

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6165



Introduced by Representative Joseph Gilbert F. Violago

EXPLANATORY NOTE

The Philippines is rich in water resources such as rivers, lakes, basins, and groundwater reservoirs. However, due to the growing population, water pollution, mismanagement of water resources, climate change, and extreme weather conditions, there is a lack of access to potable water supply in most areas in the country. This lack of access to clean water poses as a threat to the citizens, who are vulnerable water-related diseases like typhoid and paratyphoid fever, acute bloody diarrhea, and cholera.

Seventy percent of human's body is made up of water and needless to say, it is one of man's basic needs. Due to the unavailability of sufficient potable water, the Philippines with a population of more than 112 million, and visited by more than 8 million tourists each year, will be greatly affected. In Pantabangan, Nueva Ecija alone, which is home to one of the largest dams in South East Asia, known as the Pantabangan Dam, the access to a potable water is a problem.

The 1987 Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them. (Art. II, Sec. 15) Thus, the State has the duty to provide safe drinking water and ensure the availability of water supply through long-term solutions. Therefore, this bill seeks to mandate the National Government to allocate funds for potable water access and the construction of water systems in all barangays.

This commendable bill had been filed in the 17th Congress by Rep. Manuel Zubiri as principal author. The same had been filed in the 18th Congress and the present proponent is acknowledging the wisdom and hard work of his predecessors.

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


JOSEPH GILBERT F. VIOLAGO

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AN ACT
MANDATING THE NATIONAL GOVERNMENT TO ALLOCATE
FUNDS FOR POTABLE WATER ACCESS AND THE
CONSTRUCTION OF WATER SYSTEMS IN ALL BARANGAYS,
AND FOR OTHER PURPOSES

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 "Potable Water Act of 2022".

SECTION 2. Declaration of State Policy. – It is the declared policy of the State to provide one of man's basic right and need-the right to access to potable water. It is also the policy of the State to promote the quality of health of every Filipino through the provision of adequate potable water supply system. To this end, the State shall ensure access of every Filipino to potable water through the funding, and the construction of, water systems across the country-giving priority to the poorest barangays.

Section 3. Definition of Terms. – As used in this Act:

- a) "LWUA" refers to the Local Utilities Administration;
- b) "DOH" refers to the Department of Health;
- c) "DSWD" refers to the Department of Social Welfare and Development;
- d) "NEDA" refers to the National Economic Development Authority;
- e) "DPWH" refers to the Department of Public Works and Highway;
- f) "LGUs" refers to the Local Government Units which shall then include

- g) provinces, cities, municipalities, barangay and autonomous areas in the Philippines;
- h) "NAPC" refers to the National Anti-Poverty Commission;
- i) "PSA" refers to the National Statistics Authority;
- j) "IRA" refers to the Internal Revenue Allotment of Local Government Units;
- k) "**Water Systems/Water Facilities**" – refer to one or more provincial cities or municipalities;
- l) "**Water District**" refers to a local corporate entity that operates and maintains a water supply system in one or more provincial cities or municipalities; and
- m) "**Potable Water**" - shall refer to drinking water that is safe to drink or use for food preparation.

SECTION 4. Scope. – This Act shall cover all local government units. The necessary water systems and water facilities shall be established, constructed and implemented on a per-area or region basis which would be most strategic to cater to all barangays as determined by the DOH, LWUA, DPWH, and such other agencies that have data and studies on the matter.

Any existing water system or facilities project shall be enhanced by the national government through the above mentioned government agencies and GOCCs in compliance with the mandate of this Act.

SECTION 5. Allocation from the National Government. – The government, through the DOH, LWUA, DPWH, and such other agencies that have the authority to plot where to implement the objectives of this Act, develop the necessary studies to ascertain key areas that are in need of potable water, and implement the project necessary for the construction of water system/facilities within the territory of the Republic of the Philippines, shall henceforth include in the budget an allocation for such study, construction and completion of such water systems and/or facilities.

In the implementation of this Act, the poorest local government units and barangays shall have the highest priority. The socio-economic status of said local government units shall be determined using data from the appropriate government agencies such as the PSA, NAPC, DSWD and NEDA.

Nothing in this Act shall be constructed to remove, reduce, diminish or otherwise abandon the present responsibility and commitment of local government units to fund and/or spearhead the construction and completion of their own water systems using their share from the IRA due theme and other sources of revenue.

SECTION 6. *Appropriations.* – The funds required for the implementation of this Act upon its approval shall be taken from the budget of the LWUA and DPWH for the current fiscal year. Thereafter, the amount necessary to carry out the provisions of this Act shall be included in the general Appropriation Act of the year immediately following its enactment into law and subsequent thereto. The LWUA, as a government-owned and controlled corporation, shall be required to allocate from its revenue a separate budget to comply with the requirements of this Act.

SECTION 7. *Implementing Rules and Regulations.* – Within ninety (90) days after the effectivity of this Act, LWUA, DPWH, PSA, NAPC, NEDA and such other concerned agencies shall adopt and promulgate such rules and regulations to carry out the provision of this Act. Such implementing rules and regulations shall be effective fifteen (15) days following their publication in the Official Gazette or in two (2) major newspapers of general circulation.

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

SECTION 9. *Repealing Clause.* – All laws, executive orders, rules and regulation consistent with or contrary to this Act are hereby deemed accordingly repealed or amended.

SECTION 10. *Effectivity.* – This Act shall take effect after fifteen (15) days from publication in at least two (2) newspapers of general circulation.

Approved,