

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2760



Introduced by **Rep. Winston "Winnie" Castelo**

EXPLANATORY NOTE

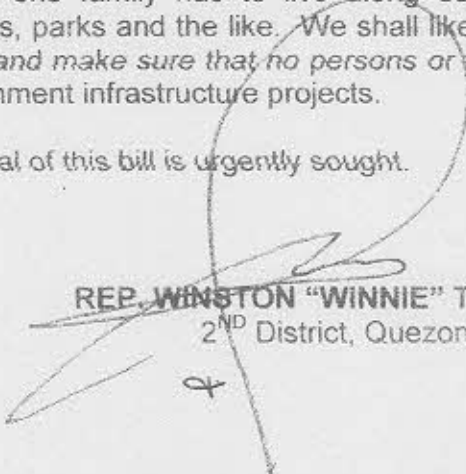
The contemporary scheme and scene appear to travel in opposite direction with the constitutional provisions espoused in Article XIII of the 1987 Constitution in so far as social justice and human rights are concerned.

Consider over 130,000 families living in subhuman environment – esteros, bridges, dump sites, danger zones and the like – all over Metro Manila making them truly vulnerable to both man-made and natural disasters.

Offhand, the whole picture could turn out as one of social justice issue since it seems to graphically draw a case of seemingly irreparable injustice in society.

It is this author's shared belief that Congress can advance the cause of social justice by simply providing habitable housing for the homeless. We shall still see the day when no one family has to live along esteros, riverbanks, shorelines, waterways, roads, parks and the like. We shall likewise save victims of disasters and calamities and make sure that no persons or families should be adversely affected by government infrastructure projects.

The favorable approval of this bill is urgently sought.


REP. WINSTON "WINNIE" T. CASTELO
2ND District, Quezon City

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AN ACT
PROVIDING FOR THE RESETTLEMENT, AID AND REHABILITATION
SERVICES FOR THE UNDERPRIVILEGED AND HOMELESS CITIZENS
AFFECTED BY THE DEMOLITION OF HOUSES/DWELLINGS ALONG
DANGER AREAS SUCH AS ESTEROS, GARBAGE DUMPTS,
RIVERBANKS, SHORELINES, WATERWAYS AND OTHER PUBLIC
PLACES SUCH AS SIDEWALKS, ROADS, PARKS AND PLAYGROUNDS AS
WELL AS THE VICTIMS OF DISASTERS AND CALAMITIES AND THOSE
AFFECTED BY GOVERNMENT INFRASTRUCTURE PROJECTS IN METRO
MANILA AND FOR OTHER PURPOSES

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

SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of the State to assist the underprivileged and homeless citizens in urban areas adversely affected by the demolition of houses/dwellings along danger areas such as esteros, garbage dumps, riverbanks, shorelines, waterways and other public places such as sidewalks, roads, parks and playgrounds as well as the victims of disasters and calamities and those affected by government infrastructure projects.

SEC. 2. *Statement of Objectives and Guidelines.* – This Act is intended to help the underprivileged and homeless citizens who suffered damages resulting from the demolition in or the clearing up of the danger areas such as esteros, garbage dumps, riverbanks, shorelines, waterways and other public places such as sidewalks, roads, parks and playgrounds as well as the victims of disasters and calamities and those affected by government infrastructure projects in Metro Manila. It aims to provide funds for the immediate relief of the displaced underprivileged families and homeless citizens through the establishment of

resettlement centers, home sites or town sites, whether off-site or beneficiary-led, through the Community Mortgage Program or other socialized housing programs.

SEC. 3. *Guidelines in the Allocation of Funds.* – Government funds and resources shall be spent effectively in consonance with the principle of providing the greatest good for the greatest number. Accordingly, the following guidelines shall be observed in allocating the funds made available for the implementation of this Act:

- (a) Funds shall be allocated exclusively for the underprivileged and homeless citizens affected by the demolition of their houses/dwellings in Metro Manila;
- (b) Funds shall be exclusively for relocation or resettlement sites that will be beneficiary-led or off-site under the Community Mortgage Program of the Social Housing Finance Corporation or under the other socialized housing programs of other agencies;
- (c) Funds, shall, when necessary, be for the construction of basic services and facilities such as schools and health centers as well as roads or access to employment and livelihood opportunities sufficient to meet the basic needs of the affected families; and
- (d) In no case shall any portion of the sum herein appropriated be used in payment of any subsisting obligation contracted before the passage of this Act.

SEC. 4. *Appropriations.* – The amount necessary for the implementation of this Act shall be included in the annual General Appropriations Act until such time that the total requirements for this purpose shall have been fully implemented.

SEC. 5. *Determination of Beneficiaries and Projects.* – The Office of the President through the Housing and Urban Development Coordinating Council (HUDCC), in consultation with the Metro Manila Inter-Agency Committee (MMIAC) and the local government unit (LGU) as host site, shall assist in the resettlement of beneficiaries through a beneficiary-led or off-site Community Mortgage Program or other socialized housing programs. The Presidential Commission for the Urban Poor, in coordination with the MMIAC and the LGU concerned, shall take the census of beneficiaries and cross-check the same with the census of the National Housing Authority (NHA).

SEC. 6. *Alpha Listing of Beneficiaries.* – The HUDCC, in coordination with the MMIAC, shall produce an alpha listing of the beneficiaries covered under this Act.

SEC. 7. *Rules and Regulations.* – The HUDCC, in coordination with the MMIAC, shall, within thirty (30) days from the approval of this Act, issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 8. *Penalty Clause.* – Any person or persons who shall take advantage of the situation for undue personal and private gain by committing an act of profiteering in the purchase of lots or materials, or by committing an act of misrepresentation in the documentation, or by falsifying reports shall be imposed the penalty of not more than six (6) years of imprisonment or a fine of not less than Five Thousand Pesos (P5,000.00) but not more than One Hundred Thousand Pesos (P100,000.00). Any other illegal act that may be committed in relation thereto shall be prosecuted to the full extent of the law.

SEC. 9. *Separability Clause.* – If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SEC. 10. *Repealing Clause.* – Any law, decree, rules and regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed accordingly;

SEC. 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,