



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 2514

Introduced by Representative Lorenz R. Defensor

EXPLANATORY NOTE

What if the very basic element of life is no longer available for the over twelve (12) million Filipinos living in Metro Manila? That scenario happening to over 100 million Filipinos all over the country is not too far off if we do not act right now.

We have seen a prelude of this devastation in 2019 when Metro Manila suffered the worst water crisis in decades. The same situation can also be said in almost everywhere in the country where water was so scarce that even the poorest Filipinos were forced to buy clean drinking water to survive.

Let us bear in mind that "access to safe drinking water and sanitation is 'a human right: a right to life and human dignity'¹, 'essential for the full enjoyment of life and all human rights.'²

R.A No. 8041 or the National Water Crisis Act of 1995 was passed to adopt urgent and effective measures to address the nationwide crisis, which adversely affected the health of the population, food production and industrialization process. In 2004, R.A. 9275 or the Water Quality Management Act was passed to ensure a reliable supply of water through the development of new water sources. However, despite the passage of these two landmark legislations, and a number of other bills of similar import filed during previous Congresses, the construction of new water sources have not started until now. Significantly, Angat Dam can no longer sustain the needs of Metro Manila.

¹ 2011 UN Human Rights Council Resolution

² 2010 UN General Assembly Resolution 2010

We can no longer allow the lack of political will to further delay the implementation of long-term solutions. We need to create a new department in government that will rationalize and streamline the implementation of all existing policies, laws, and regulations affecting water resources including irrigation, sewage and sanitation as well as coordinate the functions of all relevant agencies. Thus, the creation of the Department of Water Resources (DWR) is crucial in these times.

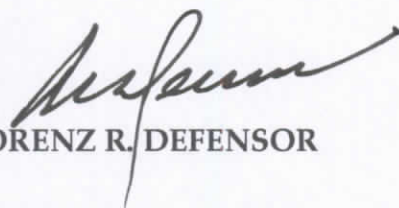
There is also a need to identify, map-out, and create an accurate database of all water resources and the volume they can produce such as the 3,000 Million Liters per Day (MLD) from the Laiban Dam if constructed, 600 MLD from Kaliwa Dam, 550 MLD from Wawa Dam, 190 MLD from the Sumag River. Identifying our water resources will ensure their equitable appropriation, sustainable utilization, exploitation, development, conservation and protection.

We must likewise recognize that all water related infrastructure as certified by the National Economic Development Authority (NEDA) as priority must be declared as projects of national interest to guarantee their construction and completion is unimpeded.

In his State of the Nation Address on 22 July 2019, the President called on Congress to pave the way for the creation of a Department of Water Resources and Regulatory Commission to address the water shortage in the country.

This bill if passed into law, will address this problem, and ensure that the right to clean, safe, and sustainable water is safeguarded for our posterity and for the full enjoyment of life of 100 million Filipino.

For these reasons, the immediate consideration and passage of this bill is earnestly sought.



LORENZ R. DEFENSOR



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AN ACT

ESTABLISHING THE WATER SECURITY AND SUSTAINABILITY
INITIATIVE CREATING FOR THE PURPOSE THE DEPARTMENT
OF WATER RESOURCES, AND APPROPRIATING FUNDS
THEREFOR

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

SECTION 1. ***Short Title.*** - This Act shall be known as the “*Water Security and Sustainability Act.*”

SEC. 2. ***Declaration of Policy.*** – It is the policy of the State to promote and protect the right of the people to safe, clean and affordable water as a basic human right. The State also recognizes that the effective utilization and conservation of the country’s water and resources are essential to the continuous enjoyment by the people of a dignified life.

Towards this end, the State shall promulgate measures to ensure that people have access to safe, clean and affordable drinking water, and to adequate services and facilities for irrigation, sewage and sanitation.

In pursuit of this policy, this Act shall have the following objectives:

- a) Recognize and address the existing water crisis confronting the country;
- b) Expedite the construction and completion of water related infrastructure projects identified by the National Economic and Development Authority (NEDA) and declare the same as projects of national interest;
- c) Identify and map all water sources in the country to guarantee their security, optimum development, and rational utilization while ensuring their sustainable appropriation and conservation;
- d) Define the extent of the rights and obligations of water users and owners including the protection and regulation of such rights;
- e) Ensure the equitable appropriation, sustainable utilization, exploitation, development, conservation and protection of water resources, watersheds, and the management and control of land related thereto;
- f) Encourage participation of the private sector in the development, utilization, conservation, and protection of water resources and water related infrastructure projects; and
- g) Recognize, protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

SEC. 3. ***Projects of National Interest.*** – Water infrastructure projects identified by the NEDA to ensure adequate, sustainable, safe and secure water supply including the New Centennial Water Source-Kaliwa Dam Project are declared as projects of national interest. Therefore, the construction and completion of such projects shall be unimpeded. The Department of Water

1 Resources created under Section 5 of this Act is mandated to expedite the
2 implementation of such projects and coordinate with all relevant agencies and
3 entities including local government units, the Department of Environment and
4 Natural Resources, National Commission for Indigenous Peoples, and the
5 Department of Public Works and Highways to ensure their completion.

6 SEC. 4. ***Department of Water Resources.*** – There is hereby established a
7 Department of Water Resources, hereinafter referred to as the Department, which
8 shall manage all water resources within the jurisdiction of the Philippines,
9 rationalize and streamline the implementation of all existing policies, laws, and
10 regulations affecting water resources including irrigation, sewage and sanitation.

11 The following agencies or corporate entities are hereby transferred to the
12 Department from the authority of their current mother agencies or offices:

13 a) National Water Resources Board, which is currently under the
14 Department of Environment and Natural Resources (DENR);

15 b) Local Water Utilities Administration, which is currently under the Office
16 of the President; and

17 c) National Irrigation Administration, which is currently under the Office
18 of the President.

19 The Department, in coordination with the relevant agencies and entities, shall
20 create a data base, and, if necessary, conduct a survey for the purposes of
21 identifying, marking, and creating a detailed diagrammatic representation of all

1 water sources within the jurisdiction of the Philippines for to ensure its
2 conservation, protection, sustainable appropriation, and optimum development.

3 The Department shall also be responsible for the enforcement functions of
4 Republic Act No. 9275, otherwise known as the "*Philippine Clean Water Act of*
5 *2004*," as well as all the other water management functions of the Environmental
6 Management Bureau of the DENR.

7 The Department shall be organized not later than one hundred eighty (180)
8 days after the approval of this Act.

9 SEC. 5. ***Powers and Duties of the Department.*** – The Department shall
10 exercise the following powers and duties:

11 a) Formulate and develop policies to promote universal access to safe,
12 adequate, affordable and sustainable water supply, and sanitation services;

13 b) Manage, protect and preserve the water resources to ensure the optimal
14 use thereof for domestic water supply, sanitation, irrigation, hydropower,
15 navigation, flood control and recreation including the enhancement and
16 maintenance of water quality, conservation of watersheds, control of water
17 pollution and environmental restoration, without compromising the natural
18 ecosystem functions and services;

19 c) Manage the ownership, appropriation, utilization, exploitation,
20 development, conservation and protection of water resources;

- 1 d) Formulate and enforce rules and regulations in the administration and
2 management of the water resources and implement rules and guidelines for the
3 enforcement of the laws on water including its utilization and conservation;
- 4 e) Coordinate with relevant entities to provide policy directions, strategies
5 and targets to meet the goals and objectives of water supply, and sanitation
6 management by integrating the issues of safe water and sanitation;
- 7 f) Conduct continuing surveys and studies on renewable water supply with
8 a view towards formulating long-term policies to balance the sustainability and
9 optimal use of water resources, defining the hydrologic boundaries of basins of the
10 existing water supply sources, and creating and implementing country wide master
11 plans for water resources management and development;
- 12 g) Undertake and coordinate with other government agencies and entities
13 in data gathering, scientific research and studies on water resources management
14 and development, and conduct nationwide hydrologic surveys to determine the
15 annual renewable water available per region;
- 16 h) Classify water quality standards for surface and ground water, including
17 establishing national standards for drinking water and waste water;
- 18 i) Effect inter-sectoral, inter-agency, and inter-departmental planning, data
19 gathering, research and developmental studies on safe water and sanitation and
20 compel submissions of statistic and data on water management with the aim of
21 operationalizing the integrated approach to water resources management;

j) Regulate and control the utilization, exploitation, abstraction, diversion and development of water resources, taking into consideration its equitable distribution, and determine the standards of beneficial and priority uses of water in times of crisis and national emergencies;

k) Assist and provide the NEDA with required data and inputs from and for the water sector in the formulation of the short-term and long-term strategic development plans and actions;

l) Coordinate with the National Irrigation Administration and other relevant agencies and develop policies and plans in respect of water resources used for farming, including sustainable mechanisms for irrigation;

m) Study all plans, programs, or development projects that affect water resources, its diversion or abstraction, and the construction of hydraulic facilities, including plans and projects in watershed or basin areas of water supply sources, which have direct or indirect impact on the affected locality's water resources;

n) Review from time to time regulations prescribed by any government agency pertaining to water use, exploitation, development, conservation, or protection of waters, water resources and watershed or basin areas;

o) Authorize its representatives or any deputized agent to enter any [40] property of public dominion or any private land, building or enclave, whether inhabited or not, for the purpose of conducting hydrologic surveys and investigations, including assessing and evaluating the conditions of water facilities installed and determining compliance with water laws and standards;

1 p) Require local government units (LGUs) and national agencies to submit
2 zoning and land use plans, which shall not become effective and enforceable unless
3 and until a certification of integration of water, and sanitation resource
4 management plan has been issued by the Department;

5 q) Provide technical assistance to water, sewer and sanitation users,
6 including farmers and LGUs, whether directly or in coordination with other
7 agencies, to assist them in applying for water permits and providing data on water
8 and sanitation resource usage;

9 r) Provide integrated planning for flood control, flood risk management
10 and water resource development and management systems, and other public
11 works;

12 s) Issue and promulgate rules, regulations and guidelines as maybe
13 necessary to implement and enforce its powers and functions under this Act;

14 t) Appoint, hire and maintain adequate staff and personnel, advisers or
15 consultants with suitable qualifications and experience, as maybe necessary; and

16 u) Exercise such other powers and functions necessary or incidental or that
17 which the President may, from time to time, assign to the Department to carry out
18 the objectives of this Act and for the effective administration and management of
19 water resources and sanitation.

20 SEC. 6. *Department Secretary; Powers and Functions.* – The authority
21 and responsibility for the exercise of the mandate of the Department and for the
22 discharge of its powers and functions shall be vested in the Secretary of the

1 Department, hereinafter referred to as the Secretary, who shall be appointed by the
2 President of the Philippines.

3 The Secretary shall exercise the following powers and functions:

4 a) Advise the President on the promulgation of executive or administrative
5 orders, regulations, proclamations and other issuances relative to matters under the
6 jurisdiction of the Department;

7 b) Establish the policies and standards for the operation of the Department
8 pursuant to the President's guidelines; and

9 c) Promulgate rules and regulations necessary to carry out the objectives,
10 policies and functions of the Department.

11 No person shall be appointed Secretary unless the appointee possesses
12 extensive knowledge of public administration and has a minimum seven (7) years
13 of experience in the administration of water resources or sanitation programs,
14 preferably in a public agency.

15 SEC. 7. *Office of the Secretary.* – The Office of the Secretary shall be
16 composed of the Secretary and immediate staff.

17 SEC. 8. *Undersecretaries.* – The Secretary shall be assisted by not more than
18 three (3) Undersecretaries, who shall be appointed by the President upon the
19 recommendation of the Secretary. The Secretary is authorized to delineate and
20 assign the respective functional areas of responsibility of the Undersecretaries with
21 respect to the mandate and objectives of the Department.

1 Within the functional area of responsibility, an Undersecretary shall have the
2 following functions:

3 a) Advise and assist the Secretary in the formulation and implementation of
4 Department policies, plans, programs and projects;

5 b) Supervise all the operational activities of the assigned units for which the
6 Undersecretary is responsible to the Secretary; and

7 c) Perform such other duties and responsibilities as maybe assigned or
8 delegated by the Secretary to promote efficiency and effectiveness in the delivery of
9 public services or as maybe required by this Act or other laws.

10 One (1) of the Undersecretaries shall be the Undersecretary for Planning who
11 shall have primary responsibility, in coordination with the Planning Service, for
12 advancing domestic efforts in the pursuit of the ultimate goal of universal access to
13 water supply and sanitation systems, and sustainable management of water
14 resources. The Undersecretary for Planning shall also have primary responsibility
15 for knowledge sharing and advancement of efforts around the integration of water,
16 energy, environment and food security.

17 The Undersecretaries must possess a working knowledge of public
18 administration and must have a minimum of five (5) years of experience in the
19 administration of water or sanitation programs, preferably in a public agency or
20 with legal or financial knowledge of such programs.

1 The Undersecretaries shall exercise the powers and functions as provided
2 under Section 10, Chapter 2, Book IV of Executive Order No. 292, otherwise
3 known as the "*Administrative Code of 1987*."

4 SEC. 9. ***Assistant Secretaries.*** – The Secretary shall also be assisted by five
5 (5) Assistant Secretaries appointed by the President of the Philippines upon the
6 recommendation of the Secretary: one (1) for the Monitoring and Information
7 Service; one (1) for the Planning Service; one (1) for the Comptrollership and
8 Financial Management Service; and one (1) for the Administrative and Human
9 Resource Management Service.

10 The Assistant Secretaries must possess a working knowledge of public
11 administration and must have a minimum of three (3) years of experience in the
12 administration of water or sanitation programs, or other public works programs.
13 The Assistant Secretaries shall perform such duties and functions as maybe
14 assigned by the Secretary or provided for by law.

15 SEC. 10. ***Organizational Structure.*** –

16 a) The Department shall determine its organizational structure and create
17 new divisions or units as it may deem necessary, and shall appoint officers and
18 employees of the Department in accordance with the civil service law, rules, and
19 regulations.

20 b) Initially, the Department shall be composed of the following
21 organizational units:

1 1) Department proper consisting of the Office of the Secretary, the Offices
2 of the Undersecretaries and Assistant Secretaries, the Administrative and Human
3 Resource Management Service, Monitoring and Information Service, Planning
4 Service, Comptrollership and Financial Management Service and Legal Service;

5 2) National Water Resources Board, whose mandate, powers and functions
6 are found in Presidential Decree No. 424, as amended;

7 3) Local Water Utilities Administration, whose mandate, powers and
8 functions are defined in Presidential Decree No. 198, as amended;

9 4) National Irrigation Administration, whose mandate, power and
10 functions are stated in Republic Act No. 3601, as amended and Presidential Decree
11 No. 552, as amended;

12 5) Water Management Bureau, which is tasked to enforce and implement
13 Republic Act No. 9275 and all environmental laws related to water management
14 and conservation; and

15 6) Regional offices, as deemed appropriate and necessary by the Secretary
16 in accordance with Section 16 of this Act.

17 c) The following agencies are attached to the Department for policy and
18 program coordination, and shall continue to operate and function in accordance
19 with their respective charters, laws, or orders creating them, insofar as they are not
20 inconsistent with the provisions of this Act:

21 1) Metropolitan Waterworks and Sewerage System;

22 2) Laguna Lake Development Authority; and

1 3) Pasig River Rehabilitation Commission.

2 d) The President may order the transfer to the Department of any other
3 agency exercising water resources management, conservation and protection
4 functions.

5 SEC. 11. ***Administrative and Human Resource Management Service.*** -

6 The Administrative and Human Resource Management Service is responsible for
7 providing services relating to human resources development, personnel, records,
8 facilities maintenance, medical and dental, security, and property and procurement
9 services.

10 The Administrative and Human Resource Management Service shall have the
11 following functions:

12 a) Advise the Secretary on all matters relating to internal administration and
13 human resources management;

14 b) Prepare and implement an integrated personnel plan that includes
15 provisions on merit promotions, performance evaluation, job rotation, suggestions
16 and incentive awards systems, and health and welfare services;

17 c) Provide services related to human resources training, education, and
18 development, including manpower, career planning and forecasting, and
19 development of indigenous training materials;

20 d) Develop, establish, and maintain an efficient and cost-effective
21 property procurement system and facilities, and coordinate or otherwise interface

1 with relevant agencies, whether government or private, for the purpose of
2 developing or upgrading the system;

3 e) Secure and maintain necessary Department facilities, and develop,
4 establish, and maintain an efficient and effective security system covering, among
5 others, personnel, physical installations, equipment, documents, and materials,
6 including the conduct of security investigations;

7 f) Coordinate with the appropriate government agencies for a more
8 efficient conduct of administrative processes;

9 g) Develop, establish, and maintain an efficient records system;

10 h) Provide assistance in its area of specialization to the Department proper,
11 bureaus, and regional offices and, when requested, the government agencies and
12 corporations attached to the Department; and

13 i) Perform such other related duties and responsibilities as maybe assigned
14 or delegated by the Secretary or as maybe required by law.

15 SEC. 12. ***Monitoring and Information Service.*** – The Monitoring and
16 Information Service is responsible for providing the Secretary timely reports on the
17 status of various Department projects and activities and develop and implement
18 information programs for mass dissemination in coordination with the appropriate
19 government agencies.

20 The Monitoring and Information Service shall have the following functions:

1 a) Advise the Secretary on all matters relating to the monitoring of the
2 Department's projects and activities and implementing public information
3 programs;

4 b) Develop and maintain a system for retrieving and processing
5 monitoring information on all projects and activities of concern to the Secretary;

6 c) Provide accurate and timely status and exception reports to the
7 Secretary;

8 d) Generate monitoring reports for the President, the Cabinet, or for any
9 other purpose as required by the Secretary;

10 e) Develop and supervise the implementation of communications
11 programs to have relevant policies, programs, and plans of the Department
12 understood by the public;

13 f) Produce and supervise the dissemination of media materials in line with
14 national government public information programs;

15 g) Coordinate with the appropriate national government agencies tasked
16 with public information affairs; and

17 h) Perform such other related duties and responsibilities as maybe assigned
18 or delegated by the Secretary or as maybe required by law.

19 SEC. 13. ***Planning Service.*** – The Planning Service is responsible for
20 providing the Department with the capability to undertake infrastructure
21 development planning and programming.

22 The Planning Service shall have the following functions:

- 1 a) Advise the Secretary on all matters relating to infrastructure planning;
- 2 b) Assist the Undersecretary for Planning on all matters related to the
- 3 specific functions of the position;
- 4 c) Formulate strategies and priorities for infrastructure development
- 5 consistent with national development objectives and initiate or undertake relevant
- 6 surveys for development planning;
- 7 d) Formulate long-range, medium-term, and annual development plans and
- 8 programs for infrastructure, including flood control, water resource development
- 9 systems, and other public works projects, including phasing of implementation and
- 10 review and integrate land use plans with these water development plans;
- 11 e) Identify priority packages for infrastructure development, including
- 12 flood control, water resource development systems, and other public works
- 13 projects, and undertake or supervise and evaluate the conduct of feasibility studies
- 14 and project preparation thereof;
- 15 f) Prioritize project implementation and the allocation of funds and other
- 16 resources and package project proposals for funding and implementation;
- 17 g) Evaluate and appraise all regional interregional infrastructure
- 18 development plans and programs as to their feasibility and consistency with
- 19 approved strategies and long and medium-term plans;
- 20 h) Initiate regular Department-wide planning exercises and act as the
- 21 secretariat thereof;
- 22 i) Gather, analyze, and organize needed statistical data and information;

1 j) Provide technical assistance related to its functions to the other services,
2 bureaus, and the regional offices as needed; and

3 k) Perform such other related duties and responsibilities as maybe assigned
4 or delegated by the Secretary or as may be required by law.

5 SEC. 14. *Comptrollership and Financial Management Service.* – The
6 Comptrollership and Financial Management Service is responsible for providing
7 the Department with coordinated services relating to financial systems and
8 procedures including budgeting, cash management, accounting, and all financial
9 housekeeping matters.

10 The Comptrollership and Financial Management Service shall have the
11 following functions:

12 a) Advise the Secretary on all matters relating to the accounting of
13 government expenditures and receipts, budgeting and cash management, project
14 finances, and financial systems and procedures;

15 b) Prepare budget proposals and pursue formal budget authorizations,
16 undertake budget execution, and prepare and submit all appropriate reports to the
17 proper offices;

18 c) Develop and maintain accounting, financial, and assets management
19 systems, procedures, and practices in the Department proper, bureaus, and regional
20 offices;

1 d) Provide assistance in its area of specialization to any unit of the
2 Department and, when requested, to government corporations and councils
3 attached to the Department; and

4 e) Review and appraise systems and procedures, organizational structure,
5 assets management practices, accounting, and other records, reports, and
6 performance standards such as budgets and standard costs of the Department
7 proper, bureaus, and regional offices; and

8 f) Perform such other related duties and responsibilities as may be assigned
9 or delegated by the Secretary or as maybe required by law.

10 SEC. 15. **Legal Service.** – The Legal Service is responsible for providing the
11 Department with services on such legal affairs as contract letting and litigation,
12 legal and legislative research, complaints and investigation, legal counseling, and
13 other matters of law.

14 The Legal Service shall have the following functions:

15 a) Advise the Secretary on all matters relating to legal affairs;

16 b) Prepare Department contracts and legal instruments, review and
17 interpret all contracts and agreements entered into by the Department, and
18 evaluate all legal proposals;

19 c) Conduct administrative investigation as well as the review of
20 administrative charges against officers and employees of the Department;

21 d) Exercise functional jurisdiction over the legal staffs of regional
22 offices;

1 e) Provide legal assistance to the Department proper, the bureaus, and
2 regional offices and, when requested, the attached corporations; and

3 f) Perform such other related duties and responsibilities as maybe assigned
4 or delegated by the Secretary or as maybe required by law.

5 SEC. 16. **Regional Office.** – The Department may establish, operate, and
6 maintain a regional office in the different administrative regions of the country as
7 may be deemed appropriate and necessary by the Secretary.

8 Regional offices shall be responsible for flood control, water resource
9 development systems, and other public works within their regional jurisdiction. For
10 this purpose, their duties and responsibilities shall be as follows:

11 a) Undertake and evaluate the planning, design, construction, and works
12 supervision functions of the Department for the infrastructure projects within the
13 region;

14 b) Undertake the maintenance of the infrastructure within the region and
15 supervise the maintenance of such local infrastructure receiving national
16 government financial assistance as the Secretary may determine;

17 c) Ensure the implementation of laws, policies, programs, rules, and
18 regulations regarding the infrastructure as well as all public and private physical
19 structures;

20 d) Provide technical assistance related to their functions to other agencies
21 within the region especially to LGUs;

1 e) Coordinate with other departments, agencies, institutions, and
2 organizations, especially LGUs within the region, in the planning and
3 implementation of water infrastructure projects;

4 f) Conduct continuing consultations with the local communities, take
5 appropriate measures to make the services of the Department responsive to the
6 needs of the general public, compile and submit such information to the central
7 office, and recommend such appropriate actions as maybe necessary; and

8 g) Perform such other related duties and responsibilities as maybe assigned
9 or delegated by the Secretary or as maybe required by law.

10 The Department shall retain and have such project management offices as
11 maybe required, which shall be under the supervision and control of the
12 appropriate regional director, unless otherwise determined by the Secretary for
13 reasons of supra- regional scope, magnitude, and multi-functional coverage.

14 SEC. 17. **Regional Director.** – The regional office shall be headed by a
15 regional director who is responsible for efficiently and effectively carrying out the
16 duties and responsibilities of the regional office. Towards this end, the regional
17 director shall, within the defined powers, exercise functional and administrative
18 supervision over district offices within the region including the authority to commit
19 their resources and personnel to integrated regional water management and flood
20 control and flood risk management initiatives. The regional director shall also
21 perform such other related duties and responsibilities as maybe assigned or
22 delegated by the Secretary or as may be required by law.

1 The regional director shall be assisted by an assistant regional director who
2 shall exercise supervision on the planning, project design, evaluation, and technical
3 assistance functions of the regional office.

4 SEC. 18. *Interface with Other Sector Regulators.* –

5 a) The Department of Environment and Natural Resources (DENR) shall
6 continue to have the primary authority and responsibility for protecting the
7 environment and shall complement the Department's responsibility for the
8 conservation of water and related natural resources, including protecting water
9 bodies from waste and pollution. The DENR shall continue to promulgate rules,
10 regulations, and standards in this regard. The Department shall coordinate with the
11 DENR with respect to the conservation of water resources.

12 b) The Department of Health (DOH) shall have primary authority and
13 responsibility for determining and enforcing drinking water quality and sanitation
14 standards. The Department shall coordinate with the DOH to achieve an
15 integrated approach for sanitation, including collection, treatment, and evaluation
16 of waste water.

17 c) The Department shall share responsibility with the Department of
18 Public Works and Highways (DPWH) for wholly or primarily water-related public
19 works projects including flood control, water resources development, sewerage,
20 sanitation, and the harnessing and impounding of water. The Secretaries of the
21 Department and the DPWH shall coordinate on the development of evaluation

1 criteria, as necessary, to determine proper allocation of public works projects
2 between the two departments.

3 d) The Department shall coordinate with the Department of Agriculture to
4 ensure availability of water for agricultural development, reduce sources of long-
5 term pollution for surface water and ground water, and agricultural and industrial
6 economic development through irrigation, water recycling and treating waste water.

7 SEC. 19. *Transfer of Rights and Obligations.* – The Department shall, by
8 virtue of this Act, be subrogated to all the rights, and assume all the obligations of
9 the relevant parts of any government agency or unit whose powers and functions
10 have been transferred to the Department.

11 The foregoing transfer of powers and functions shall be completed not later
12 than six (6) months from the approval of this Act and shall include all applicable
13 funds, personnel, records, property, and equipment, as maybe necessary. All offices
14 shall continue to function under their present mandates until transition is effected
15 as provided for under this Act.

16 All rights and obligations of said government agencies are hereby transferred
17 to and assumed by the Department and shall be acted upon in accordance with the
18 rules and regulations of the Commission on Audit and other pertinent laws, rules,
19 and regulations.

20 SEC. 20. *Separation from Service.* – Employees separated from
21 government service as a result of this Act shall, within six (6) months from their

1 separation from the service, receive the benefits to which they may be entitled
2 under existing laws, rules, and regulations.

3 SEC. 21. **Funding.** – The sum of One Hundred Million Pesos
4 (P100,000,000.00) shall be set aside from any available funds of the National
5 Treasury, and is hereby appropriated and authorized to be released, for the
6 organization and initial operations of the Department.

7 Thereafter, funds sufficient to fully carry out the objectives, powers, and
8 functions of the Department shall be included in the annual General
9 Appropriations Act.

10 SEC. 22. **Periodic Performance Evaluation.** – The Department is hereby
11 required to formulate and enforce a system of measuring and evaluating
12 periodically and objectively the performance of the Department and submit the
13 same annually to the President.

14 SEC. 23. **Prohibition Against Organizational Change.** – No change in the
15 organizational structure herein prescribed shall be valid except upon prior approval
16 of the President for the purpose of promoting efficiency and effectiveness in the
17 delivery of public services.

18 SEC. 24. **Separability Clause.** – If any provision or part of this Act is
19 declared unconstitutional or invalid, the remaining parts or provisions not affected
20 shall remain in full force and effect.

21 SEC. 25. **Repealing Clause.** – All laws, presidential decrees, letters of
22 instructions, executive orders, rules, regulations, and other issuances or parts

1 thereof which are contrary to or inconsistent with the provisions of this Act are
2 hereby revoked, repealed, amended or modified accordingly.

3 The provisions on the charter creating the following agencies which are
4 inconsistent with this Act are hereby amended or modified accordingly, to wit: i)
5 National Water Resources Board under Presidential Decree No. 424 as amended;
6 ii) Local Water Utilities Administration created by Presidential Decree No. 198 as
7 amended; iii) National Irrigation Administration Republic Act No. 3601 as
8 amended;

9 Furthermore, sub-sections 4(i) and 4(ee) of Republic Act No. 9275, entitled
10 "*Philippine Clean Water Act of 2004*," Section 1 of Executive Order No. 860, entitled
11 "*Redefining the Composition and Powers of the National Water Resources Board*," Series of
12 2010, Section 49 of Presidential Decree No. 198, entitled "*Declaring a National*
13 *Policy Favoring Local Operation and Control of Water Systems; Authorizing the Formation of*
14 *Local Water Districts and Providing for the Government and Administration of such Districts;*
15 *Chartering a National Administration to Facilitate Improvement of Local Water Utilities;*
16 *Granting said Administration such Powers as are Necessary to Optimize Public Service from*
17 *Water Utility Operations, and For Other Purposes*," as amended, Executive Order No.
18 165, entitled "*Transferring the National Food Authority, National Irrigation Administration,*
19 *Philippine Authority, and Fertilizer and Pesticides Authority to the Office of the President*,"
20 Series of 2014, Section 3.3(b) of Executive Order No. 149, entitled "*Streamlining of*
21 *the Office of the President*," Series of 1993, and Section 3(h) of Executive Order No. 54,

1 entitled "*Creating the Pasig River Rehabilitation Commission*," Series of 1999, are
2 hereby amended or modified accordingly to be consistent with this Act.

3 SEC. 26. **Effectivity.** – This Act shall take effect fifteen (15) days after its
4 publication in the *Official Gazette* or in a newspaper of general circulation.

5 Approved,