

REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session  
1650

House Bill No. \_\_\_\_\_



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Introduced by **MAGDALO Party-List Representative**  
**HON. MANUEL DG. CABOCHAN III**

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**EXPLANATORY NOTE**

Republic Act No. 6541 otherwise known as the *National Building Code of the Philippines* provides for all buildings and structures a framework of minimum standards and requirements by guiding, regulating, and controlling their location, siting, design, quality of materials, construction, use, occupancy, and maintenance, including their environment, utilities, fixtures, equipment, and mechanical electrical, and other systems and installations. This is in fulfillment of the State's duty and responsibility to identify and oversee the methods and/or requirements for the safe construction of all buildings and structures in the country.

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

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

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

  
**MANUEL DG. CABOCHAN III**  
*Representative*  
Magdalo Para sa Pilipino Party-List

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

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

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

4  
5        “(d) The applicant for a building permit for private buildings or structures after having  
6 complied with all the requirements prescribed therefor in accordance with the  
7 provisions of this Code, shall be issued a building permit within fifteen (15) days  
8 from the date of payment of the permit fee for Groups A and J Occupancies and  
9 within thirty (30) days from the date of payment of the permit fee for other Group  
10 Occupancies[.]. **IF THE SAME IS NOT ACTED UPON BY THE APPROVING**  
11 **OFFICER WITHIN THE PRESCRIBED PERIOD, IT SHALL BE PRESUMED**  
12 **THAT THE BUILDING PERMIT IS APPROVED**, unless any local government  
13 official or his Deputy authorized to issue the permit. It shall inform the applicant in  
14 writing why the permit should not be issued, and shall indicate thereon the particular  
15 provisions of the Code violated by the applicant or the particular requirements not  
16 complied with. Within fifteen (15) days from the date of receipt by the applicant of  
17 advice from any local government official or his Deputy authorized to issue the  
18 permit why the building permit should not be issued, or why the building permit is  
19 suspended or revoked, the applicant may appeal the non-issuance, suspension, or  
20 revocation thereof, to the [Mayor of the chartered city or municipality, or the  
21 Governor of the province] **LEGAL DIVISION OF THE DEPARTMENT OF**  
22 **PUBLIC WORKS AND HIGHWAYS (DPWH)** [where the building or structure for  
23 which the permit is being applied for is located]. Said appeal shall be decided within  
24 fifteen (15) days from receipt thereof, otherwise, the applicant may bring the matter to  
25 the proper Court of Justice for final disposition.”  
26

1        **SECTION 2. *Amending Section 1.02.05 (b) of RA No. 6541.*** – SEC. 1.02.05 (b) of  
2        Republic Act No. 6541, otherwise known as the National Building Code of the Philippines, is  
3        hereby amended to read as follows:  
4

5        “(b) **Certificates of Occupancy.** The proper Certificate of Occupancy shall be issued  
6        to the applicant within seven (7) days from completion of the requirements for  
7        inspection and occupancy and payment of any and all fees therefor[.]. **IF THE**  
8        **SAME IS NOT ACTED UPON BY THE APPROVING OFFICER WITHIN**  
9        **THE PRESCRIBED PERIOD, IT SHALL BE PRESUMED THAT THE**  
10       **CERTIFICATE OF OCCUPANCY IS APPROVED**, unless [b]any local  
11       government official or his Deputy issuing the Certificate shall show cause in writing  
12       why the Certificate should not be issued and shall indicate thereon the particular  
13       provisions of the Code violated or the particular requirements not complied with.  
14       Within fifteen (15) days from receipt by the applicant of the advice from any local  
15       government official or his Deputy authorized to issue the certificate why the  
16       certificate should not be issued, or why the certificate is suspended or revoked, the  
17       applicant may appeal the non-issuance, suspension, or revocation thereof, to the  
18       [Mayor of the chartered city or municipality, or the Governor of the province]  
19       **LEGAL DIVISION OF THE DEPARTMENT OF PUBLIC WORKS AND**  
20       **HIGHWAYS (DPWH)** [where the building for which the certificate is being applied  
21       for is located]. Said appeal shall be decided within fifteen (15) days from receipts  
22       thereof, otherwise, the applicant may bring the matter to the proper Court of Justice  
23       for final disposition. The building may be occupied only upon issuance of the  
24       Certificate of Occupancy.”  
25

26       **SECTION 3. *Penalties.*** – Any local government official and/or his Deputy who  
27       commit acts in violation of Republic Act No. 6541, otherwise the National Building Code of  
28       the Philippines, as amended, as well as in cases of frivolous, false and/or malicious findings  
29       leading to delay and/or disapproval of applications for building permit and/or certificate of  
30       occupancy shall face prosecution under the Revised Penal Code and/or any local ordinance,  
31       as well as civil action under our civil laws and administrative disciplinary action under the  
32       Revised Administrative Code and/or the Civil Service Law and Rules.  
33

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

37       **SECTION 5. *Repealing Clause.*** – All laws, executive orders and other  
38       administrative issuances and parts thereof, which are inconsistent with the provisions of this  
39       Act, are hereby repealed or modified accordingly.  
40

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

*Approved,*