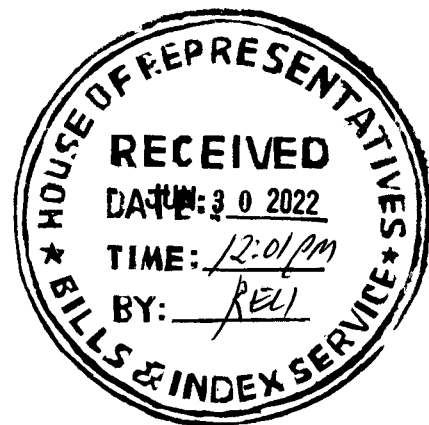




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5

**Introduced by Representatives FERDINAND MARTIN G. ROMUALDEZ,
YEDDA MARIE K. ROMUALDEZ and JUDE A. ACIDRE**

EXPLANATORY NOTE

Section 9, Article XIII of the 1987 Constitution mandates the State to “undertake, in cooperation with the public sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlements areas. It shall also promote adequate employment opportunities to such citizens.” Section 10 further provides that “No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated.”

Section 26 of Republic Act No. 7279 states that “On-site development shall be implemented whenever possible in order to ensure minimum movement of occupants of blighted lands and slum areas. The resettlement of the beneficiaries of the Program from their existing places of occupancy shall be undertaken only when on-site development is not feasible and after compliance with the procedures laid down in Section 28 of this Act.”

While the government has been providing resettlement sites to informal settler families, these resettlement sites have mostly been off-city. These are sites that do not provide employment opportunities and livelihood, as well as social services. As a result, many families are drawn back to the cities to find employment that would provide for their needs, and end up living again in informal settlements which are the embodiment of abject poverty, social exclusion, and unsafe housing.

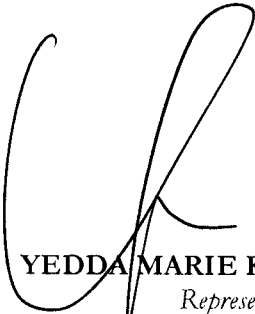
This bill seeks to address the issue by institutionalizing inclusive growth through a local government unit led on-site, in-city, near-city, or off-city resettlement program which recognizes the people’s right to the city where off-city resettlement shall only be resorted to when near-city resettlement is not feasible and must satisfy the requirements of adequate and responsive consultation prior to relocation. The bill also provides for social preparation activities for beneficiaries and the institutionalization of a people’s plan developed by the beneficiaries in coordination with the implementing local government unit.

In the 18th Congress, this bill was filed by Representatives Benitez (J.F.), Belmonte (J.C.), Vargas, Salo, Nograles (J.F.F.), Aguinaldo, Nieto, Abaya and Rodriguez, and was approved again on 3rd Reading by the House of Representatives as House Bill No. 8248 entitled, “ An Act Establishing an On-Site, In-City, Near-City, or Off-City Local Government Resettlement Program for Informal Settler Families in Accordance with a People’s Plan and Mandating the Implementing Local Government Unit, Jointly with the Department of Human Settlements and Urban Development, in Cases of Near-City or Off-City Resettlement, to Provide Other Basic Services and Livelihood Components in Favor of the Recipient Local Government Unit, Amending for the Purpose Republic Act No. 7279, as Amended, Otherwise Known as the “Urban Development and Housing Act of 1992”

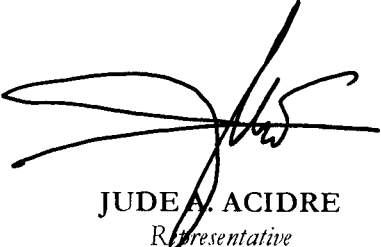
In view hereof, the immediate passage of this measure is earnestly requested.



FERDINAND MARTIN G. ROMUALDEZ
Representative
First District, Leyte



YEDDA MARIE K. ROMUALDEZ
Representative
Party-List, Tingog Sinirangan



JUDE A. ACIDRE
Representative
Party-List, Tingog Sinirangan



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5

Introduced by Representatives **FERDINAND MARTIN G. ROMUALDEZ,**
YEDDA MARIE K. ROMUALDEZ and **JUDE A. ACIDRE**

AN ACT
ESTABLISHING AN ON-SITE, IN-CITY, NEAR-CITY, OR OFF-CITY LOCAL
GOVERNMENT RESETTLEMENT PROGRAM FOR INFORMAL SETTLER
FAMILIES IN ACCORDANCE WITH A PEOPLE'S PLAN AND MANDATING THE
IMPLEMENTING LOCAL GOVERNMENT UNIT, JOINTLY WITH THE
DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, IN
CASES OF NEAR-CITY OR OFF-CITY RESETTLEMENT, TO PROVIDE OTHER
BASIC SERVICES AND LIVELIHOOD COMPONENTS IN FAVOR OF THE
RECIPIENT LOCAL GOVERNMENT UNIT, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 7279, AS AMENDED, OTHERWISE KNOWN AS THE
"URBAN DEVELOPMENT AND HOUSING ACT OF 1992"

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

1
2 **SECTION 1. *Amendatory Provisions.*** – For purposes of this Act, the following
3 provisions of Republic Act No. 7279, otherwise known as the "Urban Development and Housing
4 Act of 1992", are hereby amended as follows:

5
6 (a) Section 3 is hereby amended to read as follows:

7
8 "SEC. 3. Definition of Terms. – For purposes of this Act:

9 "x x x "

10 "(w) x x x; [and]

11 "(x) 'Zonal Improvement Program or ZIP' refers to the program of the
12 National Housing Authority of upgrading and improving blighted squatter areas

13 within the cities and municipalities of Metro Manila pursuant to existing statutes
14 and pertinent executive issuances[.];

15 “(Y) ‘ADEQUATE AND RESPONSIVE CONSULTATION’
16 REFERS TO THE STANDARD OF DIALOGUE TO BE CONDUCTED BY
17 THE IMPLEMENTING LOCAL GOVERNMENT UNIT OR THE
18 PROJECT PROPONENT AGENCY WITH THE AFFECTED INFORMAL
19 SETTLER FAMILIES WHICH SHALL REQUIRE THE FOLLOWING:

20 “(1) EFFECTIVE DISSEMINATION OF RELEVANT
21 INFORMATION AND DOCUMENTS INCLUDING LAND RECORDS,
22 THE PROPOSED PLAN OR PROJECT, ALTERNATIVE HOUSING
23 OPTIONS, AND COMPREHENSIVE RESETTLEMENT PLANS;

24 “(2) PROVISION BY THE GOVERNMENT OR
25 NONGOVERNMENT ORGANIZATIONS OF LEGAL, TECHNICAL,
26 AND OTHER ADVICE TO AFFECTED INFORMAL SETTLER FAMILIES
27 ON THEIR RIGHTS AND OPTIONS;

28 “(3) THE CONDUCT OF PUBLIC HEARINGS THAT SHALL
29 PROVIDE AFFECTED INFORMAL SETTLER FAMILIES, ADVOCATES,
30 AND THE PUBLIC, WITH OPPORTUNITIES TO COMMENT ON THE
31 PROPOSED RESETTLEMENT ACTION PLAN, OR PRESENT
32 ALTERNATIVE PROPOSALS AND ARTICULATE THEIR DEMANDS
33 AND RESETTLEMENT PRIORITIES;

34 “(4) PARTICIPATION IN LOCAL OR PROJECT INTER-AGENCY
35 COMMITTEES, OR ANY OTHER MULTI-SECTORAL MECHANISMS,
36 FORMED BY IMPLEMENTING AGENCIES FOR THE PURPOSE OF
37 COORDINATION REGARDING RESETTLEMENT OF AFFECTED ISFS;
38 AND

39 “(5) MEDIATION, ARBITRATION, OR ADJUDICATION BY AN
40 INDEPENDENT BODY VESTED WITH CONSTITUTIONAL
41 AUTHORITY SUCH AS A COURT OF LAW, AS MAY BE APPROPRIATE,
42 IN CASE NO AGREEMENT IS REACHED ON THE PROPOSALS OF
43 THE CONCERNED PARTIES, EXCEPT WHEN THE
44 RESETTLEMENT IS DUE TO EVICTION OR DEMOLITION IN
45 AREAS COVERED UNDER SECTION 28 (A) AND (B);

46 “(Z) ‘CIVIL SOCIETY ORGANIZATION OR CSO’ REFERS TO A
47 NONGOVERNMENT ORGANIZATION, PEOPLE’S ORGANIZATION,
48 COOPERATIVE, TRADE UNION, PROFESSIONAL ASSOCIATION,
49 FAITH-BASED ORGANIZATION, MEDIA GROUP, INDIGENOUS
50 PEOPLES MOVEMENT, FOUNDATION AND ANY OTHER CITIZEN’S
51 GROUP FORMED PRIMARILY FOR SOCIAL AND ECONOMIC
52 DEVELOPMENT CONCERNS TO PLAN PROGRAMS AND PROJECTS
53 AND MONITOR THEIR IMPLEMENTATION, ENGAGE IN POLICY
54 DISCUSSIONS, AND ACTIVELY PARTICIPATE IN COLLABORATIVE
55 ACTIVITIES WITH THE GOVERNMENT;

56 “(AA) ‘COMPREHENSIVE LAND USE PLAN OR CLUP’ REFERS
57 TO THE DOCUMENT, FORMULATED BY THE LOCAL GOVERNMENT
58 UNIT IN CONSULTATION WITH ITS STAKEHOLDERS, THAT
59 DEFINES OR PROVIDES GUIDELINES ON THE ALLOCATION,
60 UTILIZATION, DEVELOPMENT, AND MANAGEMENT OF ALL LANDS
61 WITHIN A GIVEN TERRITORY OR JURISDICTION ACCORDING TO
62 THE INHERENT QUALITIES OF THE LAND ITSELF AND SUPPORTIVE
63 ECONOMIC, DEMOGRAPHIC, SOCIO-CULTURAL, AND
64 ENVIRONMENTAL OBJECTIVES AS DEFINED IN SECTION 3(B) OF
65 REPUBLIC ACT NO. 11201, OTHERWISE KNOWN AS THE
66 ‘DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN
67 DEVELOPMENT ACT’;

68 “(BB) ‘IMPLEMENTING LOCAL GOVERNMENT UNIT’ REFERS
69 TO THE CITY OR MUNICIPALITY THAT CARRIES OUT THE
70 RESETTLEMENT PROGRAM AND HAS JURISDICTION OVER THE
71 AREA WHERE THE INFORMAL SETTLER FAMILIES ARE SITUATED;

72 “(CC) ‘IN-CITY RESETTLEMENT’ REFERS TO A RELOCATION
73 SITE WITHIN THE JURISDICTION OF A LOCAL GOVERNMENT UNIT
74 WHERE THE AFFECTED INFORMAL SETTLER FAMILIES ARE
75 LIVING;

76 “(DD) ‘INFORMAL SETTLEMENT’ REFERS TO:

77 (1) AN AREA WHERE HOUSING UNITS HAVE BEEN
78 CONSTRUCTED BY SETTLERS ON THE LAND WHICH THEY
79 OCCUPY WITHOUT THE CONSENT OF THE OWNER; OR

80 (2) AN UNPLANNED SETTLEMENT AND AREA WHERE
81 HOUSING IS NOT IN COMPLIANCE WITH EXISTING
82 PLANNING AND BUILDING REGULATIONS;

83 “(EE) ‘INFORMAL SETTLER FAMILIES OR ISFS’ REFERS TO
84 HOUSEHOLDS LIVING IN A LOT, WHETHER PRIVATE OR PUBLIC,
85 WITHOUT THE CONSENT OF THE PROPERTY OWNER; OR THOSE
86 WITHOUT LEGAL CLAIM OVER THE PROPERTY THEY ARE
87 OCCUPYING; OR THOSE LIVING IN DANGER AREAS SUCH AS
88 ESTEROS, RAILROAD TRACKS, GARBAGE DUMPS, RIVERBANKS,
89 SHORELINES, AND WATERWAYS, AS DEFINED IN SECTION 3(E) OF
90 REPUBLIC ACT NO. 11201;

91 “(FF) ‘KEY SHELTER AGENCIES’ REFERS TO THE
92 CORPORATIONS ATTACHED TO THE DEPARTMENT OF HUMAN
93 SETTLEMENTS AND URBAN DEVELOPMENT, NAMELY: NATIONAL
94 HOUSING AUTHORITY, NATIONAL HOME MORTGAGE FINANCE
95 CORPORATION, HOME DEVELOPMENT MUTUAL FUND, AND
96 SOCIAL HOUSING FINANCE CORPORATION AND OVER WHICH IT
97 EXERCISES ADMINISTRATIVE SUPERVISION IN ACCORDANCE
98 WITH SECTION 22 OF REPUBLIC ACT NO. 11201;

99 “(GG) ‘NEAR-CITY RESETTLEMENT’ REFERS TO A
100 RELOCATION SITE CLOSE TO THE ORIGINAL SETTLEMENT OF THE
101 AFFECTED ISFS, BUT WITHIN THE JURISDICTION OF ANOTHER
102 LOCAL GOVERNMENT UNIT THAT IS ADJACENT TO THE
103 IMPLEMENTING LOCAL GOVERNMENT UNIT;

104 “(HH) ‘NONGOVERNMENT ORGANIZATION OR NGO’
105 REFERS TO A DULY REGISTERED NON-STOCK, NON-PROFIT
106 ORGANIZATION FOCUSING ON THE UPLIFTMENT OF THE BASIC
107 OR DISADVANTAGED SECTORS OF SOCIETY BY PROVIDING
108 ADVOCACY, TRAINING, COMMUNITY ORGANIZING, RESEARCH,
109 ACCESS TO RESOURCES, AND OTHER SIMILAR ACTIVITIES, AS

110 DEFINED UNDER REPUBLIC ACT NO. 8425, OTHERWISE KNOWN AS
111 THE 'SOCIAL REFORM AND POVERTY ALLEVIATION ACT', AND
112 ORGANIZED AND OPERATED EXCLUSIVELY FOR SCIENTIFIC,
113 RESEARCH, EDUCATIONAL, CHARACTER-BUILDING AND YOUTH
114 AND SPORTS DEVELOPMENT, HEALTH, SOCIAL WELFARE,
115 CULTURAL OR CHARITABLE PURPOSES, OR A COMBINATION
116 THEREOF, AND NO PART OF THE NET INCOME OF WHICH INURES
117 TO THE BENEFIT OF ANY PRIVATE INDIVIDUAL PURSUANT TO
118 SECTION 34(H)(2)(c)(1) OF REPUBLIC ACT NO. 8424, AS AMENDED,
119 OTHERWISE KNOWN AS THE 'TAX REFORM ACT OF 1997';

120 “(II) 'OFF-CITY RESETTLEMENT' REFERS TO A RELOCATION
121 SITE DEVELOPED OUTSIDE AND NOT ADJACENT TO THE LOCAL
122 GOVERNMENT UNIT WHERE THE AFFECTED ISFS HAVE THEIR
123 SETTLEMENT;

124 “(JJ) 'PEOPLE'S PLAN' REFERS TO THE PLAN FORMULATED BY
125 THE BENEFICIARY-ASSOCIATION IN COORDINATION WITH THE
126 IMPLEMENTING LOCAL GOVERNMENT UNIT WHICH SHALL
127 CONTAIN A SITE DEVELOPMENT PLAN THAT CONFORMS TO THE
128 CLUP OF THE LOCAL GOVERNMENT UNIT UNDER WHOSE
129 JURISDICTION THE PROJECT SITE IS PROPOSED TO BE LOCATED,
130 INCLUDING: COMMUNITY HEALTH, SANITATION, AND SECURITY
131 PLANS; NON-PHYSICAL DEVELOPMENT COMPONENTS SUCH AS
132 SELF-HELP HOUSING COOPERATIVE, LIVELIHOOD, SELF-HELP
133 DEVELOPMENT, CAPABILITY BUILDING; AND A SYSTEM OF
134 ALLOCATION OF SOCIALIZED HOUSING UNITS THAT SHALL
135 PROMOTE AND PROTECT THE WELFARE OF THE ELDERLY,
136 PERSONS WITH DISABILITY, AND CHILDREN AS DEFINED IN
137 SECTION 3(F) OF REPUBLIC ACT NO. 11201;

138 “(KK) 'RECEIVING LOCAL GOVERNMENT UNIT' REFERS TO
139 THE CITY OR MUNICIPALITY, OTHER THAN THE IMPLEMENTING
140 LOCAL GOVERNMENT UNIT, THAT HAS JURISDICTION OVER THE
141 AREA WHERE THE QUALIFIED ISFS ARE RELOCATING OR
142 RESETTLING;

143 “(LL) ‘RESETTLEMENT ACTION PLAN OR RAP’ REFERS TO
144 THE PLAN PREPARED BY THE IMPLEMENTING LOCAL
145 GOVERNMENT UNIT OR THE PROJECT PROPONENT AGENCY, IN
146 CONSULTATION WITH THE AFFECTED ISFS WHICH SHALL, IN THE
147 CASE OF NEAR-CITY OR OFF-CITY RELOCATION, BE CONCURRED
148 WITH BY THE RECEIVING LOCAL GOVERNMENT UNIT, AND IN ALL
149 CASES SHALL:

150 “(1) SPECIFY DETAILS ON THE IMPLEMENTATION
151 OF RELOCATION;

152 “(2) INCLUDE OR PRIORITIZE, TO THE EXTENT
153 FEASIBLE, AND IN DESCENDING ORDER, ON-SITE, IN-CITY,
154 NEAR-CITY, AND OFF-CITY OPTIONS; AND

155 “(3) INCLUDE THE BASIC SERVICES AND FACILITIES
156 RELATIVE TO THE HEALTH, EDUCATION,
157 COMMUNICATION, SECURITY, RECREATION, RELIEF AND
158 WELFARE, LIVELIHOOD, AND TRANSPORTATION NEEDS OF
159 THE RELOCATEES; AND

160 “(MM) ‘SOCIAL PREPARATION’ REFERS TO THE PROCESS OF
161 ESTABLISHING SOCIAL, ORGANIZATIONAL, AND INSTITUTIONAL
162 NORMS AND MECHANISMS THAT SHALL:

163 “(1) ENABLE THE BENEFICIARIES TO COPE WITH
164 CHANGES; AND

165 “(2) IN PARTNERSHIP WITH CONCERNED
166 INSTITUTIONS AND STAKEHOLDERS, ENCOURAGE THEM
167 NOT ONLY TO WORK AMONG THEMSELVES FOR THE
168 PURPOSE OF DRAWING UP AND UNDERTAKING THEIR
169 HOUSING PROJECT PROPOSALS, BUT ALSO TO ACTIVELY
170 AND MEANINGFULLY PARTICIPATE IN HOUSING PROJECTS
171 UNDERTAKEN IN THEIR BEHALF, RESOLVING PROBLEMS
172 AMONG COMMUNITY MEMBERS AND COORDINATION
173 ISSUES WITH GOVERNMENT AND OTHER ENTITIES.”
174
175
176

177 (b) Section 22 is hereby amended to read as follows:

178 “SEC. 22. Livelihood Component. - To the extent feasible, socialized housing and
179 resettlement projects shall be located near areas where employment opportunities are
180 accessible. The government agencies dealing with the PROVISION OF SKILLS AND
181 LIVELIHOOD TRAINING, development of livelihood programs, and grant of
182 livelihood loans, NAMELY: THE DEPARTMENT OF LABOR AND
183 EMPLOYMENT, THE DEPARTMENT OF SOCIAL WELFARE AND
184 DEVELOPMENT, THE DEPARTMENT OF SCIENCE AND TECHNOLOGY,
185 THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY,
186 AND THE PHILIPPINE TRADE AND TRAINING CENTER shall give priority to
187 the beneficiaries of the Program.”

188
189 (c) Section 23 is hereby amended to read as follows:

190 “SEC. 23. Participation of PROGRAM Beneficiaries OR AFFECTED ISFS,
191 FORMATION OF BENEFICIARY-ASSOCIATION, MAINSTREAMING SOCIAL
192 PREPARATION, AND FORMULATION AND IMPLEMENTATION OF A
193 PEOPLE’S PLAN. – The local government units, in coordination with the Presidential
194 Commission for the Urban Poor and concerned government agencies, shall afford
195 Program beneficiaries OR AFFECTED ISFS or their duly designated representatives an
196 opportunity to be heard and to participate in the decision-making process over matters
197 involving the protection and promotion of their legitimate collective interests which shall
198 include appropriate documentation and feedback mechanisms. They shall also be
199 encouraged to organize themselves [and undertake self-help cooperative housing and other
200 livelihood activities] INTO AN ASSOCIATION FOR ACCREDITATION AS
201 BENEFICIARIES OR AWARDEES OF OWNERSHIP RIGHTS UNDER THE
202 RESETTLEMENT PROGRAM, COMMUNITY MORTGAGE PROGRAM, LAND
203 TENURE ASSISTANCE PROGRAM, AND OTHER SIMILAR PROGRAMS IN
204 RELATION TO A SOCIALIZED HOUSING PROJECT ACTUALLY BEING
205 IMPLEMENTED BY THE NATIONAL GOVERNMENT OR BY THE LOCAL
206 GOVERNMENT UNITS. They shall assist the government in preventing the incursions
207 of professional squatters and members of squatting syndicates into their communities.

208 “In instances when the affected beneficiaries OR ISFS have failed to organize
209 themselves or form an [alliance] ASSOCIATION within a reasonable period prior to the
210 implementation of the program or projects affecting them, consultation between the

211 implementing LOCAL GOVERNMENT UNIT OR agency and the affected
212 [beneficiaries] ISFS shall be conducted with the assistance of the Presidential Commission
213 for the Urban Poor and the concerned [nongovernment organization] CSOS UNTIL AN
214 ASSOCIATION IS FORMED.

215 “THE ASSOCIATION, IN CONSULTATION WITH THE PRESIDENTIAL
216 COMMISSION FOR THE URBAN POOR AND IN COORDINATION WITH THE
217 IMPLEMENTING LOCAL GOVERNMENT UNIT SHALL, WITH OR WITHOUT
218 THE SUPPORT OF CSOS, FORMULATE A ‘PEOPLE’S PLAN’.

219 “THE ASSOCIATION, WITH THE ASSISTANCE OF CSOS AND
220 CONCERNED GOVERNMENT AGENCIES, INCLUDING THE NATIONAL
221 ANTI-POVERTY COMMISSION, PRESIDENTIAL COMMISSION FOR THE
222 URBAN POOR, NATIONAL HOUSING AUTHORITY, CITY OR MUNICIPAL
223 SOCIAL WELFARE AND DEVELOPMENT OFFICE, SOCIAL HOUSING
224 FINANCE CORPORATION, AND LOCAL GOVERNMENT UNITS SHALL
225 AGREE ON, DEVELOP, AND IMPLEMENT THE PEOPLE’S PLAN.

226 “IN ACCORDANCE WITH THE PROTECTION GUIDELINES
227 PROVIDED UNDER SECTION 28 OF THIS ACT, A RAP SHALL BE AN
228 INDISPENSABLE COMPONENT OF THE PEOPLE’S PLAN. THE RAP SHALL
229 ENUNCIATE THE FOLLOWING:

230 “(A) A SAFE, AFFORDABLE, DECENT, AND HUMANE CONDITION OF
231 RELOCATION, INCORPORATING THEREIN APPROPRIATE DISASTER RISK
232 REDUCTION MANAGEMENT AND CLIMATE CHANGE ADAPTATION
233 STANDARDS;

234 “(B) PROVISION OF ADEQUATE SOCIAL PREPARATION; AND

235 “(C) PREVENTION OF FORCED EVICTION: *PROVIDED*, THAT
236 PRIMARY CONSIDERATION SHALL BE GIVEN TO THE HOUSING
237 FINANCIAL SCHEME SUGGESTED IN THE PEOPLE’S PLAN.”

238
239 (d) Section 26 is hereby amended to read as follows:

240 “SEC. 26. Urban Renewal and Resettlement. – [This] URBAN RENEWAL AND
241 RESETTLEMENT shall include the rehabilitation and development of blighted and slum
242 areas and the resettlement of Program beneficiaries OR AFFECTED ISFS in accordance
243 with the provisions of this Act. On-site development shall be implemented [whenever
244 possible] AFTER THE CONDUCT OF ADEQUATE AND GENUINE

CONSULTATION WITH THE AFFECTED ISFS, AND IN ACCORDANCE WITH THE PEOPLE'S PLAN FORMULATED PURSUANT TO SECTION 23 OF THIS ACT, in order to ensure minimum movement of occupants of blighted lands and slum areas.

“[The] WHERE DEMOLITION OR EVICTION IS ALLOWED IN THE AREA OCCUPIED BY THE PROGRAM BENEFICIARIES OR AFFECTED ISFS AND ON-SITE RESETTLEMENT CANNOT BE UNDERTAKEN BY REASON THEREOF, THE IN-CITY resettlement of the beneficiaries of the Program OR OF AFFECTED ISFS from their existing places of occupancy shall be undertaken only [when on-site development is not feasible and] after compliance with the procedures [laid down in] PURSUANT TO Section 28 of this Act AND IN ACCORDANCE WITH THE PREFERENCE OF THE AFFECTED ISFS AS CONTAINED IN THE PEOPLE'S PLAN.

“SHOULD IN-CITY RESETTLEMENT NOT BE FEASIBLE, NEAR-CITY RESETTLEMENT SHALL BE CONSIDERED. OFF-CITY RESETTLEMENT SHALL ONLY BE RESORTED TO WHEN NEAR-CITY RESETTLEMENT IS NOT FEASIBLE, AND MUST SATISFY THE REQUIREMENTS OF ADEQUATE AND RESPONSIVE CONSULTATION PRIOR TO RELOCATION.”; and

(e) Section 29 is hereby amended to read as follows:

“SEC. 29. Resettlement. – THE IMPLEMENTING LOCAL GOVERNMENT UNITS, JOINTLY WITH THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT AND THE APPROPRIATE KEY SHELTER AGENCIES, SHALL BE CHARGED WITH THE PRIMARY RESPONSIBILITY OF:

“(1) IMPLEMENTING THE RESETTLEMENT OF AFFECTED ISFS IN THEIR RESPECTIVE LOCALITIES [Within two (2) years from the effectivity of this Act, the local government units, in coordination with the National Housing Authority shall implement] AND the relocation and resettlement of [persons] ISFS living in danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and in other public places such as sidewalks, roads, parks, and playgrounds[. The local government unit, in coordination with the National Housing Authority, shall provide]; AND

“(2) PROVIDING relocation or resettlement sites with basic services and facilities and access to employment and livelihood opportunities sufficient to meet the basic needs of the affected [families] ISFS. FOR THIS PURPOSE, THE

279 LOCAL GOVERNMENT UNIT MAY PURCHASE LANDS OUTSIDE
280 ITS JURISDICTION TAKING INTO CONSIDERATION ITS
281 FEASIBILITY, VIABILITY, BUDGETARY CONCERNS, ZONING
282 ORDINANCES, AND OTHER RELEVANT LAWS.

283 “WHERE THE LAND OCCUPIED BY THE ISFS IS PRIVATELY-OWNED,
284 THE LOCAL GOVERNMENT UNIT SHALL, IN COORDINATION WITH THE
285 APPROPRIATE KEY SHELTER AGENCIES, NEGOTIATE WITH THE OWNER
286 FOR THE PURCHASE OF THE OCCUPIED PROPERTY. SHOULD THE
287 NEGOTIATION FAIL, THE LOCAL GOVERNMENT UNIT MAY RESORT TO
288 EXPROPRIATION: *PROVIDED*, THAT ITS EXERCISE SHOULD BE IN
289 ACCORDANCE WITH EXPROPRIATION LAWS, RULES, REGULATIONS, AND
290 PROCEDURES AND IN CONFORMITY TO EXISTING PROGRAMS, AND
291 POLICIES OF THE NATIONAL GOVERNMENT AND LOCAL GOVERNMENT
292 UNITS TAKING INTO CONSIDERATION ITS FEASIBILITY, VIABILITY,
293 BUDGETARY CONCERNS, ZONING ORDINANCES, AND OTHER RELEVANT
294 LAWS.

295 “IN INSTANCES WHEN THE RELOCATION OR RESETTLEMENT SITE
296 IS LOCATED IN ANOTHER LOCAL GOVERNMENT UNIT, THE
297 IMPLEMENTING LOCAL GOVERNMENT UNIT AND THE CONCERNED
298 NATIONAL GOVERNMENT AGENCIES SHALL, THROUGH A
299 MEMORANDUM OF AGREEMENT, PROVIDE THE RECEIVING LOCAL
300 GOVERNMENT UNIT WHERE THE RELOCATION OR RESETTLEMENT SITE
301 IS LOCATED THE OTHER BASIC SERVICES AND FACILITIES ENUMERATED
302 UNDER SECTION 21 OF THIS ACT, INCLUDING A LIVELIHOOD
303 COMPONENT FOR THE BENEFICIARIES BEING RELOCATED.

304 “THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN
305 DEVELOPMENT AND THE DEPARTMENT OF FINANCE – BUREAU OF
306 LOCAL GOVERNMENT FINANCE SHALL FORMULATE THE
307 IMPLEMENTING RULES AND REGULATIONS ON THE COST-SHARING
308 MECHANISM NECESSARY TO FULLY IMPLEMENT THE PROVISION OF
309 SUCH OTHER BASIC SERVICES AND FACILITIES.

310 “IN ADDITION TO THE FUNDING SOURCES PROVIDED UNDER
311 SECTION 42 OF THIS ACT, THE ALLOCATION FOR THE BASIC SERVICES
312 AND FACILITIES MAY BE SOURCED BY THE LOCAL GOVERNMENT UNIT

313 IMPLEMENTING THE RELOCATION OR RESETTLEMENT FROM THE
314 TWENTY PERCENT (20%) OF THE INTERNAL REVENUE ALLOTMENT
315 APPROPRIATED FOR DEVELOPMENT PROJECTS AS MANDATED UNDER
316 SECTION 287 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE
317 'LOCAL GOVERNMENT CODE OF 1991'.”

318 **SEC. 2. *Implementing Rules and Regulations.*** – The Department of Human
319 Settlements and Urban Development and the Department of the Interior and Local Government,
320 in consultation with appropriate government agencies, CSOs, NGOs, representatives from the
321 private sector, and ISFs, shall promulgate a new set of implementing rules and regulations (IRR)
322 within sixty (60) days from the effectivity of this Act. The IRR shall include the following:

323 (a) A template of a People’s Plan that shall set the minimum standards and guide ISFs in
324 the preparation of their own People’s Plan; and

325 (b) A guide to the effective implementation of the People’s Plan, including details on the
326 necessity of the issuance of internal memoranda by concerned agencies.

327 **SEC. 3. *Separability Clause.*** – If, for any reason, any part, section or provision of this
328 Act is held invalid or unconstitutional, the remaining provisions not affected thereby shall continue
329 to be in full force and effect.

330 **SEC. 4. *Repealing Clause.*** – All laws, decrees, executive orders, proclamations, rules and
331 regulations, and other issuances, or parts thereof which are inconsistent with the provisions of this
332 Act are hereby repealed, amended or modified accordingly.

333 **SEC. 5. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in
334 the *Official Gazette* or in a newspaper of general circulation.

Approved.