

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



CONGRESS

House Bill No. 4617

Introduced by: **CONGRESSMAN JOEY HIZON**

Explanatory Note

It has always been a policy of the Government to encourage non-governmental organizations to actively participate in delivering genuine basic public services to the underprivileged members of society. These public services include livelihood programs, health, safety, and education among others.

To achieve this goal, Presidential Decree No. 139 was enacted, expressly excluding certain parcels of land from the list of properties transferred to the Land Bank and has reserved the same for the use of the City of Manila.

As of the present, a portion of the aforestated property identified as Lot 43-C-1 of Plan PSD-28694 covered by TCT No. 48542 of the Registry of Deeds for Manila and owned and registered in the name of The Republic of the Philippines, is being used by a non-governmental, non-profit, civic and service oriented organization known as KABALIKAT NG BAYAN SA KAUNLARAN (KABAKA).

KABAKA was founded in the early part of 1986 by respected members of the civil society, on a vision of social transformation and development. It is engaged in providing livelihood projects which tend to enhance and develop skills of the underprivileged members of the community, especially the out of school youth. Since 1986, KABAKA has trained more than 70,000 beneficiaries and members. They have implemented various service programs inspired by "FROM WOMB TO TOMB" concept, medical assistance, scholarship grants, free manpower and skills training, capital re-lending, cooperative development and burial and mortuary assistance program. To date they have more that 120,000 members spread all over 900 barangays in the City of Manila, particularly in the areas of Port Area, Intramuros, Ermita, Malate, Singalong, San Andres Bukid, Paco Sta. Ana, Pandacan, Sta. Mesa, Sta. Cruz, Binondo, Sampaloc and Tondo.

In the course of pursuing their undertaking, they have constructed a four-storey multi-purpose building for the use and benefit of KABAKA Foundation on a portion (approximately 500 square meters) of the 4,500 square meter lot, identified above.

This bill seeks to amend P.D. 139, to exclude 4,500 square meters of the Government owned land identified as Lot 43-C-1 of Plan PSD-28694 covered by TCT No. 48542 of the Registry of Deeds for Manila which was previously reserved for the use of the City of Manila, and awarding the use of the same to the KABAKA Foundation.

This measure is in line with the Constitutional mandate that the State shall, by law, and for the common good, undertake in cooperation with the private sector, a continuing program to provide basic services to underprivileged citizens in urban centers.

In view of the foregoing considerations, approval of this bill is earnestly sought.

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AN ACT AMENDING PRESIDENTIAL DECREE NO. 139 TO EXCLUDE 4,500 SQUARE METERS OF THE GOVERNMENT OWNED LAND IDENTIFIED AS LOT 43-C-1 OF PLAN PSD-28694 COVERED BY TCT NO. 48542 OF THE REGISTRY OF DEEDS OF MANILA WHICH WAS PREVIOUSLY RESERVED FOR THE USE OF THE CITY OF MANILA, AND AWARDING THE USE OF THE SAME TO THE KABAKA FOUNDATION.

Section 1. Declaration of Policy. – It is hereby declared the policy of the state to undertake in cooperation with the private sector, a continuing program to provide basic services and livelihood programs to underprivileged citizens in urban centers.

Section 2. Transfer of Use to the KABAKA Foundation. - 4,500 square meters of the Government owned land identified as Lot 43-C-1 of Plan PSD-28694 covered by TCT No. 48542 of the Registry of Deeds for Manila which was previously reserved for the use of the City of Manila, is hereby awarded for the exclusive use of the KABAKA FOUNDATION.

Section 3. Term. – The term of this usufructuary shall be for a period of fifty (50) years, extendible for another fifty (50) years.

Section 4. Rental Payments. – A rental amounting to One Peso (Php1.00) per year shall be paid by KABAKA FOUNDATION to the National Government.

Section 5. Ownership Over the Buildings and Improvements. – Upon expiration of the term of the lease, unless otherwise extended as herein provided under Section 3, the ownership over the buildings and improvements on the property shall be transferred to the National Government.

Section 6. Implementing Government Agency. – Rental payments shall be paid by the KABAKA FOUNDATION to the Office of the President.

Section 7. Repealing Clause. – All laws, presidential decrees, Executive Orders, rules and regulations or parts thereof which are inconsistent with any provisions of this Act are hereby repealed or modified accordingly.

Section 8. Separability Clause. - If any part or provision of this Act is declared invalid for any reason, the remainder of this Act not affected thereby shall remain valid and effective.

Section 9. Effectivity. – This Act shall take effect upon its approval.

APPROVED