

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8941



Introduced by Representative Mercedes “Didi” C. Cagas

AN ACT
PROVIDING FOR A RESETTLEMENT PROGRAM FOR DISPLACED PERSONS
RESIDING IN DANGER ZONES IN THE PROVINCE OF DAVAO DEL SUR,
APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

In recent years, the Province of Davao Del Sur, and the rest of the Mindanao Region, has suffered inconsiderably due to the onslaught of natural calamities. Heavy rains, flash floods and high magnitude earthquakes has wreaked havoc in Davao Del Sur resulting to severe damages to buildings and homes, displaced families, increased health risks, and caused fear and trauma to the residents.

According to the Philippine Institute of Volcanology and Seismology (PHILVOLCS) the Davao Region (Region XI) in southern Mindanao is one of the seismically active regions in the country because of the presence of several active faults that include the Tangbunan Fault, Central Digos Fault and Cotabato Fault System (CFS): Makilala-Malungon, Makilala, M’lang, North Columbio, South Columbio, Balabag. There are other nearby local faults, some of which may be covered by recent deposits, that could be sources of small to strong magnitude earthquakes.

On December 15, 2019, a strong Magnitude (M) 6.9 earthquake, with the epicenter located 9 kilometers northwest of Matanao, shook the province of Davao del Sur and has left more than 378,000 people devastated. This follows recent earthquake events ranging from a magnitude of 5.9 to 6.5 in the Richter scale in 2019, and several others in 2020.

Tropical cyclones including Typhoon “Chedeng” took an unusual path in March 2019 affecting the entire Davao Region. Considered as a rare tropical cyclone track, Typhoon Chedeng battered the Province with heavy rains which caused floods and severe damages to homes and livelihood.

These calamities can cause landslides and rock falls on mountainous or hilly areas; soil liquefaction in low-lying, water-saturated and sandy areas near river banks and shore lines; and flashfloods near riverbanks and in low lying areas. The lives of families and communities residing in these danger zones are always at risk, thus the need for a comprehensive resettlement program that will ensure not only the safety of these families but also provide suitable living and livelihood conditions.

It is for the foregoing reason that the immediate passage of this bill is earnestly sought.


MERCEDES "DIDI" C. CAGAS

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SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of the State to uphold the people's constitutional rights to life and property by providing an equitable resettlement program to displaced persons residing in danger zones in the Province of Davao Del Sur, and ensuring decent housing, basic services and facilities, access to employment opportunities and livelihood support.

SEC. 2. *Definition of Terms.* – For purposes of this Act:

- (a) Danger Zones – refers to areas which, when occupied for residential purposes, actually poses a danger to the life, safety and property of either the residents or of the general community, including roads, esteros, railroad tracks, riverbanks, shorelines, waterways, flood-prone areas, and fault lines.
- (b) Displaced Persons – refers to persons who, due to the risk occupying residence in areas identified as a danger zone, were relocated to resettlement areas.
- (c) Resettlement – refers to all measures taken to mitigate any and all adverse impacts on the property and/or livelihood including compensation, relocation and rehabilitation of displaced persons.
- (d) Resettlement Areas – refers to areas identified by the local government unit which shall be used for the relocation of displaced persons.

SEC. 3. *Danger Zones.* – The local government units, in coordination with the Department of Environment and Natural Resources, the Department of Public Works and Highways, the Department of Science and Technology, and the National Disaster Risk Reduction and Management Council, shall identify the danger zones in the Province of Davao Del Sur and the suitable relocation site for resettlement.

SEC. 4. *Resettlement.* – The local government units, in coordination with the National Housing Authority, shall implement the relocation and resettlement of displaced persons and project

affected persons. The local government unit, in coordination with the National Housing Authority and the Department of Social Welfare and Development shall provide resettlement areas with basic services and facilities and access to employment opportunities and livelihood support sufficient to meet the basic needs of the affected families.

SEC. 5. *Prohibition Against New Illegal Structures.* – It shall be unlawful for any person to construct any structure in danger zones and government infrastructure project sites.

After the effectivity of this Act, the barangay, municipal or city government units shall prevent the construction of any kind of illegal dwelling units or structures within their respective localities. The head of any local government unit concerned who allows, abets or otherwise tolerates the construction of any structure in violation of this section shall be liable to administrative sanctions under existing laws.

SEC. 6. *Appropriations.* – The amount necessary to carry out the purposes of this Act shall be included in the annual budget of implementing agencies in the General Appropriations Act of the year following its enactment into law and every year thereafter.

SEC. 7. *Repealing Clause.* – All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances, or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 8. *Separability Clause.* – If any provision of this shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SEC. 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days following its complete publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,