

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**FIFTEENTH CONGRESS
First Regular Session**

HOUSE BILL NO. 4782

Introduced by HONORABLE FERDINAND MARTIN G. ROMUALDEZ

EXPLANATORY NOTE

Nearly forty years after the passage of PD 198, otherwise known as the "Provincial Water Utilities Act of 1973," several areas in the country still does not have satisfactory water quality, water service is still poor, and water utilities cannot meet the needs and demands of the communities they serve.

One reason may be due to the fact that some water districts are not that locally-controlled and managed as what PD 198 envisioned it to be. For example, appointing authority in the Board of Directors is not well distributed to all possible local officials. In Sec. 3 (b) of PD 198, the appointing authority of a mayor of a city or municipality is conditioned upon the event that more than seventy-five percent (75%) of the total active water service connections of a local water district are within the boundary of any city or municipality, as the case may be, otherwise, appointing authority is vested in the governor.

Thus, this bill seeks to make decision-making by the Board of Directors "more localized" by including all local officials, e.g. mayor, governor and district representative as persons empowered to appoint one member each of the Board of Directors of a local water district regardless of the number of active water service connections in the local water district; for these local officials are best qualified to know the needs of their constituents.

It is believed that these three (3) members out of the five (5) total members of the Board of Directors can better address the local concerns of the community and hopefully respond to the problems of the water consumers.

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


FERDINAND MARTIN G. ROMUALDEZ

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4782

Introduced by HONORABLE FERDINAND MARTIN G. ROMUALDEZ

AN ACT
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 the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 3 of Presidential Decree No. 198, as amended, is hereby further amended to read as follows:

"Sec. 3 (b) **Appointing Authority.** – The person empowered to appoint the members of the Board of Directors of a local water district depending upon the geographic coverage and population make-up of the particular **WATER** district. [In the event that more than seventy-five percent of the total active service connections of a local water district are within the boundary of any city or municipality, the appointing authority shall be the mayor of the city or municipality, as the case may be; otherwise, the appointing authority shall be the governor of the province within which the district is located: Provided, that if the existing waterworks system in the city or municipality established as a water district under this Decree is operated and managed by the province, initial appointment shall be extended by the governor of the province. Subsequent appointments shall be as specified herein.] **THE MAYOR, GOVERNOR AND REPRESENTATIVE OF THE DISTRICT SHALL HAVE AUTHORITY TO APPOINT ONE MEMBER EACH AND THE LWUA WITH THE APPROVAL OF THE LWUA-BOT SHALL HAVE THE AUTHORITY TO APPOINT TWO MEMBERS OF THE BOARD.**

If portions of more than one [province] **CITY OR MUNICIPALITY** are included within the boundary of the **WATER** district, [and the appointing authority is to be the

governor,] then the power to appoint shall [rotate between the governors involved with the initial appointments made by the governor in whose province the greatest number of] **RESIDE ON THE MAYOR OF THE CITY OR MUNICIPALITY WHERE AT LEAST A MAJORITY OF THE TOTAL ACTIVE WATER** service connections exists.

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, or part thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. Effectivity Clause. – This act shall take effect after fifteen (15) days following its publication in two (2) newspapers of general circulation.

Approved,