



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

Fifteenth Congress
Second Regular Session

HOUSE BILL NO. 5791



Introduced by Honorable Roger Gaviola Mercado

EXPLANATORY NOTE

Living close to a river can be considered as ignoring a natural warning from a flood just like living at the foot of a mountain slope is ignoring a natural warning of a landslide. The recent disasters in Cagayan, Iligan and elsewhere seemingly points to an endless trend on the loss of lives and property on people who tend to ignore natural disaster warnings. It's a sad fact these losses could have been prevented by the authorities given an enabling legislation.

This measure will provide the absence of a law that can be used by the government to prevent people from building structures along flood and landslide prone areas.

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

ROGER GAVIOLA MERCADO



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**AN ACT
PROHIBITING THE CONSTRUCTION OF RESIDENTIAL, COMMERCIAL OR
ANY HABITABLE STRUCTURE ALONG FLOOD AND LANDSLIDE PRONE
AREAS**

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

SECTION 1. It is hereby being prohibited for any person or juridical entity to construct a residential, commercial or any habitable structure along areas which are prone to flooding or landslides.

SECTION 2. For purposes of compliance of the provisions of this Act, the Department of Public Works and Highways (DPWH) and the Department of Environment and Natural Resources (DENR) or their respective attached agencies are hereby mandated to lead the implementation of this Act in coordination with the local governments.

a) The DPWH shall monitor any violations of this Act and report to the Philippine National Police any person or entity responsible for the violation of this Act for their apprehension.

b) The DENR shall provide the DPWH and the local governments the necessary maps indicating the areas where structures are prohibited to be constructed under this Act.

SECTION 3. Any person found guilty of violating the provisions of this Act shall be meted the penalty of imprisonment of not less than six (6) months and one day to one (1) year. In case of juridical entities, the head of that entity shall be meted the penalty provided for under this Act.

SECTION 3. This Act shall take effect fifteen (15) days after publication in two (2) newspapers of general circulation.

Approved,