

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

19TH CONGRESS
Third Regular Session

HOUSE BILL NO. **10654**



Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

The **1987 Constitution** mandates the state to support an **integrated drainage and sewerage system** that is an enabling partner of government in ensuring a better life for every Filipino through appropriate technology and research, with adequate financial, and other support services.

Scope of MMDA Services:

Metro-wide services under the jurisdiction of the **MMDA** are those services which have metro-wide impact and transcend local political boundaries or entail huge expenditures such that it would not be viable for said services to be provided by the individual Local Government Units (**LGUs**) comprising Metropolitan Manila.

These services shall include:

- a. Development planning which includes the preparation of medium and long-term development plans; the development evaluation and packaging of projects; investment programming and coordination and monitoring of plan, program and project implementation.
- b. Transport and traffic management which includes the formulation, coordination and monitoring of policies, standards, programs and projects to rationalize the existing transport operations, infrastructure requirements, the use of

thoroughfares, and promotions of safe and convenient movement of persons and goods; provision for the mass transport system and the institution of a system to regulate road users; administration and implementation of all traffic enforcement operations, traffic engineering services and traffic education programs, including the institution of a single ticketing system in Metropolitan Manila.

c. Solid waste disposal and management which include formulation, and implementation of policies, standards, programs and projects for proper and sanitary waste disposal. It shall likewise include the establishment and operation of sanitary landfill and related facilities and the implementation of other alternative programs intended to reduce, reuse and recycle solid waste.

d. Flood control and sewerage management which includes the formulation and implementation of policies, standards, programs and projects for an integrated flood control, drainage and sewerage system.

e. Urban renewal, zoning and land use planning, and shelter services which includes the formulation, adoption and implementation of policies, standards, rules and regulations, programs and projects to rationalize and optimize urban land use and provide direction to urban growth and expansion, the rehabilitation and development of slum and blighted areas, the development of shelter and housing facilities and the provision of necessary social services thereof.

f. Health and sanitation, urban protection and pollution control which include the formulation and implementation of policies, rules and regulations, standards, programs and projects for the promotion and safeguarding of the health and sanitation of the region and for the enhancement of ecological balance and the prevention, control and abatement of environmental pollution.

g. Public safety which includes the formulation and implementation of programs and policies and procedures to

achieve public safety, especially preparedness for preventive or rescue operations during times of calamities and disasters such as conflagrations, earthquake, flood and tidal waves; and coordination and mobilization of resources and the implementation of contingency plans for the rehabilitation and relief operations in coordination with national agencies concerned.

Change, as it seems, is the inescapable destiny of the **MMDA**. But as history proves, whatever the nature of change brought about by national political events, the Committee manages to make it for the better.

This House Bill seeks to ensure, and help improve government operations, in partnership with stakeholders, for the benefit of the Filipino people.

This House Bill seeks to provide modernization to the **flood control and sewerage management office (FCSMO)**, to promote and hasten the imposition and implement laws, policies, plans, programs, projects, rules and regulations of the **MMDA**; and to provide efficient services to the Filipino people.

Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, featuring a large, stylized 'M' and 'R' followed by a horizontal line extending to the right.

MICHAEL L. ROMERO Ph.D.

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AN ACT

PROVIDING FOR THE MODERNIZATION OF THE **FLOOD CONTROL AND SEWERAGE MANAGEMENT OFFICE (FCSMO)**, TO AUGMENT THE FORMULATION AND IMPLEMENTATION OF POLICIES, STANDARDS, RULES AND REGULATIONS, PROGRAMS AND PROJECTS FOR AN INTEGRATED **DRAINAGE AND SEWERAGE SYSTEM**, APPROPRIATING FUNDS THEREFOR, 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 **flood control and sewerage management office (FCSMO) modernization Act of 2024**.

SECTION 2. DECLARATION OF POLICY — It is a declared policy of the state in conformity with the mandate of the Constitution.

the state shall ensure to augment the formulation and implementation of policies, standards, rules and regulations, programs and projects for an integrated, **drainage and sewerage system**

The **(FCSMO)** is mandated to assess the vulnerabilities and risks of **flood-disaster**, The state shall hereby create a Flood control, **drainage and sewerage protocol** to expand and establish continuity to the aid and support provided in times of this **flood-disaster**.

For these purposes, the state shall provide the mechanisms to improve facilities and programs by maximizing the use of all existing resources. recognizing in the process the government's responsibility to instill these **control mechanisms** as having priority over its other functions.

It is imperative that the state prioritizes and provides the appropriate tools, means and funding in order for the **(FCSMO)** to perform its noble mandates.

SECTION 3. AUTHORITY - No law shall be passed exempting any entity of the Government or its subsidiary in any guise whatever, or any investment of public funds, from the jurisdiction of the **FCSMO**.

Section 31, Chapter 10, Title III, Book III of EO No. 292 (s. 1987) or the "**Administrative Code of 1987**," provides that the President shall have continued authority to reorganize the Executive Department in order to achieve simplicity, economy and efficiency.

Section 17, Article VII of the Constitution provides that the President shall have control over all the executive departments, bureaus and offices, and shall ensure that the laws are faithfully executed.

SECTION 4. SUPERVISING AND ASSESSMENT CONCERNS. — the Department of Interior and Local Government (**DILG**), shall provide the necessary technical and financial assistance to ensure effective operations and build-up.

SECTION 5. IMPLEMENTING AGENCY. — The Department of Interior and Local Government (**DILG**).

SECTION 6. IMPLEMENTING RULES AND REGULATIONS. — Within ninety (**90**) days from the effectivity of this Act, the Metro Manila Development Authority (**MMDA**), shall, in consultation with the **DILG** and other concerned government and private agencies, promulgate the necessary rules and regulations to carry out the provisions of this Act.

SECTION 7. REORGANIZATION OF THE FCSMO - "There is hereby created the **Metropolitan Flood Control and Sewerage Management Bureau (MFCSMB)**, under the **DILG**, to be chaired by the **MMDA**, and shall further be composed of the following officials:

Members:

Under Secretary of the **Department of Finance**;

Under Secretary of the Department of the **Interior and Local Government**;

Under Secretary of the Department of **Justice**;

Under Secretary of the Department of **National Defense**;

Under Secretary of the Department of **Transportation**;

Representative of the **Presidential Communications Operations Office**;

Representative of the **National Privacy Commission**;

The Committee may invite concerned public and private agencies or „ entities to participate, complement, and assist in the performance of its functions.

SECTION 8. MODERNIZATION FUNDING. – The amount of Two Billion Pesos (**Php 2, 000,000,000.00**) for the operation and administration of the **flood control and sewerage management Bureau (MFCSMB)** shall be chargeable against funds for the purpose and other sources recommended by the **Department of Budget and Management (DBM)**.

The amount necessary for the initial implementation to fund this act shall be charged under the Department of **Interior and Local Government (DILG)**.

Thereafter, appropriations for the **(MFCSMB)**, shall be included in the budget proposals under the annual **General Appropriations Act (GAA)**

The Department of Budget and Management **(DBM)** shall rationalize the existing organizational structure and staffing pattern of the **(MFCSMB)** in accordance with the prevailing provisions and relevant compensation and position classification laws, rules and regulations.

Thereafter, the amount needed for the continued implementation of the modernization program shall be included in the annual **General Appropriations Act (GAA)**.

SECTION 9. flood control and sewerage management bureau (FCSMB) modernization Fund – There is hereby created the **(MFCSMB) Modernization Fund** to be used exclusively for the **(MFCSMB) Modernization Program**.

The **(MFCSMB)** Modernization Fund shall be administered by the **Chairman** of the **MMDA** accordance with existing government budgeting, accounting, and auditing rules and regulations.

SECTION 10. PROGRESS REPORT – The Chairman of the **(MMDA)** shall prepare an annual report on the status of the implementation of the Modernization Programs which shall be submitted, to the Office of the **President**.

SECTION 11. INCREASE OF PERSONNEL. – The **(MFCSMB)** shall maintain a sufficient staffing pattern.

Hence, it is authorized to increase its manpower to meet such required and may continue to increase personnel per percentage rate increase of committed mandates annually or as the need arises.

SECTION 12. PERIOD OF IMPLEMENTATION – The modernization program under this Act shall be implemented for an initial period of three **(3)** years:

Provided, that payments for multi-year contract obligations incurred under this Act may extend beyond this period:

Provided, further, That the **(MFCSMB)** shall continue to develop, modernize and constantly update its operational capabilities to keep pace with best global practices.

SECTION 13. SECRETARIAT - The **MFCSMB** shall have a Secretariat composed of officials from the member-agencies of the Bureau. The Bureau shall provide for the guidelines for the creation of the Secretariat, including the appropriate ranks of officials that shall comprise it.

SECTION 14. TRANSPARENCY - It is the duty of every citizen to preserve and conserve government transparency and all its resources. The retrieval and conservation of government transparency and its resources shall be vigorously pursued.

SECTION 15. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 16. PERIODIC REPORTS - The Chairman of the **(MMDA)** shall submit periodic reports on its findings and make recommendations on actions to be taken by the Office of the President and other appropriate departments, in order to carry out the objectives and mandates of this Act.

SECTION 17. AUTOMATIC REVIEW - Every three **(3)** years after the effectivity of this Act, an independent review panel composed of experts to be appointed by the **President of the Republic** shall review the policies and implementation in the modernization program and shall make recommendations, based on its findings.

SECTION 18. PENAL CLAUSE. – Any person, whether natural or juridical, violating any section of this Act shall, upon conviction, therefore, be liable to a fine of not less than five hundred thousand pesos **(P500,000.00)** or imprisonment for a term not less than six **(6)** years, or both, at the discretion of the court for each and every violation.

In case the violation is committed by a corporation or an association, the penalty shall devolve upon the president, director, or any other officer responsible for such violation.

**SECTION 19. POWERS AND FUNCTIONS AND OF THE METRO
MANILA DEVELOPMENT AUTHORITY**

The MMDA shall:

a. Formulate, coordinate and regulate the implementation of medium and long-term plans and programs for the delivery of metro-wide services, land use and physical development within Metropolitan Manila, consistent with national development objectives and priorities;

Prepare, coordinate and regulate the implementation of medium-term investment programs for metro-wide services which shall indicate sources and uses of funds for priority programs and projects, and which shall include the packaging of projects and presentation to funding institutions;

b. Undertake and manage on its own metro-wide programs and projects for the delivery of specific services under its jurisdiction subject to the approval of the Council. For this purpose, MMDA can create appropriate project management offices;

Coordinate and monitor the implementation of such plans, programs and projects in Metro Manila, identify bottlenecks and adopt solutions to problems of implementation;

The MMDA shall set the policies concerning traffic in Metro Manila and shall coordinate and regulate the implementation of all programs and projects concerning traffic management specifically pertaining to enforcement, engineering and

education. Upon request, it shall be extended assistance and cooperation, including but not limited to assignment of personnel, by all other government agencies and offices concerned.

c. Install and administer a single ticketing system, fix, impose and collect fines and penalties for all kinds of violations of traffic rules and regulations, whether moving or non-moving in nature, and confiscate and suspend or revoke driver's licenses in the enforcement of such traffic laws and regulations, **the provision of RA 4136 and PD 1605** to the contrary notwithstanding. For this purpose, the Authority shall enforce all traffic laws and regulations in Metro Manila, through its traffic operation center, and may deputize members of the PNP, traffic enforcers of local government units, duly licensed security guards, or members of non-governmental organizations to whom may be delegated certain authority subject to such conditions and requirements as the Authority may impose.

d. Perform other related functions required to achieve the objective of the **MMDA**, including the undertaking of delivery of basic services to the local government units, when deemed necessary subject to prior coordination with and consent of the local government unit concerned.

SECTION 20. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 21. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 22. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 23. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,