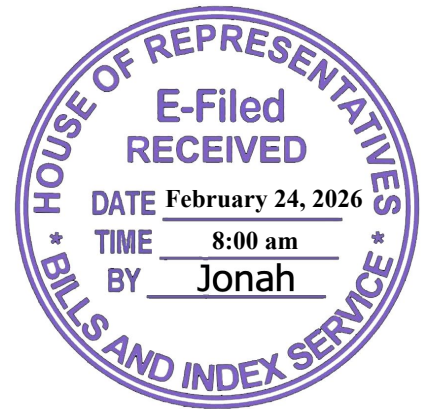




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 8021



Introduced by Representative **Ann Matibag**

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

Laguna de Bay and Manila Bay are not isolated water bodies. They form a **single, interconnected hydrological system** linked by the Pasig River, the Napindan Channel, and a network of tributaries whose flows are influenced by tides, seasonal rainfall, flood control infrastructure, and human activity. What happens in one inevitably affects the other.

Laguna de Bay—the country’s largest freshwater lake—serves as a critical resource for fisheries, domestic water supply, flood regulation, and livelihoods of millions of Filipinos living in its surrounding cities and municipalities, including San Pedro City, Laguna. Manila Bay, on the other hand, functions as the nation’s premier coastal gateway for commerce, fisheries, tourism, and maritime transport. Yet decades of pollution, unregulated development, and fragmented governance have degraded both ecosystems, threatening public health, food security, and climate resilience.

Scientific and technical studies consistently show that pollution and floodwaters move **both ways** between Laguna de Bay and Manila Bay. During the rainy season, excess water and contaminants from the Laguna de Bay watershed flow through the Pasig River system toward Manila Bay. Conversely, during dry months and high tides, polluted and saline waters from Manila Bay can intrude upstream into the Pasig River and even into Laguna de Bay, adversely affecting water quality, aquatic life, and the surrounding communities. Flood control structures such as the Manggahan Floodway further reinforce this physical interdependence by diverting floodwaters into Laguna de Bay to protect Metro Manila—waters that eventually influence Manila Bay conditions.

Despite this reality, governance remains fragmented. Multiple national agencies, local government units, and special bodies exercise overlapping and sometimes conflicting mandates over Manila Bay, the Pasig River, and Laguna de Bay. While the Laguna Lake Development Authority (LLDA) governs the Laguna de Bay region, and various task forces and coordinating offices oversee Manila Bay rehabilitation, the absence of a **single, permanent, and empowered institution** to integrate planning, enforcement, and investment across the entire Manila Bay watershed has undermined long-term effectiveness.

The Supreme Court's Writ of Continuing Mandamus issued in 2008 underscored the urgency of restoring Manila Bay, yet compliance has been uneven precisely because institutional arrangements remain temporary, fragmented, and dependent on inter-agency coordination rather than clear authority and accountability.

This proposed measure seeks to address these systemic gaps by creating the **Manila Bay Authority**, a Government-Owned or Controlled Corporation that will serve as the primary entity to integrate, harmonize, and oversee all plans, programs, activities, and projects for the rehabilitation, protection, sustainable management, and development of the Manila Bay region and its watershed. The Authority institutionalizes a **ridge-to-reef** approach that recognizes the inseparable link between upland watersheds, river systems, Laguna de Bay, and Manila Bay.

Importantly, the bill explicitly recognizes the **interconnectedness of Manila Bay and Laguna de Bay** and mandates close coordination and concurrent policy-making with the Laguna Lake Development Authority. This ensures that measures taken to rehabilitate Manila Bay will not undermine, but instead reinforce, the protection and sustainable management of Laguna de Bay and its surrounding cities, including San Pedro City, Laguna. The measure preserves the powers, functions, and jurisdiction of the LLDA under its charter, while providing a unified regional framework to address shared environmental threats such as pollution, flooding, climate change impacts, and unregulated coastal and lakeshore development.

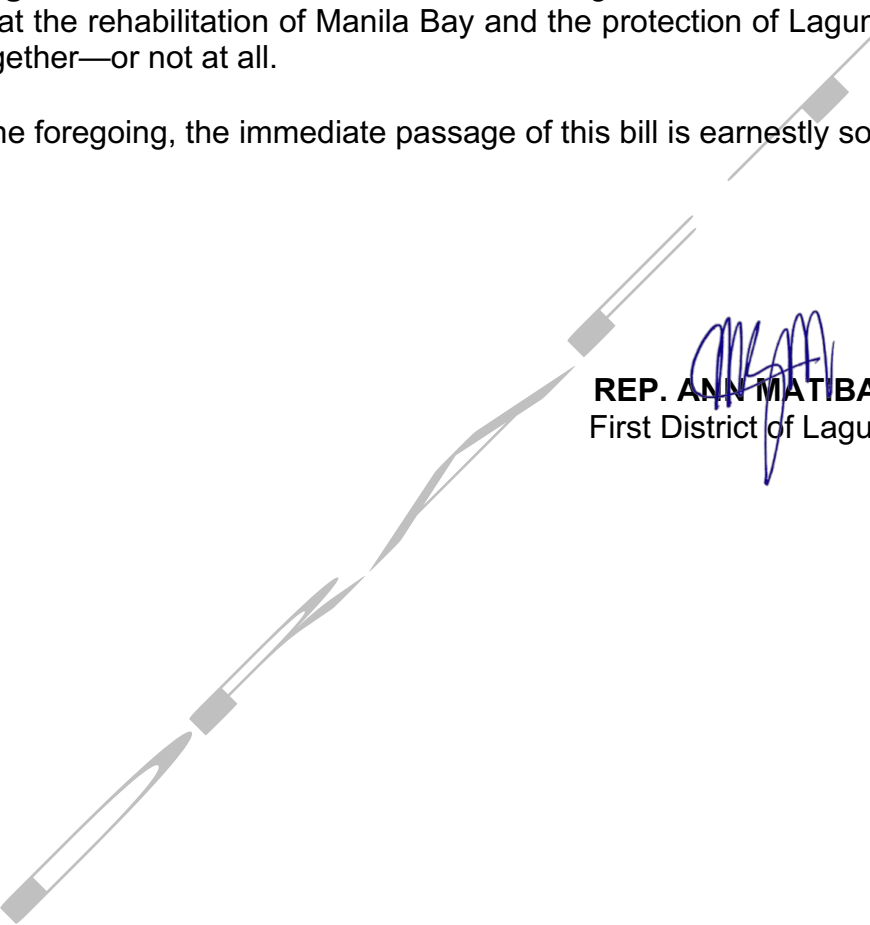
The proposed Authority is firmly anchored on the **Manila Bay Sustainable Development Master Plan (MBSDMP)**—a comprehensive, science-based, and participatory 20-year blueprint developed with the assistance of international and local stakeholders. By consolidating existing coordinating bodies, enforcing the user-pays and polluter-pays

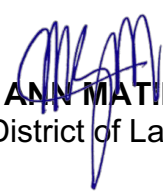
principles, strengthening water quality management, and aligning infrastructure, housing, and environmental interventions, the Authority provides the long-term institutional backbone necessary to transform Manila Bay and its connected water systems into resilient, productive, and life-sustaining ecosystems.

For lakeshore communities such as San Pedro City, Laguna, this measure is not merely about Manila Bay. It is about protecting freshwater resources, preventing recurrent flooding, safeguarding public health, sustaining livelihoods, and ensuring that environmental governance reflects scientific reality rather than administrative boundaries.

The creation of the Manila Bay Authority is therefore a decisive step toward **integrated watershed governance**, climate resilience, and intergenerational environmental justice. It affirms that the rehabilitation of Manila Bay and the protection of Laguna de Bay must proceed together—or not at all.

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




REP. ANN MATIBAG
First District of Laguna



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House Bill No. **8021**

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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

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

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

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

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

The objectives shall be executed with utmost regard to appropriate provisions for the conservation, rehabilitation, preservation, restoration, and maintenance of Manila Bay waters, consistent with the plans and programs embodied in Presidential Decree (PD) 1586 of 1978 or the Environmental Impact Statement (EIS) System, Republic Act (RA) No. 9275 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 should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment;
- e. **Ridge to Reef Approach** shall refer to a mechanism that aims to provide a holistic intervention for protecting the coastal area by targeting environmental degradation in the uplands (ridge) that impact the coastal ecosystems through sedimentation, by restoring the shoreline and protecting marine ecosystems (reef), thereby mitigating storm surges; and
- f. **User-pays Principle** shall refer to the variation of the polluter-pays principle that calls upon the user of a natural resource to bear the cost of running down natural capital.

Sec. 4. Creation of Manila Bay Authority. - There is hereby created a Government-Owned or Controlled Corporation (GOCC) to be known as the **Manila Bay Authority**,

hereinafter known as the **Authority**, to streamline all PAPs to preserve, rehabilitate, preserve, manage, develop, and operate the Manila Bay region, in accordance with the provisions of this Act. The Authority shall serve as the primary agency for integration and oversight of implementation of plans, policies, PAPs of agencies and local government units (LGUs), and shall be an attached agency of the Office of the President, but shall maintain a close coordination with the Department of Environment and Natural Resources (DENR), for policy and program harmonization.

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

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

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

Otherwise Known as the “National Integrated Protected Areas System (NIPAS) Act of 1992” and For Other Purposes”.

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

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

- a. Coordinate the full implementation of the OPMBCS with NGAs, LGUs, the NGOs and POs, Private Sector, Academe, Religious and Civil Society;
- b. Collaborate with relevant national and regional programs and projects, including the Manila Third Sewerage Project (MTSP) and the Regional Programme, “Building Partnerships in the Environmental Management of the Seas of East Asia (PEMSEA);
- c. Collaborate with the DENR regional offices in Regions III, IV-A and the NCR 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;

- m. Facilitate PAPs in maintaining and sustaining the cleanliness of the Manila Bay, its waterways and tributaries, through regular clean up activities;
- n. Provide policy improvements, recommendations, and guidelines that aim to address the solid waste-related issues and concerns, in coordination with agencies concerned, LGUs, and other stakeholders;
- o. Enforce relevant provisions of PD No. 856 or the "Code on Sanitation of the Philippines," as amended, PD 1586, RA 8749, RA 9003, RA 6969, and other related environmental laws RA 9275, and RA 9003, to ensure the complete rehabilitation, restoration, and conservation of the Manila Bay region;
- p. In accordance with PD No. 198 or the "Provincial Water Utilities Act," as amended, PD No. 856, as amended, and RA 9275, require all government facilities, subdivisions, condominiums, commercial centers, hotels, sports and recreational facilities, hospitals, market places, public buildings, industrial complex and other similar establishments, including households, to immediately connect existing sewage lines to available sewerage systems or sewerage treatment plants (STPs), or to construct individual STPs, whenever applicable, as well as to issue appropriate orders, impose fines, penalties and other administrative sanctions to compel compliance thereof;
- q. Undertake remedial measures using engineering and technological interventions to improve the water quality of the Manila Bay, such as sustained and targeted reduction in the coliform level in all major river systems and tributaries within the Manila Bay region;
- r. In collaboration with the National Anti-Poverty Commission (NAPC), Presidential Commission for the Urban Poor (PCUP), National Housing Authority (NHA) and affected LGUs, prepare and implement a comprehensive plan for massive relocation of Informal Settler Families (ISFs), especially in the priority areas of the

NCR along the Manila Bay region, which shall include: (i) identification of suitable relocation sites; (ii) strategies for economic and social integration of ISFs in the area; and (iii) 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	1.	City of Manila	7	6.	Mandaluyong	13	10.	Pasig City
2	2.	City of San	8		City	14	11.	Valenzuela
3		Juan	9	7.	Navotas City	15		City
4	3.	Las Piñas City	10	8.	Parañaque			
5	4.	Makati City	11		City			
6	5.	Malabon City	12	9.	Pasay City			

16

CENTRAL LUZON - REGION III

18

BATAAN (12)

20	1.	Abucay	24	5.	Hermosa	28	9.	Orani
21	2.	Bagac	25	6.	Limay	29	10.	Orion
22	3.	Balanga City	26	7.	Mariveles	30	11.	Pilar
23	4.	Dinalupihan	27	8.	Morong	31	12.	Samal

32

BULACAN (24)

34	1.	Angat	43	9.	Guiguinto	52	18.	Plaridel
35	2.	Balagtas	44	10.	Hagonoy	53	19.	Pulilan
36	3.	Baliwag	45	11.	Malolos City	54	20.	San Ildefonso
37	4.	Bocaue	46	12.	Marilao	55	21.	San Jose Del
38	5.	Bulakan	47	13.	Meycauayan	56		Monte
39	6.	Bustos	48	14.	Norzagaray	57	22.	San Miguel
40	7.	Calumpit	49	15.	Obando	58	23.	San Rafael
41	8.	Doña	50	16.	Pandi	59	24.	Santa Maria
42		Remedios	51	17.	Paombong			

60

NUEVA ECIJA (30)

62	1.	Aliaga	65	4.	Cabiao	68	7.	Gapan
63	2.	Bongabon	66	5.	Carranglan			
64	3.	Cabanatuan	67	6.	Gabaldon			

1	8.	General	10	15.	Lupao	19	24.	San Leonardo
2		Mamerto	11	16.	Palayan City	20	25.	Santa Rosa
3		Natividad	12	17.	Pantabangan	21	26.	Santo
4	9.	General Tinio	13	18.	Peñaranda	22		Domingo
5	10.	Guimba	14	19.	Quezon	23	27.	Science City of
6	11.	Jaen	15	20.	Rizal	24		Muñoz
7	12.	Laur	16	21.	San Antonio	25	28.	Talavera
8	13.	Licab	17	22.	San Isidro	26	29.	Talugtug
9	14.	Llanera	18	23.	San Jose City	27	30.	Zaragoza

28

29 **PAMPANGA (22)**

30	1.	Angeles	38	9.	Mabalacat	46	17.	San Luis
31	2.	Apalit	39	10.	Macabebe	47	18.	San Simon
32	3.	Arayat	40	11.	Magalang	48	19.	Sasmuan
33	4.	Bacolor	41	12.	Masantol	49	20.	Sta. Ana
34	5.	Candaba	42	13.	Mexico	50	21.	Sta. Rita
35	6.	Florida	43	14.	Minalin	51	22.	Sto. Tomas
36	7.	Guagua	44	15.	Porac			
37	8.	Lubao	45	16.	San Fernando			

52

53 **TARLAC (6)**

54	1.	Bamban	56	3.	Concepcion	58	5.	Tarlac City
55	2.	Capas	57	4.	La Paz	59	6.	Victoria

60

61 **CALABARZON - REGION IV-A**

62

63 **CAVITE (19)**

64	1.	Alfonso	68	5.	Dasma	72	8.	Imus
65	2.	Amadeo	69	6.	Gen. E.	73	9.	Indang
66	3.	Cavite City	70		Aguinaldo	74	10.	Kawit
67	4.	City of Baco	71	7.	General Trias	75	11.	Magallanes

1	12.	Maragondon	4	15.	Noveleta	7	18.	Ternate
2	13.	Mendez	5	16.	Rosario	8	19.	Trece Martires
3	14.	Naic	6	17.	Tanza	9		City

QUEZON (3)

1. Real	13	2. Sampaloc	14	3. Tayabas City
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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. Caloocan City	30	3. Muntinlupa	33	5. Quezon City
2. Marikina City	31	City	34	6. Taguig City
	32	4. Pateros		

CALABARZON - REGION IV-A

LAGUNA

1. Alaminos	44	6. Cavinti	49	9. Famy
2. Bay	45	7. City of	50	10. Kalayaan
3. Biñan	46	Cabuyao	51	11. Liliw
4. Calamba	47	8. City of San	52	12. Los Baños
5. Calauan	48	Pedro	53	13. Luisiana

1	14.	Lumban	7	20.	Pagsanjan	13	26.	Santa Cruz
2	15.	Mabitac	8	21.	Pakil	14	27.	Santa Maria
3	16.	Magdalena	9	22.	Pangil	15	28.	Santa Rosa
4	17.	Majayjay	10	23.	Pila	16		City
5	18.	Nagcarlan	11	24.	Rizal	17	29.	Siniloan
6	19.	Paete	12	25.	San Pablo City	18	30.	Victoria

19

20 **rizal (14)**

21	1.	Angono	26	6.	Cardona	31	11.	San Mateo
22	2.	Antipolo	27	7.	Jalajala	32	12.	Tanay
23	3.	Baras	28	8.	Morong	33	13.	Taytay
24	4.	Binangonan	29	9.	Pililla	34	14.	Teresa
25	5.	Cainta	30	10.	Rodriguez			

35

36 **Batangas (3)**

37	1.	Tanauan City	38	2.	Santo Tomas	39	3.	Malvar
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41 **CAVITE (4)**

42	1.	Carmona	44	3.	Silang
43	2.	Gen. M. Alvarez	45	4.	Tagaytay City

46

47 **QUEZON (1)**

48	1.	Lucban
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49

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

52

53 The metes and bounds of the Manila Bay region shall encompass the entirety of the
54 Manila Bay watershed, which measures about 17,000 square kilometers, with a coastline
55 of 190 kilometers which spans across the NCR, Regions III, and IV-A. It shall also include
56 the bay surface area and Manila Bay's tributaries and waterways.

1
2 **1. Sec. 8. Absorption of Water Quality Management Area (WQMA) Under the**

3 **Authority's Component LGUs.** - The six (6) WQMAs, designated under Section
4 5 of RA 9275 shall be absorbed by the Authority. In coordination with the National
5 Water Resources Board (NWRB), the Authority shall take over the role of the
6 DENR- Environmental Management Bureau (EMB) to protect, thru stakeholders'
7 collaboration, the water body and the tributaries over the said areas by keeping
8 the water quality within the Water Criteria which shall conform to the water body's
9 classification and eventually, improve the quality to a higher classification or the
10 SB level directed by the Supreme Court's Writ of Continuing Mandamus.

11
12 The affected offices, with their applicable powers, functions, personnel, records,
13 equipment and property shall be integrated with the Authority.

14
15 The six (6) WQMAs are as follows:

16

17 Region	18 WQMA	19 DENR DAO (Department Administrative 20 Order)
21 NCR	San Juan River System	2012-04
22 NCR	Malabon-Navotas-Tullahan-Tinajeros River System	2018-
23 10		
24 NCR	Las Piñas-Parañaque River System	2018-
25 12		
26 Central Luzon	Marilao-Meycauayan-Obando River System	
27 2008-07		
28 CALABARZON	Imus-Ylang Ylang-Rio Grande Rivers	2013-02
29 CALABARZON	Cañas-Maalimango Rivers	2016-19

30

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

1 development and operation of public utilities, waste management, and
2 infrastructure in the Manila Bay region adheres to the user-pays and polluter-pays
3 principles. *Provided*, That the jurisdiction of the appropriate government agencies
4 is not infringed upon, and the jurisdiction of the Authority only applies to the
5 implementation of user-pays and polluter-pays principles;
6

7 c. Implement tourism development projects within the Manila Bay region, in
8 coordination with the LGUs concerned and the Department of Tourism (DOT);
9

10 d. Ensure compliance that the Manila Bay region coastline at high tide shall be free
11 from Informal Settler Families (ISFs) within a 20-meter easement zone;
12

13 e. Provide the machinery for extending the necessary planning, management, and
14 technical assistance to prospective and existing investors in the region;
15

16 f. Collaborate with related agencies offering financial, technical, and physical
17 assistance accorded to bay development and rehabilitation projects;
18

19 g. Issue the necessary clearance for approved proposed plans, PAPs, within thirty
20 days from submission thereof, unless the proposals are not in consonance with
21 those of the Authority or will cause unmanageable pollution or ecological
22 imbalance of the Manila Bay region: *Provided further*, That the Authority is hereby
23 empowered to initiate necessary legal proceeding against any person who shall
24 initiate or continue implementing any plan, PAPs in any of the water resources
25 covered in this Act, without previous clearance from the Authority: *Provided*
26 *furthermore*, That any local government office, agency, public corporation, private
27 person, or enterprise whose plans, PAPs have been disapproved by the Authority,
28 may appeal the decision to the NEDA within fifteen (15) days from receipt of the
29 disapproval, and the NEDA decision on the matter shall be final;
30

- 1 h. Collect reasonable fees for the processing of plans, PAPs, and licensing
2 procedures with respect to the water resources covered in this Act;
3
- 4 i. Engage in agriculture, industry, commerce, or other activities in any of the water
5 resources under its jurisdiction, which may be necessary or directly contributory to
6 the socio-economic development of the region. For this purpose, whether
7 independently or in cooperation with private persons or entities, the Authority shall
8 organize, finance, invest in, and operate subsidiary corporations: *Provided*, That
9 the Authority shall only engage in activities in the nature of new ventures or are
10 clearly beyond the scope, capacity, or interest of private enterprises, due to
11 consideration of geography, technical or capital requirements, returns on
12 investment, and risk, unless public interest requires otherwise; *Provided further*,
13 That in creating subsidiary corporations, the Authority shall comply with Section 27
14 of RA 10149;
15
- 16 j. Plan, program, finance, or undertake infrastructure projects such as river, flood
17 and tidal control, wastewater and sewerage works, water supply, roads, ports,
18 irrigation, housing and related projects, when so required, within the context of its
19 development plans and programs including the readjustment, relocation or
20 settlement of population within the region, in close coordination with the
21 Department of Public Works and Highways (DPWH) and Department of Human
22 Settlements and Urban Development (DSHUD): *Provided*, That should any project
23 be financed wholly or in part by the Authority, it is hereby authorized to collect
24 reasonable fees and tolls as may be fixed by its Board of Directors, subject to the
25 approval of the NEDA Board from users and beneficiaries thereof, to recover costs
26 of construction, operation and maintenance of the projects: *Provided further*, That
27 if the Authority should find it necessary to undertake such infrastructure projects
28 which are classified as social overhead capital projects as determined by the
29 NEDA, the Authority shall be authorized to receive financial assistance from the
30 government in such amount necessary to carry out the said projects, subject to the
31 terms and condition that may be imposed by the government, upon

1 recommendation of the NEDA Board: *Provided finally*, That such amount
2 necessary for the purpose is hereby authorized to be appropriated out of the funds
3 of the National Treasury not otherwise appropriated;
4

5 k. Lend or facilitate the extension of financial assistance and act as surety or
6 guarantor to worthwhile agricultural, industrial, and commercial enterprises;
7

8 l. Engage in fish production and other aqua-culture projects in bodies of water within
9 its jurisdiction, and in pursuance thereof, conduct studies and carry out
10 experiments, whenever necessary, with the collaboration and assistance of the
11 Bureau of Fisheries and Aquatic Resources (BFAR), with the end in view of
12 improving present techniques and practice. *Provided*, That until modified, altered
13 or amended by the procedure provided in the following sub-paragraph, the present
14 laws, rules, and permits or authorizations remain in force;
15

16 m. For effective regulation and monitoring of activities in the Manila Bay waters, the
17 Authority shall have exclusive jurisdiction to issue new permit for its use for any
18 projects or activities that shall affect the bay, including the operation of allowable
19 fishpens, fish enclosures, fish corrals and the like. The Authority shall also impose
20 necessary safeguards for bay quality control and management, and collect
21 necessary fees for said activities and projects: *Provided*, That the fees collected
22 for fisheries may be shared between the Authority and other government agencies
23 and political sub-divisions in such proportion as may be determined by the
24 President of the Philippines, upon recommendation of the Authority's
25 Board: *Provided, further*, That the Authority's Board may determine new areas of
26 fisheries development or activities which may be placed under the supervision of
27 the BFAR, taking into account the overall development plans and programs for all
28 bodies of water under its jurisdiction: *Provided finally*, That the Authority shall,
29 subject to the approval of the President of the Philippines, promulgate rules and
30 regulations which shall govern fisheries development activities, which shall take
31 into consideration among others the following: socioeconomic amelioration of

1 bonafide resident fisherman whether individually or collectively in the form of
2 cooperatives, bayshore town development, a master plan for fishpen construction
3 and operation, communal fishing ground for bayshore town residents, and
4 preference to bayshore town residents in hiring laborers for fishery projects;
5

6 n. Exercise water rights over public waters under its administrative jurisdiction
7 whenever necessary, excluding municipal waters, as defined under R.A. 7160, or
8 the Local Government Code of 1991, to carry out the Authority's projects, in
9 consultation with concerned government agencies and the affected component
10 LGUs;
11

12 o. Act in coordination with existing governmental agencies in establishing effluent
13 standards for industrial, agricultural, and municipal waste discharges into the bay,
14 and to cooperate with said existing agencies of the government of the Philippines
15 in enforcing the standards, or separately pursue enforcement and penalty actions
16 as provided for in Section 38 and Section 41 of this Act;
17

18 p. Undertake studies on the maintenance and improvement of the water quality
19 standards of all bodies of water under its jurisdiction, and in pursuance thereof,
20 prepare a water quality management program and update it on a continuing basis,
21 subject to the approval of the DENR, which the Authority shall carry out with the
22 assistance and support of all national units and LGUs involved in water quality
23 management;
24

25 q. After due notice and hearing, the Authority may also revoke, suspend, or modify
26 any permit issued under this Act, whenever the same is necessary to prevent or
27 abate pollution;
28

29 r. Issue cease and desist orders or decisions to compel compliance with the
30 provisions of this Act and the implementing rules and regulations promulgated by
31 the Authority after proper notice and hearing;

- 1
- 2 s. Issue writs of execution for the enforcement of its decision or order to the or duly
- 3 constituted authorities whom it may appoint. Any decision or order of the Authority,
- 4 after the same has become final and executory, shall be enforced and executed in
- 5 the same manner as decisions of regular courts;
- 6
- 7 t. To require cities and municipalities within the Manila Bay region to integrate the
- 8 clearances and permits from the Authority, as a prerequisite for securing business
- 9 permit and the like, unless deemed irrelevant with the Authority's scope;
- 10
- 11 u. Coordinate with appropriate government agencies and local LGUs concerned in
- 12 the enforcement of its policies, rules, and regulations to ensure that plans, PAPs
- 13 of all stakeholders are aligned with the developmental, management, and
- 14 protection plans of the Authority; and
- 15
- 16 v. Perform other powers necessary under existing laws to carry out the purposes of
- 17 this Act.
- 18

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

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

21 strategy into all development plans, PAPs, and into all actions and decisions of the

22 national and local governments, businesses, non-government organizations, and local

23 communities, the Authority, in cooperation with the DENR, shall work towards

24 establishing a Manila Bay Coastal Greenbelt, which shall serve as a buffer zone in the

25 bay region. This is in line with the goal to reduce the country's vulnerability to climate

26 change and disaster risks, enhance adaptive capacity and build national and local

27 resilience to climate change-related disasters. The Authority shall ensure that the

28 establishment of the said coastal greenbelt shall be steered by the Integrated Coastal

29 Zone Management Planning Framework imbedded within the MBSDMP.

30

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

6
7 **Sec. 14. Integrated Flood Control and Drainage Master Plan in the Manila Bay**
8 **Region.** To secure a sustainable ridge-to-reef approach, the Authority, in close
9 collaboration with the DENR, DPWH, and MMDA shall aid the said offices in every way
10 possible, in ensuring that an integrated flood control and drainage master plan in the
11 Manila Bay region shall be established and implemented.

12
13 **Sec. 15. Non-Overlapping of Powers and Functions Within the DENR.** The Authority,
14 in consultation with the DENR Secretary, shall absorb whatever unit or personnel of the
15 DENR, whose jurisdiction overlaps with the Authority's special powers and functions that
16 are necessary and inevitable to uphold the holistic management approach of the
17 Authority: *Provided*, That the principle of non-diminution of benefits shall apply to all
18 affected unit or personnel: *Provided further*, That those holding plantilla positions shall
19 have the option to retain their post or to accept appointment from the Authority.

20
21 **Sec. 16. Compensation for Damages.** Compensation for damages to the aquatic
22 resources in all bodies of water under the jurisdiction of the Authority resulting from failure
23 to meet established water and effluent quality standards or from other wrongful act or
24 omission of a person, private or public, juridical or otherwise, punishable under the law
25 shall be awarded to the Authority, to be earmarked for water quality control and
26 management.

27
28 **Sec. 17. Annual Fees.** The Authority is hereby empowered to collect annual fees for the
29 use of the bay waters and its tributaries for all beneficial purposes including recreation,
30 municipal, industrial, agricultural, fisheries, and waste disposal purposes. All fees so

1 collected shall be used for the management and development of the bay region and its
2 watershed areas;

3
4 **Sec. 18. Corporate Powers.** - The Authority shall exercise the following powers and
5 functions:

6
7 a) To succeed on its corporate name;

8
9 b) To sue and be sued in its corporate name;

10
11 c) To adopt, alter, and use a corporate seal;

12
13 d) To enter into contracts of any kind and description, to enable the Authority to
14 perform its purposes and functions under this Act;

15
16 e) To acquire, buy, purchase, hold or lease, personal and real property as it deems
17 necessary in the transaction of its business or in relation with carrying out its
18 purposes under this Act; and to lease, mortgage, sell, alienate, or otherwise
19 encumber, utilize, utilize or dispose any personal and real property held by the
20 Authority, subject to prior or existing individual or communal right of private parties
21 or of the government or any agency or enterprise thereof;

22
23 f) To exercise the right of eminent domain whenever the Authority deems it
24 necessary, for the attainment of its objectives under this Act;

25
26 g) To borrow funds from any local or foreign financial institutions independent of the
27 bonds it may issue or may continue to issue, to carry out the purposes of the
28 Authority under this Act;

29
30 h) To purchase, hold, alienate, mortgage, pledge or otherwise dispose of the shares
31 of the capital stock of, or any bond, securities, or other evidence of indebtedness

1 created by other corporation, co-partnership, or government agencies or
2 instrumentalities; to exercise all the rights or ownership, including the right to vote
3 thereon: *Provided*, That the Authority shall not invest its funds in any high risk debt
4 instruments, as well as in any highly speculative stocks, without recourse to
5 commercial banks or investment houses;

6
7 i) To perform any act which a corporation, co-partnership, or natural person is
8 authorized to perform under the law; and

9
10 j) To issue rules and regulations necessary to effectively carry out the powers and
11 purposes herein provided including the plans, PAPs of the Authority.
12

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

- 16 1. Secretary of the **DENR** as the ex officio Chairperson of the Board;
- 17 2. Secretary of the DA - Bureau of Fisheries and Aquatic Resources (**BFAR**) as
18 ex officio member;
- 19 3. Secretary of the Department of Human Settlements and Urban Development
20 (**DHSUD**) as ex officio member;
- 21 4. Secretary of the Department of Trade and Industry (**DTI**) as ex officio member;
- 22 5. Secretary of the **DOT** as ex officio member;
- 23 6. Secretary of the Department of Transportation (**DOTr**) as ex officio member;
- 24 7. Secretary of the Department of Interior and Local Government (**DILG**) as ex
25 officio member;
- 26 8. Secretary of the Department of Public Works and Highways (**DPWH**) as ex
27 officio member;
- 28 9. Chairperson of Metropolitan Manila Development Authority (**MMDA**) as ex
29 officio member;
- 30 10. Commandant of Philippine Coast Guard (**PCG**) as ex officio member;

1 11. LGU Representative from the Central Luzon Regional Development Council
2 (RDC);

3 12. LGU Representative from **CALABARZON - RDC**; and

4 13. LGU Representative from the Metro Manila Council (**MMC**);
5

6 The ex officio board members of the Authority may designate their respective ex officio
7 alternates, who shall be officials next in rank, whose acts shall be considered the acts of
8 their principals.
9

10 A member of the Board shall be a citizen and resident of the Philippines, of good moral
11 character, of recognized probity and independence, and of distinguished competence in
12 relevant fields including business, economics, environment, tourism, engineering, or law.
13 All appointive Directors shall comply with the fit and proper rule, and undergo the process
14 of selection and appointment in accordance with Chapter IV of RA No. 10149 or the
15 GOCC Governance Act of 2011.
16

17 **Sec. 20. Functions of the Board.** – The Board shall have the following powers and
18 functions:
19

20 a. Determine the organizational structure of the Authority and define the duties and
21 responsibilities of all officials and employees in accordance with civil service laws, rules
22 and regulations and evaluation and approval of the Department of Budget and
23 Management (DBM);
24

25 b. Create services and positions as may be deemed necessary for the economical,
26 efficient, and effective conduct of the activities of the Authority;
27

28 c. Prepare the annual budget of the Authority, and a supplemental budget when
29 necessary; and
30

1 d. Submit to the President of the Philippines, the Senate, and the House of
2 Representatives of the Philippines an annual report and other reports as may be required.
3

4 **Sec. 21. Board Meetings.** - The Board shall meet at least once a month. The Board shall
5 be convoked by the Chairman or upon written request signed by a majority of the
6 members. The members of the Board, except ex officio members, shall be entitled to
7 allowances and per diem in accordance with existing policies, rules and regulations.
8

9 **Sec. 22. Prohibition Against Conflict of Interest.** No member of the Board shall be
10 financially interested, directly or indirectly, in any contract entered into by the Authority or
11 in any special privileges granted by the Authority during his term of office. All contracts
12 entered into, in violation of this provision, shall automatically be null and void. Any
13 member of the Board found violating the provisions of this section by two-thirds (2/3) vote
14 of the Board shall automatically be disqualified from serving his unexpired term, and he
15 shall furthermore be perpetually disqualified for membership in the said Board.
16

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

24 In case the Administrator is removed for cause, any one appointed to the position shall
25 serve only the unexpired portion of term of the Administrator. The appointment of a
26 director to fill the vacancy shall be in accordance with the manner provided in Section 15
27 of RA No. 10149. The Administrator shall be responsible to the Board for the efficient
28 administration and management of the Manila Bay region.
29

30 **Sec. 24. Qualifications of the Administrator.** - No person shall be appointed as
31 Administrator unless one is a natural-born Filipino citizen, of good moral character and

1 unquestionable integrity, has not participated in the preceding local elections for
2 government office, and with five (5) years of relevant managerial and technical
3 experience.

4
5 The Administrator and all officials and employees of the Authority shall be entitled to
6 compensation and benefits in accordance with the Compensation and Position
7 Classification System prepared by the Governance Commission for Government-Owned
8 or -Controlled Corporations (GCG) and approved by the President.

9
10 **Sec. 25. Powers and Functions of the Administrator.** - The Administrator shall have
11 the following powers and duties:

- 12
- 13 a. Submit to the Board the policies and measures deemed necessary to carry
14 out the purposes and provisions of this Act;
 - 15 b. Execute and administer the policies, plans, PAPs approved by the Board;
 - 16 c. Direct and supervise the operation and internal administration of the
17 Authority, and delegate certain administrative responsibilities to other
18 officers, subject to the rules and regulations of the Board;
 - 19 d. Develop and submit its organizational structure and staffing pattern, to the
20 GCG, Civil Service Commission (CSC), and the DBM, as approved by the
21 Board, for consideration and approval;
 - 22 e. Appoint officials and employees below the rank of service heads to positions
23 in the approved organizational chart; and
 - 24 f. Exercise other powers and duties as may be vested by the Board from time
25 to time.
- 26

27 **Sec. 26. Organizational Structure.** In carrying out the activities of the Authority, the
28 Administrator shall be assisted by an **Assistant Administrator for Technical Services**
29 and an **Assistant Administrator for Management Services** who shall have powers,
30 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;

1
2 h. A **Clearances and Permits Service** which shall be responsible for the implementation
3 of PD 1586 within the region. In particular, it evaluates Environmental Compliance
4 Certificate (ECC) applications for projects located in Environmentally Critical Areas. It also
5 issues Certificates of Non-Coverage (CNC) for projects determined to be outside the
6 purview of the Philippine EIS System; and

7
8 i. An **Enforcement Service** which shall be responsible for the effective implementation
9 and compliance to PD 1586, RA 8749, RA 9003, RA 6969, and other laws related to the
10 protection and preservation of the Manila Bay region.

11
12 The business and activities of each of these services shall be directed by its Service
13 Directors.

14
15 The Board may create other services and positions as may be deemed necessary for the
16 efficient, economical, and effective conduct of the activities of the Authority.

17
18 **Sec. 27. Merit System.** All officials, agents, and employees of the Authority shall be
19 selected and appointed on the basis of merit and fitness, in accordance with a
20 comprehensive and progressive merit system, to be established by the Authority. The
21 recruitment, transfer, promotion, and dismissal of all personnel of the authority, including
22 temporary workers, shall be governed by such merit system.

23
24 **Sec. 28. Capitalization, and Operating Start-up Capital.** The Authority shall have an
25 authorized capital of Ten Billion Pesos (P10,000,000,000.00) representing no par shares
26 with a minimum issue value of Ten pesos (10.00) each.

27
28 The initial amount necessary to subscribe and pay for the shares of stock shall be
29 included in the Annual General Appropriations Act of the year following its enactment into
30 law and thereafter.

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

5
6 **Sec. 29. Operating Expenses.** For the first year of its operation, the sum total of the
7 budget allocation of MBCO, PRCMO, and MBTF from its last year of operation shall be
8 earmarked as the initial operating expenses of the Authority, regardless of the month it
9 shall commence. Thereafter, the sum of Two Billion Pesos (P2,000,000,000.00) shall be
10 appropriated annually for the operating expenses of the Authority for ten (10) years from
11 the general fund of the National Government.

12
13 The Board of Directors may appropriate out of the funds of the Authority as may be
14 necessary for its operating expenses.

15
16 **Sec. 30. Power to Incur Debts and to Issue Bonds.** Whenever the Board of Directors
17 may deem it necessary for the Authority to incur an indebtedness or to issue bonds to
18 carry out the provisions of this Act, it shall declare and state through a resolution, the
19 purpose for which the proposed debt is to be incurred.

20
21 The Authority shall submit its proposal to incur indebtedness or to issue bonds to the
22 Monetary Board of the Bangko Sentral ng Pilipinas for approval, and this shall be
23 considered authorized upon the approval of the President of the Philippines.

24
25 **Sec. 31. Bond Limit.** The bonds shall be issued in such amounts as will be needed,
26 taking into account the rate at which said bonds may be absorbed by the buying public
27 and the fund requirements of projects ready for execution, and considering further the
28 need to balance productive and non-productive projects to minimize inflation.

29
30 **Sec. 32. Form, Rates of Interest, Etc. of Bonds.** The Board of Directors, shall prescribe
31 the form, the rates of interest, the denominations, maturities, negotiability, convertibility,

1 call and redemption features, and all other terms and conditions of issuance, placement,
2 sale, servicing, redemption, and payment of all bonds issued by the Authority under this
3 Act.

4
5 The bonds for both the principal and interest issued by virtue of this Act may be made
6 payable in Philippine currency or any readily convertible foreign currency; Said bonds
7 shall be receivable as security in any transaction with the government in which such
8 security is required.

9
10 **Sec. 33. Exemption from Tax.** The Authority shall be exempt from all taxes, licenses,
11 fees, and duties, incidental to its operations. This exemption shall extend to its subsidiary
12 corporation: *Provided*, That its subsidiary corporations shall be subject to all said taxes,
13 licenses, fees, and duties five (5) years after their establishment under a graduated scale
14 as follows: twenty (20) percent of all said taxes during the sixth year, forty (40) percent of
15 all said taxes during the seventh year, sixty (60) percent of all said taxes during the eighth
16 year, eighty (80) percent of all said taxes during the ninth year, and one hundred (100)
17 percent of all taxes during the tenth year, after said establishment.

18
19 Such exemption shall include any tax or fee imposed by the government on the sale,
20 purchase, or transfer of foreign exchange. All notes, bonds, debentures and other
21 obligations issued by the Authority shall be exempt from all taxes both for principal and
22 interest, except inheritance and gift taxes.

23
24 **Sec. 34. Sinking Fund.** A sinking fund shall be established in such manner that the total
25 annual contribution thereto, accrued at a rate of interest that shall be determined by the
26 Board of Directors, shall be sufficient to redeem the bonds at maturity, issued under this
27 Act.

28
29 The fund shall be under the custody of the treasurer of the Authority who shall invest the
30 said fund as the Board of Directors may direct; charge all expenses of investment to said

sinking fund, and credit the same with the interest on investment and other income owned by the Authority.

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

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

Sec. 36. *Collaboration with the LGUs.*

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

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.

1
2 Consistent with the continuing cleanup and maintenance of the Manila Bay, the Philippine
3 National Police - Maritime Group (PNP-MG) shall likewise coordinate with PCG for the
4 enforcement of this Act. A portion of the collected fees shall also be allotted for the
5 utilization of personnel, maintenance and operation of equipment, assets and resources
6 of the PNP-MG.

7
8 **Sec. 39. Immunity from Suit.** – The board of directors, the administrator, officers, and
9 employees of the Authority, including the PCG and PNP-MG personnel assigned to
10 exercise police and enforcement powers of the Authority, shall not be subject to any
11 action, claim, or demand, in connection with any act done or omitted in the performance
12 of duties and exercise of powers, except for actions and intentional omissions done in
13 evident bad faith or gross negligence.

14
15 **Sec. 40. Indemnity.**– Unless the actions of the board of directors, the administrator, or
16 any of its officers and employees of the Authority, including the PCG and PNP-MG
17 personnel assigned to exercise police and enforcement powers of the Authority, shall be
18 found to be in willful violation of this act, performed with evident bad faith or gross
19 negligence, the board of directors, the administrator, officers, and employees of the
20 Authority, including the PCG and PNP-MG personnel, shall be held free and harmless to
21 the fullest extent permitted by law, from any liability, and shall be indemnified for all
22 liabilities, losses, claims, demands, damages, deficiencies, costs, and expenses of
23 whatsoever kind and nature that may arise, in connection with the exercise of their powers
24 and in the performance of their duties and functions.

25
26 The Authority shall underwrite or advance litigation costs and expenses, including legal
27 fees and other expenses of external counsel, or provide legal assistance to its board of
28 directors, the administrator, officers, and employees of the Authority, including the
29 assigned PCG and PNP-MG personnel, in connection with any civil, criminal,
30 administrative or any other action or proceeding, to which they are made a party by reason
31 of, or in connection with, the exercise of their authority or the performance of their duties

1 and functions under this Act: **Provided**, That such legal protection shall not apply to any
2 civil, criminal, administrative, or any action or proceeding that may be initiated by the
3 Authority, against the board of directors, the administrator, officers, and employees of
4 the Authority, including the assigned PCG and PNP-MG personnel: **Provided**
5 **further**, That the board of directors, the administrator, officers, and employees of the
6 Authority, including the PCG and PNP-MG personnel assigned to exercise police and
7 enforcement powers of the Authority, who shall resign, retire, transfer to another agency
8 or be separated from the service, shall continue to be provided with the legal protection
9 in connection with any act done or omission done in good faith during their tenure or
10 employment with the Authority: **Provided finally**, That in the event of a settlement or
11 compromise, indemnification shall be provided only in connection with matters covered
12 by the settlement as to which the Authority is advised by counsel that the persons to be
13 indemnified did not commit any negligence or misconduct.

14
15 The costs and expenses incurred in defending the aforementioned action, suit, or
16 proceeding may be paid by the Authority in advance of the final disposition of such action,
17 suit, or proceeding upon receipt of an undertaking by, or on behalf of the board of
18 directors, the administrator, officers, and employees of the Authority, including the PCG
19 and PNP-MG personnel assigned to exercise police and enforcement powers of the
20 Authority, to repay the amount advanced, should it ultimately be determined by the
21 Authority that one is not entitled to be indemnified as provided in this section.

22
23 **Sec. 41. Prohibited Acts, Fines and Penalties, Criminal and Civil Liabilities.**

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

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

6
7 **Sec. 42. *Transitory Provisions.*** To ensure a smooth transition covering the activities of
8 the MBCO, PCRMO, MBTF, and the affected EMB offices, pending the full
9 implementation of the Authority's organizational structure and staffing pattern, all officials
10 and employees of the interim MBCO, PCRMO, MBTF, and the affected EMB offices shall
11 continue to exercise their duties and functions, and shall receive their salaries and
12 allowances until they receive the notice of appointment, notice of transfer to the Authority,
13 notice of change of duties and functions, and notice of transfer to another position.

14
15 All assets and properties under the accountability of the interim MBCO, PCRMO, MBTF,
16 and the affected EMB offices, and all its obligations, indebtedness, and liabilities, if any,
17 shall be transferred and assumed by the Authority, subject to the guidelines that may be
18 established by the GCG, Department of Budget and Management (DBM), OP, and
19 Commission on Audit.

20
21 The civil service laws, rules and regulations pertinent to the displacement of personnel
22 affected by this Act shall be strictly enforced. In case of displaced employees, the national
23 government shall provide the amount necessary to pay their benefits at the rate mandated
24 by the DBM, for every year of service: *Provided*, That if qualified for retirement under
25 existing retirement laws, said employees may opt to receive the benefits thereunder.

26
27 **Sec. 43. *Implementing Rules and Regulations.*** - Within ninety (90) days after the
28 passage of this Act, after thorough consultation with the stakeholders of the Authority and
29 concerned government agencies, the Board shall promulgate the rules and regulations
30 for the effective implementation of this Act.

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

4
5 **Sec. 45. Repealing Clause.** – The DENR Administrative Order (A.O.) No. 2011-01
6 creating the Manila Bay Coordinating Office (MBCO), the DENR AO No. 2020-02 creating
7 the Pasig River Coordinating and Management Office (PRCMO), and the Presidential AO
8 No. 16, Series of 2019, creating the Manila Bay Task Force (MBTF) are hereby repealed.
9 All laws, executive orders, memorandum circulars, guidelines, and other issuances or
10 parts thereof, which are inconsistent with this Act, are hereby repealed or modified
11 accordingly.

12
13 **Sec. 46. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in
14 the Official Gazette or in newspaper of general circulation.

Approved,