

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8482



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

This law has been reviewed several times to meet the present and future challenges of the water sector particularly the water districts as well as strengthen the Local Water Utilities Administration. It is with due respect that we recognize the contributions of General Managers of Water District to spearhead the day-to-day operations and management of their respective water districts. The passage of Republic Act No. 9286, otherwise known as The Provincial Water Utilities Act of 1973, as amended, paved the way to improve the compensation given to the Board of Directors of Water Districts as well as provide security of tenure to General Managers.

This proposed measure focuses on small water districts with a very small geographical service area covering a few barangays or a municipality. It is more prudent that the appointing authority be vested in the Local Chief Executive upon the favorable recommendation of the Sanggunian Bayan. The rationale for this is to ensure that the person appointed to such post possesses the technical and administrative experience and qualifications to handle the operations and management of the water district. This would also discourage collusion on major decisions and prevent loyalty ties to the Board. The General Manager is the workhorse of the water district and closely coordinates with the local government units and its water consumers. He must work for the improvement of its service and strengthen the implementation of existing policies to accelerate growth of its water district.

It is proposed that the Sangguniang Bayan shall determine the qualifications and fitness of a prospective appointee and shall go through a selection process to support its favorable recommendation to the Local Chief Executive, as the sole appointing power for the composition of General Manager of Small Water Districts. The General Manager should be co-terminous with the appointing authority and can only be removed in accordance with existing civil service laws, rules and regulations. This is also to protect the General Manager and thus, will not be totally under the whims and caprices of the appointing authority.

The late Rep. Pedro Romualdo has filed this bill in the 15th Congress, but has not been taken up. This representation found wisdom in the proposal and is now moving for the same in the present Congress.

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


Rep. Gary C. Alejano

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AN ACT
FURTHER 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 House of Representatives of the Philippines in Congress assembled,

1 **SECTION 1.** Section 23 of Presidential Decree No. 198, as amended, is hereby further
2 amended to read as follows:

3
4 “Sec. 23. The General Manager.—At the first meeting of the Board, or as soon
5 thereafter as practicable, the Board shall appoint, by a majority vote, a general manager and
6 shall define his duties and fix his compensation. Said officer shall not be removed from
7 office, except for cause and after due process.”

8
9 **PROVIDED, HOWEVER, THAT FOR SMALL WATER DISTRICTS WITH**
10 **AN OPERATIONAL JURISDICTION OF SEVERAL BARANGAYS OR A**
11 **MUNICIPALITY THE APPOINTING AUTHORITY SHALL BE THE LOCAL**
12 **CHIEF EXECUTIVE UPON THE ENDORSEMENT OF THE SANGGUNIANG**
13 **BAYAN. THE GENERAL MANAGER REFERRED HERETO CAN ONLY BE**
14 **REMOVED BY THE APPOINTING AUTHORITY IN ACCORDANCE WITH**
15 **EXISTING CIVIL SERVICE LAWS, RULES AND REGULATIONS.**

16 **SEC. 2. Repealing Clause.**—All laws, decrees, executive orders or parts thereof inconsistent
17 with the provisions of this Act is hereby repealed or modified accordingly.

18 **SEC. 3. Separability Clause.**—If any part or provision of this Act is declared invalid or
19 unconstitutional, the other parts not otherwise affected shall remain in full effect and force.

20 **SEC. 4. Effectivity.**—This Act shall take effect upon its approval.

Approved,