



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
Bonifacio Drive, Port Area Manila



097.13 DPWH
11.18.2023

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NBCDO MEMORANDUM)

CIRCULAR NO. 01)
Series of 2023

11/18/2023

SUBJECT: Guidelines on the Transfer of Functions and Responsibilities of Local Building Official in the City of Makati and Local Building Official in the City of Taguig in relation to the Supreme Court Ruling entitled *Municipality of Makati (Now City of Makati) v. Municipality of Taguig (Now City of Taguig)*, G.R. No. 235316. December 1, 2021

TO : All Local Building Officials

Pursuant to the Decision in the case of *Municipality of Makati (Now City of Makati) v. Municipality of Taguig (Now City of Taguig)*¹, which was resolved with finality in the two (2) page Resolution dated 28 September 2022 issued by the Supreme Court's Special 3rd Division, the dispositive portion of which provides:

"WHEREFORE, the Petition is DENIED. The RTC Decision dated July 8, 2011 is REINSTATED with MODIFICATION as follows:

Fort Bonifacio Military Reservation, consisting of **Parcels 3 and 4, Psu-2031, is confirmed to be part of the territory of the City of Taguig;**

The Writ of Preliminary Injunction dated August 2, 1994 issued by the RTC of Pasig, explicitly referring to Parcels 3 and 4, Psu-2031, comprising Fort Bonifacio, be made PERMANENT insofar as **it enjoined the Municipality, now City of Makati, from exercising jurisdiction over, making improvements on, or otherwise treating as part of its territory, Parcels 3 and 4, Psu-2031, comprising Fort Bonifacio.**" (Emphasis Supplied)

By virtue of the foregoing Supreme Court Decision and pursuant to Section 203(2) of the National Building Code of the Philippines², which authorized the DPWH Secretary to issue and promulgate rules and regulations to implement the provisions of the Code and to ensure compliance with policies plans, standards and guidelines formulated thereof, the following guidelines shall be observed by the Building Officials of both Makati City and Taguig City:

1. All pending permit applications and other permits required under the National Building Code in the affected barangays which was formerly under the jurisdiction of the City of Makati shall be turned over to the respective Local Building Official in the City of Taguig;

¹ G.R. No. 235316. December 1, 2021.

² Presidential Decree No. 1096.

Guidelines on the Transfer of Functions and Responsibilities of Local Building Official in the City of Makati and Local Building Official in the City of Taguig in relation to the Supreme Court Ruling.

Page 2 of 2

2. Any new or subsequent application for building permits and/or similar permits under the National Building Code pertaining to the affected barangays shall now be processed by the Local Building Official in the City of Taguig;
3. All records or documents which are under the custody of the Local Building Official in the City of Makati that are currently subject of any investigation, proceedings, or any similar case within the jurisdiction of the affected barangays involving the enforcement of the National Building Code, including revocation of issued building permit or demolition of structures, must properly be turned over to the Local Building Official in the City of Taguig; and
4. The Local Building Official in City of Makati is hereby enjoined to exercise function/s stated in the National Building Code and assume jurisdiction over the affected barangays except functions explicitly provided in the foregoing guidelines.

This order shall be effective on the 1st day of December 2023.

For strict and immediate compliance.


MANUEL M. BONOAN
Secretary

2.9 ASGL

Department of Public Works and Highways
Office of the Secretary



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