



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



TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 3902

Introduced by **Representative EDUARDO R. RAMA JR.**

EXPLANATORY NOTE

Metro Cebu enjoys sustained economic growth and development, as it continues its post pandemic upward trajectory. The Cebuano spirit of entrepreneurship, commerce and community has been central in the prosperity and growth of Cebu. However, an unintended, though natural, consequence of the aforementioned progress is the aggravation of age-old problems from traffic to waste management which has had detrimental effects on the people of Cebu regardless of which LGU they belong to. In view thereof, there is a need for the establishment of a body for the purposes of policy collaboration and coordination in the further development of Metro Cebu grounded on the principle of shared responsibility.

In 1995, with the passage of Republic Act No. 7924, Metro Manila was declared as a “special development and administrative region” and the Administration of “metro-wide” basic services affecting the region placed under a “development authority” referred to as the Metropolitan Manila Development Authority (“MMDA”). It performs seven basic metro-wide services in 12 cities and 5 municipalities in Metro Manila: (1) development planning; (2) Transport and traffic management; (3) Solid waste disposal and management; (4) Flood control and sewerage management; (5) Urban renewal, zoning and land use planning, and shelter services; (6) Health and sanitation, urban protection and pollution control; and (7) Public safety.

The creation of the MMDA has benefitted the 12 cities and five municipalities of Metro Manila by the streamlining of services which have a metro-wide impact that transcends local

political boundaries or entails huge expenditures and it would not be viable if the service is to be provided by the individual LGU.

With the aspiration of a Metro Cebu that is more streamlined in promoting and developing, shared assets among neighboring cities and municipalities, alignment of policies pertaining to traffic and the consolidation of solid waste management procedures, among other services. Several stakeholders from the public and private sectors acknowledged the need to establish a development authority in order to adequately address the problems that arise and are experienced by the neighboring local government units, while guiding the further development of Metro Cebu.

The establishment of a Metropolitan Cebu Development Authority (“MCDA”) will ensure that there is proper coordination and collaboration in the creation of unified policy, in providing services to constituents and constituent local government units, development planning, the promotion of tourism, among other initiatives. Moreover, the MCDA shall further act as a coordinating body between national government agencies (NGAs), government-owned and controlled agencies (GOCCs), civil society, and the private sector in order to achieve its goals of sustainable development for Metro Cebu as a whole.

The creation of the MCDA represents a tangible and meaningful significance for the future of our province. With this, the immediate passage of this bill is most earnestly sought.



REP. EDUARDO R. RAMA JR.

2nd District, City of Cebu



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AN ACT
CREATING THE METROPOLITAN CEBU DEVELOPMENT AUTHORITY
(MCDA), PRESCRIBING ITS FUNCTIONS AND DUTIES AND PROVIDING
FUNDS THEREFOR

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "Metropolitan Cebu
2 Development Authority Act"

3 **SECTION 2. *Declaration of Policy.*** – The State recognizes the need to provide an
4 efficient and expeditious delivery of basic services within Metropolitan Cebu. It is hereby the
5 declared policy of the state to promote and accelerate the sustainable development and balanced
6 growth of Cebu through the increased coordination and streamlining of basic services between
7 the highly urbanized cities of Cebu, Mandaue, and Lapu-Lapu, the component cities of Talisay,
8 Danao, Naga and Carcar and the other neighboring cities and municipalities of the Province of
9 Cebu.

10 It is likewise hereby declared to be the policy of the State to treat Metropolitan Cebu and
11 the Province of Cebu as a special development and administrative region, delineating specific basic
12 metro-wide services affecting Metropolitan Cebu and delegating the exercise of regulatory and
13 supervisory authority over the same to the Metropolitan Cebu Development Authority
14 ("MCDA"). The MCDA shall perform planning, monitoring, and coordinating functions without
15 prejudice to the local autonomy of the affected Local Government Units ("LGUs").

1 **SECTION 3. *Definition of Terms.*** – As used in this Act:

- 2 a) ***Metro-wide services*** refers to those services which have metro-wide impact and transcend
3 local political boundaries or entail huge expenditures as such that it would not be viable
4 for said services to be provided by the individual LGU comprising Metropolitan Cebu.

5 There are seven (7) basic metro-wide services:

- 6 i. Development planning;
7 ii. Transport and traffic management;
8 iii. Solid waste disposal and management;
9 iv. Flood control and sewerage management;
10 v. Urban renewal, zoning and land use planning, and shelter services;
11 vi. Health and sanitation, urban protection and pollution control; and
12 vii. Public safety.

- 13 b) ***Metropolitan Cebu Area*** refers to the highly urbanized cities of Cebu, Mandaue, and
14 Lapu-Lapu, the component cities of Talisay, Danao, Naga, and Carcar, and the
15 municipalities of Compostela, Liloan, Consolacion, Cordova, Minglanilla, and San
16 Fernando.

17 **SECTION 4. *Creation of the Metropolitan Cebu Development Authority.***- A special
18 development and administrative body to be known as the Metropolitan Cebu Development
19 Authority, hereinafter referred to as the “MCDA” which shall be organized within thirty (30)
20 days after the approval of this Act, to be charged with the administration of metro-wide services
21 and to coordinate, streamline, and promote the economic growth and sustainable development
22 of Metropolitan Cebu.

23 The MCDA shall execute the powers and functions hereinafter provided for under this
24 Act, with the goal of promoting collaboration and coordination with the LGUs for the further
25 growth and development of Metropolitan Cebu. The MCDA shall, in all instances, act within its
26 scope of authority as vested in this Act and shall in no way unduly diminish the autonomy of the
27 LGUs about purely local matters.

28 **SECTION 5. *Jurisdiction of the Metropolitan Cebu Development Authority.***- The
29 MCDA shall have administrative jurisdiction over the metro-wide affairs of Metropolitan Cebu
30 which includes the following LGUs:

- 31 a) The highly urbanized cities of Cebu, Mandaue and Lapu-Lapu;

- 1 b) The component cities of Talisay, Danao, Naga, and Carcar;
- 2 c) The municipalities of Compostela, Liloan, Consolacion, Cordova, Minglanilla, and San
- 3 Fernando; and
- 4 d) Such other cities and municipalities to be included in the future, subject to the
- 5 requirements provided by legislative enactment.

6 **SECTION 6. *Scope of Services of the Metropolitan Cebu Development Authority.***- With

7 approval of the Chief Executive of the LGUs concerned and in coordination with the appropriate

8 government agencies, the scope of the services of the MCDA shall cover those which have metro-

9 wide impact and will entail huge expenditures to be provided by the individual LGUs. These

10 services shall include:

- 11 a) **Development planning**, which includes preparing medium- and long-term development
- 12 plans; developing, evaluating and packaging of projects; Investments programming; and
- 13 coordinating and monitoring plans, program and project implementations;
- 14 b) **Transport and traffic management**, which includes the formulation, coordination,
- 15 implementation and monitoring of policies, standards, plans, programs and projects,
- 16 including its implementation and its integration with land use, rationalization of the
- 17 existing transport operations, infrastructure requirements, and use of thoroughfares;
- 18 promotion of safe and convenient movement of persons and goods; provision for and
- 19 maintenance of mass transport system, road infrastructure, and institution of a people-
- 20 centered network of mobility, including pedestrianization and non-motorized forms of
- 21 transport, as well as a system to regulate road users; and the administration and
- 22 implementation of traffic enforcement operations, traffic engineering services, and traffic
- 23 education programs, including the institution of a single ticketing system;
- 24 c) **Solid waste disposal and management**, which includes the formulation,
- 25 implementation, and evaluation of policies, standards, plans, programs, and projects for
- 26 proper and sanitary waste disposal; the establishment and operation of sanitary landfill
- 27 and related facilities; the establishment and operation of alternative waste management
- 28 facilities; and the implementation of appropriate programs, projects, and services
- 29 intended to manage, dispose, reduce, reuse, and recycle solid waste.

30 The MCDA shall ensure the uniform, proper, and streamlined process of segregation,

31 collection, transport, storage, treatment and disposal of solid waste between the LGUs in

1 accordance with the Solid Waste Management Act. Further, the MCDA shall establish an
2 MCDA incinerator for the purpose of burning the solid waste collected from the LGUs.

- 3 d) **Flood mitigation and sewerage management**, which include formulating,
4 implementing, and monitoring policies, standards, programs, and projects for an
5 integrated flood control, drainage, and sewerage system;
- 6 e) **Disaster risk reduction and management**, which includes the
7 formulation, Implementation, and review of plans, programs, projects, policies,
8 standards, and procedures to achieve public safety, especially preparedness for preventive
9 or rescue operations during times of calamities and disasters such as earthquakes and
10 storms; management of information; coordination and mobilization of resources; and
11 recovery, rehabilitation, and relief operations.
- 12 f) **Urban renewal, zoning, land use planning, and shelter services**, which include
13 formulating, adopting and implementing policies, standards, rules, and regulations,
14 programs, and projects to rationalize and optimize urban land use and provide direction
15 to urban growth and expansion, rehabilitating and developing slums and blighted areas,
16 developing shelter and housing facilities, and providing necessary social services thereof;
- 17 g) **Health and sanitation, urban protection, and pollution control**, which include
18 formulating implementing, and assessing policies, rules and regulations, standards,
19 programs, and projects for promoting and safeguarding health and sanitation to enhance
20 ecological balance and prevent, control, and abate environmental pollution; and
- 21 h) **Public safety**, which includes formulating, implementing, and monitoring programs,
22 policies and procedure to achieve public safety, especially preparedness for preventive or
23 rescue operations during times of calamity and disaster such as conflagration,
24 earthquakes, flood, and coordinating and mobilizing resources and implementing
25 contingency plans for rehabilitation and relief operations in coordination with national
26 agencies concerned.

27 **SECTION 7. *Functions of the Metropolitan Cebu Development Authority.***- The MCDA
28 shall exercise the following functions:

- 1 a) Coordinate, regulate and monitor the short, medium, and long-term plans, policies, and
2 programs for the sustainable development and integration of the Metropolitan Cebu area
3 and the Province of Cebu.
- 4 b) Coordinate, evaluate, and monitor policies concerning traffic, waste management, and
5 public safety and security for Metropolitan Cebu and coordinate, regulate, and enforce the
6 implementation of these programs and projects with concerned national government
7 agencies and LGUs;
- 8 c) Implement and manage metropolitan-wide programs and projects for the delivery of
9 specific services under its jurisdiction, subject to the approval to the Metropolitan Cebu
10 Development Council;
- 11 d) Review and recommend to the Metropolitan Cebu Development Council policies
12 regarding development permits for residential, commercial, or industrial purposes and
13 other major land development that have metropolitan-wide impact on transportation and
14 traffic, proposed to be implemented by or in the LGUs within Metropolitan Cebu;
- 15 e) Monitor the implementation of metropolitan-wide programs and projects and identify
16 implementation issues and appropriate solutions to address them;
- 17 f) Install and administer a single ticketing system, fix, impose, and collect fines and penalties
18 for all kinds of violations of traffic rules and regulations, whether moving or non-moving
19 in nature, and confiscate and suspend or revoke driver's licenses in the enforcement of
20 such traffic laws and regulations; and
- 21 g) Prescribe and collect services and regulatory fees, and impose and collect fines and
22 penalties; and
- 23 h) Perform other functions, subject to approval by the Metropolitan Cebu Development
24 Council.

25 **SECTION 8. *Metropolitan Cebu Development Council (MCDC).***- The governing board
26 and the policy-making body of the MCDA shall be the Metropolitan Cebu Development Council
27 (MCDC) which shall be comprised of the *governor of the Province of Cebu*, and *the mayors of the Cities of*
28 *Cebu, Mandaue, Lapu-Lapu, Talisay* and the cities and municipalities enumerated in Section 5 hereof.

1 The Chairperson of the MCDC shall be appointed by the President of the Philippines from a
2 selection of nominees submitted by the Council and shall serve for a term of three (3) years.

3 The heads of the following Cebu regional offices of national government agencies shall
4 attend all meetings of the Council as non-voting members: National Economic and Development
5 Authority (NEDA); Department of Human Settlements and Urban Development (DHSUD);
6 Department of Public Works and Highways (DPWH), Department of the Interior and Local
7 Government (DILG), Department of Environment and Natural Resources (DENR), Department
8 of Health (DOH); Department of Information and Communications Technology (DICT),
9 Department of Energy (DoE), Department of Tourism (DoT), Department of Transportation
10 (DoTr); Land Transaction Office (LTO), and Philippine National Police (PNP).

11 **SECTION 9. *Functions of the Metropolitan Cebu Development Council.***- The MCDC
12 shall perform the following functions and powers:

- 13 a) Approve plans, programs, and projects after consultation and coordination with relevant
14 stakeholders, and issue rules and regulations deemed necessary by the MCDA to carry
15 out the purposes of this Act;
- 16 b) Subject to pertinent laws, policies, rules and regulations, increase the rate of allowances
17 and per diems of the members of the Council to be effective during the term of the
18 succeeding Council; fix the compensation of the officers and personnel of the MCDA in
19 accordance with the Salary Standardization Law; and approve the annual budget of the
20 MCDA for submission to the Department of Budget and Management (DBM);
- 21 c) Recommend investment programming for its plans and programs, as well as supervise
22 the implementation of plans and programs which includes the formulation and
23 coordination of its related activities;
- 24 d) Promulgate rules and regulations and set policies and standards for application governing
25 the delivery of basic services, prescribe and collect service and regulatory fees, and impose
26 and collect fines and penalties;
- 27 e) Endorse the annual as well as the supplemental budgets of the MCDA; and
- 28 f) Perform such other acts and assume such other functions as may be necessary to carry
29 out the provisions of this Act.

30

1 **SECTION 10. *Functions of the Chairperson of the Council.***- The Chairperson of the
2 Council, herein referred to as the Chairperson, shall exercise the following functions:

- 3
- 4 a) Appoint, subject to civil service laws, rules and regulations, all subordinate officers
5 and employees, who shall enjoy security of tenure and may be removed only for cause in
6 accordance with law. The Chairperson is authorized to engage the services of expert or
7 consultants either on full time or part-time basis, as may be required in the performance
8 of the Chairperson's functions and duties;
- 9 b) Execute the policies and measures approved by the Council and be responsible for the
10 efficient and effective day-to-day management of the operations of the MCDA;
- 11 c) Prepare the annual budget for the operations of the MCDA for the submission to the
12 Council;
- 13 d) Submit for consideration of the Council such other duties and measures as the chairperson
14 may deem necessary to carry out the purposes and provisions of this Act;
- 15 e) Subject to the guidelines and policies set by the Council, prepare the staffing pattern and
16 fix the number of subordinate officials and employees of the MCDA in accordance with
17 Civil Service laws, rules and regulations, and evaluation and approval of the DBM and
18 exercise the power to discipline subordinate officials and employees under the provisions
19 of law;
- 20 f) Prepare an annual report on the accomplishment of the MCDA at the close of each
21 calendar year for submission to the Council and to the President of the Philippines; and
- 22 g) Perform such other duties as may be assigned by the President of the Philippines or by
23 the Council.
- 24

25 The Chairperson, as head of MCDA, shall be assisted by a General Manager, Assistant
26 General Manager for Finance and Administration, Assistant General Manager for Planning, and
27 Assistant General Manager for Operations, all of whom shall be appointed by the President of the
28 Philippines, and upon the recommendation of the majority of the Council, subject to civil service
29 laws, rules and regulation.

30

31 **SECTION 11. *Functions of the General Manager.*** - The General Manager of the MCDA
32 shall have the following functions:

33

- 1 a) Assist the Chairperson in the administration of the MCDA and supervision of
2 subordinate personnel;
- 3 b) Assist the Chairperson in the review of plans and programs for the MCDA and for
4 Metropolitan Cebu in the preparation of the annual report of activities and
5 accomplishments of the MCDA; and
- 6 c) Perform such other duties and functions as may be lawfully delegated or assigned by the
7 Chairperson from time to time.

8 **SECTION 12. *Functions of the Assistant General Manager for Finance and***
9 ***Administration.*** The Assistant General Manager for Finance and Administration shall perform
10 the following functions:

- 11 a) Determine the financial and administrative requirements of the Authority for the metro-
12 wide services including sourcing and allocation of funds;
- 13 b) Conduct a continuing financial and management analysis of the integration of metro-wide
14 services; and
- 15 c) Plan and provide services relative to supply, general services, legal, human resource
16 management and development, accounting, fiscal planning, treasury and budget and such
17 other related services.
- 18 d) Perform such other duties as are incidental or related to the above functions of as may be
19 assigned from time to time.

20 **SECTION 13. *Functions of the Assistant General Manager for Planning.*** - The Assistant
21 General Manager for Planning shall perform the following functions:

- 22 a) Formulate development plans, and land use and zoning plans geared toward the organized
23 socio-economic and physical development of the Metropolitan Cebu;
- 24 b) Monitor the implementation and financing of development plans, programs and projects
25 in Metropolitan Cebu;
- 26 c) Plan and program-wide projects and activities included in the Metropolitan Development
27 Plan, and formulate appropriate performance indicators to assess attainment of
28 development targets; and
- 29 d) Conduct research, surveys and other studies in support of policy and program formulation;

- 1 e) Perform such other duties as are incidental or related to the above functions or as may be
2 assigned from time to time.

3
4 **SECTION 14. *Functions of the Assistant General Manager for Operations.***- The
5 Assistant General Manager for Operations shall perform the following functions:

- 6 a) Establish a mechanism for coordinating and operationalizing the delivery of metro-wide
7 basic services;
- 8 b) Maintain a monitoring system for the effective evaluation of the implementation of
9 approved policies, plans and programs for the development of Metropolitan Cebu;
- 10 c) Mobilize the participation of local government units, executive departments or agencies of
11 the national government, and the private sector in the delivery of metro-wide services; and
- 12 d) Operate a central communication system.
- 13 e) Perform such other duties as are incidental or related to the above functions or as may be
14 assigned from time to time.

15 **SECTION 15. *Institutional Linkages.***- The MCDA shall, in order to aid the
16 implementation and delivery of basic metro-wide services, establish institutional linkages and
17 relations with appropriate government agencies and units and the private sector at the local,
18 regional, national, and international levels concerning matters relevant to its mandate for the
19 development of the Metropolitan Cebu area.

20 In carrying out its functions, the MCDA shall consult, coordinate and work closely with
21 the LGUs, the national government agencies, accredited people's organizations (POs), Non-
22 governmental organizations (NGOs), civil society organizations, and the private sector operating
23 in the Metropolitan Cebu area.

24 In order to streamline and integrate the policies and programs undertaken in Metropolitan
25 Cebu, the MCDA shall submit their Council's approved development plans, investment programs
26 and projects for integration to the parties affected, including the LGUs, NGAs, GOCCs and other
27 relevant organizations where appropriate.

28 The LGUs, NGAs and GOCCs shall also submit their approved development plans,
29 investment programs and projects to the MCDA for integration. For this purpose , the MCDA
30 may enter into contracts or memoranda of agreement, and other cooperative arrangements with
31 these entities for the delivery of the required services with Metropolitan Cebu.

1 The MCDA shall, in coordination with the NEDA and the Department of Finance
2 (DoF), interface with foreign assistance agencies for the purpose of obtaining financing support,
3 grants and donations in support of its programs and projects.

4 **SECTION 16. *Sources of Funds and Operating budget of the MCDA.***- For its initial
5 operations, in order to properly carry out the mandate of this Act, an amount necessary for the
6 operations shall be appropriated by the National Government for the MCDA through the General
7 Appropriations Act.

8 Thereafter, the annual expenditures, including but not limited to - capital expenditures,
9 maintenance expenses, organizational expenses, operating expenses, personnel expenses including
10 capital outlays shall be provided for in the General Appropriations Act as a Special Development
11 Authority Under the Office of the President.

12 The operations of the MCDA shall likewise be supported through:

- 13 a) Financial contributions of LGUs, the base and percentage of which shall be agreed and
14 voted upon by the members of the MCDC. The manner of voting shall be provided in
15 the implementing rules and regulations of this Act, in consultation with member LGUs;
- 16 b) Financial contributions or technical assistance from NGAs, GOCCs and the private
17 sector, and other local and international organizations in the form of grants, donations,
18 contributions, payments, penalties, fees and charges;

19 In case of grants, in cash or in kind, from foreign governments or their agencies and
20 instrumentalities, or multilateral institutions or organizations, acceptance thereof shall be subject
21 to prior clearance and approval of the Council and the Office of the President of the Philippines
22 or the authorized representative, based on the recommendation of the Secretary of Finance.

23 In case of donations, in cash or in kind, from foreign governments, acceptance thereof shall
24 require prior clearance and approval by the Council and the President of the Philippines, or the
25 authorized representative based on the recommendation of the Secretary of Foreign Affairs.

26 The MCDA is likewise empowered to levy fines, and impose fees and charges for various
27 services rendered.

1 **SECTION 17. *Implementing Rules and Regulations.***- Within six (6) months after the
2 approval of this Act, the MCDA shall promulgate its Implementing Rules and Regulations
3 covering the following:

- 4 a) Setting policies and standards of the provision and delivery of its services enumerated in
5 Section 6 of this Act;
- 6 b) Formulating guidelines on the collection of fees, the imposition of fines and penalties;
- 7 c) Enacting regulations on term limits and vacancies in the MCDC, as well as on the
8 computation and allocation of allowances in the MCDC; and
- 9 d) Outlining equitable guidelines for determining the budgetary contributions of LGUs as
10 stated in Section 16 of this Act, taking into consideration, among others, the size of the
11 LGU, LGU income, and population.

12 **SECTION 18. *Separability Clause.***- If any provision or part hereof is declared
13 unconstitutional or invalid, such parts or portions not affected thereby shall remain in full force
14 and effect.

15 **SECTION 19. *Effectivity Clause.***- This Act shall take effect fifteen (15) days following
16 completion of its publication in at least two (2) newspapers of general circulation.

17
18 Approved,