



Seventeenth Congress
Third Regular Session

HOUSE BILL NO. 8255

Introduced by Representative Gloria Macapagal-Arroyo

EXPLANATORY NOTE

This bill seeks to allocate seventy-one (71) hectares of land located at the east and west embankment of the Manggahan Floodway Socialized Project Site in the Municipality of Taytay, Province of Rizal, open for disposition to qualified beneficiaries.

In 1994, President Fidel V. Ramos issued Proclamation No. 458 declaring certain parcels of land situated along the Manggahan Floodway in the Municipalities of Cainta and Taytay in Rizal, and City of Pasig as open for disposition in favor of the qualified beneficiaries in accordance with Republic Act No. 7279, otherwise known as the "*Urban Development and Housing Act of 1992*" and Memorandum Order No. 191, dated February 12, 1994. The ownership of said government lands was transferred to the National Housing Authority which was also tasked to award said lands in favor of qualified beneficiaries.

The Urban Poor Affairs Office of the local government unit of Taytay stated that the population in the Manggahan Floodway within the jurisdiction of Taytay is estimated at around 42,033 as of 2014, from 6,365 households in 2005. It is a thriving community which, if properly supported by the government, could be utilized as a model community for the urban poor for its self-sustaining development, community participation, maintenance of peace and order and economic independence.

Unfortunately for the residents, charitable and educational institutions actually occupying said lands, the lots have not yet been awarded to them by the National Housing Authority. Despite a series of dialogues, consultations and the

creation of a technical working group to identify issues and concerns regarding the Manggahan Floodway Socialized Project Site, no actual and specific action has been taken to fully provide security of housing to the urban poor of the aforestated Manggahan Floodway Socialized Project Site. Consequently, plans and programs aimed toward on-site development and implementation of measures concerning issues on sanitation, environmental protection, structural stability and economic viability cannot be fully achieved.

The affected families and other public and private institutions occupying parts of the said lands for socioeconomic, civic and educational purposes have been appealing to the government for the past two decades that the immediate awarding of such lands be undertaken through legislation. It is about time for the government to listen to this plea and fulfill its policy to advance the implementation of the proclamation issued more than twenty years ago.

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



GLORIA MACAPAGAL-ARROYO

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AN ACT

**ALLOCATING SEVENTY-ONE HECTARES OF THE MANGGAHAN
FLOODWAY SOCIALIZED HOUSING PROJECT SITE IN TAYTAY,
RIZAL, FOR DISPOSITION TO QUALIFIED BENEFICIARIES**

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Manggahan
Floodway Socialized Housing Project Act.*”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the
State to provide decent and affordable housing to qualified beneficiaries. Toward
this end, the State shall implement on-site development for housing, socio-
economic, civic and educational purposes in areas where basic services and
employment opportunities are accessible, particularly those located in the
Manggahan Floodway, Taytay, Province of Rizal.

SEC. 3. *Disposition to Qualified Beneficiaries.* – Seventy-one (71)
hectares of the reserved site for socialized housing development at the east and
west embankment side of the Manggahan Floodway Socialized Housing Project

1 Site situated in the municipalities of Cainta and Taytay, Province of Rizal, and
2 the City of Pasig, mentioned in Proclamation No. 458, Series of 1994, are hereby
3 allocated for disposition to qualified beneficiaries therein pursuant to Republic
4 Act No. 7279 and Memorandum Order No. 191, dated 12 February 1994:
5 *Provided*, That the determination of qualified beneficiaries shall be based on the
6 national census survey conducted in 1994 and occupancy verification survey
7 conducted in 2005.

8 The disposition of lots to qualified beneficiaries under this Act shall be
9 made in accordance with Section 12 and Section 14 of Republic Act No. 7279,
10 otherwise known as the "*Urban Development Housing Act of 1992*."

11 As used in this Act, the term "qualified beneficiaries" refers to individuals
12 with the following qualifications:

- 13 a) Must be a Filipino citizen;
- 14 b) Must be an underprivileged and homeless citizen residing in urban
15 and urbanizable areas whose income or combined household income falls within
16 the poverty threshold as defined by the National Economic and Development
17 Authority, and who does not own any housing facility;
- 18 c) Must not own any real property whether in the urban or rural areas;
19 and
- 20 d) Must not be a professional squatter or a member of squatting
21 syndicates.

1 SEC. 4. *Disposition of Certain Portions for Community Use.* – Certain
2 portions of land within the east and west embankment side of the Manggahan
3 Floodway Socialized Housing Project Site in the Municipality of Taytay,
4 Province of Rizal are also hereby reserved for disposition for use as local
5 government or community facilities, or for socioeconomic, charitable, and
6 educational institutions: *Provided*, That only those institutions already operating
7 and with existing facilities or structures, or those occupying the land may avail of
8 the disposition program established under the provisions of this Act: *Provided*,
9 *further*, That the existing site allocation shall be the basis to ascertain the specific
10 areas that may be disposed of in favor of those institutions: *Provided, finally*,
11 That in determining the reasonable lot allocation of institutions without existing
12 site allocations, the land area that may be allocated to them shall be based on the
13 area actually used by those institutions at the time of the effectivity of this Act.

14 SEC. 5. *Administration Committee.* – There is hereby created a
15 Manggahan Floodway Socialized Housing Project Site Administration
16 Committee, hereinafter referred to as the Administration Committee, which shall
17 be composed of:
18 a) Chairperson of the Housing and Urban Development Coordinating
19 Council, as chairperson;
20 b) Chairperson of the Presidential Commission for the Urban Poor;
21 c) Representative of the office of the Mayor of the Municipality of
22 Taytay, Province of Rizal;

1 d) Representative of the office of the Governor of the Province of
2 Rizal;

3 e) General Manager of the National Housing Authority;

4 f) Secretary of Environment and Natural Resources;

5 g) Secretary of Public Works and Highways; and

6 h) Two (2) representatives from duly recognized people's
7 organizations, one (1) from the Manggahan Floodway East Side and one (1) from
8 the Manggahan Floodway West Side; as members.

9 SEC. 6. **Functions.** – The Administration Committee shall exercise the
10 following functions:

11 a) Formulate guidelines and policies in accordance with the provisions
12 of this Act;

13 b) Administer, manage and operate an equitable housing distribution
14 system that guarantees the security of tenure of qualified beneficiaries;

15 c) Implement the land disposition of the areas covered by this Act; and

16 d) Perform such other functions as may be necessary for the effective
17 implementation of the provisions of this Act.

18 SEC. 7. **Vested Rights.** – All agreements signed between or among the
19 National Government, represented therein by the heads of different national
20 agencies, namely: Housing and Urban Development Coordinating Council
21 (HUDCC), Department of Environment and Natural Resources (DENR),
22 Department of Public Works and Highways (DPWH), Laguna Lake Development

1 Authority (LLDA), Official Development Assistance Absorption Office
2 (ODAA), National Anti-Poverty Commission (NAPC), local government of
3 Taytay, Rizal and Taytay Laban sa Lakeshore Dike, including vested rights that
4 have accrued thereon, shall remain valid, legal and unassailable so long as they
5 are consistent with the provisions of this Act.

6 All conveyance contracts to be executed after the approval of this Act shall
7 be entered into by the National Housing Authority.

8 The trusteeship function of the National Housing Authority over the
9 Manggahan Floodway Socialized Housing Project, east and west embankment, as
10 provided for under Memorandum Order No. 191, Series of 1994, is hereby
11 transferred to the Administration Committee.

12 SEC. 8. ***Tax Exemption.*** – All lands in the Manggahan Floodway
13 Socialized Housing Project Site to be sold to qualified beneficiaries under this
14 Act, are exempted from the payment of capital gains tax.

15 SEC. 9. ***Oversight Committee.*** – There is hereby created a congressional
16 oversight committee to monitor the disposition of land covered by this Act. The
17 committee shall be composed of three (3) Senators and three (3) Members of the
18 House of Representatives to be appointed by the Senate President and the
19 Speaker of the House of Representatives, respectively. The committee shall be
20 co-chaired by the chairpersons of the Senate Committee on Urban Planning,
21 Housing and Resettlement and House of Representatives Committee on Housing
22 and Urban Development.

1 SEC. 10. *Implementing Rules and Regulations.* – Within thirty (30) days
2 from the effectivity of this Act, the National Housing Authority, in coordination
3 with the Manggahan Floodway Socialized Housing Project Site Administration
4 Committee, shall promulgate the rules and regulations to effectively implement
5 the provisions of this Act.

6 SEC. 11. *Appropriations.* – The funds necessary for the initial
7 implementation of the provisions of this Act shall be included in the annual
8 appropriations of the National Housing Authority.

9 SEC. 12. *Repealing Clause.* – All laws, decrees, executive orders,
10 proclamations, rules and regulations, and issuances, or parts thereof which are
11 inconsistent with the provisions of this Act, are hereby amended or modified
12 accordingly.

13 SEC. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its
14 publication in the Official Gazette or in a newspaper of general circulation.

15 Approved,