

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

FIFTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 581

INTRODUCED BY REP. PEDRO P. ROMUALDO

EXPLANATORY NOTE

This law has been reviewed several times to meet the present and future challenges of the water sector particularly the water districts as well as strengthen the Local Water Utilities Administration. It is with due respect that we recognize the contributions of General Managers of Water District to spearhead the day to day operations and management of their respective water districts. The passage of Republic Act No. 9286 entitled "An Act Further Amending Presidential 198, otherwise known as "The Provincial Water Utilities of 1973", as amended paved the way to improve the compensation given to the Board of Directors of Water Districts as well as provide security of tenure to General Managers.

This proposed measure focuses on small water districts with a very small geographical service area covering a few barangays or a Municipality. It is more prudent that the appointing authority be vested in the Local Chief Executive upon the favorable recommendation of the Sanggunian Bayan. The rationale for this is to ensure that the person appointed to such post possesses the technical and administrative experience and qualifications to handle the operations and management of the Water District. This would also discourage collusion on major decisions and prevent loyalty ties to the Board. The General Manager is the workhorse of the Water District and closely coordinates with the local government units and its water consumers. He must work for the improvement of its service and strengthen the implementation of existing policies to accelerate the growth of its water district.

It is proposed that the Sangguniang Bayan shall determine the qualifications and fitness of a prospective appointee and shall go through a selection process to support its favorable recommendation to the Local Chief Executive, as the sole appointing power for the position of General Manager of Small Water Districts. The General Manager should be co-terminous with the appointing authority and can only be removed in accordance with existing civil service laws, rules and regulations. This is also to protect the General Manager and thus, will not be totally under the whims and caprices of the appointing authority.

May this proposal merit your kind and favorable support.


PEDRO P. ROMUALDO

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AN ACT
FURTHER AMENDING SECTION 23 OF PRESIDENTIAL DECREE NO. 198,
AS AMENDED, OTHERWISE KNOWN AS "THE PROVINCIAL WATER
UTILITIES ACT OF 1973" AND FOR OTHER PURPOSES

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

SECTION 1. Section 23 of Presidential Decree No. 198, as amended, is hereby further amended to read as follows:

"Sec. 23. The General Manager. – At the first meeting of the Board, or as soon thereafter as practicable, the Board shall appoint, by a majority vote, a general manger and shall define his duties and fix his compensation. Said officer shall not be removed from office, except for cause and after due process."

PROVIDED, HOWEVER, THAT FOR SMALL WATER DISTRICTS WITH AN OPERATIONAL JURISDICTION OF SEVERAL BARANGAYS OR A MUNICIPALITY THE APPOINTING AUTHORITY SHALL BE THE LOCAL CHIEF EXECUTIVE UPON THE ENDORSEMENT OF THE SANGGUNIAN BAYAN". THE GENERAL MANAGER REFERRED HERETO CAN ONLY BE REMOVED BY THE APPOINTING AUTHORITY IN ACCORDANCE WITH EXISTING CIVL SERVICE LAWS, RULES AND REGULATIONS.

Sec. 2. Separability Clause. – If any section or provision of this Act is declared unconstitutional or invalid, the other sections or provisions not affected thereby shall continue to be in force and effect.

Sec. 3. Repealing Clause. – All acts, decrees, executive orders, rules and regulations, part or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 4. Effectivity Clause. – This Act shall take effect upon its approval.

Approved,