



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
Manila

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ADDENDUM NO. 01
NBCDO Memorandum Circular No. 03
Series of 2016 *A 06.01.16*

Subject: New Schedule of Fees and Other Charges

Pursuant to Rule II, Section 203, Subsection 5 of Revised Implementing Rules and Regulations of P.D. 1096, otherwise known as the National Building Code of the Philippines, the herein New Schedule of Fees and Other Charges (Annex "A") shall be enforced uniformly nationwide.

In consonance with Section 211 of P.D. 1096, the New Civil Code of the Philippines and other rules, the New Schedule of Fees and Other Charges shall take effect fifteen (15) days after its publication once a week for three consecutive weeks in a newspaper of general circulation and upon filing of three (3) certified copies thereof with the University of the Philippines Law Center.


ROGELIO L. SINGSON
Secretary

Department of Public Works and Highways
Office of the Secretary



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RULE II - ADMINISTRATION AND ENFORCEMENT

SECTION 201. Responsibility for Administration and Enforcement

The administration and enforcement of the provisions of the Code and this IRR, including the imposition of penalties for administrative violations thereof, is hereby vested in the Secretary.

SECTION 202. Technical Staff

The National Building Code Development Office (NBCDO) created through DPWH Department Order, shall serve as the technical staff of the Secretary. The functions thereof are as follows:

1. Assist the Secretary in the administration and enforcement of the provisions of the Code and its IRR.
2. Review, evaluate and take final action on various technical and legal problems forwarded to the Office of the Secretary.
3. Conduct seminar/workshops on the Code, its IRR, and Batas Pambansa Blg. 344 (Accessibility Law).
4. Undertake such other duties and tasks as may be assigned by the Secretary from time to time.

SECTION 203. General Powers and Functions of the Secretary

1. Formulate policies, plans, standards and guidelines on building design, construction, use, occupancy and maintenance, in accordance with the Code.
2. Issue and promulgate additional rules and regulations in the form of Memorandum Circulars to implement the provisions of the Code and ensure compliance with policies, plans, standards and guidelines and issue office guidelines or Memorandum Circulars to guide the actions of the Building Official in the performance of his duties and responsibilities.
3. Exercise appellate jurisdiction over the decisions and orders of the Building Official. The order or decision of the Secretary shall be final and executory subject only to review by the Office of the President of the Republic.
4. Evaluate, review, approve and/or take final action on changes and/or amendments to existing Referral Codes as well as on the incorporation of other referral codes, which are not yet expressly made supplementary to the Code and its IRR.
5. Prescribe and impose the amount of fees and other charges as may be deemed necessary that the Building Official shall collect in connection with the performance of regulatory functions.
6. Appoint a Building Official, separate and distinct from the Office of the City/Municipal Engineers in all Cities and Municipalities.

SECTION 204. Professional and Technical Assistance

The Secretary may secure professional, technical, scientific and other services including testing laboratories and facilities from other agencies of the National Government when deemed necessary. He may also engage and compensate within available appropriations, such number of consultants, experts and advisers on full or part-time basis, as may be necessary, coming from the government or private business, entities or associations to carry out the provisions of the Code and this IRR.

RULE II ,
SECTION 203
SUBSECTION 5
PD 1096

- i. the local auditor thereat.
 - ii. The preceding procedure shall also apply to a deputized disbursing officer other than the Building Official with respect to money and property accountabilities in his custody.
 - iii. Application for clearance of the Building Official and other deputized disbursing officers shall be coursed to the Office of the DPWH Secretary, to check their unpaid obligations with the OBO.
- k. Other Provisions
- i. Compensation of consultants, experts and advisers whose services were secured shall be funded from the 20% income derived from the building permit fees and other charges.
 - ii. Any circular/s that may subsequently be issued by the proper authorities revoking or amending provisions or certain portions of circular/s incorporated in the above rules and regulations shall automatically revoke or amend such corresponding portions that are inconsistent therewith.

SECTION 211. Implementing Rules and Regulations

In the implementation of the provisions of the Code and its IRR, the Secretary shall formulate necessary rules and regulations and adopt design and construction standards and criteria for buildings and other structures. Such standards, rules and regulations shall take effect after their publication once a week for three consecutive weeks in a newspaper of general circulation.

RULE II
SECTION 211
PD 1096

SECTION 212. Administrative Fines

1. Imposition of Administrative Fines

- a. The Secretary or his duly authorized representative may prescribe and impose fines not exceeding ten thousand pesos (P10, 000.00) in the following cases, subject to the terms and procedures as hereunder provided:
 - i. Erecting, constructing, altering, repairing, moving, converting, installing or demolishing a private or public building/structure if without building/demolition permit.
 - ii. Making any alteration, addition, conversion or repair in any building/structure/ appurtenances thereto constructed or installed before the adoption of the Code, whether public or private, without a permit.
 - iii. Unauthorized change, modification or alteration during the construction in the duly submitted plans and specifications on which the building permit is based.
 - iv. Non-compliance with the work stoppage order or notice and/or orders to effect necessary correction in plans and specifications found defective.
 - v. Non-compliance with order to demolish building/structure declared to be nuisance, ruinous or dangerous.
 - vi. Use or occupancy of a building/structure without Certificate of Occupancy/Use even if constructed under a valid building permit.