

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
2nd Regular Session



HOUSE BILL NO. 10741

Introduced by
Representative AUGUSTINA DOMINIQUE "Ditse Tina" C. PANCHO

EXPLANATORY NOTE

Due to the harsh climate and topography of the Philippines, the country suffers frequent natural calamities, including droughts and floods, which cause enormous losses for our society.

This Bill directly supports the declared policy of the State to protect and advance the right of the people to a balanced and healthful ecology; and recognizes the role of the business sector as a partner for national development.

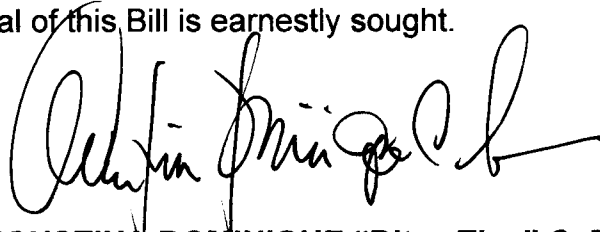
It seeks to make mandatory for establishments with a land area of five (5) hectares or more, to have water impounding systems and facilities and help solve the problem of flooding during the rainy season, and the need for stable and steady water supply requirements during annual droughts caused by the El Niño.

Currently, despite a considerable dedicated budget for flood control and other similar water management programs, government has not been able to optimize its gains in addressing both these threats to our people's security and well-being. Making water impounding facilities mandatory structures for establishments occupying such a large area, can significantly help resolve this problem by reducing flood damage, and providing irrigation for the agriculture sector during the dry season. This not only ensures the increase in agricultural productivity, but in the same light, also facilitates the imperative of business establishments to both focus toward sustainable viability alongside organizational return on investment (RoI).

Water impounding facilities have proven to be effective in terms of the reduction of flood damage and the efficient direction of water resources to applications such as irrigation in our rural farm communities where it is most needed. In turn this can considerably help relieve rural poverty, establish food security, and reconcile economic and social disparities between urban and rural areas.

Given this, water impounding systems and facilities as presented in this Bill, serve as doable mechanisms to resolve the escalating public and governmental concern about climate change, food safety, and natural resource depletion, along with other concomitant development issues.

With this in mind, the approval of this Bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'Augustina Pancho', written in a cursive style.

AUGUSTINA DOMINIQUE "Ditse Tina" C. Pancho
Representative, 2nd District of Bulacan

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HOUSE BILL NO. 10741

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**"AN ACT MANDATING THE ESTABLISHMENT OF WATER IMPOUNDING
SYSTEMS FACILITIES FOR ESTABLISHMENTS WITH AN AREA OF FIVE (5)
HECTARES OR MORE"**

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

SECTION 1. Declaration of Policy. - It is the declared policy of the State to afford full protection and the advancement of the right of the people to a healthful ecology in accord with the rhythm and harmony of nature. Further, the State has adopted the principle to strengthen, integrate, consolidate and institutionalize government initiatives with the private sector to achieve coordination in the implementation of plans and programs to address climate change in the context of sustainable development.

SEC. 2. Scope. -This Act shall apply to all owners of commercial and industrial establishments, subdivisions, and private developers governed under Philippine Laws. with an area of five (5) or more hectares.

SEC. 3. Definition of Terms. - For purposes of this Act, the following shall have the corresponding meanings:

- (a) Commercial Establishment -refers to an establishment used for commercial purposes, such as a bar, restaurant, private office, fitness club, retail store, bank or other financial institution, supermarket, automobile or boat dealership, or any other establishment with a common business area;
- (b) Developer - refers to the person or entity who develops or improves the subdivision project or condominium project for and in behalf of the owner thereof.
- (c) Green Architecture - refers to the sustainable method of design and construction drawn from the key concepts of creating an energy efficient, environmentally friendly houses and buildings.

- (d) Industrial Establishment -refers to an establishment which is either engaged in the manufacture, sale and distribution of goods or processing of raw materials into end products;
- (e) Subdivision Project - refers to a tract or a parcel of land registered under Act No. 496 which is partitioned primarily for residential purposes into individual lots with or without improvements thereon, and offered to the public for sale, in cash or in installment terms. It shall include all residential, commercial, industrial and recreational areas, as well as open spaces and other community and public areas in the project.

SEC. 4. *Implementation.* -The Department of Environment and Natural Resources (DENR) and the Local Government Units (LGUs) shall have the primary responsibility in the implementation of the provisions of this Act and its Implementing Rules and Regulations (IRR).

SEC. 5. *Implementing Rules and Regulations.* -Within sixty (60) days from the effectivity of this Act, the DENR, together with the Department of Interior and Local Government (DILG), the Department of Public Works and Highways (DPWH), and the Joint Building and Environmental Planning Research and Standards Commission, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

The implementing rules and regulations shall include accepted standards and guidelines for the design, construction, installation, materials, site selection and planning, along with health, safety, and site-specific considerations of water impounding systems and facilities.

SEC. 6. *Separability Clause* - If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC. 7. *Repealing Clause* - All other laws, acts, presidential decrees, executive orders, issuances, presidential proclamations, rules and regulations, or parts thereof, which are contrary to and inconsistent with any provision of this Act are hereby repealed, amended or modified accordingly.

SEC. 8. *Effectivity Clause* -This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,