

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
Second Regular Session



HOUSE BILL NO. 4635

Introduced by Honorable Eladio M. Jala

EXPLANATORY NOTE

Almost forty years have passed since 1968 when Congress passed R.A. No. 5260 which created a Trustee Committee to supervise the sale thru public bidding of the Welfareville properties in Mandaluyong City. To date, the properties remain unsold.

A number of public biddings for the sale of the said properties have been conducted in the past. All, however, failed.

The limited means by which the properties may be disposed of --- by sale thru public bidding only --- poses the biggest obstacle to the successful disposition of properties. According to an opinion by the Department of Justice, any mode of disposition other than sale thru public bidding would be in violation of R.A. No. 5260.

Moreover, the mandatory sale prevents the possibility for the government to realize even more benefits through other modes of disposition of assets, e.g. lease, joint, venture project or BOT scheme.

This bill seeks to address the following concerns. The bill's salient features are as follows:

1. The Trustee Committee is mandated to conceptualize and supervise the disposition of the Welfareville properties; and
2. Aside from sale thru public bidding, the mode of disposition for the properties is expanded to include other modes such as lease, joint-venture project, BOT scheme, and others.

Needless to say, the proposed amendments would give the Trustee Committee wider latitude in undertaking the most feasible mode of disposition to enable the government to realize optimum revenues which can be used to fund child welfare-related services and projects.

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



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AN ACT
AMENDING REPUBLIC ACT NUMBERED FIVE THOUSAND TWO HUNDRED AND SIXTY, ENTITLED “AN ACT AUTHORIZING A COMMITTEE COMPOSED OF THE ADMINISTRATOR OF THE SOCIAL WELFARE ADMINISTRATION, THE AUDITOR GENERAL AND THE SECRETARY OF THE DEPARTMENT OF GENERAL SERVICES TO SELL THE WELFAREVILLE PROPERTY LOCATED IN THE MUNICIPALITY OF MANDALUYONG, PROVINCE OF RIZAL, AND FOR OTHER PURPOSES”.

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

SECTION 1. Republic Act No. 5260, entitled: “An Act Authorizing a Committee Composed of the Administrator of the Social Welfare Administration, the Auditor General and the Secretary of the Department of General Services to Sell the Welfareville Property Located in the Municipality of Mandaluyong, Province of Rizal, and for Other Purposes” is hereby amended to read as follows:

“SECTION 1. In order to fulfill the agreement between the Philippine Government and various agencies of the United Nations, including UNICEF and the World Health Organization, to disperse and decentralize its Welfareville Institutions, and to undertake other steps to upgrade child welfare services, there is hereby created a Trustee Committee the purpose of which is to CONCEPTUALIZE AND supervise the PRIVATIZATION (SUCH AS, BUT NOT LIMITED TO sale, LEASE, BOT SCHEME, OR JOINT VENTURE ARRANGEMENTS) of the Welfareville properties in the [Municipality] CITY of Mandaluyong, [Province of Rizal] METRO MANILA, [through public bidding] IN ACCORDANCE WITH EXISTING LAWS, RULES AND REGULATIONS ON THE DISPOSITION OF GOVERNMENT ASSETS. The Trustee Committee will also draft a schedule to arrange for the procedure of the [sale] PRIVATIZATION. The Committee shall be composed of the [Administrator] SECRETARY of the DEPARTMENT

OF Social Welfare [Administration] AND DEVELOPMENT, the [Auditor General] CHAIRMAN OF THE COMMISSION ON AUDIT and the Secretary of the Department of [General Services] ENVIRONMENT AND NATURAL RESOURCES.

“SEC. 2. The proceeds of said [sale] PRIVATIZATION shall be exclusively used and expended for the purchase of appropriate sites, construction of building and facilities, acquisition of furniture and equipment including vehicles, necessary for the establishment of a national children’s home institutions, and community services for children in various parts of the Philippines in such places as the DEPARTMENT OF Social Welfare [Administration] AND DEVELOPMENT may designate. Disbursement of the funds shall be subject to appropriate government accounting and auditing procedures.

“SEC. 3. Any unexpended balance thereof shall not revert to the general fund but shall remain part of the funds of the DEPARTMENT OF Social Welfare [Administration] AND DEVELOPMENT for the purpose of improving the child welfare services of the Philippines in accordance with the needs of the population”.

SEC. 2. If any provision of this Act is declared invalid, the other provisions not affected thereby shall remain valid.

SEC. 3. All laws, proclamations, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, modified or amended according.

SEC. 4. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,