

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 7889



Introduced by Representative **Eric L. Olivarez**

AN ACT
STREAMLINING ALL PLANS, PROGRAMS, ACTIVITIES, AND PROJECTS TO
REHABILITATE, PROTECT, SUSTAINABLY MANAGE AND DEVELOP THE MANILA
BAY REGION, THEREBY CREATING THE MANILA BAY AUTHORITY, AND PROVIDING
FUNDS THEREFOR

EXPLANATORY NOTE

The rehabilitation, protection, and sustainable development of Manila Bay has long been a national priority. As the country's premier gateway for commerce, industry, tourism, fisheries, and maritime activities, Manila Bay is both an economic engine and an ecological treasure. Its degradation over the years, manifested in declining water quality, recurring flooding, habitat loss, and unmanaged coastal development, underscores the urgent need for a unified, science-based, and institutionally coherent governance framework.

In 2008, the Supreme Court issued a Writ of Continuing Mandamus directing concerned agencies to clean up, rehabilitate, and preserve Manila Bay. Since then, numerous programs and initiatives have been undertaken by various national government agencies, local government units, and stakeholders. However, the fragmentation of mandates and overlapping jurisdictions have hindered the efficient and sustained implementation of rehabilitation efforts.

This proposed measure seeks to address these gaps by creating the **Manila Bay Authority**, a Government-Owned or Controlled Corporation that shall serve as the primary agency to integrate, harmonize, and oversee all plans, programs, activities, and projects (PAPs) concerning the Manila Bay region and its watershed.

Significantly, this bill is firmly anchored on, and in full alignment with, the **Manila Bay Sustainable Development Master Plan (MBSDMP)**, a comprehensive twenty-year development blueprint crafted over a considerable period through extensive collaboration among national agencies, local governments, civil society organizations, the private sector, and development partners. The MBSDMP was spearheaded by the Department of Economy, Planning, and Development (formerly the National Economic and Development Authority) in partnership with the Government of the Netherlands.

The MBSDMP envisions an integrated “ridge-to-reef” approach that promotes inclusive growth, climate resilience, ecosystem restoration, disaster risk reduction, water quality improvement, and the upgrading of informal settlements. Central to the Master Plan is the proposal to establish a single, dedicated entity to manage and coordinate the sustainable development of Manila Bay. The creation of the Manila Bay Authority is the legislative realization of that long-standing institutional reform recommendation.

By subsuming existing coordinating bodies and consolidating functions presently dispersed among multiple agencies, the proposed Authority will:

1. Ensure policy coherence and streamlined decision-making;
2. Fast-track compliance with environmental laws and the Supreme Court’s continuing mandamus;
3. Institutionalize the user-pays and polluter-pays principles;
4. Strengthen enforcement mechanisms and water quality management;
5. Promote sustainable investments and balanced socio-economic development; and
6. Establish a Manila Bay Coastal Greenbelt to enhance climate adaptation and ecological protection.

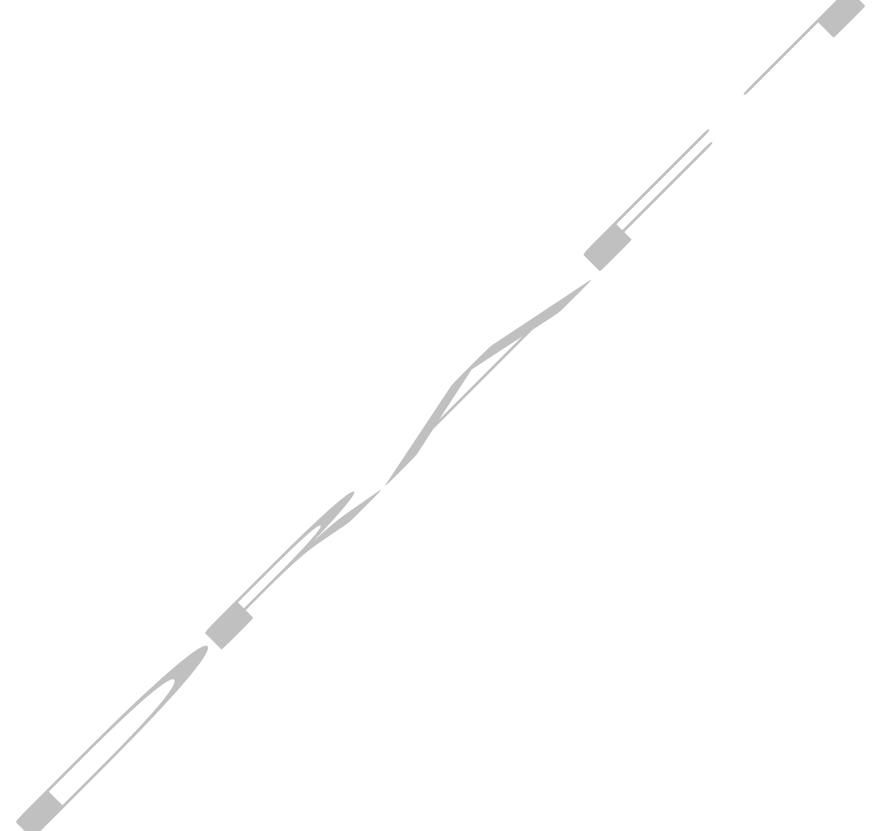
Moreover, this measure safeguards local autonomy by preserving the powers of local government units over purely local matters, while providing a unified regional framework for watershed-based governance. It likewise harmonizes its functions with the Laguna Lake Development Authority to ensure coordinated management of interconnected water systems.

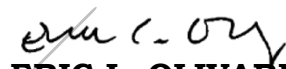
The proposed capitalization and dedicated funding structure will allow the Authority to implement long-term, strategic interventions consistent with the MBSDMP and other environmental statutes. By institutionalizing a permanent governance mechanism, the

State affirms its commitment to transform Manila Bay into a resilient, vibrant, and sustainably managed ecosystem that benefits present and future generations.

The creation of the Manila Bay Authority is not merely an administrative reform. It is the culmination of years of multi-stakeholder planning and international cooperation, and a decisive step toward restoring Manila Bay as a symbol of national pride and sustainable progress.

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




ERIC L. OLIVAREZ

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 7889

Introduced by **Representative Eric L. Olivarez**

AN ACT
STREAMLINING ALL PLANS, PROGRAMS, ACTIVITIES, AND PROJECTS TO
REHABILITATE, PROTECT, SUSTAINABLY MANAGE AND DEVELOP THE MANILA
BAY REGION, THEREBY CREATING THE MANILA BAY AUTHORITY, AND PROVIDING
FUNDS THEREFOR

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

3 **Section 1. Short Title.** - This Act shall be known as the **Manila Bay Authority**.

4 **Sec. 2. Declaration of Policy.**- It is hereby declared the policy of the State to protect,
5 promote and accelerate the sustainable management and development of the Manila Bay
6 region, recognizing its importance as the country's epicenter for commercial, industrial,
7 and tourism activities, as well as its cultural and environmental significance, while
8 focusing on the maintenance of ecological balance and the protection and enhancement
9 of its natural resources.

10
11 To this end, the State shall formulate and implement policies, plans, programs, activities,
12 and projects (PAPs), particularly adopting the user-pays and polluter-pays principles, to
13 ensure adequate provision for environmental management and control, the preservation
14 of ecological systems, and the prevention of human induced ecological disturbances,
15 resource degradation, and pollution, resulting in an improved quality of life.

16
17 The objectives shall be executed with utmost regard to appropriate provisions for the
18 conservation, rehabilitation, preservation, restoration, and maintenance of Manila Bay
19 waters, consistent with the plans and programs embodied in Presidential Decree (PD) 1586
20 of 1978 or the Environmental Impact Statement (EIS) System, Republic Act (RA) No. 9275
21 known as the "Philippine Clean Water Act of 2004", RA 8749 or the "Philippine Clean Air

Act of 1999, RA 9003 or the Ecological Solid Waste Management Act of 2000”, RA 6969 known as the “Toxic Substances and Nuclear and Hazardous Waste Control Act of 1990”, other pertinent laws, and the Writ of Continuing Mandamus issued by the Supreme Court on 18 December 2008 and en banc resolution on 15 February 2011 (G.R. Nos. 171947-48).

The State shall likewise ensure an efficient and effective utilization of the natural resources of Manila Bay region, encourage the participation of all sectors of society, and maximize public involvement in natural resource management, conservation, and protection.

Sec. 3. Definition of Terms:

- a. ***Coastal Greenbelt*** shall refer to a strip of natural or planted coastal vegetation, typically composed of mangroves and beach forest species, designed to prevent erosion and mitigate the impacts of natural disasters like storm surges, tsunamis, and climate change. These zones generally stretch at least 100 meters from the sea towards land and serve as crucial, nature-based buffers for coastal communities.
- b. ***Manila Bay Sustainable Development Master Plan (MBSDMP)*** refers to the 20-year comprehensive and sustainable master plan for Manila Bay and the immediate coastal zone with the aim for inclusive growth, ecosystem protection, climate change adaptation and disaster risk reduction, water quality improvement, and upgrading informal settlements;
- c. ***Operational Plan for the Manila Bay Coastal Strategy (OPMBCS)*** refers to a framework of strategies identified to provide stakeholders what needs to be executed to achieve the shared vision of the future of the Manila Bay region, and defines long-term actions, as well as the necessary support and participation of all stakeholders;
- d. ***Polluter-pays Principle*** shall refer to the principle that those causing pollution should meet the costs to which it gives rise. The Authority shall endeavor to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter

1 should, in principle, bear the cost of pollution, with due regard to the public
2 interest and without distorting international trade and investment;
3

4 e. **Ridge to Reef Approach** shall refer to a mechanism that aims to provide a
5 holistic intervention for protecting the coastal area by targeting environmental
6 degradation in the uplands (ridge) that impact the coastal ecosystems through
7 sedimentation, by restoring the shoreline and protecting marine ecosystems
8 (reef), thereby mitigating storm surges; and
9

10 f. **User-pays Principle** shall refer to the variation of the polluter-pays
11 principle that calls upon the user of a natural resource to bear the cost of
12 running down natural capital.
13

14 **Sec. 4. Creation of Manila Bay Authority.** - There is hereby created a Government-
15 Owned or Controlled Corporation (GOCC) to be known as the **Manila Bay Authority**,
16 hereinafter known as the **Authority**, to streamline all PAPs to preserve, rehabilitate,
17 preserve, manage, develop, and operate the Manila Bay region, in accordance with the
18 provisions of this Act. The Authority shall serve as the primary agency for integration and
19 oversight of implementation of plans, policies, PAPs of agencies and local government units
20 (LGUs), and shall be an attached agency of the Office of the President, but shall maintain
21 a close coordination with the Department of Environment and Natural Resources (DENR),
22 for policy and program harmonization.
23

24 The Manila Bay Coordinating Office (MBCO) created under DENR Administrative Order
25 (A.O.) No. 2011-01 and the Pasig River Coordinating and Management Office (PRCMO)
26 established under DENR AO No. 2020-02, both under the DENR, and the Manila Bay Task
27 Force (MBTF) created under Presidential AO No. 16, Series of 2019, composed of various
28 National Government Agencies (NGAs), also headed by the DENR, shall be subsumed
29 under the Authority, to ensure the continuity of the plans and PAPs for the rehabilitation
30 and development of the Manila Bay region.
31

32 The creation of the Authority shall be consistent with the MBSDMP which aims to deliver
33 an integral, sustainable and inclusive plan that will benefit the inhabitants around the
34 bay area.
35

1 The Authority shall prioritize the protection, preservation, and rehabilitation of the natural
2 resources and biodiversity of the Manila Bay region and shall be established into a self-
3 sustaining commercial, financial, industrial, leisure, tourism, and investment institution,
4 generating employment opportunities, and attracting and promoting local and foreign
5 investments: *Provided*, That the exercise of the Authority's powers and functions shall in
6 no way diminish the autonomy of the LGUs concerning purely local matters within the
7 framework, mandate, and limitations of the Constitution and the pertinent provisions of
8 the Local Government Code of 1991. *Provided further*, That protected areas within the
9 classification of National Park shall be excluded from the provisions of this Act and
10 continue to be governed under RA 11038, known as "An Act Declaring Protected Areas
11 and Providing for Their Management, Amending for This Purpose Republic Act No. 7586,
12 Otherwise Known as the "National Integrated Protected Areas System (NIPAS) Act of 1992"
13 and For Other Purposes".
14

15 **Sec. 5. MBCO, PRCMO, and MBTF Offices, Functions, and Personnel, Subsumed**
16 **Under the Authority.** - The Authority shall entirely subsume the Manila Bay Coordinating
17 Office (MBCO) and its Site Coordinating and Management Offices in the National Capital
18 Region (NCR), Region 3 (Central Luzon), and Region 4A (CALABARZON- Cavite, Laguna,
19 Batangas, Rizal, and Quezon), the Pasig River Coordinating and Management Office
20 (PRCMO), and the Manila Bay Task Force, with their applicable powers, functions,
21 personnel, funds, and appropriations, records, and equipment and property.
22

23 **Sec. 6. Transfer of Powers and Functions of MBCO, PRCMO, and MBTF.** - The
24 Authority shall integrate the functions and assume the current tasks of the three (3)
25 offices. To wit:
26

- 27 a. Coordinate the full implementation of the OPMBCS with NGAs, LGUs, the NGOs
28 and POs, Private Sector, Academe, Religious and Civil Society;
29
- 30 b. Collaborate with relevant national and regional programs and projects, including
31 the Manila Third Sewerage Project (MTSP) and the Regional Programme, "Building
32 Partnerships in the Environmental Management of the Seas of East Asia (PEMSEA);
33
- 34 c. Collaborate with the DENR regional offices in Regions III, IV-A and the NCR
35 regarding related projects and activities with the provincial and other LGUs;

- d. Engage Protected Area Management Boards (PAMBs), and other relevant national and local bodies created by law, to ensure that the respective plans and PAPs of such authorities are consistent with and complement the objectives and targets of the OPMBCS;
- e. Review and provide input on projects being planned, developed, and implemented in the Manila Bay region, for both foreign and locally funded by all offices, bureaus and attached agencies of various NGAs, to ensure alignment and complementarity to the objectives and targets of the OPMBCS;
- f. Collaborate with the aforementioned stakeholder NGAs and NGOs, develop an annual work plan for the implementation of project activities, including accomplishments, counterpart budgets, timeframe, monitoring and reporting strategies;
- g. Facilitate the development and implementation of a monitoring and tracking system to ensure compliance with agreed implementation and financing plans and annual accomplishment targets;
- h. Prepare the regular report for submission to the Supreme Court;
- i. Monitor and prepare a quarterly and annually progress report on the implementation of the OPMBCS, to be submitted to the OP;
- j. Implement appropriate and sustainable waste and water quality management PAPs;
- k. Explore and adopt water quality improvement strategies, interventions, and technologies that aim to improve the Manila Bay, its waterways and tributaries, and its environs;
- l. Regularly monitor the water quality of the Manila Bay, its waterways and tributaries, through the conduct of water and sediment quality analysis together with partner agencies;

- 1
- 2 m. Facilitate PAPs in maintaining and sustaining the cleanliness of the Manila Bay, its
- 3 waterways and tributaries, through regular clean up activities;
- 4
- 5 n. Provide policy improvements, recommendations, and guidelines that aim to address
- 6 the solid waste-related issues and concerns, in coordination with agencies
- 7 concerned, LGUs, and other stakeholders;
- 8
- 9 o. Enforce relevant provisions of PD No. 856 or the "Code on Sanitation of the
- 10 Philippines," as amended, PD 1586, RA 8749, RA 9003, RA 6969, and other related
- 11 environmental laws RA 9275, and RA 9003, to ensure the complete rehabilitation,
- 12 restoration, and conservation of the Manila Bay region;
- 13
- 14 p. In accordance with PD No. 198 or the "Provincial Water Utilities Act," as amended,
- 15 PD No. 856, as amended, and RA 9275, require all government facilities,
- 16 subdivisions, condominiums, commercial centers, hotels, sports and recreational
- 17 facilities, hospitals, market places, public buildings, industrial complex and other
- 18 similar establishments, including households, to immediately connect existing
- 19 sewage lines to available sewerage systems or sewerage treatment plants (STPs), or
- 20 to construct individual STPs, whenever applicable, as well as to issue appropriate
- 21 orders, impose fines, penalties and other administrative sanctions to compel
- 22 compliance thereof;
- 23
- 24 q. Undertake remedial measures using engineering and technological interventions to
- 25 improve the water quality of the Manila Bay, such as sustained and targeted
- 26 reduction in the coliform level in all major river systems and tributaries within the
- 27 Manila Bay region;
- 28
- 29 r. In collaboration with the National Anti-Poverty Commission (NAPC), Presidential
- 30 Commission for the Urban Poor (PCUP), National Housing Authority (NHA) and
- 31 affected LGUs, prepare and implement a comprehensive plan for massive relocation
- 32 of Informal Settler Families (ISFs), especially in the priority areas of the NCR along
- 33 the Manila Bay region, which shall include: (i) identification of suitable relocation
- 34 sites; (ii) strategies for economic and social integration of ISFs in the area; and (iii)
- 35 long term solutions to address ongoing migration into the Manila Bay region;

- s. Prepare a comprehensive plan for expediting the local sanitation program of LGUs within the Manila Bay region;
- t. Fast-track compliance with the Writ of Continuing Mandamus issued by the Supreme Court, including full implementation of the OPMBCS in accordance with its schedule;
- u. Ensure that the concerned agencies and LGUs undertake appropriate measures relative to violation of environmental laws such as, but not limited to, demolition, closure or cessation of business and filing of administrative action against erring persons or establishments;
- v. In collaboration with the Department of Education (DepEd), Commission on Higher Education, Presidential Communications Operations Office and affected LGUs, and in partnership with the private sector and NGOs, facilitate a massive information, education and communication drive to gain public support on the Manila Bay region clean up, rehabilitation, and restoration efforts, as well as the preservation of the ecosystem in the Manila Bay region; and
- w. Improve resource management of the Manila Bay region and create models of inter-LGU cooperation in ecosystem management, with special focus on interconnecting major tributaries like Laguna Lake and Pasig River.

Sec. 7. Administrative Jurisdiction. - The Authority shall have administrative jurisdiction over the following One Hundred Twenty-Nine (129) LGUs:

NCR (11)

- | | | | | |
|---------------------|----|-----------------|----|---------------------|
| 1. City of Manila | 33 | 5. Malabon City | 37 | 8. Parañaque City |
| 2. City of San Juan | 34 | 6. Mandaluyong | 38 | 9. Pasay City |
| 3. Las Piñas City | 35 | City | 39 | 10. Pasig City |
| 4. Makati City | 36 | 7. Navotas City | 40 | 11. Valenzuela City |

CENTRAL LUZON - REGION III

1 **BATAAN (12)**

2	1.	Abucay	6	5.	Hermosa	10	9.	Orani
3	2.	Bagac	7	6.	Limay	11	10.	Orion
4	3.	Balanga City	8	7.	Mariveles	12	11.	Pilar
5	4.	Dinalupihan	9	8.	Morong	13	12.	Samal

14

15 **BULACAN (24)**

16	1.	Angat	25	10.	Hagonoy	34	19.	Pulilan
17	2.	Balagtas	26	11.	Malolos City	35	20.	San Ildefonso
18	3.	Baliwag	27	12.	Marilao	36	21.	San Jose Del
19	4.	Bocaue	28	13.	Meycauayan	37		Monte
20	5.	Bulakan	29	14.	Norzagaray	38	22.	San Miguel
21	6.	Bustos	30	15.	Obando	39	23.	San Rafael
22	7.	Calumpit	31	16.	Pandi	40	24.	Santa Maria
23	8.	Doña Remedios	32	17.	Paombong			
24	9.	Guiguinto	33	18.	Plaridel			

41

42 **NUEVA ECIJA (30)**

43	1.	Aliaga	54	10.	Guimba	65	21.	San Antonio
44	2.	Bongabon	55	11.	Jaen	66	22.	San Isidro
45	3.	Cabanatuan	56	12.	Laur	67	23.	San Jose City
46	4.	Cabiao	57	13.	Licab	68	24.	San Leonardo
47	5.	Carranglan	58	14.	Llanera	69	25.	Santa Rosa
48	6.	Gabaldon	59	15.	Lupao	70	26.	Santo Domingo
49	7.	Gapan	60	16.	Palayan City	71	27.	Science City of
50	8.	General	61	17.	Pantabangan	72		Muñoz
51		Mamerto	62	18.	Peñaranda	73	28.	Talavera
52		Natividad	63	19.	Quezon	74	29.	Talugtug
53	9.	General Tinio	64	20.	Rizal	75	30.	Zaragoza

76

77 **PAMPANGA (22)**

78	1.	Angeles	82	5.	Candaba	86	9.	Mabalacat
79	2.	Apalit	83	6.	Florida	87	10.	Macabebe
80	3.	Arayat	84	7.	Guagua	88	11.	Magalang
81	4.	Bacolor	85	8.	Lubao	89	12.	Masantol

1	13.	Mexico	5	17.	San Luis	9	21.	Sta. Rita
2	14.	Minalin	6	18.	San Simon	10	22.	Sto. Tomas
3	15.	Porac	7	19.	Sasmuan			
4	16.	San Fernando	8	20.	Sta. Ana			

TARLAC (6)

13	1.	Bamban	15	3.	Concepcion	17	5.	Tarlac City
14	2.	Capas	16	4.	La Paz	18	6.	Victoria

CALABARZON - REGION IV-A

CAVITE (19)

23	1.	Alfonso	30	7.	General Trias	37	14.	Naic
24	2.	Amadeo	31	8.	Imus	38	15.	Noveleta
25	3.	Cavite City	32	9.	Indang	39	16.	Rosario
26	4.	City of Bacoar	33	10.	Kawit	40	17.	Tanza
27	5.	Dasma	34	11.	Magallanes	41	18.	Ternate
28	6.	Gen. E.	35	12.	Maragondon	42	19.	Trece Martires
29		Aguinaldo	36	13.	Mendez	43		City

QUEZON (3)

46	1.	Real	47	2.	Sampaloc	48	3.	Tayabas City
----	----	------	----	----	----------	----	----	--------------

Considering the interconnectedness of the Manila Bay and the Laguna De Bay, the Laguna Lake Development Authority (LLDA) and the Authority shall exercise concurrent administrative jurisdiction over areas within the sphere of the LLDA, for policy making purposes, to ensure a comprehensive and harmonized strategy for the rehabilitation, protection, conservation and sustainable development of both bays: *Provided*, That LLDA shall retain its powers, functions, and jurisdiction pursuant to RA 4850, entitled: "An Act Creating the Laguna Lake Development Authority, Prescribing its Powers, Functions and Duties, Providing Funds Therefor and for Other Purposes", as amended. For this purpose, the LLDA shall retain the exclusive jurisdiction over the following fifty-eight, (58) LGUs, excluding the Cities of Manila, Pasay, and Pasig:

NCR

1	1.	Caloocan City	3	3.	Muntinlupa City	5	5.	Quezon City
2	2.	Marikina City	4	4.	Pateros	6	6.	Taguig City
7								
8		CALABARZON - REGION IV-A						
9								
10		LAGUNA						
11	1.	Alaminos	22	11.	Liliw	33	22.	Pangil
12	2.	Bay	23	12.	Los Baños	34	23.	Pila
13	3.	Biñan	24	13.	Luisiana	35	24.	Rizal
14	4.	Calamba	25	14.	Lumban	36	25.	San Pablo City
15	5.	Calauan	26	15.	Mabitac	37	26.	Santa Cruz
16	6.	Cavinti	27	16.	Magdalena	38	27.	Santa Maria
17	7.	City of Cabuyao	28	17.	Majayjay	39	28.	Santa Rosa City
18	8.	City of San	29	18.	Nagcarlan	40	29.	Siniloan
19		Pedro	30	19.	Paete	41	30.	Victoria
20	9.	Famy	31	20.	Pagsanjan			
21	10.	Kalayaan	32	21.	Pakil			
42								
43		rizal (14)						
44	1.	Angono	49	6.	Cardona	54	11.	San Mateo
45	2.	Antipolo	50	7.	Jalajala	55	12.	Tanay
46	3.	Baras	51	8.	Morong	56	13.	Taytay
47	4.	Binangonan	52	9.	Pililla	57	14.	Teresa
48	5.	Cainta	53	10.	Rodriguez			
58								
59		Batangas (3)						
60	1.	Tanauan City	61	2.	Santo Tomas	62	3.	Malvar
63								
64		CAVITE (4)						
65	1.	Carmona	67	3.	Silang			
66	2.	Gen. M. Alvarez	68	4.	Tagaytay City			
69								
70		QUEZON (1)						
71	1.	Lucban						
72								

1 The transfer of the Cities of Manila, Pasay, and Pasig from LLDA to the Authority shall be
2 done in a progressive manner, but shall not exceed more than two (2) years.

3
4 The metes and bounds of the Manila Bay region shall encompass the entirety of the Manila
5 Bay watershed, which measures about 17,000 square kilometers, with a coastline of 190
6 kilometers which spans across the NCR, Regions III, and IV-A. It shall also include the
7 bay surface area and Manila Bay’s tributaries and waterways.

8
9 **1. Sec. 8. Absorption of Water Quality Management Area (WQMA) Under the**
10 **Authority’s Component LGUs.** - The six (6) WQMAs, designated under Section 5 of
11 RA 9275 shall be absorbed by the Authority. In coordination with the National Water
12 Resources Board (NWRB), the Authority shall take over the role of the DENR-
13 Environmental Management Bureau (EMB) to protect, thru stakeholders’
14 collaboration, the water body and the tributaries over the said areas by keeping the
15 water quality within the Water Criteria which shall conform to the water body's
16 classification and eventually, improve the quality to a higher classification or the SB
17 level directed by the Supreme Court's Writ of Continuing Mandamus.

18
19 The affected offices, with their applicable powers, functions, personnel, records,
20 equipment and property shall be integrated with the Authority.

21
22 The six (6) WQMAs are as follows:

Region		WQMA	DENR DAO (Department Administrative Order)
NCR	San Juan River System		2012-04
NCR	Malabon-Navotas-Tullahan-Tinajeros River System		2018-10
NCR	Las Piñas-Parañaque River System		2018-12
Central Luzon	Marilao-Meycauayan-Obando River System		2008-07
CALABARZON	Imus-Ylang Ylang-Rio Grande Rivers		2013-02
CALABARZON	Cañas-Maalimango Rivers		2016-19

Sec. 9. Authority Approval on the Issuance of Environmental Compliance Certificate (ECC) Over the Authority's Component LGUs. - In consonance with the Authority's pursuit of a comprehensive and integrated environmental protection program, through the establishment and institutionalization of a system whereby exigencies of socio-economic undertakings can be reconciled with the requirements of environmental quality, as spelled out in PD No. 1586, the DENR-EMB shall be required to secure approval of the Authority before releasing any ECC over the component LGUs.

Sec. 10. Location of Principal Office. - The Authority shall maintain its principal office at a convenient place within the region, but it may have branch offices in other places that are necessary for the proper conduct of its business.

Sec. 11. Special Powers and Functions. - The Authority shall exercise the following special powers and functions:

- a. Periodically conduct, monitor, and update a comprehensive survey of the physical and natural resources of Manila Bay region, its social, cultural, historical and economic conditions, hydrologic characteristics, energy prospects, scenic and tourist spots, regional problems, and other areas of concern that shall complement and update the MBSDMP. The Authority shall ensure the adoption of the MBDSP designed to conserve and optimally utilize the resources within the Manila Bay region, and implement the same, including PAPs, in line with the said plan. Aforesaid PAPs shall be formulated in close coordination with other concerned government agencies, LGUs, private sector, and other stakeholders. All concerned public and private agencies shall provide the Authority all necessary data, for purposes of the said survey to update the MBSDMP;
- b. Develop a sustainable and integrated program that shall attract more private sector-driven investments into the bay region, in consonance with the MBSDMP, which shall be formulated in consultation with all stakeholders, concerned government agencies, LGUs, and civil society. The Authority shall ensure that the development and operation of public utilities, waste management, and infrastructure in the Manila Bay region adheres to the user-pays and polluter-pays principles. *Provided,* That the jurisdiction of the appropriate government agencies is not infringed upon,

1 and the jurisdiction of the Authority only applies to the implementation of user-pays
2 and polluter-pays principles;
3

- 4 c. Implement tourism development projects within the Manila Bay region, in
5 coordination with the LGUs concerned and the Department of Tourism (DOT);
6
- 7 d. Ensure compliance that the Manila Bay region coastline at high tide shall be free
8 from Informal Settler Families (ISFs) within a 20-meter easement zone;
9
- 10 e. Provide the machinery for extending the necessary planning, management, and
11 technical assistance to prospective and existing investors in the region;
12
- 13 f. Collaborate with related agencies offering financial, technical, and physical
14 assistance accorded to bay development and rehabilitation projects;
15
- 16 g. Issue the necessary clearance for approved proposed plans, PAPs, within thirty days
17 from submission thereof, unless the proposals are not in consonance with those of
18 the Authority or will cause unmanageable pollution or ecological imbalance of the
19 Manila Bay region: *Provided further*, That the Authority is hereby empowered to
20 initiate necessary legal proceeding against any person who shall initiate or continue
21 implementing any plan, PAPs in any of the water resources covered in this Act,
22 without previous clearance from the Authority: *Provided furthermore*, That any local
23 government office, agency, public corporation, private person, or enterprise whose
24 plans, PAPs have been disapproved by the Authority, may appeal the decision to the
25 NEDA within fifteen (15) days from receipt of the disapproval, and the NEDA decision
26 on the matter shall be final;
27
- 28 h. Collect reasonable fees for the processing of plans, PAPs, and licensing procedures
29 with respect to the water resources covered in this Act;
30
- 31 i. Engage in agriculture, industry, commerce, or other activities in any of the water
32 resources under its jurisdiction, which may be necessary or directly contributory to
33 the socio-economic development of the region. For this purpose, whether
34 independently or in cooperation with private persons or entities, the Authority shall
35 organize, finance, invest in, and operate subsidiary corporations: *Provided*, That the

Authority shall only engage in activities in the nature of new ventures or are clearly beyond the scope, capacity, or interest of private enterprises, due to consideration of geography, technical or capital requirements, returns on investment, and risk, unless public interest requires otherwise; *Provided further*, That in creating subsidiary corporations, the Authority shall comply with Section 27 of RA 10149;

j. Plan, program, finance, or undertake infrastructure projects such as river, flood and tidal control, wastewater and sewerage works, water supply, roads, ports, irrigation, housing and related projects, when so required, within the context of its development plans and programs including the readjustment, relocation or settlement of population within the region, in close coordination with the Department of Public Works and Highways (DPWH) and Department of Human Settlements and Urban Development (DSHUD): *Provided*, That should any project be financed wholly or in part by the Authority, it is hereby authorized to collect reasonable fees and tolls as may be fixed by its Board of Directors, subject to the approval of the NEDA Board from users and beneficiaries thereof, to recover costs of construction, operation and maintenance of the projects: *Provided further*, That if the Authority should find it necessary to undertake such infrastructure projects which are classified as social overhead capital projects as determined by the NEDA, the Authority shall be authorized to receive financial assistance from the government in such amount necessary to carry out the said projects, subject to the terms and condition that may be imposed by the government, upon recommendation of the NEDA Board: *Provided finally*, That such amount necessary for the purpose is hereby authorized to be appropriated out of the funds of the National Treasury not otherwise appropriated;

k. Lend or facilitate the extension of financial assistance and act as surety or guarantor to worthwhile agricultural, industrial, and commercial enterprises;

l. Engage in fish production and other aqua-culture projects in bodies of water within its jurisdiction, and in pursuance thereof, conduct studies and carry out experiments, whenever necessary, with the collaboration and assistance of the Bureau of Fisheries and Aquatic Resources (BFAR), with the end in view of improving present techniques and practice. *Provided*, That until modified, altered or

1 amended by the procedure provided in the following sub-paragraph, the present
2 laws, rules, and permits or authorizations remain in force;
3

4 m. For effective regulation and monitoring of activities in the Manila Bay waters, the
5 Authority shall have exclusive jurisdiction to issue new permit for its use for any
6 projects or activities that shall affect the bay, including the operation of allowable
7 fishpens, fish enclosures, fish corrals and the like. The Authority shall also impose
8 necessary safeguards for bay quality control and management, and collect
9 necessary fees for said activities and projects: *Provided*, That the fees collected for
10 fisheries may be shared between the Authority and other government agencies and
11 political sub-divisions in such proportion as may be determined by the President of
12 the Philippines, upon recommendation of the Authority's Board: *Provided*,
13 *further*, That the Authority's Board may determine new areas of fisheries
14 development or activities which may be placed under the supervision of the BFAR,
15 taking into account the overall development plans and programs for all bodies of
16 water under its jurisdiction: *Provided finally*, That the Authority shall, subject to the
17 approval of the President of the Philippines, promulgate rules and regulations which
18 shall govern fisheries development activities, which shall take into consideration
19 among others the following: socioeconomic amelioration of bonafide resident
20 fisherman whether individually or collectively in the form of cooperatives, bayshore
21 town development, a master plan for fishpen construction and operation, communal
22 fishing ground for bayshore town residents, and preference to bayshore town
23 residents in hiring laborers for fishery projects;
24

25 n. Exercise water rights over public waters under its administrative jurisdiction
26 whenever necessary, excluding municipal waters, as defined under R.A. 7160, or
27 the Local Government Code of 1991, to carry out the Authority's projects, in
28 consultation with concerned government agencies and the affected component
29 LGUs;
30

31 o. Act in coordination with existing governmental agencies in establishing effluent
32 standards for industrial, agricultural, and municipal waste discharges into the bay,
33 and to cooperate with said existing agencies of the government of the Philippines in
34 enforcing the standards, or separately pursue enforcement and penalty actions as
35 provided for in Section 38 and Section 41 of this Act;

- 1
- 2 p. Undertake studies on the maintenance and improvement of the water quality
- 3 standards of all bodies of water under its jurisdiction, and in pursuance thereof,
- 4 prepare a water quality management program and update it on a continuing basis,
- 5 subject to the approval of the DENR, which the Authority shall carry out with the
- 6 assistance and support of all national units and LGUs involved in water quality
- 7 management;
- 8
- 9 q. After due notice and hearing, the Authority may also revoke, suspend, or modify
- 10 any permit issued under this Act, whenever the same is necessary to prevent or
- 11 abate pollution;
- 12
- 13 r. Issue cease and desist orders or decisions to compel compliance with the provisions
- 14 of this Act and the implementing rules and regulations promulgated by the
- 15 Authority after proper notice and hearing;
- 16
- 17 s. Issue writs of execution for the enforcement of its decision or order to the or duly
- 18 constituted authorities whom it may appoint. Any decision or order of the Authority,
- 19 after the same has become final and executory, shall be enforced and executed in
- 20 the same manner as decisions of regular courts;
- 21
- 22 t. To require cities and municipalities within the Manila Bay region to integrate the
- 23 clearances and permits from the Authority, as a prerequisite for securing business
- 24 permit and the like, unless deemed irrelevant with the Authority's scope;
- 25
- 26 u. Coordinate with appropriate government agencies and local LGUs concerned in the
- 27 enforcement of its policies, rules, and regulations to ensure that plans, PAPs of all
- 28 stakeholders are aligned with the developmental, management, and protection
- 29 plans of the Authority; and
- 30
- 31 v. Perform other powers necessary under existing laws to carry out the purposes of
- 32 this Act.
- 33

34 **Sec. 12. Establishment of a Manila Bay Coastal Greenbelt.** Consistent with the

35 government's aim to integrate the National Coastal Greenbelt Program framework strategy

1 into all development plans, PAPs, and into all actions and decisions of the national and
2 local governments, businesses, non-government organizations, and local communities,
3 the Authority, in cooperation with the DENR, shall work towards establishing a Manila
4 Bay Coastal Greenbelt, which shall serve as a buffer zone in the bay region. This is in line
5 with the goal to reduce the country's vulnerability to climate change and disaster risks,
6 enhance adaptive capacity and build national and local resilience to climate change-
7 related disasters. The Authority shall ensure that the establishment of the said coastal
8 greenbelt shall be steered by the Integrated Coastal Zone Management Planning
9 Framework imbedded within the MBSDMP.

10
11 **Sec. 13. Easements Along the Manila Bay.** As far as is reasonably practicable, in close
12 partnership with concerned agencies, the Authority shall implement the easement law
13 under Article 51 of PD No. 1067, or the Water Code of the Philippines. Whenever deemed
14 necessary, with the concurrence of the affected LGU, the Authority shall exercise the right
15 of eminent domain.

16
17 **Sec. 14. Integrated Flood Control and Drainage Master Plan in the Manila Bay**
18 **Region.** To secure a sustainable ridge-to-reef approach, the Authority, in close
19 collaboration with the DENR, DPWH, and MMDA shall aid the said offices in every way
20 possible, in ensuring that an integrated flood control and drainage master plan in the
21 Manila Bay region shall be established and implemented.

22
23 **Sec. 15. Non-Overlapping of Powers and Functions Within the DENR.** The Authority,
24 in consultation with the DENR Secretary, shall absorb whatever unit or personnel of the
25 DENR, whose jurisdiction overlaps with the Authority's special powers and functions that
26 are necessary and inevitable to uphold the holistic management approach of the Authority:
27 *Provided*, That the principle of non-diminution of benefits shall apply to all affected unit
28 or personnel: *Provided further*, That those holding plantilla positions shall have the option
29 to retain their post or to accept appointment from the Authority.

30
31 **Sec. 16. Compensation for Damages.** Compensation for damages to the aquatic
32 resources in all bodies of water under the jurisdiction of the Authority resulting from
33 failure to meet established water and effluent quality standards or from other wrongful
34 act or omission of a person, private or public, juridical or otherwise, punishable under the

1 law shall be awarded to the Authority, to be earmarked for water quality control and
2 management.

3
4 **Sec. 17. Annual Fees.** The Authority is hereby empowered to collect annual fees for the
5 use of the bay waters and its tributaries for all beneficial purposes including recreation,
6 municipal, industrial, agricultural, fisheries, and waste disposal purposes. All fees so
7 collected shall be used for the management and development of the bay region and its
8 watershed areas;

9
10 **Sec. 18. Corporate Powers.** - The Authority shall exercise the following powers and
11 functions:

- 12
- 13 a) To succeed on its corporate name;
 - 14
 - 15 b) To sue and be sued in its corporate name;
 - 16
 - 17 c) To adopt, alter, and use a corporate seal;
 - 18
 - 19 d) To enter into contracts of any kind and description, to enable the Authority to
20 perform its purposes and functions under this Act;
 - 21
 - 22 e) To acquire, buy, purchase, hold or lease, personal and real property as it deems
23 necessary in the transaction of its business or in relation with carrying out its
24 purposes under this Act; and to lease, mortgage, sell, alienate, or otherwise
25 encumber, utilize, utilize or dispose any personal and real property held by the
26 Authority, subject to prior or existing individual or communal right of private parties
27 or of the government or any agency or enterprise thereof;
 - 28
 - 29 f) To exercise the right of eminent domain whenever the Authority deems it necessary,
30 for the attainment of its objectives under this Act;
 - 31
 - 32 g) To borrow funds from any local or foreign financial institutions independent of the
33 bonds it may issue or may continue to issue, to carry out the purposes of the
34 Authority under this Act;
 - 35

- h) To purchase, hold, alienate, mortgage, pledge or otherwise dispose of the shares of the capital stock of, or any bond, securities, or other evidence of indebtedness created by other corporation, co-partnership, or government agencies or instrumentalities; to exercise all the rights or ownership, including the right to vote thereon: *Provided*, That the Authority shall not invest its funds in any high risk debt instruments, as well as in any highly speculative stocks, without recourse to commercial banks or investment houses;
- i) To perform any act which a corporation, co-partnership, or natural person is authorized to perform under the law; and
- j) To issue rules and regulations necessary to effectively carry out the powers and purposes herein provided including the plans, PAPs of the Authority.

Sec. 19. Board of Directors. - The powers of the Authority shall be vested in and exercised by a Board of Directors, hereinafter referred to as the Board, which shall be composed of thirteen (13) members, as follows:

1. Secretary of the **DENR** as the ex officio Chairperson of the Board;
2. Secretary of the DA - Bureau of Fisheries and Aquatic Resources (**BFAR**) as ex officio member;
3. Secretary of the Department of Human Settlements and Urban Development (**DHSUD**) as ex officio member;
4. Secretary of the Department of Trade and Industry (**DTI**) as ex officio member;
5. Secretary of the **DOT** as ex officio member;
6. Secretary of the Department of Transportation (**DOTr**) as ex officio member;
7. Secretary of the Department of Interior and Local Government (**DILG**) as ex officio member;
8. Secretary of the Department of Public Works and Highways (**DPWH**) as ex officio member;
9. Chairperson of Metropolitan Manila Development Authority (**MMDA**) as ex officio member;
10. Commandant of Philippine Coast Guard (**PCG**) as ex officio member;
11. LGU Representative from the Central Luzon Regional Development Council (**RDC**);
12. LGU Representative from **CALABARZON - RDC**; and

1 13. LGU Representative from the Metro Manila Council (**MMC**);

2
3 The ex officio board members of the Authority may designate their respective ex officio
4 alternates, who shall be officials next in rank, whose acts shall be considered the acts of
5 their principals.
6

7 A member of the Board shall be a citizen and resident of the Philippines, of good moral
8 character, of recognized probity and independence, and of distinguished competence in
9 relevant fields including business, economics, environment, tourism, engineering, or law.
10 All appointive Directors shall comply with the fit and proper rule, and undergo the process
11 of selection and appointment in accordance with Chapter IV of RA No. 10149 or the GOCC
12 Governance Act of 2011.
13

14 **Sec. 20. Functions of the Board.** – The Board shall have the following powers and
15 functions:
16

17 a. Determine the organizational structure of the Authority and define the duties and
18 responsibilities of all officials and employees in accordance with civil service laws, rules
19 and regulations and evaluation and approval of the Department of Budget and
20 Management (DBM);
21

22 b. Create services and positions as may be deemed necessary for the economical,
23 efficient, and effective conduct of the activities of the Authority;
24

25 c. Prepare the annual budget of the Authority, and a supplemental budget when
26 necessary; and
27

28 d. Submit to the President of the Philippines, the Senate, and the House of
29 Representatives of the Philippines an annual report and other reports as may be required.
30

31 **Sec. 21. Board Meetings.** - The Board shall meet at least once a month. The Board shall
32 be convoked by the Chairman or upon written request signed by a majority of the
33 members. The members of the Board, except ex officio members, shall be entitled to
34 allowances and per diem in accordance with existing policies, rules and regulations.
35

1 **Sec. 22. Prohibition Against Conflict of Interest.** No member of the Board shall be
2 financially interested, directly or indirectly, in any contract entered into by the Authority
3 or in any special privileges granted by the Authority during his term of office. All contracts
4 entered into, in violation of this provision, shall automatically be null and void. Any
5 member of the Board found violating the provisions of this section by two-thirds (2/3) vote
6 of the Board shall automatically be disqualified from serving his unexpired term, and he
7 shall furthermore be perpetually disqualified for membership in the said Board.

8
9 **Sec. 23. Administrator of the Manila Bay Region.** - The President shall appoint the
10 Administrator of the Manila Bay Authority from a list of pre-selected candidates provided
11 by the Board, based on established guidelines on merit and fitness. The Administrator
12 shall be subject to the disciplinary powers of the Board and may be removed by the Board
13 for cause. The Administrator shall have a term of office in accordance with Section 17 of
14 RA No. 10149 or the GOCC Governance Act of 2011.

15
16 In case the Administrator is removed for cause, any one appointed to the position shall
17 serve only the unexpired portion of term of the Administrator. The appointment of a
18 director to fill the vacancy shall be in accordance with the manner provided in Section 15
19 of RA No. 10149. The Administrator shall be responsible to the Board for the efficient
20 administration and management of the Manila Bay region.

21
22 **Sec. 24. Qualifications of the Administrator.** - No person shall be appointed as
23 Administrator unless one is a natural-born Filipino citizen, of good moral character and
24 unquestionable integrity, has not participated in the preceding local elections for
25 government office, and with five (5) years of relevant managerial and technical experience.

26
27 The Administrator and all officials and employees of the Authority shall be entitled to
28 compensation and benefits in accordance with the Compensation and Position
29 Classification System prepared by the Governance Commission for Government-Owned or
30 -Controlled Corporations (GCG) and approved by the President.

31
32 **Sec. 25. Powers and Functions of the Administrator.** - The Administrator shall have
33 the following powers and duties:
34

- a. Submit to the Board the policies and measures deemed necessary to carry out the purposes and provisions of this Act;
- b. Execute and administer the policies, plans, PAPs approved by the Board;
- c. Direct and supervise the operation and internal administration of the Authority, and delegate certain administrative responsibilities to other officers, subject to the rules and regulations of the Board;
- d. Develop and submit its organizational structure and staffing pattern, to the GCG, Civil Service Commission (CSC), and the DBM, as approved by the Board, for consideration and approval;
- e. Appoint officials and employees below the rank of service heads to positions in the approved organizational chart; and
- f. Exercise other powers and duties as may be vested by the Board from time to time.

Sec. 26. Organizational Structure. In carrying out the activities of the Authority, the Administrator shall be assisted by an **Assistant Administrator for Technical Services** and an **Assistant Administrator for Management Services** who shall have powers, duties, and functions that may be delegated by the Administrator. Any of the Assistant Administrators shall act as Administrator in the absence or in case of temporary incapacity of the Administrator, until a new Administrator is duly appointed.

The Authority shall have the following services under the direct supervision and control of the Administrator:

- a. A **Conservation and Development Service** which shall conduct studies and research, and prepare reports and other publications relating to operational trends, and program objectives and accomplishments on rehabilitation, biodiversity, and ecotourism. Monitor and evaluate all activities related to implementation of policies, rules and regulations for ecotourism, preservation of biological diversities, and other activities in the bay region;
- b. An **Administrative Service** which shall be responsible for providing services relating to personnel, training, information, records, supplies general services, equipment and security;

c. A **Legal Service** to be headed by a Legal Counsel who shall represent the Authority in legal actions and proceedings. This unit shall be responsible for providing staff advice and assistance on legal matters;

d. A **Finance Service** which shall be responsible for providing staff advice and assistance on budgetary and financial matters, and safekeeping of corporate assets;

e. A **Project Management Service** which shall be responsible for the operation of approved projects, project evaluation, and management improvement matters;

f. A **Planning and Project Development Service** which shall be responsible for providing services relating to planning, programming, statistics and project development;

g. An **Engineering and Construction Service** which shall be responsible for providing services relating to detailed engineering plans and the construction and maintenance of project facilities;

h. A **Clearances and Permits Service** which shall be responsible for the implementation of PD 1586 within the region. In particular, it evaluates Environmental Compliance Certificate (ECC) applications for projects located in Environmentally Critical Areas. It also issues Certificates of Non-Coverage (CNC) for projects determined to be outside the purview of the Philippine EIS System; and

i. An **Enforcement Service** which shall be responsible for the effective implementation and compliance to PD 1586, RA 8749, RA 9003, RA 6969, and other laws related to the protection and preservation of the Manila Bay region.

The business and activities of each of these services shall be directed by its Service Directors.

The Board may create other services and positions as may be deemed necessary for the efficient, economical, and effective conduct of the activities of the Authority.

Sec. 27. Merit System. All officials, agents, and employees of the Authority shall be selected and appointed on the basis of merit and fitness, in accordance with a

comprehensive and progressive merit system, to be established by the Authority. The recruitment, transfer, promotion, and dismissal of all personnel of the authority, including temporary workers, shall be governed by such merit system.

Sec. 28. Capitalization, and Operating Start-up Capital. The Authority shall have an authorized capital of Ten Billion Pesos (P10,000,000,000.00) representing no par shares with a minimum issue value of Ten pesos (10.00) each.

The initial amount necessary to subscribe and pay for the shares of stock shall be included in the Annual General Appropriations Act of the year following its enactment into law and thereafter.

The Board may, from time to time, and with the written concurrence of the Secretary of the Department of Finance, increase the value of the shares representing the capital stock of the Authority. The National Government shall own one hundred percent (100%) of the total shares issued and the outstanding capital stock of the Authority.

Sec. 29. Operating Expenses. For the first year of its operation, the sum total of the budget allocation of MBCO, PRCMO, and MBTF from its last year of operation shall be earmarked as the initial operating expenses of the Authority, regardless of the month it shall commence. Thereafter, the sum of Two Billion Pesos (P2,000,000,000.00) shall be appropriated annually for the operating expenses of the Authority for ten (10) years from the general fund of the National Government.

The Board of Directors may appropriate out of the funds of the Authority as may be necessary for its operating expenses.

Sec. 30. Power to Incur Debts and to Issue Bonds. Whenever the Board of Directors may deem it necessary for the Authority to incur an indebtedness or to issue bonds to carry out the provisions of this Act, it shall declare and state through a resolution, the purpose for which the proposed debt is to be incurred.

The Authority shall submit its proposal to incur indebtedness or to issue bonds to the Monetary Board of the Bangko Sentral ng Pilipinas for approval, and this shall be considered authorized upon the approval of the President of the Philippines.

1
2 **Sec. 31. Bond Limit.** The bonds shall be issued in such amounts as will be needed, taking
3 into account the rate at which said bonds may be absorbed by the buying public and the
4 fund requirements of projects ready for execution, and considering further the need to
5 balance productive and non-productive projects to minimize inflation.
6

7 **Sec. 32. Form, Rates of Interest, Etc. of Bonds.** The Board of Directors, shall prescribe
8 the form, the rates of interest, the denominations, maturities, negotiability, convertibility,
9 call and redemption features, and all other terms and conditions of issuance, placement,
10 sale, servicing, redemption, and payment of all bonds issued by the Authority under this
11 Act.
12

13 The bonds for both the principal and interest issued by virtue of this Act may be made
14 payable in Philippine currency or any readily convertible foreign currency; Said bonds
15 shall be receivable as security in any transaction with the government in which such
16 security is required.
17

18 **Sec. 33. Exemption from Tax.** The Authority shall be exempt from all taxes, licenses,
19 fees, and duties, incidental to its operations. This exemption shall extend to its subsidiary
20 corporation: *Provided*, That its subsidiary corporations shall be subject to all said taxes,
21 licenses, fees, and duties five (5) years after their establishment under a graduated scale
22 as follows: twenty (20) percent of all said taxes during the sixth year, forty (40) percent of
23 all said taxes during the seventh year, sixty (60) percent of all said taxes during the eighth
24 year, eighty (80) percent of all said taxes during the ninth year, and one hundred (100)
25 percent of all taxes during the tenth year, after said establishment.
26

27 Such exemption shall include any tax or fee imposed by the government on the sale,
28 purchase, or transfer of foreign exchange. All notes, bonds, debentures and other
29 obligations issued by the Authority shall be exempt from all taxes both for principal and
30 interest, except inheritance and gift taxes.
31

32 **Sec. 34. Sinking Fund.** A sinking fund shall be established in such manner that the total
33 annual contribution thereto, accrued at a rate of interest that shall be determined by the
34 Board of Directors, shall be sufficient to redeem the bonds at maturity, issued under this
35 Act.

1
2 The fund shall be under the custody of the treasurer of the Authority who shall invest the
3 said fund as the Board of Directors may direct; charge all expenses of investment to said
4 sinking fund, and credit the same with the interest on investment and other income owned
5 by the Authority.
6

7 **Sec. 35. Guarantee by the Government.** The Republic of the Philippines hereby
8 guarantees the payment by the Authority for both the principal and the interest of the
9 bonds, debentures, collaterals, notes or other obligations issued by the Authority by virtue
10 of this Act. The government shall pay the principal and interest in the event that the
11 Authority shall be incapable to do so.
12

13 In case the Authority shall fail to pay the said principal and interest, the Secretary of the
14 Department of Finance shall pay the amount thereof which is hereby appropriated out of
15 any funds in the National Treasury not otherwise appropriated, and thereupon, to the
16 extent of the amounts so paid, the Government of the Republic of the Philippine shall
17 succeed to all rights of the holders of such bonds, debentures, collaterals, notes or other
18 obligations, unless the sum so paid by the Republic of the Philippines shall be refunded
19 by the Authority within a reasonable time.
20

21 **Sec. 36. Collaboration with the LGUs.**
22

- 23 a. Notwithstanding the provisions of existing laws, rules, and regulations to the
24 contrary, the Authority shall exercise administrative and rulemaking powers
25 and shall be authorized to disburse funds, and to require the accreditation of
26 enterprises to ensure compliance with the developmental, management, and
27 protection plans in the Manila Bay region;
- 28 b. In no case shall any provision of this Act result in the diminution of local
29 taxing authority, which shall be limited to real property taxation, to which
30 only reasonable rates, charges, and fees shall be imposed; and
- 31 c. Basic social services to the general community, such as health and medical
32 services, family planning, child care, school services, education, and disaster
33 recovery services shall be under the authority of the LGUs concerned and to
34 the extent that it can, shall be supported by the Authority.
35

Sec. 37. Institutional Linkages. In carrying out its functions, the Authority shall maintain a close coordination with the following agencies and offices involved in the implementation of the OPMBCS:

2. Laguna Lake Development Authority
3. DENR - EMB
4. DENR - Biodiversity Management Bureau
5. DENR - Forest Management Bureau
6. DSHUD- National Housing Authority
7. Presidential Commission for the Urban Poor
8. DA - National Fisheries Research and Development Institute
9. DA - Bureau of Animal Industry
10. DA - Bureau of Soils and Water Management
11. DILG- Philippine National Police - Maritime Group
12. Philippine Ports Authority
13. Metropolitan Waterworks and Sewerage System
14. Maynilad Water Services, Inc.
15. Manila Water Company, Inc.
16. Local Water Utilities Administration
17. Department of Health
18. Department of Education
19. Department of Justice
20. Department of Budget and Management

Sec. 38. Police and Enforcement Powers. In the exercise of its police and enforcement powers, the Authority shall enlist the services of the PCG as frontliners in the performance of maritime safety, security, marine environmental protection and law enforcement function. A portion of the collected fees shall be allotted to the PCG for the utilization of personnel, maintenance and operation of equipment, assets and resources to be used within the Manila Bay region.

Consistent with the continuing cleanup and maintenance of the Manila Bay, the Philippine National Police - Maritime Group (PNP-MG) shall likewise coordinate with PCG for the enforcement of this Act. A portion of the collected fees shall also be allotted for the

utilization of personnel, maintenance and operation of equipment, assets and resources of the PNP-MG.

Sec. 39. Immunity from Suit. – The board of directors, the administrator, officers, and employees of the Authority, including the PCG and PNP-MG personnel assigned to exercise police and enforcement powers of the Authority, shall not be subject to any action, claim, or demand, in connection with any act done or omitted in the performance of duties and exercise of powers, except for actions and intentional omissions done in evident bad faith or gross negligence.

Sec. 40. Indemnity.– Unless the actions of the board of directors, the administrator, or any of its officers and employees of the Authority, including the PCG and PNP-MG personnel assigned to exercise police and enforcement powers of the Authority, shall be found to be in willful violation of this act, performed with evident bad faith or gross negligence, the board of directors, the administrator, officers, and employees of the Authority, including the PCG and PNP-MG personnel, shall be held free and harmless to the fullest extent permitted by law, from any liability, and shall be indemnified for all liabilities, losses, claims, demands, damages, deficiencies, costs, and expenses of whatsoever kind and nature that may arise, in connection with the exercise of their powers and in the performance of their duties and functions.

The Authority shall underwrite or advance litigation costs and expenses, including legal fees and other expenses of external counsel, or provide legal assistance to its board of directors, the administrator, officers, and employees of the Authority, including the assigned PCG and PNP-MG personnel, in connection with any civil, criminal, administrative or any other action or proceeding, to which they are made a party by reason of, or in connection with, the exercise of their authority or the performance of their duties and functions under this Act: **Provided**, That such legal protection shall not apply to any civil, criminal, administrative, or any action or proceeding that may be initiated by the Authority, against the board of directors, the administrator, officers, and employees of the Authority, including the assigned PCG and PNP-MG personnel: **Provided further**, That the board of directors, the administrator, officers, and employees of the Authority, including the PCG and PNP-MG personnel assigned to exercise police and enforcement powers of the Authority, who shall resign, retire, transfer to another agency or be separated from the service, shall continue to be provided with the legal protection in

1 connection with any act done or omission done in good faith during their tenure or
2 employment with the Authority: ***Provided finally***, That in the event of a settlement or
3 compromise, indemnification shall be provided only in connection with matters covered
4 by the settlement as to which the Authority is advised by counsel that the persons to be
5 indemnified did not commit any negligence or misconduct.

6
7 The costs and expenses incurred in defending the aforementioned action, suit, or
8 proceeding may be paid by the Authority in advance of the final disposition of such action,
9 suit, or proceeding upon receipt of an undertaking by, or on behalf of the board of
10 directors, the administrator, officers, and employees of the Authority, including the PCG
11 and PNP-MG personnel assigned to exercise police and enforcement powers of the
12 Authority, to repay the amount advanced, should it ultimately be determined by the
13 Authority that one is not entitled to be indemnified as provided in this section.

14
15 **Sec. 41. *Prohibited Acts, Fines and Penalties, Criminal and Civil Liabilities.***

16 Therewithal the prohibited acts, fines and penalties, criminal and civil liabilities enclosed
17 in PD 1586, RA 8749, RA 9003, RA 6969, and other laws related to the protection and
18 preservation of the Manila Bay region, the Authority shall have the power to impose other
19 prohibited acts, fines and penalties, file separate criminal charges and pursue separate
20 civil actions for damages resulting from violations of the provisions of this Act, and rules
21 and regulations issued pursuant thereto.

22
23 Upon the effectivity of this Act, the Authority shall also have the capacity to outline a
24 graduated fines and penalties register that shall applicably correspond with the prohibited
25 acts and violations on the aforesaid environmental laws: *Provided*, That the Board,
26 through the recommendation of the Enforcement Service, shall periodically update the
27 said register through a Board Resolution.

28
29 **Sec. 42. *Transitory Provisions.*** To ensure a smooth transition covering the activities of
30 the MBCO, PCRMO, MBTF, and the affected EMB offices, pending the full implementation
31 of the Authority's organizational structure and staffing pattern, all officials and employees
32 of the interim MBCO, PCRMO, MBTF, and the affected EMB offices shall continue to
33 exercise their duties and functions, and shall receive their salaries and allowances until
34 they receive the notice of appointment, notice of transfer to the Authority, notice of change
35 of duties and functions, and notice of transfer to another position.

1
2 All assets and properties under the accountability of the interim MBCO, PCRMO, MBTF,
3 and the affected EMB offices, and all its obligations, indebtedness, and liabilities, if any,
4 shall be transferred and assumed by the Authority, subject to the guidelines that may be
5 established by the GCG, Department of Budget and Management (DBM), OP, and
6 Commission on Audit.

7
8 The civil service laws, rules and regulations pertinent to the displacement of personnel
9 affected by this Act shall be strictly enforced. In case of displaced employees, the national
10 government shall provide the amount necessary to pay their benefits at the rate mandated
11 by the DBM, for every year of service: *Provided*, That if qualified for retirement under
12 existing retirement laws, said employees may opt to receive the benefits thereunder.

13
14 **Sec. 43. Implementing Rules and Regulations.** - Within ninety (90) days after the
15 passage of this Act, after thorough consultation with the stakeholders of the Authority and
16 concerned government agencies, the Board shall promulgate the rules and regulations for
17 the effective implementation of this Act.

18
19 **Sec. 44. Separability Clause.** - If any provision of this Act is declared invalid or
20 unconstitutional, the other provisions not affected thereby shall remain valid and
21 subsisting.

22
23 **Sec. 45. Repealing Clause.** – The DENR Administrative Order (A.O.) No. 2011-01 creating
24 the Manila Bay Coordinating Office (MBCO), the DENR AO No. 2020-02 creating the Pasig
25 River Coordinating and Management Office (PRCMO), and the Presidential AO No. 16,
26 Series of 2019, creating the Manila Bay Task Force (MBTF) are hereby repealed. All laws,
27 executive orders, memorandum circulars, guidelines, and other issuances or parts
28 thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

29
30 **Sec. 46. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in
31 the Official Gazette or in newspaper of general circulation.

Approved,