



3. Further, it is clarified that the decision of the Building Official, City or Municipal Engineer in their capacity as Acting Building Officials to impose administrative sanctions or to file or initiate the filing of a criminal complaint may be reviewed by the Secretary upon appeal by the party concerned. It is further reminded that pursuant to Section 21<sup>2</sup> of Executive Order No. 292, an appeal shall automatically have the effect of suspending the directives of the Building Official appealed from.

Moreover, Building Officials, City or Municipal Engineer in their capacity as Acting Building Officials are enjoined from performing any other acts without due cause tending to delay the timely completion and implementation of DPWH Projects.

Nothing in this Circular shall be construed as affecting the merits of the relevant applications which shall remain under the initial evaluation of the Building Official, the decision, order, resolution or other final action on which are appealable to the Secretary in the manner provided for by law.

This Circular shall take effect after its publication in accordance with law.

For strict compliance.

  
**MANUEL M. BONOAN**  
Secretary

Department of Public Works and Highways  
Office of the Secretary

  
WIN4V18849

1.1.3 gcpl/TLL/JASB  
NBCDO MEMO

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<sup>2</sup> Effect of Appeal. – The appeal shall stay the decision appealed from unless otherwise provided by law, or the appellate agency directs execution pending appeal, as it may deem just, considering the nature and circumstances of the case.