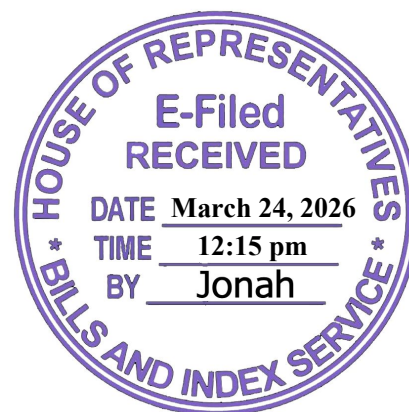


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **8742**



Introduced by **REP. NATHANIEL “Atty. Nat” M. ODUCAO**

EXPLANATORY NOTE

Across our nation, dams play a vital role in providing water for irrigation, power generation, and domestic use. The Philippines currently has approximately 29 hydroelectric facilities, including 14 conventional dams and 15 run-of-the-river systems. The National Power Corporation (NAPOCOR) manages 22 dams across Luzon and Mindanao for power generation and watershed protection, while the National Irrigation Administration (NIA) oversees additional irrigation dams, with total storage capacity reaching 6,274.5 million cubic meters as of 2006. The government plans to construct 20 medium dams and 3–5 large dams by 2028 to boost water supply, irrigation, flood control, and power, with 10 new dams slated to start construction in 2024 alone.

However, these same structures pose serious risks when poorly managed, neglected, or overwhelmed by natural disasters. Historical incidents highlight this vulnerability, including the 1996 Marcopper tailings disaster in Marinduque, the 2005 Lafayette incident in Albay, the 2007 TVI failure in Zamboanga del Norte, and a 2024 tailings facility landslide in Surigao del Norte that displaced 55 families. Even small dam collapses worsened natural events such as the 2011 flash floods in Cagayan de Oro. Economically, water-related disasters—including storms, floods, and droughts—are projected to cost the Philippines approximately ₱6.94 trillion from 2022 to 2050, with the agricultural sector potentially losing up to 8% of annual output by mid-century.

This bill seeks to institute a comprehensive National Dam Safety Program anchored on transparency, preparedness, and accountability. It establishes the National Dam Safety Authority (NDSA) to oversee the control, management, and operation of all dams in the country. The Authority will ensure the safe construction, operation, and maintenance of dams; formulate a national dam safety plan; and promote coordination among government agencies, local government units, and communities.

The measure further mandates the use of early warning systems, strengthens disaster risk reduction protocols, and requires community consultations, particularly for emergency preparedness. To uphold trust and accountability, penalties are provided for failure to disclose vital information or to engage in proper consultation.

¹Gulf News (2024). Hydroelectric dreams: Philippines to build 20 more dams for power generation. Available at <https://gulfnews.com/special-reports/hydroelectric-dreams-philippines-to-build-20-more-dams-for-power-generation-1.1713183106522>

By creating a unified authority and a clear framework for dam safety, this proposed law protects lives and property while sustaining the economic and social benefits that dams provide.

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

A handwritten signature in black ink, appearing to read 'N. Oducado', with a small blue circular stamp or mark at the end of the signature.

REP. NATHANIEL “ATTY. NAT” M. ODOCADO
1Tahanan Party List

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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TWENTIETH CONGRESS
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HOUSE BILL NO. **8742**

Introduced by **REP. NATHANIEL “ATTY. NAT” M. ODUCCADO**

**AN ACT INSTITUTING A NATIONAL DAM SAFETY PROGRAM,
ESTABLISHING THE NATIONAL DAM SAFETY AUTHORITY, PENALIZING
VIOLATIONS THEREFOR AND FOR OTHER PURPOSES**

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “*Dam Safety Act*”.

2 **SEC. 2. *Declaration of Policy.*** – It is hereby declared the policy of the State to:

- 3 a) Uphold the people’s constitutional rights to life and property by instituting a
4 National Dam Safety program that is pro-active, consultative, transparent,
5 responsible, and gives due regard to the possible occurrence of disasters and
6 destruction to property and loss of lives;
7
8 b) Adhere to universal norms, principles, and standards of humanitarian assistance
9 and the global effort on risk reduction as concrete expression of the country’s
10 commitment to overcome human sufferings due to recurring disasters;
11
12 c) Incorporate internationally accepted principles of management in the creation and
13 implementation of national disasters;
14
15 d) Adopt a national dam safety program that is holistic, comprehensive, integrated,
16 and proactive in lessening the socio-economic and environmental impacts of dams
17 including possible destruction to property and loss of lives and promote the
18 involvement and participation of all stakeholders concerned, at all levels, especially
19 the local community and the local government units;
20
21 e) Recognize and strengthen the capacities of LGUs and communities in mitigating
22 and preparing for, responding to, and recovering from the impact of disasters.

23 **SEC. 3. *Definition of Terms.*** – For purposes of this Act, the following terms shall refer to:

- 1 a) *Early warning system* - refers to the set capacities needed to generate and
2 disseminate timely and meaningful warning information to enable individuals,
3 communities and organisations threatened by a hazard to prepare and to act
4 appropriately and in sufficient time to reduce the possibility of harm or loss. A
5 people-centered early warning system necessarily comprises four (4) key elements:
6 knowledge of the risks; monitoring, analysis and forecasting of the hazards;
7 communication or dissemination of alerts and warnings; and local capabilities to
8 respond to the warnings received. The expression “end-to-end warning system” is
9 also used to emphasize that warning systems need to span all steps from hazard to
10 community response;
11
12 b) *Emergency* - refers to unforeseen or sudden occurrence, especially danger,
13 demanding immediate action;
14
15 c) *Emergency management* - refers to the organization and management of resources
16 and responsibilities for addressing all aspects of emergencies, in particular,
17 preparedness response and initial recovery steps;
18
19 d) *National Dam Safety Plan* - refers to a set procedures, processes or protocols as
20 promulgated by the National Dam Safety Authority to be observed in the
21 management and control of dams, especially during emergency situations.

22 **SEC. 4. *The National Dam Safety Authority.*** – The National Dam Safety Authority
23 (NDSA) is hereby created, hereinafter referred to as the Authority, which is tasked to control,
24 manage, and coordinate operations of all dams in the country.

25 **SEC. 5. *Principal Office and Term.*** – The Authority shall have its main office in Metro
26 Manila and may establish area offices as may be determined by it, if necessary, to achieve the
27 objectives of this Act. The Authority shall have a term of twenty-five (25) years from the effectivity
28 of the Act and may be renewed for the same period unless otherwise provided by the law.

29 **SEC. 6. *Power and Functions of the NDSA.*** – The Authority shall have the following
30 powers and functions:

- 31 a) Exclusive power to control, manage and operate all dams in the country, in
32 coordination with proper agencies. It may, however, delegate management to
33 agencies currently managing dams, provided that, such delegated agencies shall be
34 under the direct control and management of the Authority during emergency;
35
36 b) Formulate a comprehensive and holistic national dam safety plan that is consistent
37 with the declared principles of this Act, which shall include provisions on early
38 systems, consultation and coordination with all concerned agencies including
39 LGUs and the private sector;
40
41 c) Integrate, prioritize, program and implement, whenever allowed and authorized by
42 applicable laws, in relation to control, management and operation of dams;

- 1
2 d) Recommend to and, whenever necessary, call upon the proper agencies on the
3 technical support, physical assistance, and generally, the level of priority to be
4 accorded to agricultural, industrial, commercial, and infrastructure, environmental
5 and technological programs and projects soliciting or requiring direct or indirect
6 help from or through the national government or any of its instrumentalities;
7
8 e) Explore sources for financing priority on the control, management and operations
9 of dams;
10
11 f) Shall be responsible for the safe construction and maintenance of a dam, and repairs
12 of existing dams;
13
14 g) To sue, enter into contracts, acquire, purchase, hold, lease, transfer, dispose of
15 properly, of any kind or nature to carry out the purpose of this Act; and
16
17 h) Shall disseminate information on the proceedings and documents related to modern
18 trends in dam engineering construction, operation and maintenance of dams;
19
20 i) Discharge other functions that may be deemed necessary or as may be provided by
21 law.

22 **SEC. 7. Chairperson.** – The chairperson shall be appointed by the President of the
23 Philippines with an undersecretary rank and shall act as the Head of Office. He/She shall serve a
24 term of six (6) years from the date of his/her appointment unless removed for cause: Provided, that
25 no person shall be appointed as chairperson unless he/she is a holder of a degree in law or a master's
26 degree in any of the following fields: hydrology, Environmental Planning, Public Administration,
27 Management or Engineering, or their equivalent and have at least five (5) years relevant experience
28 in said fields.

29 The Chairperson shall have the following duties and functions:

- 30 a) Call and preside meetings of the Board and see to it that the policies, programs and
31 rules and regulations are implemented properly;
32
33 b) Call on formidable players in the formulation and implementation of a
34 comprehensive and integrated national dam safety program and the preparation of
35 the budget and programming priorities, annual reports and other pertinent
36 documents approved by the authority;
37
38 c) Identify solutions to key issues and concerns, considering related risks, affected
39 parties and impact, in coordination with the Board and key stakeholders;
40
41 d) Advocate the Authority among the various concerned sectors and stakeholders;
42

- 1 e) Call on any agency, group, individual member of the board, local government unit,
2 and host community to address issues and concerns relating to implementation of
3 major programs, projects and activities;
4
- 5 f) Endorse to the Board all policy recommendations, plans and programs for the
6 approval;
7
- 8 g) Represent the Board in regular and special Cabinet meetings; Accept, on behalf of
9 the Authority, donations, contributions, grants and bequests or gifts, in cash or in
10 kind, from members, foreign governments, international agencies, private entities
11 or any individual for purpose that will realize the functions of the Authority;
12
- 13 h) Supervise administrative operations including disbursement of any fund of the
14 Authority, subject to the usual accounting and auditing procedures, and submit
15 report thereon;
16
- 17 i) Execute and administer the policies and measures approved by the Board;
18
- 19 j) Appoint all employees of the Authority, and remove, dismiss or otherwise
20 discipline for cause, such employees in accordance with the standard guidelines for
21 recruitment, employment, and discipline in the Civil Service Code;
22
- 23 k) Represent the Authority in all dealings with other offices, agencies, and
24 instrumentalities of the government and with all persons and entities, public or
25 private;
26
- 27 l) Sign agreements and/or contracts on behalf of the Authority, including those for
28 expert and consultant services and other reports of accountabilities emanating from
29 Authority; and
30
- 31 m) Perform such other functions that the Board may direct to carry out provisions of
32 this Act.

33 **SEC. 8. Executive Director.** – An Executive Director shall be appointed by the President
34 of the Philippines upon recommendation by the Chairperson: Provided, that no person shall be
35 appointed as Executive Director unless he/she is a holder of a degree in any of the fields provided
36 for in the preceding section. The Executive Director shall assist the Chairperson in carrying out the
37 functions of the Authority and shall, likewise, serve as the Secretary of the Board.

38 **SEC. 9. Board of Directors.** – The Authority's overall directions and thrusts shall be
39 provided and approved, unless provided otherwise in this Act, by the NDSA Board of directors,
40 hereinafter referred to as the Board.

41 It shall be composed of the following members:

- 42 a) The Secretary of the Department of Nation Defense;

- b) The Secretary of the Department of Public Works and Highways;
- c) The Secretary of the Department of Energy;
- d) The Secretary of the Department of Health;
- e) The Secretary of the Department of Social Welfare and Development;
- f) The Secretary of the Department of Agriculture;
- g) The Secretary of the Department of Environment and Natural Resources;
- h) The Secretary of the Department of Interior and Local Government;
- i) A Senator, upon designation by the Senate President, who shall be an ex officio member;
- j) The Chairperson of the House Committee on Environment, who shall be an ex officio member;
- k) The Chairperson of the House Committee on Ecology, who shall be an ex officio member;
- l) The Chairperson of the House Committee on Energy who shall be an ex officio member;
- m) A Local Chief Executive (LCE) designated by the Union of Local Authorities of the Philippines (ULAP), Provided that the Governor of the Province where the Dam is located shall be represented in the Board;
- n) The respective Presidents of the League of Cities and the League of Municipalities;
- o) The Administrator of MWSS;
- p) A Representative from the NWRB;
- q) A Representative from the National Power Corporation (NAPOCOR);

Three (3) representatives from the private sector to be appointed by the President, upon the recommendation of the Board consisting of one (1) representative each from the: (1) Energy Sector (2) Water Sector; and (3) Irrigator's Sector.

The term of three (3) representatives from the private sector shall be six (6) years: Provided, That at the initial appointment of such members, the second member to be appointed shall only serve a term of four (4) years and the third member to be appointed shall only serve term of two (2) years: Provided, further, That they shall continue to hold office until their successors shall have be appointed.

All vacancies, prior to the expiration of the term, shall be filled for the unexpired term only. Members of the Board shall receive a per diem of not more than Five Thousand pesos (Php 5,000.00) for every Board meeting: Provided, however, That the per diem collected per month does not exceed the equivalent of four (4) meetings: Provided, further, That the amount of per diem for every Board meeting may be increased by the President but such amount shall not be increased within two (2) years its last increase.

The Board shall have the following functions:

- a) Provide direction and guidance for the Authority's work on dam safety;
- b) Ensure that the goals and policies of the Authority are consistent with the overall national development goals and objectives;

- 1 c) Ensure that the programs of the Authority are consistent with regional and
2 local development plans, programs and projects and vice versa for purposes
3 of harmonization;
4
5 d) Create committees/task forces as may be deemed necessary in the
6 accomplishment of duties and functions;
7
8 e) Determine schedules, establish voting procedures, criteria for the
9 constitution of a quorum and other rules and regulations in the conduct of
10 Board meetings; and
11
12 f) Perform such functions as may be necessary to carry out the purposes of
13 this Act.

14 **SEC. 10. *Executive Committee.*** – The Board shall constitute an Executive
15 Committee, hereinafter referred to as the Exe Com, from among its membership to act, for
16 and on its behalf when the Board is not in session, on urgent matters as may be deemed
17 necessary by the Chairperson. Ensure inter-regional representation and participation, the
18 following shall comprise the Exe Com: (a) The Chairperson; (b) The Executive Director;
19 and, (c) The Representative from the Private Sector.

20 **SEC. 11. *Organizational Structure.*** – The Chairperson, upon approval of the
21 Board, shall determine the organizational structure, staffing pattern and pay scales of the
22 Authority subject to existing civil service and compensation laws. The Chairperson may
23 reorganize the Authority and may create or abolish divisions, units or branches therein as
24 the exigencies of the affairs of the Authority may require.

25 **SEC. 12. *Merit System.*** – All officials and employees of the Authority shall be
26 selected and appointed on the basis of merit and fitness in accordance with civil service
27 law, rules and regulations. The recruitment, transfer, promotion, and dismissal of all its
28 personnel including temporary workers shall be governed by a merit system that will be
29 established by the NDSA in compliance with existing laws, rules and regulations.

30 **SEC. 13. *Transitory Provision*** – The present agencies tasked to manage and
31 operate dams shall make the necessary preparations and turn-over the management, control
32 and operation of the dams under the control and management to the Authority one year
33 after the affectivity of this Act. *Provided,* That such present agencies may retain
34 management and control of dams if the Authority shall delegate the same as may be
35 determined by the Board. Within one (1) year from the effectivity of this Act, the Authority
36 shall submit to the President and to both houses of Congress the National Dam Safety Plan.

37 **SEC. 14. *Penalties.*** – The consultation with all stakeholders shall be mandatory
38 upon the Authority particularly in times of emergency. In times of calamities, typhoons and
39 other disasters which affect dams, it shall be mandatory that the Authority, through the
40 Executive Committee shall confer with concerned agencies and stakeholders on the status
41 of dams, including water levels and other information that are relevant to ensure the safety
42 of the people. The Authority shall conduct a massive public information on their action

1 during emergency situations including issuance of early warning devices. Failure to
2 conduct consultations and the disclosure of relevant information to the public is hereby
3 penalized with imprisonment of not less than three (3) months to six (6) years imprisonment
4 and a fine ranging from One Million Pesos (Php 1M) to Ten Million Pesos (Php 10M) upon
5 the discretion of the court.

6 **SEC. 15. Appropriations.** – The amount necessary to finance the initial
7 implementation of this Act shall be charged against the current year’s appropriations of the
8 Department of Public Works and Highways. Thereafter, the current budget shall be
9 increased by one hundred (100%), which shall be included in the annual General
10 Appropriations Act (GAA) for its continued implementation.

11 **SEC. 16. Implementing Rules and Regulations.** – The Authority shall adopt rules
12 and regulations to implement the provisions of this Act within sixty (60) days from the date
13 of its approval.

14 **SEC. 17. Repealing Clause.** – All laws, decrees, executive orders, rules and
15 regulations or parts thereof inconsistent with or contrary to the provisions of this Act are
16 hereby repealed or modified accordingly.

17 **SEC. 18. Separability Clause.** – If any part or provision of this Act is held
18 unconstitutional or invalid, other parts of provisions hereof which are not affected shall
19 continue to remain in full force and effect.

20 **SEC. 19. Effectivity.** – This Act shall take effect fifteen (15) days after its
21 publication in the *Official Gazette* or in at least one (1) newspaper of general circulation.

22 *Approved,*