

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



THIRTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 4773

Introduced by **Honorable Del R. de Guzman**

EXPLANATORY NOTE

R.A. 7924 which created the Metro Manila Development Authority was enacted ten (10) years ago. The law treats Metro Manila as a special development and administrative region so that certain basic metro-wide services could be provided more effectively and efficiently which would inure to the best interest of the people within its administrative jurisdiction.

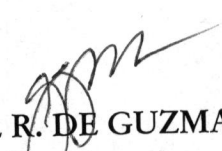
Over the years, the MMDA had tried to carry out its mandate and perform the various tasks and functions within its powers to make Metro Manila a more liveable and development-friendly metropolis. The succession of MMDA administrations has had varying records of successes and failures. They had their respective brushes with LGUs, ever vigilant of any possible dent on their autonomy, as well as on productive cooperation with them in areas where the greater good of the entire metropolis was paramount. At times, striking a balance and soliciting cooperation was easy and rewarding. Sometimes, it was problematic and frustrating at the expense of synchronized implementation of projects.

There is no denying the phenomenon of metropolization. Metro Manila is composed of contiguous big cities and municipalities where basic areas of concern easily overlap. The need for certain basic services of the people of one unit is the same as the other units. Having a metropolitan administrative authority as the MMDA, clothed with adequate powers to make it stronger and more effective, is the need of the hour. Metro Manila deserves sustained order and efficiency as it grapples with mounting common

problems such as road traffic, flood control, sanitation and disaster preparedness, to highlight a few.

Considering these points, undeniably, there is a need to introduce certain amendments to the MMDA charter to strengthen it further by redefining its powers and functions. More than ever, we need to create a revitalized MMDA by way of a law that will ensure its optimum performance.

In view of the foregoing, the early passage of this bill is earnestly sought.



DEL R. DE GUZMAN
Representative
Lone District, Marikina City

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AN ACT
STRENGTHENING THE METRO MANILA DEVELOPMENT AUTHORITY
(MMDA), AMENDING CERTAIN PROVISIONS OF RA 7924, REDEFINING ITS
POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR, AND FOR
OTHER PURPOSES

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

SECTION 1. *Declaration of Policy.* It is hereby declared to be the policy of the State to treat Metropolitan Manila as a special development and administrative region and certain basic services affecting or involving Metro Manila as metro-wide services more efficiently and effectively planned, supervised and **IMPLEMENTED** [coordinated] by a development authority as created therein, without prejudice to the autonomy of the affected local government units.

Pursuant to this policy, Metropolitan Manila as a public corporation created under Presidential Decree No. 824, embracing the **CITIES OF CALOOCAN, MANILA, MANDALUYONG, PASAY, QUEZON, MAKATI, PARAÑAQUE, PASIG, MARIKINA, MALABON, MUNTINLUPA, TAGUIG, LAS PIÑAS AND VALENZUELA, AND THE MUNICIPALITIES OF SAN JUAN, PATEROS, NAVOTAS**, [Cities of Caloocan, Manila, Mandaluyong, Pasay and Quezon and the Municipalities of Las Piñas, Makati, Malabon, Marikina, Muntinlupa, Navotas, Parañaque, Pasig, Pateros, San Juan, Taguig, and Valenzuela.] is hereby **RE**constituted into a special development and administrative region subject to direct supervision of the President of the Philippines.

SECTION 2. *DEFINITION OF TERMS.*

- a. “**DESTITUTE**” – REFERS TO MEN, WOMEN AND CHILDREN WHO ARE IN STATE OF UTTER POVERTY.

- b. *"DEVELOPMENT PLANNING"* – WHICH PROVIDES WISDOM IN INTEGRATING THE RESPONSIBILITY FOR REGIONAL METROPOLITAN PLANNING AND MANAGEMENT AS AN OBJECTIVE AND SEPARATE LEVEL ESPECIALLY IF INTERACTION BETWEEN DIVERSE AND INTERDEPENDENT COMPONENTS OF THE METROPOLIS ARE TO RELATE AND REMAIN HARMONIOUS. IT IS HARNESSING URBANIZATION AS A POSITIVE FORCE IN PROMOTING SOCIAL EQUITY AND ENHANCING PHYSICAL, SOCIAL, ECONOMIC AND ENVIRONMENTAL QUALITY OF LIFE IN THE METROPOLITAN AREA.
- c. *"DISASTERS"* – ARE EVENTS, SUDDEN OR PROGRESSIVE, RESULTING FROM SUDDEN OCCURRENCE OR SLOW ON-SET OF MAN-INDUCED AND NATURAL HAZARDS THAT CAUSE SEVERE IMPACT TO LIVES AND PROPERTIES OR DISRUPTION OF THE NORMAL ACTIVITIES OR COMMUNITIES PROMPTING THEM TO TAKE EXCEPTIONAL MEASURES.
- d. *"DRAINAGE"* – REFERS TO THE INTERCEPTION AND REMOVAL OF GROUNDWATER OR STREAM SURFACE WATER, BY ARTIFICIAL OR NATURAL MEANS.
- e. *"ENVIRONMENTAL HEALTH"* – THE CHARACTERISTICS OF ENVIRONMENTAL CONDITIONS THAT AFFECT THE QUALITY OF HEALTH. IT IS THE ASPECT OF PUBLIC HEALTH THAT IS CONCERNED WITH THOSE FORMS OF LIFE, SUBSTANCE, FORCES AND CONDITIONS IN THE SURROUNDINGS OR PERSON THAT MAY EXERT AN INFLUENCE ON HUMAN HEALTH AND WELL-BEING.
- f. *"EXPOSURE"* – ANY CONTACT BETWEEN A POTENTIALLY HARMFUL AGENT PRESENT IN AN ENVIRONMENTAL MEDIUM LIKE AIR, WATER, FOOD, SOIL, AND SURFACE OF THE HUMAN BODY LIKE THE SKIN OR LINING OF THE DIGESTIVE TRACT OR RESPIRATORY TRACT.
- g. *"FLOODING"* – REFERS TO THE OVERFLOWING OF A GREAT BODY OF WATER OVER NORMALLY DRY AREAS USUALLY SUBMERGED BY WATER OR OFTEN AFTER HEAVY RAINS.
- h. *"HARDSCAPE"* – REFERS TO ALL COMPONENTS OF LANDSCAPE DEVELOPMENT NOT INCLUDING PLANTS, SOIL AND ITS COMPONENTS.
- i. *"LANDSCAPING"* – IS THE PLANNING FOR OUTDOOR SPACES FOR THE SUITABLE AND EFFECTIVE USE OF MAN.
- j. *"MAJOR THOROUGHFARE"* – REFERS TO A MAIN THOROUGHFARE OR NATIONAL HIGHWAY WHICH IS A MAJOR ARTERY LEADING TO OTHER PARTS OF

METRO MANILA AND NEARBY PROVINCES WITH A MINIMUM WIDTH OF TEN (10) METERS CONSTRUCTED BY THE NATIONAL GOVERNMENT FOR TRAFFIC AND TRANSPORT MANAGEMENT PURPOSES.

- k. *"MASS TRANSPORT SYSTEM"* - REFERS TO MODERN, FAST AND EFFICIENT MEANS OF TRANSPORTATION THE INSTALLATION OF WHICH EASES UP TRAFFIC FLOW AND SOLVE THE TRANSPORT PROBLEM OF COMMUTERS THEREBY ACCELERATING SOCIO-ECONOMIC DEVELOPMENT THAT ENHANCES MOBILITY OF PEOPLE, IMPROVES PRODUCTIVITY AND FACILITATES FLOW OF GOODS AND SERVICES AND CREATES CLEAN ENVIRONMENT.
- l. *"METRO SIGNIFICANT PROJECTS"* - ALL LARGE SCALE PROJECTS SITUATED WITHIN 500 METERS STRIP ON EACH SIDE OF THE THOROUGHFARES WITH MAJOR IMPACT ON LAND USE, TRAFFIC, ENVIRONMENT, AND ECONOMIC CONDITIONS ALONG EXISTING/PROPOSED PUBLIC HIGHWAYS OR ROADS WITHIN METRO MANILA SUCH AS MALLS, SHOPPING CENTERS, SPORTS, COMPLEX, AMUSEMENT CENTERS, THEATERS, HOSPITALS, FACTORIES, WAREHOUSES, MEMORIAL PARKS, MULTI-STOREY BUILDINGS (4 STOREYS OR MORE), HOUSING PROJECTS (20 UNITS AND ABOVE), AND OTHER SIMILARLY SITUATED PROJECT/ACTIVITIES.
- m. *"POLLUTION"* - ANY ALTERATION OF THE PHYSICAL, CHEMICAL AND BIOLOGICAL PROPERTIES OF ANY WATER, AIR AND/OR LAND RESOURCES OR ANY DISCHARGE THERETO OF ANY LIQUID, GASEOUS OR SOLID WASTES AS WILL OR LIKELY TO CREATE OR TO RENDER SUCH WATER, AIR AND LAND RESOURCES HARMFUL, DETRIMENTAL OR INJURIOUS TO PUBLIC HEALTH, SAFETY OR WELFARE, OR WHICH WILL ADVERSELY AFFECT THEIR UTILIZATION FOR DOMESTIC, COMMERCIAL, INDUSTRIAL, AGRICULTURAL, RECREATIONAL OR OTHER LEGITIMATE PURPOSES.
- n. *"PUBLIC SAFETY"* - THE STATE OF THE PUBLIC BEING FREE FROM HURT OR INJURY, SUFFERING FROM PERSONAL AND PROPERTY DAMAGES, AND BEING ADVERSELY AFFECTED BY THE IMPACT OF MAN-INDUCED OR NATURAL HAZARDS RESULTING TO DISASTERS.
- o. *"PUBLIC SAFETY PROGRAMS"* - REFER TO ACTIVITIES AND PROJECTS AIMED AT REDUCING THE RISKS AND VULNERABILITIES OF THE PUBLIC FROM NATURAL AND MAN-MADE HAZARDS AND MITIGATING THE IMPACT OF LARGE ACCIDENTS AND DISASTERS SHOULD THEY OCCUR.
- p. *"RECYCLE"* - REFERS TO THE ACT OF TREATING USED OR WASTE MATERIALS THROUGH A PROCESS OF MAKING THEM SUITABLE FOR BENEFICIAL USE AND FOR OTHER PURPOSES, AND INCLUDES ANY PROCESS BY WHICH SOLID WASTE

MATERIALS ARE TRANSFORMED INTO NEW PRODUCTS IN SUCH A MANNER THAT THE ORIGINAL PRODUCTS MAY LOSE THEIR IDENTITY, AND WHICH MAY BE USED AS RAW MATERIALS FOR THE PRODUCTION OF OTHER GOODS AND SERVICES.

- q. “*RESOURCE RECOVERY*” – REFERS TO THE COLLECTION, EXTRACTION, OR RECOVERY OF RECYCLABLE MATERIALS FROM THE WASTE STREAM FOR THE PURPOSE OF RECYCLING, GENERATING ENERGY OR PRODUCING A PRODUCT SUITABLE FOR BENEFICIAL USE.
- r. “*RE-USE*” – REFERS TO THE PROCESS OF RECOVERING WASTE MATERIALS INTENDED FOR THE SAME OR DIFFERENT PURPOSE WITHOUT THE ALTERATION OF PHYSICAL AND CHEMICAL CHARACTERISTICS.
- s. “*SANITATION*” – IS THE PREVENTION AND CONTROL OF DISEASES BY ELIMINATING OR CONTROLLING THE ENVIRONMENTAL FACTORS, WHICH MAY FORM LINKS IN DISEASE TRANSFORMATION.
- t. “*SEWERAGE*” – REFERS TO THE REMOVAL OF WASTE WATER AND REFUSE BY MEANS OF AN ARTIFICIAL CONDUIT USUALLY INSTALLED UNDERGROUND IN A TOWN OR LOCALITY.
- u. “*SHELTER SERVICES*” – REFER TO THE LEVEL OF MMDA’S COORDINATION WITH THE CONCERNED LGUs AND NATIONAL GOVERNMENT AGENCIES (HUDCC, NHA, PCUP, CHR, DECS, DSWD) RELATIVE TO INFORMAL SETTLERS ALONG ROADWAYS, WATERWAYS, DRAINAGE SYSTEM, AND PUBLIC OPEN SPACES.
- v. “*SINGLE TICKETING SYSTEM*” – REFERS TO THE AUTHORITY TO PRESCRIBE A UNIFIED INSTALLATION, USE AND ISSUANCE OF CITATION INSTRUMENTS IN THE APPREHENSION OF TRAFFIC VIOLATORS.
- w. “*SOCIAL SERVICES*” – REFER TO THE SERVICES NEEDED BY DESTITUTE MEN, WOMEN AND CHILDREN AS WELL AS THE DIFFERENTLY-ABLED PERSONS FREQUENTLY MONITORED AND IDENTIFIED AS CONCERNS REQUIRING IMMEDIATE ATTENTION THAT CAN NOT BE TOTALLY ADDRESSED BY AN INDIVIDUAL LOCAL GOVERNMENT OR THE NATIONAL GOVERNMENT AGENCY CONCERNED SUCH AS, BUT NOT LIMITED TO, PROVISION OF HOUSING, HEALTH AND EDUCATION, ECONOMIC OPPORTUNITIES AND OTHER RELATED SERVICES GEARED TO ALLEVIATE AND IMPROVE THE LIVING CONDITION OF THE POOR AND THE DISABLED PERSONS.

- x. *"SOFTSCAPE"* – REFERS TO THE COMPONENTS OF LANDSCAPE DEVELOPMENT TO INCLUDE FOR A, FAUNA, SOIL AND ITS SUB-STRATA.
- y. *"SOLID WASTE MANAGEMENT PLAN"* – REFERS TO THE GENERAL PROGRAM OF ACTIONS AND INITIATIVES OF THE AUTHORITY IN IMPLEMENTING A SOLID WASTE MANAGEMENT PROGRAM THAT WOULD SUPPORT THE VARIOUS INITIATIVES OF THE 17 LGUs OF METRO MANILA.
- z. *"TRAFFIC EDUCATION PROGRAM"* – REFERS TO THE EDUCATION AND INSTALLATION OF DISCIPLINE ON TRAFFIC RULES AND REGULATIONS IN PHYSICAL AND NON-CONTACT APPREHENSION IN TRAFFIC MANAGEMENT.
- aa. *"TRAFFIC ENFORCEMENT OPERATIONS"* – REFERS TO INTENSIFIED TRAFFIC CLEARING AND SPECIAL OPERATIONS TO MINIMIZE ROADWAYS CONGESTION WITH THE STRICT ENFORCEMENT OF TRAFFIC ORDINANCES, RULES AND REGULATIONS WITH EMPHASIS ON ROAD SAFETY AND DISCIPLINE.
- bb. *"TRAFFIC ENGINEERING SERVICES"* – REFERS TO SERVICES ON PLANNING, DESIGN, SPECIFICATION, CONSTRUCTION, INSTALLATION, OPERATION AND MAINTENANCE OF TRAFFIC CONTROL AND SAFETY DEVICES IN THE IMPLEMENTATION OF INNOVATIVE TRAFFIC PROGRAMS AND SCHEMES FOR THE PROMOTION OF FAST, SAFE AND EFFICIENT TRANSFER OF COMMODITIES, PEOPLE AND SERVICES.
- cc. *"TRAFFIC IMPACT ASSESSMENT"* – IS THE MEASURE OF POSITIVE AND NEGATIVE RESULTS OF IMPLEMENTATION OF VARIOUS INFRASTRUCTURE PROJECTS RELATIVE TO THE ENFORCEMENT OF TRAFFIC LAWS, RULES AND REGULATIONS, AND THE EFFECT TO EXISTING LAND USE, ECONOMIC ACTIVITIES, TRAFFIC FLOW AND FUTURE TRANSPORT/TRAFFIC MANAGEMENT PROJECTS.
- dd. *"URBAN LANDSCAPE"* – REFERS TO THE URBAN OPEN SPACES, THEIR RELATIONSHIP TO THE BUILT-ON ENVIRONMENT AND THE VISUALIZED COMPLEMENTATIONS OF ALL FORMS OF DEVELOPMENT IN THE URBAN SETTING.
- ee. *"URBAN RENEWAL"* – THE PLANNED UPGRADING OF DETERIORATING URBAN AREAS TO IMPROVE THE PHYSICAL, ECONOMIC, AND SOCIAL LIVING CONDITIONS OF THE CONCERNED URBAN COMMUNITIES THAT WILL BLEND WITH THE NATURAL ENVIRONMENT, PROVIDING CHOICE OF LAND FOR NEW DEVELOPMENT, AND WHERE FEASIBLE, CONSERVING AND UPGRADING SALVAGEABLE PROPERTY TO REVITALIZE THE ECONOMIC LIFE OF THE CITY.

- ff. "WATERWAYS" – REFERS TO A RIVER, CANAL, STREAM, ESTERO AND OTHER BODIES OF WATER AS A ROUTE OR A WAY OF TRAVEL OR TRANSPORT.

SECTION 3 [2]. *Creation of Metropolitan Manila Development Authority.* The affairs of Metropolitan Manila shall be administered by the Metropolitan Manila Development Authority, hereinafter referred to as the MMDA, to replace the Metro Manila Authority (MMA) organized under Executive Order No. 392, series of 1990.

The MMDA shall perform planning, IMPLEMENTATION AND monitoring [and coordinative] functions, and in the process exercise regulatory and supervisory authority over the delivery of metro-wide services within Metro Manila without diminution of the autonomy of the local government units concerning purely local matters.

SECTION 4 [3]. *Scope of MMDA Services.* Metro-wide services under the jurisdiction of the MMDA are those services which have metro-wide impact and transcend legal political boundaries or entail huge expenditures such that it would not be viable for said services to be provided by the individual local government units (LGUs) comprising Metropolitan Manila. These services shall include:

- (a) Development planning which includes the preparation of medium and long-term development plans; the development, evaluation and packaging of projects; investment programming; and coordination and monitoring of plans, programs and project implementation.
- (b) Transport and traffic management which include the formulation, IMPLEMENTATION [coordination] and monitoring of policies, standards, programs and projects to rationalize the existing transport operations, infrastructure requirements, the use of MAJOR thoroughfares, and promotions of safe and convenient movement of persons and goods; provisions for the mass transport system and the institution of system to regulate road users; administration and implementation of all traffic enforcement operations, traffic engineering services and traffic education programs, including the institution of a single ticketing system in Metropolitan Manila.
- (c) Solid waste [disposal and] management which include THE DEVELOPMENT AND SUPERVISION OF THE IMPLEMENTATION OF A SOLID WASTE MANAGEMENT PLAN FOR METRO MANILA PURSUANT TO REPUBLIC ACT NO. 9003; formulation, ENACTMENT and implementation of policies, standards, programs and projects for proper and sanitary waste disposal[.]; [It shall likewise include the] establishment and operation of sanitary landfill and OTHER related facilities; AND DEVELOPMENT and [the] implementation of other alternative programs AND PROJECTS intended to reduce, reuse and recycle solid waste.

- (d) Flood control and sewerage management which include the formulation and implementation of policies, standards, programs and projects for an integrated flood control, drainage and sewerage system **ALONG ALL THROUGHFARES, INCLUDING DRAINAGE MAIN AND RELATED FACILITIES AND THE MANAGEMENT AND MAINTENANCE OF THE REQUIRED WIDTH OF OPEN WATERWAYS AND LEGAL EASEMENT AS STIPULATED IN THE PERTINENT PROVISIONS OF THE NATIONAL WATER CODE.**
- (e) Urban renewal, zoning and land use planning, and shelter services which include the formulation, adoption and implementation of policies, standards, rules and regulations, programs and projects **OF METRO SIGNIFICANCE** to rationalize and optimize urban land use and provide direction to urban growth and expansion, the rehabilitation and development of slum and blighted areas, the development of shelter and housing facilities and the provision of necessary social services thereof.
- (f) Health and sanitation, urban protection and pollution control which include the formulation and implementation of policies, rules and regulations, standards, programs and projects for the promotion and safeguarding of the health and sanitation of the region and for the enhancement of ecological balance and the prevention, control and abatement of environmental pollution.
- (g) **URBAN LANDSCAPE DEVELOPMENT AND MANAGEMENT WHICH INCLUDE THE FORMULATION AND IMPLEMENTATION OF POLICIES, RULES AND REGULATIONS, STANDARDS, PROGRAMS AND PROJECTS FOR THE IMPLEMENTATION AND REHABILITATION OF ROADSIDES, PROVISION OF PARKS, PARKING AND OPEN SPACES, SOFT AND HARD LANDSCAPING.**
- (h) [(g)] Public safety which includes the formulation and implementation of programs and policies and procedures to achieve public safety, especially preparedness for preventive or rescue operations during times of calamities and disasters such as conflagrations, earthquakes, flood and tidal waves, and coordination and mobilization of resources and the implementation of contingency plans for the rehabilitation and relief operations in coordination with national agencies concerned.

SECTION 5 [4]. *Metro Manila Council.* The **LEGISLATIVE** [governing board] and policy making body of the MMDA shall be the Metro Manila Council, composed of the **CHAIRMAN AS THE PRESIDING OFFICER**, Mayors of the **FOURTEEN (14)** [eight (8)] cities and **THREE (3)** [nine (9)] municipalities enumerated in Section 1 hereof, **THE CHAIRMAN OF THE SPECIAL COMMITTEE ON METRO MANILA DEVELOPMENT OF THE HOUSE OF**

REPRESENTATIVES, the President of the Metro Manila Vice Mayors League, and the President of the Metro Manila Councilors League.

The Heads of the Department of Transportation and Communication (DOTC), Department of Public Works and Highways (DPWH), Department of Tourism (DOT), Department of Budget and Management (DBM), Housing and Urban Development Coordinating Committee (HUDCC), DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG), NATIONAL ECONOMIC DEVELOPMENT AUTHORITY (NEDA), DEPARTMENT OF TRADE AND INDUSTRY (DTI), DEPARTMENT OF FINANCE (DOF), DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD), DEPARTMENT OF HEALTH (DOH), and Philippine National Police (PNP) or their duly authorized representatives, shall attend meetings of the council as non-voting members.

The Council shall be headed by a Chairman, who shall be appointed by the President and who shall continue to hold office at the discretion of the appointing authority. He shall be vested with the rank, rights, privileges, disqualifications, and prohibitions of a Cabinet Member.

The Chairman shall be assisted by a DEPUTY CHAIRMAN, a General Manager, an Assistant General Manager for Finance and Administration, an ASSISTANT MANAGER FOR URBAN DEVELOPMENT PLANNING [an Assistant General Manager for Planning] and an Assistant General Manager for Operations, all of whom shall be appointed by the President WITH THE RANKS OF UNDERSECRETARIES AND ASSISTANT SECRETARIES, RESPECTIVELY, with the consent and concurrence of the majority of the Council, subject to civil service laws, rules and regulations. They shall enjoy security of tenure and may be removed for cause in accordance with law.

The ASSISTANT GENERAL MANAGER FOR URBAN DEVELOPMENT PLANNING [Assistant General Manager for Planning] must have not less than five (5) years OF extensive experience in development and planning or must hold a master's degree in urban planning or similar disciplines.

The Chairman and the members of the Council shall be entitled to allowances and per diems in accordance with existing policies, rules and regulations on the matter.

SECTION 6 [5]. *Functions and Powers of the Metro Manila Development Authority.*
The MMDA shall:

- (a) Formulate [coordinate] and regulate the implementation of medium and long-term plans and programs for the delivery of metro-wide services, land use and physical development within Metropolitan Manila, consistent with national development objectives and priorities;

- (b) Prepare [coordinate] and regulate the implementation of medium-term investment programs for metro-wide services which shall indicate sources and uses of funds for priority programs and projects, and which shall include the packaging of projects and presentation to funding institutions;
- (c) Undertake and manage on its own metro-wide programs and projects for the delivery of specific services under its jurisdiction subject to the approval of the Council. For this purpose, the MMDA can create appropriate project management offices;
- (d) [Coordinate and] Monitor the implementation of such plans, programs and projects in Metro Manila; identify EXISTING AND POSSIBLE PROBLEM AREAS [bottlenecks] and adopt solutions [to problems of] THERETO FOR implementation;
- (e) The MMDA shall set the policies concerning traffic in Metro Manila, and shall [coordinate and] regulate [the implementation of all] AND IMPLEMENT programs and projects concerning traffic management, specifically pertaining to enforcement, engineering and education. Upon request, it shall be extended assistance and cooperation, including, but not limited to, assignment of personnel by all other government agencies and offices concerned;
- (f) Install and administer a single ticketing system, fix, impose and collect fines and penalties for all kinds of violations of traffic rules and regulations, whether moving or non-moving in nature, and confiscate and suspend or revoke driver's licenses in the enforcement of such traffic laws and regulations, the provisions or RA 4136 and PD 1605 to the contrary notwithstanding. For this purpose, the Authority shall enforce all traffic laws and regulations in Metro Manila, through its traffic operation center, and may deputize members of the PNP, traffic enforcers of local government units, duly licensed security guards, or members of non-governmental organizations to whom may be delegated certain authority, subject to such conditions and requirements as the authority may impose; [and]
- (g) FORMULATE, COORDINATE, MONITOR AND IMPLEMENT POLICIES, STANDARDS, PROGRAMS AND PROJECTS REGARDING METRO-WIDE SOCIAL SERVICES GEARED TO PROMOTE THE WELFARE OF DESTITUTE MEN, WOMEN AND CHILDREN AS WELL AS THE DISABLED PERSONS; AND
- (h) [(g)] Perform other related functions required to achieve the objectives of the MMDA. [including the undertaking of delivery of basic services to the local

government units, when deemed necessary subject to prior coordination with and consent of the local government unit concerned.]

SECTION 7 [6]. *POWERS, DUTIES AND Functions of the Metro Manila Council.*

- (a) The Council shall be the LEGISLATIVE AND policy-making body [of the MMDA.] ON MATTERS PERTAINING TO THE MMDA'S SCOPE OF SERVICES ENUMERATED UNDER SECTION 4 OF THIS AMENDMENT. REGULATION, RULES AND RESOLUTIONS PASSED BY THE METRO MANILA COUNCIL , EXCEPT THOSE INVOLVING THE INTERNAL AFFAIRS OF THE AUTHORITY, SHALL BE REFERRED TO THE SANGGUNIANG PANGLUNGSOD/BAYAN FOR RATIFICATION BY AT LEAST SIMPLE MAJORITY VOTE WITHIN A PERIOD OF FIFTEEN (15) DAYS AFTER REFERRAL, OTHERWISE IT SHALL BE CONSIDERED RATIFIED. IF MAJORITY OF THE SEVENTEEN (17) SANGGUNIANG PANGLUNGSOD/BAYAN RATIFIED THE REFERRED RESOLUTION, RULE OR REGULATION, IT SHALL BECOME MMDA REGULATION, RESOLUTION OR RULE WHICH SHALL HAVE THE FORCE AND EFFECT OF A LAW AFTER FIFTEEN (15) DAYS FOLLOWING THE COMPLETION OF ITS PUBLICATION IN THE NEWSPAPERS OF GENERAL CIRCULATION, UNLESS IT IS OTHERWISE PROVIDED.
- (b) It shall approve metro-wide plans, programs and projects, [and issue rules and regulations and resolutions deemed necessary by the MMDA to carry out the purposes of this Act.] SET POLICIES AND STANDARDS FOR METRO-WIDE APPLICATION RELATIVE TO THE DELIVERY OF METRO-WIDE SERVICES THAT WILL PROMOTE AND UPHOLD THE PARAMOUNT INTERESTS AND GENERAL WELFARE OF THE METRO MANILA INHABITANTS.
- (c) It may increase the rate of allowances and per diems of the members of the Council to be effective during the term of the succeeding Council. It shall fix the compensation of the officers and personnel of the MMDA, and approve the annual budget thereof for submission to the Department of Budget and Management (DBM).
- (d) It shall [promulgate rules and regulations and set policies and standards for metro-wide application governing the delivery of basic services, prescribe and collect service and regulatory fees, and] IMPOSE AND COLLECT FINES AND PENALTIES FOR VIOLATIONS OF ITS RULES AND REGULATIONS AND PRESCRIBE AND COLLECT SERVICE AND REGULATORY FEES/CHARGES.

SECTION 8 [7]. *Functions of the Chairman.* The Chairman shall:

- (a) Appoint, subject to civil service laws, rules and regulations, all subordinate officers and employees, who shall enjoy security of tenure and may be removed only for cause in accordance with law. The Chairman is hereby authorized to engage the services of experts/consultants either on full time or part-time basis, as may be required in the performance of his functions and duties as may be determined by him;
- (b) **APPOINT, DEPUTIZE AND REMOVE PNP TRAFFIC ENFORCEMENT GROUP IN METRO MANILA;**
- (c) [(b)] Execute the policies and measures approved by the Metro Manila Council and be responsible for the efficient and effective day-to-day management of the operations of the MMDA;
- (d) **CHAIR THE REGIONAL DEVELOPMENT COUNCIL;**
- (e) [(c)] Prepare the annual budget for the operations of the MMDA for submission to the Council;
- (f) [(d)] Submit for consideration of the Council such other policies and measures as he may deem necessary to carry out the purposes and provisions of this Act;
- (g) [(e)] Subject to the guidelines and policies set by the Council, prepare the staffing pattern and fix the number of subordinate officials and employees of the MMDA; and exercise the power to discipline subordinate officials and employees under the provisions of law;
- (h) [(f)] Prepare an annual report on the accomplishments of the MMDA at the close of each calendar year for submission to the Council and to the President of the Philippines; and
- (i) [(g)] Perform such other duties as may be assigned to him by the President or by the Council.

SECTION 9. *FUNCTIONS OF THE DEPUTY CHAIRMAN.* THE DEPUTY CHAIRMAN SHALL:

- (A) **ASSIST THE CHAIRMAN IN THE EXECUTION OF POLICIES AND MEASURES APPROVED BY THE METRO MANILA COUNCIL AND BE RESPONSIBLE FOR THE EFFICIENT AND EFFECTIVE DAY-TO-DAY MANAGEMENT OF THE OPERATIONS OF THE MMDA;**

- (B) PRESIDE THE MEETING OF THE METRO MANILA COUNCIL IN THE ABSENCE OF THE CHAIRMAN; AND
- (C) PERFORM SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE LAWFULLY DELEGATED OR ASSIGNED BY THE PRESIDENT OR CHAIRMAN.

SECTION 10 [8]. *Functions of the General Manager.* The General Manager shall:

- (a) Assist the Chairman in the administration of the MMDA and supervision of the subordinate personnel;
- (b) Assist the Chairman in the supervision of the operation of various operating centers and units of THE MMDA;
- (c) Assist the Chairman in the review of plans and programs for the MMDA and for Metro Manila in the preparation of the annual report of activities and accomplishments of the MMDA; and
- (d) Perform such other duties and functions as may be lawfully delegated or assigned by the Chairman from time to time.

SECTION 11 [9]. *Institutional Linkages of the MMDA.* The MMDA shall, in carrying out its functions, consult, coordinate and work closely with the LGUs, the National Economic Development Authority (NEDA) and other national government agencies mentioned in Section 5 [4] hereof and accredited people's organizations (POs); non-governmental organizations (NGOs), and the private sector operating in Metro Manila. The MMDA Chairman or his authorized representative [from among the Council members,] shall be *ex-officio* member of the boards of government corporations and committees of the departments and offices of government whose activities are relevant to the objectives and responsibilities of the MMDA which shall include but not limited to Metropolitan Waterworks and Sewerage System (MWSS), DOTC, DPWH, HUDCC and the Department of the Interior and Local Government (DILG).

[The MMDA shall have a master plan that shall serve as the framework for the local development plans of the component LGUs.]

THE MMDA IS THE LEAD AGENCY OF THE METRO MANILA DISASTER COORDINATING COUNCIL (MMDCC) AND THE MMDA CHAIRMAN IS THE CHAIRPERSON OF THE MMDCC.

The MMDA shall submit its development plans and investment programs to the NEDA for integration into the Medium-Term Philippine Development Plan (MTPDP) and public investment program.

The implementation of the MMDA's plans, programs and projects shall be undertaken by the LGUs, the concerned national government agencies, the POs, the NGOs and the private sector and the MMDA itself where appropriate. For this purpose, the MMDA may enter into contracts, memoranda of agreement and other cooperative arrangements with these bodies for the delivery of the required services within Metropolitan Manila.

The MMDA shall, in coordination with the NEDA and the Department of Finance, interface with the foreign assistance agencies for purposes of obtaining financing support, grants, and donations in support of its programs and projects.

SECTION 12. *SIMILAR OR IDENTICAL POWERS AND FUNCTIONS WITH LOCAL GOVERNMENT UNITS (LGUs).*

WHERE THE CITIES AND MUNICIPALITIES OF METROPOLITAN MANILA, BY VIRTUE OF THE PROVISIONS OF THE LOCAL GOVERNMENT CODE (REPUBLIC ACT NO. 7160) OR INDIVIDUAL CITY CHARTERS, ARE INVESTED WITH AND ARE EXERCISING OR DISCHARGING SIMILAR OR IDENTICAL POWERS OR FUNCTIONS, THE AUTHORITY SHALL, IN OBSERVANCE OF THE POLICY OR LOCAL AUTONOMY, CONSULT WITH LOCAL CHIEF EXECUTIVES CONCERNED IN ORDER TO IDENTIFY THE AREAS FOR THE DELIVERY OF METRO-WIDE SERVICES.

THEREAFTER, THE AUTHORITY SHALL CONCLUDE UPON PRIOR AUTHORIZATION OR CONCURRENCE OF THE SANGGUNIAN CONCERNED, THE APPROPRIATE AGREEMENTS, AND WHEN NECESSARY AND PROPER, THE LGUs SHALL AMEND OR REPEAL EXISTING LOCAL ORDINANCES ON THE MATTER.

SECTION 13 [10]. *Sources of Funds and the Operating Budget of MMDA:*

- (a) To carry out the purposes of this Act, [the amount of One Billion Pesos (₱1,000,000,000) is hereby authorized to be appropriated for the initial operation of the MMDA. Thereafter,] THE ANNUAL EXPENDITURES INCLUDING CAPITAL OUTLAYS REQUIREMENT OF THE AUTHORITY SHALL BE INCLUDED IN THE GENERAL APPROPRIATIONS ACT.
- (b) [The MMDA shall continue to receive] The Internal Revenue Allotment (IRA) currently allocated to the [present] MMDA.
- (c) The MMDA is [likewise] empowered to levy fines and impose fees and charges for various services rendered.

- (d) Five percent (5%) of the total annual gross revenue of the preceding year, net of the Internal Revenue Allotment, or each local government units mentioned in Section 2 hereof, shall accrue and become payable monthly to the MMDA by each city or municipality. In case of failure to remit the said fixed contribution, the DBM shall cause the disbursement of the same to MMDA chargeable against the IRA [allotment] of the city or municipality concerned, the provisions of Section 286 of RA 7160 to the contrary notwithstanding.
- (e) **SHARE IN THE PROCEEDS OF THE ROAD USERS TAX AS AUTHORIZED UNDER RA 8794 FOR EXPENSES IN DRAINAGE IMPROVEMENT, MAINTENANCE AND INSTALLATION OF TRAFFIC FACILITIES AND ROAD SAFETY DEVICES IN METROPOLITAN MANILA.**
- (f) **SUCH OTHER SOURCES OF FUNDS AS THE PRESIDENT MAY AUTHORIZE TO MEET THE NEEDS OF THE AUTHORITY IN ACCORDANCE WITH THE PRIORITY REQUIREMENTS OF THE PRESIDENT IN METROPOLITAN MANILA.**
- (g) **GRANTS, LOAN PROCEEDS AND BOND FLOTATION.**

SECTION 14 [11]. *Transitory Provisions.* To prevent disruption in the delivery of basic urban services pending the full implementation of the MMDA's organizational structure and staffing pattern, all officials and employees of the interim MMDA shall continue to exercise their duties and functions and receive their salaries and allowances until they shall have been given notice of change of duties and functions, and of being transferred to another office or position.

All assets and properties presently in use or under the accountability of the interim MMA and all its obligations, indebtedness, or liabilities shall be transferred to and assumed by the MMDA created under this Act, subject to the conditions that may be established by the Department of Budget and Management, Office of the President, and Commission on Audit.

The Civil Service Laws, Rules and Regulations pertinent to the displacement of personnel affected by this Act shall be strictly enforced. The national government shall provide such amounts as may be necessary to pay the benefits accruing to displaced employees at the rate of one and one-fourth (1 1/4) month's salary for every year of service; *Provided, That*, if qualified for retirement under existing retirement laws, said employees may opt to receive the benefits thereunder.

ALL OFFICIALS AND EMPLOYEES, INCLUDING CASUAL AND TEMPORARY, WHO HAVE BEEN SEPARATED PURSUANT TO THE APPROVED REORGANIZATION AND CIVIL SERVICE LAWS AND RULES UNDER ANY OF THE VALID CAUSES, EXCEPT THOSE AS A RESULT

OF FINAL DISCIPLINARY ACTION SHALL, IF ENTITLED THERETO, BE PAID APPROPRIATE SEPARATION, RETIREMENT AND OTHER BENEFITS UNDER EXISTING LAWS IMMEDIATELY.

The payment of personnel benefits shall not exceed ninety (90) days from the date of the effectivity of their separation or from the date of the receipt of the resolution of their appeals as the case may be: Provided, that application for clearance has been filed and no action thereon has been made by proper authority.

SECTION 15 [12]. *Repealing Clause.* [Executive Order No. 392 is hereby repealed.] All other laws, PRESIDENTIAL decrees, LETTERS OF INSTRUCTIONS, executive orders, rules and regulations [or parts thereof] INSOFAR AS THEY ARE inconsistent with [or contrary to the provisions of] this Act are hereby repealed or amended accordingly.

SECTION 16 [13]. *Separability Clause.* In any part or provision of this Act is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

SECTION 17 [14]. *Effectivity.* This Act shall take effect fifteen (15) days following completion of its publication in at least two (2) newspapers of general circulation.

Approved,