3 nationwide information and education campaign on the proper location, design, and
4 construction of Simple (Track T1) Structures including traditional indigenous family
5 dwellings.

6 **SEC. 55. Application for Permit.** – Any person desiring to apply for the
7 appropriate permit shall file a duly accomplished permit application form with the LBO
8 of the LGU, cluster thereof, or special jurisdiction where the building or structure,
9 proposed or existing, is located.

10 In case of expired or revoked permit, the building owner may apply for a
11 renewal of permit in accordance with the prescribed rules and regulations.

12 The NBO may require the payment of corresponding fees according to a
13 schedule provided in the rules and regulations and shall prescribe such other standard
14 requirements to be submitted with the duly accomplished permit application: Provided,
15 That no application fees shall be required for Simple (Track T1) Structures.

16 Together with duly accomplished permit application form/s, the applicant shall
17 submit: (a) documents relating to ownership of building site that support the authority
18 to order construction work for a building or structure and to hold legal right of
19 possession or title to a building or structure; (b) relevant clearances from other
20 agencies, such as fire safety evaluation clearance or fire safety inspection clearance
21 from the concerned city or municipal fire marshal; (c) documents relating to building
22 use or occupancy, location, plans, specifications, and maintenance strategy; and (d)
23 estimated construction cost. According to the permit being applied for and the
24 classification of building or structure involved, whether Simple (Track T1), Regular
25 (Track T2), or Special (Track T3) structure, the NBO, through rules and regulations,
26 shall require specific parts of building plans, specifications, and related documents to
27 be submitted as evidence of compliance with this Act, its rules and regulations, and
28 reference standards.

29 The NBO shall, through rules and regulations, require specific parts of building
30 plans and specifications to be prepared, signed, and sealed by appropriate building
31 professionals: Provided, That various building professionals may be appropriately
32 authorized according to their respective professional regulatory laws to prepare, sign,
33 and seal certain parts, sheets, or pages of building plans, specifications, and related
34 documents: Provided, further, That every registered and licensed professional shall
35 only offer and provide work that is contemplated in the applicable professional
36 regulatory law.

37 Consistent with Section 38 of this Act and the mandate of the ONBO through
38 the OLBOs to maintain a computerized national database, the government shall highly
39 prioritize the enabling of electronic filing and transaction of application for permit.

40 **SEC. 56. Processing of Permit Application.** – Pursuant to RA 9485, as
41 amended by RA 11032, within a reasonable time from the filing of the duly-
42 accomplished permit application, payment of fees as applicable, and compliance with
43 other standard requirements to be determined by the NBO, the LBO shall give due

1 course to the application and issue the permit applied for upon satisfaction of the
2 completeness and integrity of the application documents supported by the
3 appropriate certifications of building professionals and clearances from relevant
4 government agencies, in accordance with this Act, its rules and regulations, and
5 reference standards.

6 The implementing rules and regulations of this Act shall prescribe the specific
7 guidelines and checklists of requirements, processes, timelines, and fees for the
8 processing of permits. Permit applications that are duly accomplished, submitted, and
9 acknowledged in accordance with the said implementing rules and regulations but are
10 not subsequently acted upon by the concerned LBOs within the specified timelines
11 shall be deemed approved.

12 **SEC. 57. Validity of Permit.** – A building owner with issued permits has the
13 continuing obligation to comply with the provisions of this Act, its rules and
14 regulations, and reference standards throughout the lifespan of the building or
15 structure.

16 When submitted plans and specifications of an issued permit are
17 subsequently found to be erroneous, the LBO is authorized to oblige the applicant to
18 effect the necessary corrections in said plans and specifications and the corresponding
19 construction or, with due process, to prevent or stop any or all building operations
20 that are in violation of this Act, its rules and regulations, and reference standards.

21 A permit issued under the provisions of this Act shall expire and become null
22 and void if the building or work authorized therein is not commenced within a period
23 of one (1) year after the issuance of the permit. A partial or temporary "Occupancy
24 Permit" shall be valid for the time period set by the LBO in accordance with the
25 prescribed rules and regulations. For phased or incremental construction
26 referred to in Section 33 of this Act, the building owner may apply for an
27 extension of the validity of the permit, or renewal of the permit as appropriate, in
28 accordance with the prescribed rules and regulations.

29 **SEC. 58. Grounds for Non-issuance, Suspension, or Revocation of**
30 **Permit.** – The LBO may, with due process, order or cause the non-issuance,
31 suspension, or revocation of permits on any or all of the following reasons or grounds:

32 (a) Non-compliance with or violation of the provisions of this Act, its rules
33 and regulations, and reference standards;

34 (b) Substantial errors found in the plans and specifications;

35 (c) Non-compliance by the building contractor with the requirement for valid
36 license from the PCAB or competent government agency;

37 (d) Use of sub-standard building material or sub-standard
38 workmanship and refusal to rectify upon notice;

39 (e) Without any justifiable reason, discontinuance of excavation works or
40 abandonment of building construction in the site for more than one hundred twenty
41 (120) days;

1 (f) Fraudulent misrepresentation of data or information supplied in the
2 application for permit;

3 (g) Violation of no-build zone; or

4 (h) Violation of RA 10752, otherwise known as "The Right-of-Way Act".
5 Notice of non-issuance, suspension, or revocation of permit shall always be made by
6 the LBO in writing, stating the reasons or grounds therefor. Said action shall be
7 proportionate to the reasons or grounds committed or omitted by the applicant, in
8 accordance with this Act and its rules and regulations.

9 **SEC. 59. Complaint.** – Based on the grounds enumerated in Section 58 of
10 this Act, any person aggrieved by the proposed, ongoing, or existing construction,
11 use, or occupancy may file before the LBO of the LGU, cluster thereof, or special
12 jurisdiction where the concerned construction is located, a complaint for the non-
13 issuance, suspension, or revocation of the corresponding permit applied for by, or
14 granted to, the building owner. The aggrieved party shall be notified of the action
15 taken by the LBO in case the permit is granted, or furnished with a copy of the
16 decision, order, or notice of non-issuance, suspension, or revocation of a permit of
17 the LBO.

18 **SEC. 60. Appeal to the RBAB.** – Within fifteen (15) days from the date of
19 receipt of notice of the non-issuance, suspension, or revocation of the permit or of the
20 action taken by the LBO, the aggrieved party may file an appeal with the RBAB based
21 on lack of factual or legal basis in the non-issuance, suspension, or revocation of the
22 permit or the action of the LBO. The RBAB shall render a decision within fifteen (15)
23 days from the date of receipt of appeal. The RBAB's decision shall be in writing, stating
24 specifically the reason/s or ground/s therefor. In case it finds the appeal to be
25 meritorious, the RBAB shall direct the LBO to issue the appropriate permit or order.
26 The decision of the RBAB shall become final and executory fifteen (15) days after
27 receipt of a copy thereof by the party adversely affected unless, within that period, an
28 appeal to the NBO has been perfected.

29 **SEC. 61. Appeal to the NBO.** – Within fifteen (15) days from the date of
30 receipt of notice of the decision of the RBAB, the aggrieved party may file an appeal
31 to the NBO, which shall be deemed perfected upon filing of the notice of appeal and
32 posting of the corresponding appeal bond. The NBO shall render a decision within
33 thirty (30) days from completion of the appeal. The NBO's decision shall be in writing,
34 stating specifically the reason/s or ground/s therefor. In case the appeal is found to
35 be meritorious, the NBO shall direct the LBO to issue the appropriate permit or order.
36 The decision of the NBO shall become final and executory fifteen (15) days after
37 receipt of the copy of the decision by the parties.

38 **SEC. 62. Inspection and Supervision of Work and Building or**
39 **Structure.** – Subject to the primary responsibility of building owners, building
40 professionals, and building contractors to inspect and supervise construction and as
41 set forth in this Act, the LBOs may, upon motion of any aggrieved party or motu
42 proprio, visit and inspect at reasonable times the ongoing constructions or existing
43 buildings and structures to ensure compliance with the terms and conditions of the
44 permits and the provisions of this Act, its rules and regulations, and reference

standards. The NBO shall promulgate specific rules and regulations for inspection of single-family dwellings, to be carried out by the LBOs and recognized inspectors. The LBOs shall conduct periodic inspections of existing buildings and structures in accordance with Chapter VII of this Act, its rules and regulations, and reference standards.

CHAPTER X

INCENTIVES AND PENALTIES

SEC. 63. Incentives. – The NBO, in coordination with relevant agencies, shall develop and administer incentive schemes, which can be administrative, financial, or otherwise, to promote voluntary compliance of existing buildings and structures with the provisions of this Act, its rules and regulations, and reference standards, as well as to encourage all owners of buildings and structures, either existing or proposed, to promote the use of environmentally sound or sustainable materials, methods, practices, and technologies.

The NBO, in coordination with other relevant agencies, may also develop and promulgate incentive schemes for owners of both public and private buildings to secure insurance coverage for the residual risk after complying with mandatory requirements of applicable laws.

The NBO may recommend funding support for LGUs and communities that have endorsed disaster risk reduction and management activities for buildings and structures, especially those falling within the classification of Simple (Track T1) Structure, in their jurisdictions.

SEC. 64. Prohibited Acts and Omissions. – The following are prohibited acts and omissions:

(a) By the building owner or representative:

(1) misrepresentation or submission of false statements or documents;

(2) use of unauthorized documents and certifications of building professional/s;

(3) undertaking any construction without the required permit/s;

(4) non-compliance with or violation of the terms and conditions of the permit, including prerequisite clearances by other government agencies;

(5) not maintaining the building in accordance with the submitted maintenance strategy;

(6) engaging or continuing to engage non-licensed building professionals in the design, review, construction, or certification of building;

1 (7) engaging or continuing to engage non-licensed building
2 contractors in the construction of building;

3 (8) authorizing the use of materials not conforming to reference
4 standards or those not authorized/approved by the LBO; or

5 (9) analogous acts, omissions, and violations of this Act, rules and
6 regulations, and reference standards.

7 (b) By the building professional:

8 (1) misrepresentation or false statements;

9 (2) certifying documents that the building professional did not
10 prepare, or certifying acts that the building professional did not perform;

11 (3) submission of incorrect or inconsistent drawings, technical
12 specifications, calculations, designs, and analyses;

13 (4) non-compliance with construction methodologies
14 and standards in case of a professional in charge of construction;

15 (5) violation of safety and health standards prescribed by law or
16 regulations in case of a professional in charge of construction;

17 (6) non-submission of duly signed and sealed documents, or
18 submission of inconsistent or deceitful documents, such as logbook and as-built
19 plans in case of a professional in charge of construction; or

20 (7) analogous acts, omissions, and violations of this Act, rules and
21 regulations, and reference standards.

22 (c) By the building contractor:

23 (1) deviation from the plans and specifications certified by
24 building professionals and submitted to the LBO, in a way that increases the
25 risk to life, health, property, or public welfare;

26 (2) violation of safety and health standards prescribed by law or
27 regulations;

28 (3) not engaging a building professional in charge of construction; or

29 (4) analogous acts, omissions, and violations of this Act, rules and
30 regulations, and reference standards.

31 (d) By the recognized certifier:

32 (1) misrepresentation or false statements in the application to be
33 recognized by the ONBO;

1 (2) certifying buildings and structures that do not meet the
2 requirements of this Act, its rules and regulations, and reference standards,
3 and other applicable laws;

4 (3) refusing or failing to certify buildings and structures that meet the
5 requirements of this Act, its rules and regulations, and reference standards; or

6 (4) analogous acts, omissions, and violations of this Act, its rules and
7 regulations, and reference standards.

8 (e) By the recognized structural peer reviewer:

9 (1) misrepresentation or false statements in the application to be
10 recognized by the ONBO;

11 (2) providing false information to the building owner and building
12 professional regarding the review;

13 (3) false certification on the compliance of structural design with this
14 Act, its rules and regulations, and reference standards; or

15 (4) analogous acts, omissions, and violations of this Act, its rules and
16 regulations, and reference standards.

17 (f) By the recognized testing laboratory:

18 (1) misrepresentation or false statements in the application to be
19 recognized by the ONBO;

20 (2) misrepresentation or false statements in the tests and test results of
21 building materials;

22 (3) tampering with the equipment and instruments;

23 (4) conducting test methods non-conforming to
24 reference standards; or

25 (5) analogous acts, omissions, and violations of this Act, its rules and
26 regulations, and reference standards.

27 (g) By the recognized inspector:

28 (1) misrepresentation or false statements in the application to be
29 recognized by the ONBO;

30 (2) providing false information to the LBO regarding the
31 inspection;

32 (3) false certification on the inspection, in consideration of any offer,
33 promise, gift, or present received; or

34 (4) analogous acts, omissions, and violations of this Act, its rules and
35 regulations, and reference standards.

1 (h) By the local building official:

2 (1) unjustifiable delay or gross negligence in the performance of
3 powers, obligations, and functions;

4 (2) willful engagement of non-recognized inspector or non-
5 recognized structural peer reviewer;

6 (3) willful non-compliance with the orders of the NBO, ONBO, and
7 RBAB; or

8 (4) analogous acts, omissions, and violations of this Act, its rules and
9 regulations, and reference standards.

10 **SEC. 65. Fines and Penalties.** – Any prohibited act or omission falling under
11 paragraphs (a) to (g) in Section 64 of this Act shall be subject to the administrative
12 fines and penalties to be imposed by the NBO, acting through the LBO. Such fines
13 shall not be lower than one-tenth of one percent (0.1%) nor higher than one percent
14 (1.0%) of the estimated construction cost, per violation, in accordance with the gravity
15 of the offense and the category of violator as provided in Section 64 of this Act:
16 Provided, That the LBO may not issue, may suspend, or may revoke any permit issued
17 to the violator, as may be appropriate, and may order the suspension or cessation of
18 any construction until such time that compliance with this Act, its rules and
19 regulations, and reference standards is undertaken: Provided, further, That in case
20 the building owner is also the builder or building owner-builder, the liability is only
21 considered as one and that of the building owner or the building contractor whichever
22 is more stringent: Provided, furthermore, That the ONBO may suspend or revoke any
23 recognition: Provided, moreover, That in case of building professionals and
24 building contractors found to commit any of the prohibited acts and omissions, the
25 LBO shall also endorse such violation to the PRC and the Construction Industry
26 Authority of the Philippines, respectively, for corresponding administrative sanctions:
27 and Provided, finally, That should there be more than one violator for a single
28 prohibited act or omission, their liability shall be solidary.

29 These administrative sanctions imposed by the NBO, through the LBO, are
30 without prejudice to the right of any affected person to file the appropriate
31 administrative, civil, or criminal action in the proper forum.

32 For offenses falling under paragraph (h) in Section 64 of this Act, the NBO,
33 upon recommendation of the RBAB and after notice and hearing, may suspend or
34 revoke the appointment or designation of the LBO as such, without prejudice to the
35 administrative, civil, or criminal liability of said official in accordance with existing laws.

36 **SEC. 66. Criminal Liabilities of Building Owners, Building**
37 **Professionals, Building Contractors, Recognized Certifiers, Recognized**
38 **Structural Peer Reviewers, Recognized Testing Laboratories, and**
39 **Recognized Inspectors.** – In case of gross violation of this Act and its rules and
40 regulations, the NBO and LBO may recommend to the appropriate government
41 agencies the filing of criminal charges against the violators. Gross violations shall mean
42 any of the following:

1 (a) Starting work in the site of any kind, including demolition, without first
2 securing the required corresponding permit or permits;

3 (b) Occupying or using a completed or partially completed building,
4 structure, or mechanical apparatus without first securing the required
5 corresponding permits;

6 (c) Unauthorized change in type of construction from more fire-resistive to
7 less fire-resistive;

8 (d) Non-compliance with order to abate or demolish;

9 (e) Non-compliance with cease-and-desist order for construction; (f) Not
10 having any work being done in the site for more than one hundred twenty (120) days
11 and without justifiable cause, for excavations left open or building construction
12 abandoned;

13 (g) Blatant disregard of the orders of the LBO in relation to the protection
14 of life, health, property, and public welfare, such as the non-payment of fines and
15 breaking of seals or operating despite the existence of an order for suspension or
16 revocation; or

17 (h) Two or more offenses falling under Section 64 of this Act regardless of
18 which paragraphs from (a) to (g).

19 In each case, the offender shall be punished, per violation, by a fine not lower
20 than one- tenth of one percent (0.1%) nor higher than one percent (1.0%) of the
21 estimated construction cost, or by imprisonment of not less than six (6) months nor
22 more than six (6) years, or both fine and imprisonment, at the discretion of the court,
23 without prejudice to the civil liability of the offender in accordance with existing laws.
24 Where the violation is attended by injury, loss of life, or loss of property, the offender
25 shall be proceeded against under the applicable provisions of the Revised Penal Code
26 and other special laws. If the offender is a juridical entity, the officers, directors,
27 agents, or employees who willfully and knowingly voted for, assented to, or were
28 primarily responsible for the commission of the foregoing violation/s shall be held
29 liable.

30 When the offenses involve lack of permits or permit requirements or failure to
31 comply with legitimate orders or resolutions of the LBO, upon conviction of the
32 offenders, the court or tribunal of proper jurisdiction may include additional penalties:
33 (a) to require the offenders to comply with the permit requirements or the orders; and
34 (b) to require the offenders to demolish, retrofit, or repair the subject building or
35 structure: Provided, That for failure to comply with the penalties as adjudicated
36 penalties of the court, said court 12 may cite said offenders for contempt until
37 the penalties are complied with.

38 **SEC. 67. Administrative and Criminal Liabilities of**
39 **Local Building Officials and Staff and Other Public Officials.** – Any LBO
40 and staff who shall conspire to commit any of the enumerated gross violations with
41 any offender as provided in Section 66 of this Act shall be punished, per violation, by

a fine of not lower than one-tenth of one percent (0.1%) nor higher than one percent (1.0%) of the estimated construction cost involved, or by imprisonment of not less than six (6) months nor more than six (6) years, or both fine and imprisonment, at the discretion of the court, without prejudice to the civil liability of the offender in accordance with existing laws. Any public officer who fails to enforce and implement the provisions of this Act or fails to perform their functions as herein required shall be subject to administrative and criminal liability under RA 3019, otherwise known as the "Anti-Graft and Corrupt Practices Act", RA 6713, otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees", and other relevant laws, rules and regulations. 2 3

CHAPTER XI

FINAL PROVISIONS

SEC. 68. Implementing Rules and Regulations. – Within one (1) year from the effectivity of this Act, the NBO shall, upon the recommendation of the BRSC and in consultation with relevant stakeholders, promulgate the implementing rules and regulations of this Act, including a system of recognition of qualified building professionals as recognized certifiers, recognized structural peer reviewers, and recognized inspectors, and qualified establishments or institutions as recognized testing laboratories, and an enumeration of the reference standards to be used together with the corresponding agencies that are authorized by law to formulate, revise, and propose such reference standards to the NBO. For this purpose, the Secretary, as the NBO, is mandated to immediately constitute the BRSC within three (3) months from the effectivity of this Act.

The implementing rules and regulations of this Act shall be reviewed every five (5) years, or more frequently as needed.

The NBO shall ensure that all buildings owned by the national government and all LGUs, as well as departments, regulatory agencies, instrumentalities, government-owned or -controlled corporations, and implementing units of the same, shall implement an integrated, or whole-building, approach to the location, planning, design, materials, construction, use, occupancy, maintenance, addition, alteration, conversion, rehabilitation, relocation, repair, retrofit, and demolition, so that they are sustainable, energy efficient, secure and safe, cost-effective, accessible, functional, productive, and aesthetic.

The NBO shall ensure that this Act is implemented effectively and clearly to all stakeholders, through measures that include the following:

(a) Every rule or regulation for the administration and enforcement of the provisions of this Act, including any standard that may be referenced by such, shall clearly indicate the section or sub-section of this Act to which it corresponds;

(b) Subject to Section 5 of this Act, every approved local ordinance with the effect of modifying a national rule, regulation, or standard, towards better

1 safeguarding of life, health, property, and public welfare, shall clearly indicate the
2 national rule, regulation, or standard which it improves; and

3 (c) All forms, tables, charts, illustrations, drawings, and other annexes included
4 with rules, regulations, standards, and ordinances shall be
5 systematically, uniquely, and clearly labeled, and duly referenced within the text of
6 the associated rule, regulation, standard, or ordinance.

7 **SEC. 69. Transitory Provision.** – There shall be a systematic transition of
8 implementation of building regulations and standards from Presidential Decree No.
9 1096 to this Act.

10 To initiate and facilitate the transition, the Secretary, as the NBO, is mandated
11 to immediately establish the ONBO within three (3) months of the effectivity of this
12 Act. The existing personnel and officers of the National Building Code Development
13 Office and other offices that have been performing building-regulation functions
14 and possessing the necessary technical knowledge, training, and
15 skills in the enforcement and administration of the building laws, shall be absorbed
16 into the ONBO.

17 City and Municipal Engineers already acting as LBOs in their respective
18 jurisdictions, and LBOs already appointed or designated by the Secretary and
19 performing as such, shall continue to act in such capacity, until new
20 appointments and designations shall be made for LBOs.

21 Engagement of recognized certifiers, recognized inspectors, recognized
22 structural peer reviewers, and recognized testing laboratories as provided for in this
23 Act shall take effect following the implementation by the ONBO of the system of
24 recognition, as formulated by the BRSC and promulgated by the NBO. The initial list
25 of recognized persons shall be published by the ONBO within one (1) year from the
26 promulgation of the system of recognition.

27 Consistent with Section 41 and Section 42 of this Act, existing referral codes or
28 parts thereof that are technical in nature, renamed as reference standards by this Act,
29 shall remain valid until after the NBO promulgates new, revised, or amended reference
30 standards after the review and recommendation of the BRSC: Provided, That absent
31 the reference standards that are locally or nationally adopted by the competent
32 government agency for a particular subject, the latest standards by the International
33 Organization for Standardization may be used as default standards.

34
35 **SEC. 70. Separability Clause.** If any part or provision of this Act is held
36 invalid or unconstitutional, other provisions not affected thereby shall remain in force
37 and effect.

38
39 **SEC. 71. Effectivity.** Notwithstanding the non-issuance of the IRR, this Act
40 shall take effect fifteen (15) days after its publication in the Official Gazette or in a
41 newspaper of general circulation.

42
43 *Adopted,*