

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17th) CONGRESS
First Regular Session

House Bill No. 4758



Introduced by: HON. JOSE L. ATIENZA, JR.

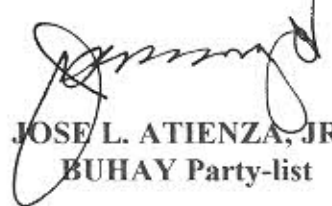
EXPLANATORY NOTE

This bill seeks the creation of the Metropolitan Manila Government, in lieu of the existing Metro Manila Development Authority (MMDA).

For several decades now, the MMDA has not been as responsive as needed in addressing the pressing concerns of the residents of Metro Manila, particularly those of the perennial traffic and peace and order, which take a heavy toll on the area's economy and development. The current MMDA Chairman merely coordinates – when the agency should be concerned with planning, development and delivery of services.

Under the present setup, the MMDA Chairman is appointed by the President, while the members of the Metro Manila Council are all elected mayors of the 16 cities and 1 municipality. With this bill, instead of having an appointed Chairman, the Metro Manila Government is to be composed of a Governor and Vice Governor both elected by Metro Manilans themselves, as well as the duly-elected Mayors. As such, they will be accountable to the people and not just to the person who appointed them. An elected Governor would also be more sensitive to what needs to be done, ensuring a better, more effective working relationship with the Mayors.

Mega-cities like New York and Tokyo – which have Governors elected by the people -- used to have traffic problems like ours but they were able to manage effectively with a Governor elected by and accountable to the people.


JOSE L. ATIENZA, JR.
BUHAY Party-list

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SEVENTEENTH (17th) CONGRESS
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House Bill No. **4758**

Introduced by: Representative Jose L. Atienza, Jr.

AN ACT CREATING THE METROPOLITAN MANILA GOVERNMENT

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

WHEREAS, Metro Manila was created as a public corporation under Presidential Decree No. 824 and therefore has a legal personality akin to that of the province, city or municipality;

WHEREAS, it is generally perceived that the present Metropolitan Manila Development Authority (MMDA) has not been particularly responsive in addressing the pressing concerns of the people of Metropolitan Manila;

WHEREAS, the reason has been traced in part to the fact that the executive officers implementing the agency's policies and programs have not been elected directly by the people and, therefore, have no direct accountability to the constituency of Metropolitan Manila;

WHEREAS, while the members of the Metro Manila Council, except the Chairman, are elected officials, they were not so elected to perform primarily the functions, duties and responsibilities of the MMDA;

WHEREAS, to make the agency more attuned to the needs of the people of Metropolitan Manila, the officers composing such body should have a direct mandate from Metropolitan Manila's electorate.

Wherefore:

Section 1. *Creation of the Metropolitan Manila Government.* – There is hereby constituted a Metropolitan Manila Government (MMG) to take the place of the Metropolitan Manila Development Authority (MMDA) created under Republic Act 7924. The MMG shall have the same jurisdiction, powers, functions, duties and responsibilities as the MMDA under Republic Act 7924 and shall assume, takeover, perform and exercise all such powers, functions, duties and responsibilities of the MMDA upon the effectivity of this Act.

Section 2. *Organization.* – The MMG shall be composed of a governor, vice-governor and the Metropolitan Manila Council (MMC). The governor, vice-governor and members of the MMC shall be elected by the people at large within Metropolitan Manila embracing the cities of Caloocan, Manila, Mandaluyong, Makati, Pasay, Pasig, Quezon, Muntinlupa, Las Pinas, Malabon, Marikina, Navotas, Paranaque, San Juan, Taguig, Valenzuela and the municipality of Pateros: *Provided*, that members of the MMC shall be elected from each of the congressional district within Metropolitan Manila: *Provided finally*, that each congressional district shall only have one (1) representative.

Section 3. *Term of Office.* – The governor, vice-governor and members of the MMC, whose elections shall be synchronized with the local and national elections, shall have a term of three (3) years and shall be entitled to hold office for three (3) consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of his service for the full term for which he was elected;

Section 4. *The Governor and Vice-Governor.* – No person shall be elected as governor or vice-governor unless he is a Filipino citizen, at least thirty-five (35) years of age on the day of the election, able to read and write and a resident of

Metropolitan Manila for at least one (1) year immediately preceding the day of the election.

The governor shall have the same functions, duties and responsibilities as the chairman under Republic Act 7924, except that he shall not preside over the meetings of the MMC. The vice-governor, on the other hand, shall have the same functions, duties and responsibilities as the general manager under Republic Act 7924, and in addition, shall act as the presiding officer of the MMC but shall vote only to break a tie. In the event of the inability of the vice-governor to preside over the session of the MMC, the members present and constituting a quorum shall elect from among themselves a temporary presiding officer.

In case of permanent vacancy in the office of the governor or vice-governor, the rule on succession provided under Section 44, Chapter 2, Title II, Book I of Republic Act 7160 shall be observed. In case of permanent vacancy in the MMC, the vacant position shall be filled by appointment to be made by the President, through the Executive Secretary, from among the nominees made by the political party under which the member who caused the vacancy ran and was elected. The appointee shall serve only the unexpired term of the vacant office. A permanent vacancy arises when an elective official fills a higher vacant office, refuses to assume office, fails to qualify, dies, is removed from office, voluntarily resigns, or is otherwise permanently incapacitated to discharge the functions of his office.

In case of temporary vacancy in the office of the governor, the rule provided under Section 46, Chapter 2, Title II, Book I of Republic Act 7160 shall be observed.

Leaves of absence of the governor, vice-governor and members of the MMC shall be governed by the applicable rules provided under Section 47, Chapter 2, Title II, Book I of Republic Act 7160.

Section 5. *The Metropolitan Manila Council.* – The MMC shall have the same jurisdiction, powers and functions as the Metro Manila Council under Republic Act 7924. The heads of the Department of Transportation (DOTr), Department of Public Works and Highways (DPWH), Department of Tourism (DOT), Department of Budget and Management (DBM), National Economic and Development Authority (NEDA), Housing and Urban Development Coordinating Committee (HUDCC), and the Philippine National Police (PNP) or their duly

authorized representatives, shall attend the meetings of the MMC as non-voting members.

The MMC shall, within sixty (60) days from the constitution of the first MMG under this Act, adopt its own internal rules of procedure.

Section 6. *Supervision by the National Government.* – The President shall exercise direct supervision over the MMG in the same manner that the President exercises supervisory authority over the provinces, highly urbanized cities and independent component cities.

Section 7. *Repealing Clause.* – The pertinent provisions of Republic Act 7924, and all laws, acts, decrees, executive orders, proclamations, rules and regulations, or part or parts thereof which are inconsistent with any of the provisions of this Act are hereby amended, modified or repealed.

Section 8. *Separability Clause.* – If 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 9. *Effectivity.* – This Act shall take effect fifteen (15) days following completion of its publication in at least two (2) newspapers of general circulation.

Approved.