

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **3359**



Introduced by Representative LEILA M. DE LIMA

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"

EXPLANATORY NOTE

Housing is a basic human right and not a commodity.¹ Housing serves as the cornerstone of stability and security for individuals and families alike. A house goes beyond just a mere physical structure, it serves as a safe, secure, and dignified environment in which individuals can thrive. Ensuring access to adequate housing is therefore fundamental to promoting inclusive development, social cohesion, and human dignity.

The Universal Declaration of Human Rights recognizes the right of every person to a standard of living adequate for the health and well-being of themselves and their families, including adequate housing.²

Consistent with this internationally recognized right, the State is duty-bound under Article XIII of the 1987 Philippine Constitution to undertake the following:

Section 9. The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to

¹ Office of the High Commissioner on Human Right. UN Special Rapporteur on the right to adequate housing. Retrieved from [://www.ohchr.org/en/special-procedures/sr-housing/human-right-adequate-housing#:~:text=Housing%20is%20a%20right%2C%20not,services%2C%20schools%2C%20and%20employment.](http://www.ohchr.org/en/special-procedures/sr-housing/human-right-adequate-housing#:~:text=Housing%20is%20a%20right%2C%20not,services%2C%20schools%2C%20and%20employment.)

² Section 25, Universal Declaration of Human Rights.

underprivileged and homeless citizens in urban centers and resettlement areas. It shall also promote adequate employments of such programs that the State shall respect the rights of small property owners.

Section 10. Urban and rural poor dwellers shall not be evicted, nor their dwellings demolished, except in accordance with law and in a just and humane manner.

No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be located.

In response to the constitutional mandate, Congress passed Republic Act 7279, entitled “Urban Development and Housing Act of 1992”, which took effect in March 24, 1992. This law provided mechanisms for the State, in partnership with the private sectors, to adopt a comprehensive Urban Development and Housing Program aimed at improving the lives of underprivileged and homeless citizens.³

To date, it has been more than three (3) decades since the enactment of the Urban Development and Housing Act, yet the nation has made limited progress in providing decent and affordable housing for the homeless and underprivileged. Despite legal frameworks and policy commitments established under the Act, challenges of inadequate housing, informal settlements, and limited access to basic services persist, particularly in urban and resettlement areas.

Figures show that housing needs are projected to increase from the 6.5 million housing backlog in 2022 to 22 million by 2040. At the same time, informal settler families (ISFs) are estimated at 3.7 million, half a million of which are living in slums and high-risk areas in Metro Manila or National Capital Region.⁴

Taking global and national best practices into account, on-site, in-city, or near-city relocation and resettlement should be primary options to maintain ISFs’ access to jobs, schools, hospitals, public services, and social networks, leaving off-city relocation and resettlement as a last resort.⁵

However, at present, the government’s housing strategy for ISFs centers on off-city or off-site relocation. Under this approach, the government constructs housing in areas outside Metro Manila where access to employment, sustainable livelihoods, and essential social services is often limited. These poor conditions in distant relocation sites have compelled many families to return to urban areas in search of stable income and basic necessities, thus defeating the purpose of the resettlement programs and subjecting ISFs back into unsafe, unstable, and undignified housing conditions.

This proposed measure seeks to institutionalize on-site, in-city, near-city, or off-city resettlement on the basis of People’s Plans submitted by the affected ISFs as a primary and preferred policy of the State. In doing so, this bill crucially promotes the

³ Section 2, Republic Act No. 7279.

⁴ UN-Habitat Philippines Country Report 2023. Retrieved from https://unhabitat.org/sites/default/files/2023/06/5_un-habitat_philippines_country_report_2023_final_compressed.pdf.

⁵ Department of Human Settlements and Urban Development. National Resettlement Policy Framework, 2022. Retrieved from <https://dhsud.gov.ph/wp-content/uploads/2022/09/National-Resettlement-Policy-Framework.pdf>.

participation of affected ISFs in taking the lead on designing and developing their own communities. By creating mechanisms to ensure that affected ISFs to remain close to jobs, schools, and public services, this approach prevents further displacement-related challenges. Furthermore, this bill also specifies mandatory requirements that shall be met in cases where evictions and demolitions, which are still ultimately discouraged, are deemed necessary to ensure that the ISFs' human rights are not violated in the conduct of these operations. Ultimately, this bill aims to propose a more humane and effective approach to resettlement that affirms the urban poor's right to the city and upholds their human dignity.

This bill adopts several provisions from former Representative Jose Christopher Belmonte's House Bill No. 156 in the 18th Congress, and Speaker Ferdinand Martin Romualdez, Representative Yedda Romualdez, and Representative Jude Acidre's House Bill No. 5, which was approved on third reading in the 19th Congress. This bill also introduces amendments on the conduct of evictions and demolitions, upon consultation with several leaders from the following organizations and coalitions of the urban poor sector: Urban Poor Associates (UPA), Community Organizers Multiversity (COM), Koalisyon ng Organisadong Samahan ng Maralitang Taga-Lungsod (KOSMAT), and Ugnayang Lakas ng mga Apektadong Pamilya (ULAP).

The immediate passage of this measure is earnestly sought.



LEILA M. DE LIMA

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 3359

Introduced by Representative LEILA M. DE LIMA

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

4
5 (a) Section 3 is hereby amended to read, as follows:

6 "SEC. 3. *Definition of Terms.* – For purposes of this Act:

7 "x x x

8 "(w) x x x; {and}

9
10 "(x) 'Zonal Improvement Program or ZIP' refers to the program of the
11 National Housing Authority of upgrading and improving blighted squatter areas within
12 the cities and municipalities of Metro Manila pursuant to existing statutes and pertinent
13 executive issuances[-];

14
15 "(Y) 'ADEQUATE AND RESPONSIVE CONSULTATION' REFERS TO
16 THE STANDARD OF DIALOGUE TO BE CONDUCTED BY THE
17 IMPLEMENTING LOCAL GOVERNMENT UNIT OR THE PROJECT
18 PROPONENT AGENCY WITH THE AFFECTED INFORMAL SETTLER
19 FAMILIES WHICH SHALL REQUIRE THE FOLLOWING:

1 “(1) EFFECTIVE DISSEMINATION OF RELEVANT INFORMATION
2 AND DOCUMENTS INCLUDING LAND RECORDS, THE PROPOSED
3 PLAN OR PROJECT, ALTERNATIVE HOUSING OPTIONS,
4 AND COMPREHENSIVE RESETTLEMENT PLANS;
5

6 “(2) REASONABLE TIME FOR THE PUBLIC TO REVIEW AND
7 COMMENT ON THE PROPOSED PLAN OR PROJECT;
8

9 “(3) PROVISION BY THE GOVERNMENT OR NON-GOVERNMENT
10 ORGANIZATIONS OF LEGAL, TECHNICAL, AND OTHER ADVICE TO
11 AFFECTED INFORMAL SETTLER FAMILIES ON THEIR RIGHTS AND
12 OPTIONS;
13

14 “(4) THE CONDUCT OF PUBLIC HEARINGS THAT SHALL PROVIDE
15 AFFECTED INFORMAL SETTLER FAMILIES, ADVOCATES, AND THE
16 PUBLIC, WITH OPPORTUNITIES TO COMMENT ON THE PROPOSED
17 RESETTLEMENT ACTION PLAN, OR PRESENT ALTERNATIVE
18 PROPOSALS AND ARTICULATE THEIR DEMANDS AND DEVELOPMENT
19 PRIORITIES;
20

21 “(5) PARTICIPATION IN LOCAL OR PROJECT INTER-
22 AGENCY COMMITTEES, OR ANY OTHER MULTI-SECTORAL
23 MECHANISMS, FORMED BY IMPLEMENTING AGENCIES FOR
24 THE PURPOSE OF COORDINATION REGARDING RESETTLEMENT OF
25 AFFECTED ISFs; AND
26

27 “(6) MEDIATION, ARBITRATION, OR ADJUDICATION BY AN
28 INDEPENDENT BODY VESTED WITH CONSTITUTIONAL AUTHORITY
29 SUCH AS A COURT OF LAW, AS MAY BE APPROPRIATE, IN CASE NO
30 AGREEMENT IS REACHED ON THE PROPOSALS OF THE CONCERNED
31 PARTIES;
32

33 “(Z) ‘CIVIL SOCIETY ORGANIZATION OR CSO’ REFERS TO A
34 NON-GOVERNMENT ORGANIZATION, PEOPLE’S ORGANIZATION,
35 COOPERATIVE, TRADE UNION, PROFESSIONAL ASSOCIATION, FAITH-
36 BASED ORGANIZATION, MEDIA GROUP, INDIGENOUS PEOPLES
37 MOVEMENT, FOUNDATIONS, AND ANY OTHER CITIZEN’S GROUP
38 FORMED PRIMARILY FOR SOCIAL AND ECONOMIC DEVELOPMENT
39 CONCERNS TO PLAN PROGRAMS AND PROJECTS AND MONITOR
40 THEIR IMPLEMENTATION, ENGAGE IN POLICY DISCUSSIONS, AND
41 ACTIVELY PARTICIPATE IN COLLABORATIVE ACTIVITIES WITH THE
42 GOVERNMENT;
43

44 “(AA) ‘COMPREHENSIVE LAND USE PLAN OR CLUP’ REFERS TO
45 THE DOCUMENT, FORMULATED BY THE LOCAL GOVERNMENT UNIT
46 IN CONSULTATION WITH ITS STAKEHOLDERS, THAT DEFINES OR
47 PROVIDES GUIDELINES ON THE ALLOCATION, UTILIZATION,
48 DEVELOPMENT, AND MANAGEMENT OF ALL LANDS WITHIN
49 A GIVEN TERRITORY OR JURISDICTION ACCORDING TO THE
50 INHERENT QUALITIES OF THE LAND ITSELF AND SUPPORTIVE

1 ECONOMIC, DEMOGRAPHIC, SOCIO-CULTURAL, AND
2 ENVIRONMENTAL OBJECTIVES AS DEFINED IN SECTION 3(B) OF
3 REPUBLIC ACT NO. 11201, OTHERWISE KNOWN AS THE 'DEPARTMENT
4 OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT ACT';

5
6 "(BB) 'IMPLEMENTING LOCAL GOVERNMENT UNIT' REFERS TO
7 THE CITY OR MUNICIPALITY THAT CARRIES OUT THE RESETTLEMENT
8 PROGRAM AND HAS JURISDICTION OVER THE AREA WHERE THE
9 INFORMAL SETTLER FAMILIES ARE SITUATED;

10
11 "(CC) 'IN-CITY RESETTLEMENT' REFERS TO A RELOCATION SITE
12 WITHIN THE JURISDICTION OF A LOCAL GOVERNMENT UNIT WHERE
13 THE AFFECTED INFORMAL SETTLER FAMILIES ARE LIVING;

14
15 "(DD) 'INFORMAL SETTLEMENT' REFERS TO:

16
17 (1) AN AREA WHERE HOUSING UNITS HAVE BEEN
18 CONSTRUCTED BY SETTLERS ON THE LAND WHICH THEY OCCUPY
19 WITHOUT THE CONSENT OF THE OWNER; OR

20
21 (2) AN UNPLANNED SETTLEMENT AND AREA WHERE HOUSING
22 IS NOT IN COMPLIANCE WITH EXISTING PLANNING AND BUILDING
23 REGULATIONS;

24
25 "(EE) 'INFORMAL SETTLER FAMILIES OR ISFs' REFERS TO
26 HOUSEHOLDS LIVING IN A LOT, WHETHER PRIVATE OR PUBLIC,
27 WITHOUT THE CONSENT OF THE PROPERTY OWNER; OR THOSE
28 WITHOUT LEGAL CLAIM OVER THE PROPERTY THEY ARE OCCUPYING;
29 OR THOSE LIVING IN DANGER AREAS SUCH AS ESTEROS, RAILROAD
30 TRACKS, GARBAGE DUMPS, RIVERBANKS, SHORELINES, AND
31 WATERWAYS, AS DEFINED IN SECTION 3(E) OF REPUBLIC ACT
32 NO. 11201 WITHOUT DISCRIMINATION AGAINST STRUCTURE OWNING,
33 RENTING AND SHARING RESIDENTS;

34
35 "(FF) 'KEY SHELTER AGENCIES' REFERS TO THE
36 CORPORATIONS ATTACHED TO THE DEPARTMENT OF HUMAN
37 SETTLEMENTS AND URBAN DEVELOPMENT, NAMELY: NATIONAL
38 HOUSING AUTHORITY, NATIONAL HOME MORTGAGE FINANCE
39 CORPORATION, HOME DEVELOPMENT MUTUAL FUND, AND SOCIAL
40 HOUSING FINANCE CORPORATION AND OVER WHICH IT EXERCISES
41 ADMINISTRATIVE SUPERVISION IN ACCORDANCE WITH SECTION 22 OF
42 REPUBLIC ACT NO. 11201;

43
44 "(GG) 'NEAR-CITY RESETTLEMENT' REFERS TO A RELOCATION
45 SITE CLOSE TO THE ORIGINAL SETTLEMENT OF THE AFFECTED ISFs,
46 WITH MINIMAL TRANSPORTATION COST BASED ON THEIR INCOME
47 PROFILE, BUT WITHIN THE JURISDICTION OF ANOTHER LOCAL
48 GOVERNMENT UNIT THAT IS ADJACENT TO THE IMPLEMENTING
49 LOCAL GOVERNMENT UNIT;

1 “(HH) ‘NON-GOVERNMENT ORGANIZATION OR NGO’ REFERS TO
2 A DULY REGISTERED NON-STOCK, NON-PROFIT ORGANIZATION
3 FOCUSING ON THE UPLIFTMENT OF THE BASIC OR DISADVANTAGED
4 SECTORS OF SOCIETY BY PROVIDING ADVOCACY, TRAINING,
5 COMMUNITY ORGANIZING, RESEARCH, ACCESS TO RESOURCES,
6 AND OTHER SIMILAR ACTIVITIES, AS DEFINED UNDER REPUBLIC ACT
7 NO. 8425, OTHERWISE KNOWN AS THE ‘SOCIAL REFORM AND
8 POVERTY ALLEVIATION ACT’, AND ORGANIZED AND OPERATED
9 EXCLUSIVELY FOR SCIENTIFIC, RESEARCH, EDUCATIONAL,
10 CHARACTER-BUILDING AND YOUTH AND SPORTS
11 DEVELOPMENT, HEALTH, SOCIAL WELFARE, CULTURAL OR
12 CHARITABLE PURPOSES, OR A COMBINATION THEREOF, AND NO
13 PART OF THE NET INCOME OF WHICH INURES TO THE BENEFIT OF ANY
14 PRIVATE INDIVIDUAL PURSUANT TO SECTION 34(H)(2)(c)(1) OF
15 REPUBLIC ACT NO. 8424, AS AMENDED, OTHERWISE KNOWN AS THE
16 ‘TAX REFORM ACT OF 1997’;
17

18 “(II) ‘OFF-CITY RESETTLEMENT’ REFERS TO A RELOCATION
19 SITE DEVELOPED OUTSIDE AND NOT ADJACENT TO THE LOCAL
20 GOVERNMENT UNIT WHERE THE AFFECTED ISFs HAVE THEIR
21 SETTLEMENT;
22

23 “(JJ) ‘PEOPLE’S PLAN’ REFERS TO THE PLAN FORMULATED BY
24 THE BENEFICIARY-ASSOCIATION IN COORDINATION WITH THE
25 IMPLEMENTING LOCAL GOVERNMENT UNIT WHICH SHALL CONTAIN A
26 SITE DEVELOPMENT PLAN THAT CONFORMS TO THE CLUP OF THE
27 LOCAL GOVERNMENT UNIT UNDER WHOSE JURISDICTION THE
28 PROJECT SITE IS PROPOSED TO BE LOCATED, INCLUDING:
29 COMMUNITY HEALTH, SANITATION, AND SECURITY PLANS;
30 NON-PHYSICAL DEVELOPMENT COMPONENTS SUCH AS SELF-HELP
31 HOUSING COOPERATIVE, LIVELIHOOD, SELF-HELP DEVELOPMENT,
32 CAPABILITY BUILDING; AND A SYSTEM OF ALLOCATION OF
33 SOCIALIZED HOUSING UNITS THAT SHALL PROMOTE AND PROTECT
34 THE WELFARE OF THE ELDERLY, PERSONS WITH DISABILITY, AND
35 CHILDREN AS DEFINED IN SECTION 3(F) OF REPUBLIC ACT NO. 11201;
36

37 “(KK) ‘RECEIVING LOCAL GOVERNMENT UNIT’ REFERS TO THE
38 CITY OR MUNICIPALITY, OTHER THAN THE IMPLEMENTING LOCAL
39 GOVERNMENT UNIT, THAT HAS JURISDICTION OVER THE AREA
40 WHERE THE QUALIFIED ISFs ARE RELOCATING OR RESETTLING;
41

42 “(LL) ‘RESETTLEMENT ACTION PLAN OR RAP’ REFERS TO THE
43 PLAN PREPARED BY THE IMPLEMENTING LOCAL GOVERNMENT UNIT
44 OR THE PROJECT PROPONENT AGENCY, IN CONSULTATION WITH THE
45 AFFECTED ISFs WHICH SHALL, IN THE CASE OF NEAR-CITY OR OFF-
46 CITY RELOCATION, BE CONCURRED WITH BY THE RECEIVING LOCAL
47 GOVERNMENT UNIT, AND IN ALL CASES SHALL:
48

49 “(1) SPECIFY DETAILS ON THE IMPLEMENTATION OF
50 RELOCATION;

1 “(2) INCLUDE OR PRIORITIZE AS FIRST RECOURSE, TO THE
2 EXTENT FEASIBLE, AND IN DESCENDING ORDER, ON-SITE, IN-CITY,
3 NEAR-CITY, AND OFF-CITY OPTIONS; AND
4

5 “(3) INCLUDE THE BASIC SERVICES AND FACILITIES RELATIVE
6 TO THE HEALTH, EDUCATION, COMMUNICATION, SECURITY,
7 RECREATION, RELIEF AND WELFARE, LIVELIHOOD, AND
8 TRANSPORTATION NEEDS OF THE RELOCATEES; AND
9

10 “(MM) ‘SOCIAL PREPARATION’ REFERS TO THE PROCESS OF
11 ESTABLISHING SOCIAL, ORGANIZATIONAL, AND INSTITUTIONAL
12 NORMS AND MECHANISMS THAT SHALL:
13

14 “(1) ENABLE THE BENEFICIARIES TO COPE WITH CHANGES; AND
15

16 “(2) IN PARTNERSHIP WITH CONCERNED INSTITUTIONS AND
17 STAKEHOLDERS, ENCOURAGE THEM NOT ONLY TO WORK AMONG
18 THEMSELVES FOR THE PURPOSE OF DRAWING UP AND
19 UNDERTAKING THEIR HOUSING PROJECT PROPOSALS, BUT ALSO TO
20 ACTIVELY AND MEANINGFULLY PARTICIPATE IN HOUSING PROJECTS
21 UNDERTAKEN IN THEIR BEHALF, RESOLVING PROBLEMS AMONG
22 COMMUNITY MEMBERS AND COORDINATION ISSUES WITH
23 GOVERNMENT AND OTHER ENTITIES.”
24

25 (b) Section 22 is hereby amended to read, as follows:
26

27 “SEC. 22. *Livelihood Component.* – To the extent feasible, socialized
28 housing and resettlement projects shall be located near areas where
29 employment opportunities are accessible. The government agencies dealing
30 with the **PROVISION OF SKILLS AND LIVELIHOOD TRAINING**, development
31 of livelihood programs, and grant of livelihood loans, **NAMELY: THE**
32 **DEPARTMENT OF LABOR AND EMPLOYMENT, THE DEPARTMENT OF**
33 **SOCIAL WELFARE AND DEVELOPMENT, THE DEPARTMENT OF**
34 **SCIENCE AND TECHNOLOGY, THE TECHNICAL EDUCATION**
35 **AND SKILLS DEVELOPMENT AUTHORITY, AND THE**
36 **PHILIPPINE TRADE AND TRAINING CENTER** shall give priority to the
37 beneficiaries of the Program.”
38

39 (c) Section 23 is hereby amended to read, as follows:
40

41 “SEC. 23. *Participation of PROGRAM Beneficiaries OR AFFECTED*
42 **ISFs FORMATION OF BENEFICIARY-ASSOCIATION, MAINSTREAMING**
43 **SOCIAL PREPARATION, AND FORMULATION AND IMPLEMENTATION**
44 **OF A PEOPLE’S PLAN.** – The local government units, in coordination with
45 the Presidential Commission for the Urban Poor and concerned
46 government agencies, shall afford Program beneficiaries **OR AFFECTED**
47 **ISFs** or their duly designated representatives an opportunity to be heard and
48 to participate in the decision-making process over matters involving the
49 protection and promotion of their legitimate collective interests which shall

1 include appropriate documentation and feedback mechanisms. They shall
2 also be encouraged to organize themselves ~~[and undertake self-help~~
3 ~~cooperative housing and other livelihood activities]~~ **INTO AN ASSOCIATION**
4 **FOR ACCREDITATION AS BENEFICIARIES OR AWARDEES OF**
5 **OWNERSHIP RIGHTS UNDER THE RESETTLEMENT PROGRAM,**
6 **COMMUNITY MORTGAGE PROGRAM, LAND TENURE ASSISTANCE**
7 **PROGRAM, AND OTHER SIMILAR PROGRAMS IN RELATION TO A**
8 **SOCIALIZED HOUSING PROJECT ACTUALLY BEING IMPLEMENTED BY**
9 **THE NATIONAL GOVERNMENT OR BY THE LOCAL GOVERNMENT**
10 **UNITS.** They shall assist the government in preventing the incursions of
11 professional squatters and members of squatting syndicates into their
12 communities.
13

14 "In instances when the affected beneficiaries **OR ISFs** have failed to
15 organize themselves or form an ~~[alliance]~~ **ASSOCIATION** within a reasonable
16 period prior to the implementation of the program or projects affecting them,
17 consultation between the implementing **LOCAL GOVERNMENT UNIT OR**
18 agency and the affected ~~[beneficiaries]~~ **ISFs** shall be conducted with the
19 assistance of the Presidential Commission for the Urban Poor and the
20 concerned ~~[nongovernment organization]~~ **CSOs UNTIL AN ASSOCIATION IS**
21 **FORMED.**
22

23 **"THE ASSOCIATION, IN CONSULTATION WITH THE**
24 **PRESIDENTIAL COMMISSION FOR THE URBAN POOR AND IN**
25 **COORDINATION WITH THE IMPLEMENTING LOCAL GOVERNMENT**
26 **UNIT SHALL, WITH OR WITHOUT THE SUPPORT OF CSOs,**
27 **FORMULATE A 'PEOPLE'S PLAN' WITHIN A REASONABLE PERIOD OF**
28 **SIX MONTHS TO ONE YEAR.**
29

30 **"THE ASSOCIATION, WITH THE ASSISTANCE OF CSOs AND**
31 **CONCERNED GOVERNMENT AGENCIES, INCLUDING THE**
32 **NATIONAL ANTI-POVERTY COMMISSION, PRESIDENTIAL COMMISSION**
33 **FOR THE URBAN POOR, NATIONAL HOUSING AUTHORITY, CITY OR**
34 **MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE, SOCIAL**
35 **HOUSING FINANCE CORPORATION, AND LOCAL GOVERNMENT UNITS**
36 **SHALL AGREE ON, DEVELOP, AND IMPLEMENT THE PEOPLE'S PLAN.**
37

38 **"IN ACCORDANCE WITH THE PROTECTION GUIDELINES**
39 **PROVIDED UNDER SECTION 28 OF THIS ACT, A RAP SHALL BE AN**
40 **INDISPENSABLE COMPONENT OF THE PEOPLE'S PLAN. THE RAP**
41 **SHALL ENUNCIATE THE FOLLOWING:**
42

43 **"(A) A SAFE, AFFORDABLE, DECENT, AND HUMANE CONDITION**
44 **OF RELOCATION, INCORPORATING THEREIN APPROPRIATE**
45 **DISASTER RISK REDUCTION MANAGEMENT AND CLIMATE CHANGE**
46 **ADAPTATION STANDARDS;**
47

48 **"(B) PROVISION OF ADEQUATE SOCIAL PREPARATION; AND**

1 “(C) PREVENTION OF FORCED EVICTION: PROVIDED, THAT
2 PRIMARY CONSIDERATION SHALL BE GIVEN TO THE HOUSING
3 FINANCIAL SCHEME SUGGESTED IN THE PEOPLE’S PLAN.”
4

5 (d) Section 26 is hereby amended to read, as follows:
6

7 “SEC. 26. *Urban Renewal and Resettlement.* – [This] URBAN
8 RENEWAL AND RESETTLEMENT shall include the rehabilitation and
9 development of blighted and slum areas and the resettlement of Program
10 beneficiaries OR AFFECTED ISFs in accordance with the provisions of this
11 Act. On-site development shall be implemented ~~[whenever possible]~~ AFTER
12 THE CONDUCT OF ADEQUATE AND GENUINE CONSULTATION
13 WITH THE AFFECTED ISFs, AND IN ACCORDANCE WITH THE
14 PEOPLE’S PLAN FORMULATED PURSUANT TO SECTION 23 OF
15 THIS ACT, in order to ensure minimum movement of occupants of blighted
16 lands and slum areas.
17

18 “[The] WHERE DEMOLITION OR EVICTION IS ALLOWED IN THE
19 AREA OCCUPIED BY THE PROGRAM BENEFICIARIES OR AFFECTED
20 ISFs AND ON-SITE RESETTLEMENT CANNOT BE UNDERTAKEN BY
21 REASON THEREOF, THE IN-CITY resettlement of the beneficiaries of the
22 Program OR OF AFFECTED ISFs from their existing places of occupancy shall
23 be undertaken only ~~[when on-site development is not feasible and]~~ after
24 compliance with the procedures ~~[laid down in]~~ PURSUANT TO Section 28 of
25 this Act AND IN ACCORDANCE WITH THE PREFERENCE OF THE
26 AFFECTED ISFs AS CONTAINED IN THE PEOPLE’S PLAN.
27

28 “SHOULD IN-CITY RESETTLEMENT NOT BE FEASIBLE, NEAR-
29 CITY RESETTLEMENT SHALL BE CONSIDERED. OFF-CITY
30 RESETTLEMENT SHALL ONLY BE RESORTED TO WHEN DIRECTLY
31 REQUESTED BY THE AFFECTED ISFs THEMSELVES, AND MUST
32 SATISFY THE REQUIREMENTS OF ADEQUATE AND RESPONSIVE
33 CONSULTATION PRIOR TO RELOCATION.”; and
34

35 (e) Section 28 is hereby amended to read, as follows:
36

37 “SEC. 28. *Eviction and Demolition.* – Eviction or demolition as a practice
38 shall be discouraged. Eviction or demolition, however, may be allowed under
39 the following situations:

- 40 (a) ~~[When persons or entities occupy danger areas such as esteros, railroad~~
41 ~~tracks, garbage dumps, riverbanks, shorelines, waterways, and other~~
42 ~~public places such as sidewalks, roads, parks, and playgrounds;]~~ WHEN
43 ISFs OCCUPY A DANGER AREA, SUCH AS ESTEROS, RAILROAD
44 TRACKS, GARBAGE DUMPS, RIVERBANKS, SHORELINES,
45 WATERWAYS, AND OTHER PUBLIC PLACES SUCH AS
46 SIDEWALKS, ROADS, PARKS, AND PLAYGROUNDS, OR A HIGH
47 RISK AREA WHICH POSES A HIGH LEVEL OF THREAT TO PUBLIC
48 WELFARE AND SAFETY THAT CANNOT BE ADDRESSED
49 THROUGH OR REMEDIED BY SCIENTIFIC, PHYSICAL AND
50 ENGINEERING METHODS AND, THEREBY, IS UNSUITABLE FOR

1 SETTLEMENT AND PERMANENT STRUCTURES: PROVIDED, THAT
2 AN AREA CAN ONLY BE DECLARED AS A DANGER AREA OR
3 HIGH RISK AREA THROUGH AN APPROPRIATE TECHNICAL
4 STUDY, ADEQUATE AND GENUINE PUBLIC CONSULTATION WITH
5 THE AFFECTED PERSONS OR ENTITIES, AND CERTIFICATION BY
6 THE APPROPRIATE GOVERNMENT AGENCY. IT SHALL BE THE
7 DUTY OF THE PROVINCE AND THE CITY OR MUNICIPALITY,
8 AFTER ONE HUNDRED TWENTY (120) DAYS FROM THE
9 EFFECTIVITY OF THIS ACT, TO CONDUCT THE TECHNICAL
10 STUDIES AND PUBLIC CONSULTATIONS NECESSARY TO
11 IDENTIFY ALL DANGER AND HIGH RISK AREAS WITHIN THEIR
12 RESPECTIVE JURISDICTIONS;
13

14 (b) ~~[When government infrastructure projects with available funding are~~
15 ~~about to be implemented; or]~~ WHEN GOVERNMENT
16 INFRASTRUCTURE PROJECTS WITH AVAILABLE FUNDING ARE
17 ABOUT TO BE IMPLEMENTED: PROVIDED, THAT EVICTIONS OR
18 DISPLACEMENTS OF POPULATION DUE TO ANY DEVELOPMENT
19 PROJECT OR BUSINESS VENTURE INVOLVING THE
20 GOVERNMENT SHOULD BE AVOIDED OR MINIMIZED: PROVIDED,
21 FURTHER, THAT IF EVICTION IS UNAVOIDABLE UNDER THE
22 CIRCUMSTANCES, THE GOVERNMENT SHALL CONDUCT A
23 COMPREHENSIVE AND HOLISTIC IMPACT ASSESSMENT,
24 BEFORE THE PROJECT IS IMPLEMENTED, TO DETERMINE
25 WHETHER THE PROJECT WILL SERVE THE PUBLIC INTEREST
26 AND TO EXPLORE ALTERNATIVES AND STRATEGIES TO
27 MINIMIZE HARM AND FURTHER VIOLATION OF HUMAN RIGHTS
28 OF THE AFFECTED COMMUNITIES, PARTICULARLY CHILDREN,
29 WOMEN AND OTHER MARGINALIZED GROUPS: PROVIDED,
30 FINALLY, THAT THE AGENCY WHICH SEEKS TO IMPLEMENT THE
31 EVICTION OR DEMOLITION SHALL ESTABLISH THE BUDGET
32 PERTAINING TO IT UPON ITS APPLICATION TO THE
33 PRESIDENTIAL COMMISSION FOR THE URBAN POOR FOR AN
34 EVICTION OR DEMOLITION CERTIFICATE OF COMPLIANCE; OR
35

36 (c) ~~[When there is a court order for eviction and demolition.]~~ WHEN THERE
37 IS A COURT ORDER FOR EVICTION AND DEMOLITION: PROVIDED,
38 HOWEVER, THAT NO EXECUTION OF EVICTION OR DEMOLITION
39 ORDER SHALL PROCEED AND BE CARRIED OUT DURING THE
40 PENDENCY OF AN APPEAL, NOTWITHSTANDING THE FAILURE
41 TO FILE A SUPERSEDEAS BOND TO STAY THE EXECUTION OF
42 THE ORDER IF THE APPELLANT IS AN UNDERPRIVILEGED AND
43 HOMELESS CITIZEN.
44

45 ~~In the execution of eviction or demolition orders involving underprivileged and~~
46 ~~homeless citizens, the following shall be mandatory:~~

47 (1) ~~Notice upon the affected persons or entities at least thirty (30) days prior to~~
48 ~~the date of eviction or demolition;~~

1 ~~(2) Adequate consultations on the matter of resettlement with the duly~~
2 ~~designated representatives of the families to be resettled and the affected~~
3 ~~communities in the areas where they are to be relocated;~~

4 ~~(3) Presence of local government officials or their representatives during~~
5 ~~eviction or demolition;~~

6 ~~(4) Proper identification of all persons taking part in the demolition;~~

7 ~~(5) Execution of eviction or demolition only during regular office hours from~~
8 ~~Mondays to Fridays and during good weather, unless the affected families consent~~
9 ~~otherwise;~~

10 ~~(6) No use of heavy equipment for demolition except for structures that are~~
11 ~~permanent and of concrete materials;~~

12 ~~(7) Proper uniforms for members of the Philippine National Police who shall~~
13 ~~occupy the first line of law enforcement and observe proper disturbance control~~
14 ~~procedures; and~~

15 ~~(8) Adequate relocation, whether temporary or permanent. Provided, however,~~
16 ~~That in cases of eviction and demolition pursuant to a court order involving~~
17 ~~underprivileged and homeless citizens, relocation shall be undertaken by the local~~
18 ~~government unit concerned and the National Housing Authority with the assistance of~~
19 ~~other government agencies within forty-five (45) days from service of notice of final~~
20 ~~judgment by the court, after which period the said order shall be executed. Provided,~~
21 ~~further, That should relocation not be possible within the said period, financial~~
22 ~~assistance in the amount equivalent to the prevailing minimum daily wage multiplied~~
23 ~~by sixty (60) days shall be extended to the affected families by the local government~~
24 ~~unit concerned.~~

25
26 **NO EVICTION OR DEMOLITION INVOLVING ISFs SHALL BE EXECUTED**
27 **WITHOUT FULL COMPLIANCE WITH THE FOLLOWING MANDATORY**
28 **REQUIREMENTS TO UPHOLD HUMAN DIGNITY AND PREVENT ANY VIOLATION**
29 **OF HUMAN RIGHTS:**

30 **A. BEFORE EVICTION OR DEMOLITION**

31 **I. CONDUCT OF SOCIAL PREPARATION ACTIVITIES RELATED TO**
32 **ASSET REFORM, HUMAN DEVELOPMENT AND BASIC SERVICES,**
33 **EMPLOYMENT AND LIVELIHOOD, AND OTHER PROGRAMS OF**
34 **THE GOVERNMENT FOR BOTH THE AFFECTED**
35 **UNDERPRIVILEGED AND HOMELESS CITIZENS AND THE**
36 **AFFECTED FAMILIES OF THE PLACE WHERE THE FORMER WILL**
37 **BE RELOCATED. PROVIDED, THAT, SEPARATE SOCIAL**
38 **PREPARATION ACTIVITIES FOR CHILDREN OF BOTH**
39 **COMMUNITIES ON MATTERS RELATING TO THE PROMOTION**
40 **AND PROTECTION OF THEIR RIGHT TO DEVELOPMENT,**
41 **SURVIVAL, PROTECTION AND PARTICIPATION SHALL BE**
42 **CONDUCTED;**

43
44 **II. NOTICE UPON THE AFFECTED PERSONS OR ENTITIES AT LEAST**
45 **THIRTY (30) DAYS PRIOR TO THE DATE OF EVICTION OR**
46 **DEMOLITION;**

47
48 **III. ADEQUATE AND GENUINE CONSULTATIONS ON THE MATTER OF**
49 **RESETTLEMENT WITH THE DULY DESIGNATED**
50 **REPRESENTATIVES OF THE FAMILIES TO BE RESETTLED AND**

1 THE AFFECTED COMMUNITIES IN THE AREAS WHERE THEY ARE
2 TO BE RELOCATED: PROVIDED, THAT A CONSULTATION IN THE
3 FORM OF AN INTER-AGENCY PRE-EVICTION OR PRE-
4 DEMOLITION CONFERENCE WITH THE AFFECTED
5 UNDERPRIVILEGED AND HOMELESS CITIZENS SHALL BE
6 CONVENED BY THE NATIONAL GOVERNMENT AGENCY OR
7 LOCAL GOVERNMENT UNIT AUTHORIZED TO EVICT OR
8 DEMOLISH AND THE SAME SHALL BE COMPLIED WITH UNDER
9 THE FOLLOWING CONDITIONS:

- 10
11 i. THE LOCAL PHILIPPINE NATIONAL POLICE PERSONNEL,
12 WHOSE FUNCTION IS TO PROVIDE LAW ENFORCEMENT
13 AND CIVIL DISTURBANCE CONTROL BUT NOT TO
14 PARTICIPATE IN THE PHYSICAL DISMANTLING OF ANY
15 STRUCTURE, SHALL ACTIVELY PARTICIPATE IN THE
16 CONSULTATION PROCESS AND THEIR ROLE SHALL BE
17 CLEARLY SET FORTH;
18
19 ii. THE FOLLOWING AGENCIES SHALL BE REPRESENTED
20 DURING THE INTER-AGENCY PRE-EVICTION OR PRE-
21 DEMOLITION CONFERENCE WITH THE AFFECTED
22 UNDERPRIVILEGED AND HOMELESS CITIZENS:
23 a. DEPARTMENT OF THE INTERIOR AND LOCAL
24 GOVERNMENT (DILG);
25 b. DEPARTMENT OF SOCIAL WELFARE AND
26 DEVELOPMENT (DSWD);
27 c. DEPARTMENT OF EDUCATION (DEPED);
28 d. DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
29 (DPWH);
30 e. DEPARTMENT OF HUMAN SETTLEMENTS AND
31 URBAN DEVELOPMENT (DHSUD);
32 f. NATIONAL HOUSING AUTHORITY (NHA);
33 g. DEPARTMENT OF HEALTH (DOH);
34 h. PRESIDENTIAL COMMISSION FOR THE URBAN POOR
35 (PCUP);
36 i. COMMISSION ON HUMAN RIGHTS (CHR);
37 j. PHILIPPINE COMMISSION ON WOMEN (PCW);
38 k. COUNCIL FOR THE WELFARE OF CHILDREN (CWC);
39 l. APPROPRIATE KEY SHELTER AGENCIES;
40 m. REPRESENTATIVES FROM NON-GOVERNMENT
41 ORGANIZATIONS AND/OR PEOPLE'S
42 ORGANIZATIONS WORKING FOR THE INTEREST OF
43 THE INFORMAL SETTLER FAMILIES; AND
44 n. THE CONCERNED LOCAL GOVERNMENT UNITS.

45
46 IF THE CONFERENCE IS CONVENED BY THE LOCAL
47 GOVERNMENT, THE PCW AND CWC SHALL BE REPLACED BY
48 THE LOCAL GAD FOCAL POINT SYSTEM AND THE LOCAL
49 COUNCIL FOR THE PROTECTION OF CHILDREN

1 REPRESENTATIVES, RESPECTIVELY, OF THE CONCERNED
2 LGUS.

3
4 iii. THE INTER-AGENCY PRE-EVICTION OR PRE-DEMOLITION
5 CONFERENCE WITH THE AFFECTED UNDERPRIVILEGED
6 AND HOMELESS CITIZENS SHALL BE PRESIDED BY THE
7 PRESIDENTIAL COMMISSION FOR THE URBAN POOR,
8 WHICH MAY CALL ON THE ASSISTANCE OF OTHER
9 AGENCIES WHENEVER NECESSARY;

10
11 iv. A PLAN FOR EVICTION OR DEMOLITION SHALL BE
12 FORMULATED DURING THE INTER-AGENCY PRE-EVICTION
13 OR PRE-DEMOLITION CONFERENCE, SETTING FORTH
14 THEREIN CLEAR PROCEDURES THAT WILL BE
15 IMPLEMENTED DURING THE EVICTION OR DEMOLITION TO
16 PREVENT ANY HUMAN RIGHTS VIOLATION;

17
18 v. THE DETAILS OF THE INTER-AGENCY PRE-EVICTION OR
19 PRE-DEMOLITION CONFERENCE WITH THE AFFECTED
20 UNDERPRIVILEGED AND HOMELESS CITIZENS SHALL BE
21 DOCUMENTED OR RECORDED, AND A SUMMARY OF THE
22 POINTS OF THE AGREEMENTS ARRIVED AT AS WELL AS
23 THE DISAGREEMENTS SHALL BE CONSIDERED AND
24 GIVEN WEIGHT BY THE INTER-AGENCY BODY IN COMING
25 UP WITH A DECISION ON MATTERS RELATING TO THE
26 CONDUCT OF EVICTION OR DEMOLITION: *PROVIDED*,
27 THAT COPIES OF THE DOCUMENTATION AND SUMMARY
28 SHALL BE PROVIDED TO ALL THE STAKEHOLDERS
29 PRESENT THREE (3) DAYS AFTER THE PRE-EVICTION OR
30 PRE-DEMOLITION CONFERENCE;

31
32 vi. THE INTER-AGENCY PRE-EVICTION OR PRE-DEMOLITION
33 CONFERENCE WITH THE AFFECTED UNDERPRIVILEGED
34 AND HOMELESS CITIZENS SHALL BE CONDUCTED AFTER
35 SEVEN (7) DAYS FROM SERVICE OF NOTICE OF EVICTION
36 OR DEMOLITION UPON THE AFFECTED PERSONS AND
37 ENTITIES; AND

38
39 vii. ANY REQUEST FOR POLICE ASSISTANCE SHALL BE
40 ACCOMPANIED BY A CERTIFICATION FROM THE
41 PRESIDENTIAL COMMISSION FOR THE URBAN POOR THAT
42 AN INTER-AGENCY PRE-EVICTION OR PRE-DEMOLITION
43 CONFERENCE WITH THE AFFECTED UNDERPRIVILEGED
44 AND HOMELESS CITIZENS WAS CONDUCTED; AND

45
46 IV. SUBMISSION TO THE BARANGAY OFFICIALS, BEFORE ANY
47 EVICTION OR DEMOLITION, OF THE FOLLOWING:

48 i. CERTIFICATE OF COMPLIANCE SECURED FROM THE
49 PRESIDENTIAL COMMISSION FOR THE URBAN POOR;

- 1 ii. NAMES OF ALL PERSONNEL, STAFF, AND CREW TAKING
- 2 PART IN THE EVICTION OR DEMOLITION ACTIVITY,
- 3 INCLUDING PRIVATE SECURITY, AND THE NAMES OF THE
- 4 PHILIPPINE NATIONAL POLICE PERSONNEL ASSIGNED TO
- 5 MAINTAIN LAW AND ORDER;
- 6 iii. NOTICE OF THE DATE OF DEMOLITION WHICH SHALL BE
- 7 AT LEAST FIVE (5) CALENDAR DAYS FROM SUCH NOTICE;
- 8 AND
- 9 iv. LIST OF OFFICERS OF THE AGENCIES FORMING PART OF
- 10 THE INTER-AGENCY BODY CONVENED TO EXTEND
- 11 SUPPORT AND ASSISTANCE.
- 12

13 **B. DURING EVICTION AND DEMOLITION.**

- 14 I. READING OF THE PLAN OF EVICTION OR DEMOLITION AGREED
- 15 UPON DURING THE INTER-AGENCY PRE-EVICTION OR PRE-
- 16 DEMOLITION CONFERENCE;
- 17 II. PRESENCE OF LOCAL GOVERNMENT OFFICIALS OR THEIR
- 18 REPRESENTATIVES DURING EVICTION OR DEMOLITION;
- 19 III. PROPER IDENTIFICATION OF ALL PERSONS TAKING PART IN
- 20 THE DEMOLITION;
- 21 IV. EXECUTION OF EVICTION OR DEMOLITION ONLY DURING
- 22 REGULAR OFFICE HOURS FROM MONDAYS TO FRIDAYS AND
- 23 DURING GOOD WEATHER, UNLESS THE AFFECTED FAMILIES
- 24 CONSENT OTHERWISE;
- 25 V. NO USE OF HEAVY EQUIPMENT FOR DEMOLITION EXCEPT FOR
- 26 STRUCTURES THAT ARE PERMANENT AND MADE OF CONCRETE
- 27 MATERIALS;
- 28 VI. PROPER UNIFORMS FOR MEMBERS OF THE PHILIPPINE
- 29 NATIONAL POLICE WHO SHALL OCCUPY THE FIRST LINE OF
- 30 LAW ENFORCEMENT AND OBSERVE PROPER DISTURBANCE
- 31 CONTROL PROCEDURES: PROVIDED, THAT THE PNP, IN
- 32 COORDINATION WITH THE DSWD, SHALL ENSURE THE SAFETY
- 33 AND SECURITY OF THE AFFECTED CHILDREN, PREGNANT AND
- 34 LACTATING MOTHERS, SENIOR CITIZENS, PERSONS WITH
- 35 DISABILITIES AND OTHER GROUPS OR MARGINALIZED
- 36 SECTORS IN THE AREAS OF EVICTION OR DEMOLITION;
- 37 VII. OBSERVANCE OF A MINIMUM STANDARD OF CONDUCT BASED
- 38 ON RULES OF ENGAGEMENT THAT APPLY MAXIMUM
- 39 TOLERANCE IN ORDER TO PREVENT THE OUTBREAK OF
- 40 VIOLENCE OR THE ESCALATION THEREOF: PROVIDED, THAT
- 41 ANY LEGAL USE OF FORCE MUST RESPECT THE PRINCIPLES OF
- 42 NECESSITY AND PROPORTIONALITY: PROVIDED, FURTHER,
- 43 THAT THE CHILD PROTECTION POLICY IN THE CONDUCT OF
- 44 EVICTION OR DEMOLITION SHALL BE IMPLEMENTED;
- 45 VIII. MEASURES TO PROTECT THE EVICTEES FROM THREATS OR
- 46 HARASSMENT FROM THE GOVERNMENT OR PRIVATE PERSONS
- 47 OR ENTITIES, INCLUDING GENDER-BASED VIOLENCE:
- 48 PROVIDED, THAT LEGAL ASSISTANCE TO ANY COMPLAINING
- 49 PARTY SHALL BE AVAILABLE; AND

1 IX. TRANSPARENCY IN ALL STAGES OF THE EVICTION OR
2 DEMOLITION PROCESS, ALLOWING THE MEDIA TO COVER THE
3 WHOLE EVENT.
4

5 C. AFTER EVICTION OR DEMOLITION

- 6 I. ADEQUATE HOUSING AND RELOCATION, WHETHER
7 TEMPORARY OR PERMANENT: PROVIDED, THAT IN CASES OF
8 EVICTION AND DEMOLITION PURSUANT TO A COURT ORDER
9 INVOLVING UNDERPRIVILEGED AND HOMELESS CITIZENS,
10 RELOCATION SHALL BE UNDERTAKEN BY THE LOCAL
11 GOVERNMENT UNIT CONCERNED AND THE NATIONAL HOUSING
12 AUTHORITY WITH THE ASSISTANCE OF OTHER GOVERNMENT
13 AGENCIES WITHIN FORTY-FIVE (45) DAYS FROM THE SERVICE
14 OF NOTICE OF FINAL JUDGMENT BY THE COURT, AFTER WHICH
15 PERIOD THE SAID ORDER SHALL BE EXECUTED: PROVIDED,
16 HOWEVER, THAT SHOULD RELOCATION NOT BE POSSIBLE
17 WITHIN THE SAID PERIOD, FINANCIAL ASSISTANCE IN THE
18 AMOUNT EQUIVALENT TO THE PREVAILING AND APPLICABLE
19 MINIMUM DAILY WAGE FOR NON-AGRICULTURAL WORKERS,
20 MULTIPLIED BY SIXTY (60) DAYS, SHALL BE EXTENDED TO THE
21 AFFECTED FAMILIES BY THE LOCAL GOVERNMENT UNIT
22 CONCERNED: PROVIDED, FURTHER, THAT THE FINANCIAL
23 ASSISTANCE SHALL NOT REPLACE THE REQUIREMENT OF
24 ADEQUATE RELOCATION; AND
25 II. IMMEDIATELY AFTER THE EVICTION, ALL RELIEF MEASURES,
26 MEDICAL FACILITIES, PSYCHOSOCIAL SERVICES,
27 DOCUMENTATION OF EVICTEES TO PREVENT DISPLACEMENT
28 OR FAMILY SEPARATION AND SIMILAR ASSISTANCE SHALL BE
29 PUT IN PLACE BY THE LOCAL GOVERNMENT UNITS CONCERNED
30 IN PARTNERSHIP WITH RELEVANT GOVERNMENT AGENCIES.”
31

32 (f) Section 29 is hereby amended to read, as follows:
33

34 “SEC. 29. Resettlement. – THE IMPLEMENTING LOCAL GOVERNMENT
35 UNITS, JOINTLY WITH THE DEPARTMENT OF HUMAN SETTLEMENTS AND
36 URBAN DEVELOPMENT AND THE APPROPRIATE KEY SHELTER
37 AGENCIES, SHALL BE CHARGED WITH THE PRIMARY RESPONSIBILITY OF:
38

39 “(1) IMPLEMENTING THE RESETTLEMENT OF AFFECTED ISFs IN
40 THEIR RESPECTIVE LOCALITIES [~~Within two (2) years from the effectivity of~~
41 ~~this Act, the local government units, in coordination with the National Housing~~
42 ~~Authority shall implement]~~ AND the relocation and resettlement of [~~persons]~~
43 ISFs living in danger areas such as esteros, railroad tracks, garbage dumps,
44 riverbanks, shorelines, waterways, and in other public places such as
45 sidewalks, roads, parks, and playgrounds]. ~~The local government unit, in~~
46 ~~coordination with the National Housing Authority, shall provide]; AND~~
47

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

1 THE LOCAL GOVERNMENT UNIT MAY PURCHASE LANDS OUTSIDE ITS
2 JURISDICTION TAKING INTO CONSIDERATION ITS FEASIBILITY,
3 VIABILITY, BUDGETARY CONCERNS, ZONING ORDINANCES, AND
4 OTHER RELEVANT LAWS.

5
6 "WHERE THE LAND OCCUPIED BY THE ISFs IS PRIVATELY-
7 OWNED, THE LOCAL GOVERNMENT UNIT SHALL, IN
8 COORDINATION WITH THE APPROPRIATE KEY SHELTER AGENCIES,
9 NEGOTIATE WITH THE OWNER FOR THE PURCHASE OF THE OCCUPIED
10 PROPERTY. SHOULD THE NEGOTIATION FAIL, THE LOCAL
11 GOVERNMENT UNIT MAY RESORT TO EXPROPRIATION: *PROVIDED*,
12 THAT ITS EXERCISE SHOULD BE IN ACCORDANCE WITH
13 EXPROPRIATION LAWS, RULES, REGULATIONS, AND PROCEDURES
14 AND IN CONFORMITY TO EXISTING PROGRAMS, AND POLICIES OF THE
15 NATIONAL GOVERNMENT AND LOCAL GOVERNMENT
16 UNITS TAKING INTO CONSIDERATION ITS FEASIBILITY,
17 VIABILITY, BUDGETARY CONCERNS, ZONING ORDINANCES, AND
18 OTHER RELEVANT LAWS.

19
20 "IN INSTANCES WHEN THE RELOCATION OR RESETTLEMENT
21 SITE IS LOCATED IN ANOTHER LOCAL GOVERNMENT UNIT, THE
22 IMPLEMENTING LOCAL GOVERNMENT UNIT AND THE CONCERNED
23 NATIONAL GOVERNMENT AGENCIES SHALL, THROUGH A
24 MEMORANDUM OF AGREEMENT, PROVIDE THE RECEIVING
25 LOCAL GOVERNMENT UNIT WHERE THE RELOCATION OR
26 RESETTLEMENT SITE IS LOCATED THE OTHER BASIC SERVICES AND
27 FACILITIES ENUMERATED UNDER SECTION 21 OF THIS ACT,
28 INCLUDING A LIVELIHOOD COMPONENT FOR THE BENEFICIARIES
29 BEING RELOCATED.

30
31 "THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN
32 DEVELOPMENT AND THE DEPARTMENT OF FINANCE – BUREAU OF
33 LOCAL GOVERNMENT FINANCE SHALL FORMULATE THE
34 IMPLEMENTING RULES AND REGULATIONS ON THE COST-SHARING
35 MECHANISM NECESSARY TO FULLY IMPLEMENT THE PROVISION OF
36 SUCH OTHER BASIC SERVICES AND FACILITIES.

37
38 "IN ADDITION TO THE FUNDING SOURCES PROVIDED UNDER
39 SECTION 42 OF THIS ACT, THE ALLOCATION FOR THE BASIC SERVICES
40 AND FACILITIES MAY BE SOURCED BY THE LOCAL GOVERNMENT
41 UNIT IMPLEMENTING THE RELOCATION OR RESETTLEMENT FROM THE
42 TWENTY PERCENT (20%) OF THE INTERNAL REVENUE ALLOTMENT
43 APPROPRIATED FOR DEVELOPMENT PROJECTS AS MANDATED
44 UNDER SECTION 287 OF REPUBLIC ACT NO. 7160, OTHERWISE
45 KNOWN AS THE 'LOCAL GOVERNMENT CODE OF 1991'."

46
47 *SEC. 2. Implementing Rules and Regulations.* – The Department of Human
48 Settlements and Urban Development and the Department of the Interior and Local
49 Government, in consultation with appropriate government agencies, CSOs, NGOs,
50 representatives from the private sector, and ISFs, shall promulgate a new set of

1 implementing rules and regulations (IRR) within sixty (60) days from the effectivity of
2 this Act. The IRR shall include the following:

3
4 (a) A template of a People's Plan that shall set the minimum standards and
5 guide ISFs in the preparation of their own People's Plan; and

6
7 (b) A guide to the effective implementation of the People's Plan, including
8 details on the necessity of the issuance of internal memoranda by concerned
9 agencies.

10
11 SEC. 3. *Separability Clause.* – If, for any reason, any part, section or provision
12 of this Act is held invalid or unconstitutional, the remaining provisions not affected
13 thereby shall continue to be in full force and effect.

14
15 SEC. 4. *Repealing Clause.* – All laws, decrees, executive orders,
16 proclamations, rules and regulations, and other issuances, or parts thereof which are
17 inconsistent with the provisions of this Act are hereby repealed, amended or modified
18 accordingly.

19
20 SEC. 5. *Effectivity.* – This Act shall take effect fifteen (15) days after its
21 publication in the Official Gazette or in a newspaper of general circulation.

Approved,