

HOUSE OF REPRESENTATIVES

H. No. 6278

BY REPRESENTATIVES BENITEZ (J.M.), CO-PILAR, POE, KHO (E.), KHO (A.), TULFO (R.W.), TULFO (J.), ROMUALDEZ (Y.M.), ROMUALDEZ (A.J.), ACIDRE, VARGAS, DE LIMA, GUINTU, GATCHALIAN, PADIERNOS, ROMULO, TERENG, OAMINAL (H.), ORETA, LABADLABAD, GALANG, FERRER (A.), SAN FERNANDO, MERCADO-REVILLA, RIDON, ODUKADO, GONZALES (R.), LAGON (S.), SOLON, LOYOLA, RIVERA, PUNO AND DEFENSOR

AN ACT

ESTABLISHING AN ON-SITE, IN-CITY, NEAR-CITY, OR OFF-CITY LOCAL GOVERNMENT RESETTLEMENT PROGRAM FOR INFORMAL SETTLER FAMILIES IN ACCORDANCE WITH A PEOPLE'S PLAN, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7279, AS AMENDED, OTHERWISE KNOWN AS THE "URBAN DEVELOPMENT AND HOUSING ACT OF 1992"

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

1 **SECTION 1.** Section 3 of Republic Act No. 7279, otherwise known as the "Urban
2 Development and Housing Act of 1992," is hereby further amended to read as follows:

3 "SEC. 3. *Definition of Terms.* – For purposes of this Act:

4 x x x

5 (w) x x x; [and]

6 (x) x x x [.];

7 **(Y) 'ADEQUATE AND RESPONSIVE CONSULTATION' REFERS**
8 **TO THE STANDARD DIALOGUE TO BE CONDUCTED BY THE**
9 **IMPLEMENTING LOCAL GOVERNMENT UNIT OR THE PROJECT**
10 **PROPONENT AGENCY WITH THE AFFECTED INFORMAL SETTLER**
11 **FAMILIES (ISFS);**

12 **(Z) 'CIVIL SOCIETY ORGANIZATION (CSO)' REFERS TO A**
13 **NONGOVERNMENT ORGANIZATION, PEOPLE'S ORGANIZATION,**
14 **COOPERATIVE, TRADE UNION, PROFESSIONAL ASSOCIATION,**
15 **FAITH BASED ORGANIZATION, MEDIA GROUP, INDIGENOUS**
16 **PEOPLES MOVEMENT, FOUNDATION AND ANY OTHER CITIZEN'S**
17 **GROUP FORMED PRIMARILY FOR SOCIAL AND ECONOMIC**
18 **DEVELOPMENT CONCERNS TO PLAN PROGRAMS AND PROJECTS**
19 **AND MONITOR THEIR IMPLEMENTATION, ENGAGE IN POLICY**

1 DISCUSSIONS, AND ACTIVELY PARTICIPATE IN COLLABORATIVE
2 ACTIVITIES WITH THE GOVERNMENT;

3 (AA) 'COMPREHENSIVE LAND USE PLAN OR CLUP' REFERS
4 TO THE DOCUMENT, FORMULATED BY THE LOCAL GOVERNMENT
5 UNIT IN CONSULTATION WITH ITS STAKEHOLDERS, THAT
6 DEFINES OR PROVIDES GUIDELINES ON THE ALLOCATION,
7 UTILIZATION, DEVELOPMENT, AND MANAGEMENT OF ALL
8 LANDS WITHIN A GIVEN TERRITORY OR JURISDICTION
9 ACCORDING TO THE INHERENT QUALITIES OF THE LAND
10 ITSELF AND SUPPORTIVE ECONOMIC, DEMOGRAPHIC,
11 SOCIO-CULTURAL, AND ENVIRONMENTAL OBJECTIVES AS
12 DEFINED IN SECTION 3(B) OF REPUBLIC ACT NO. 11201,
13 OTHERWISE KNOWN AS THE 'DEPARTMENT OF HUMAN
14 SETTLEMENTS AND URBAN DEVELOPMENT ACT';

15 (BB) 'IMPLEMENTING LOCAL GOVERNMENT UNIT'
16 REFERS TO THE CITY OR MUNICIPALITY THAT CARRIES OUT THE
17 RESETTLEMENT PROGRAM AND HAS JURISDICTION OVER THE
18 AREA WHERE THE ISFS ARE SITUATED;

19 (CC) 'IN-CITY RESETTLEMENT' REFERS TO A RELOCATION
20 SITE WITHIN THE JURISDICTION OF A LOCAL GOVERNMENT UNIT
21 WHERE THE AFFECTED ISFS ARE LIVING;

22 (DD) 'INFORMAL SETTLEMENT' REFERS TO:

23 (1) AN AREA WHERE HOUSING UNITS HAVE BEEN
24 CONSTRUCTED BY SETTLERS ON THE LAND WHICH THEY
25 OCCUPY WITHOUT THE CONSENT OF THE OWNER; OR

26 (2) AN UNPLANNED SETTLEMENT AND AREA WHERE
27 HOUSING IS NOT IN COMPLIANCE WITH EXISTING PLANNING
28 AND BUILDING REGULATIONS;

29 (EE) 'INFORMAL SETTLER FAMILIES (ISFS)' REFERS TO
30 HOUSEHOLDS LIVING IN A LOT, WHETHER PRIVATE OR PUBLIC,
31 WITHOUT THE CONSENT OF THE PROPERTY OWNER; OR THOSE
32 WITHOUT LEGAL CLAIM OVER THE PROPERTY THEY ARE
33 OCCUPYING; OR THOSE LIVING IN DANGER AREAS SUCH AS
34 *ESTEROS*, RAILROAD TRACKS, GARBAGE DUMPS, RIVERBANKS,
35 SHORELINES, AND WATERWAYS, AS DEFINED IN SECTION 3(E) OF
36 REPUBLIC ACT NO. 11201 WITHOUT DISCRIMINATION AGAINST
37 STRUCTURE OWNING, RENTING AND SHARING RESIDENTS;

38 (FF) 'KEY SHELTER AGENCIES' REFERS TO THE
39 CORPORATIONS ATTACHED TO THE DEPARTMENT OF HUMAN
40 SETTLEMENTS AND URBAN DEVELOPMENT, NAMELY: NATIONAL
41 HOUSING AUTHORITY, NATIONAL HOME MORTGAGE FINANCE
42 CORPORATION, HOME DEVELOPMENT MUTUAL FUND, AND
43 SOCIAL HOUSING FINANCE CORPORATION AND OVER WHICH IT

EXERCISES ADMINISTRATIVE SUPERVISION IN ACCORDANCE
WITH SECTION 22 OF REPUBLIC ACT NO. 11201;

(GG) 'NEAR-CITY RESETTLEMENT' REFERS TO A
RELOCATION SITE CLOSE TO THE ORIGINAL SETTLEMENT OF
THE AFFECTED ISFS, BUT WITHIN THE JURISDICTION OF
ANOTHER LOCAL GOVERNMENT UNIT THAT IS ADJACENT TO
THE IMPLEMENTING LOCAL GOVERNMENT UNIT;

(HH) 'NONGOVERNMENT ORGANIZATION OR NGO'
REFERS TO A DULY REGISTERED NON-STOCK, NON-PROFIT
ORGANIZATION FOCUSING ON THE UPLIFTMENT OF THE BASIC
OR DISADVANTAGED SECTORS OF SOCIETY BY PROVIDING
ADVOCACY, TRAINING, COMMUNITY ORGANIZING, RESEARCH,
ACCESS TO RESOURCES, AND OTHER SIMILAR ACTIVITIES, AS
DEFINED UNDER REPUBLIC ACT NO. 8425, OTHERWISE KNOWN AS
THE 'SOCIAL REFORM AND POVERTY ALLEVIATION ACT', AND
ORGANIZED AND OPERATED EXCLUSIVELY FOR SCIENTIFIC,
RESEARCH, EDUCATIONAL, CHARACTER-BUILDING AND YOUTH
AND SPORTS DEVELOPMENT, HEALTH, SOCIAL WELFARE,
CULTURAL OR CHARITABLE PURPOSES, OR A COMBINATION
THEREOF, AND NO PART OF THE NET INCOME OF WHICH INURES
TO THE BENEFIT OF ANY PRIVATE INDIVIDUAL PURSUANT TO
SECTION 34(H)(2)(c)(1) OF REPUBLIC ACT NO. 8424, OTHERWISE
KNOWN AS THE 'NATIONAL INTERNAL REVENUE CODE OF 1997'
AS AMENDED;

(II) 'OFF-CITY RESETTLEMENT' REFERS TO A
RELOCATION SITE DEVELOPED OUTSIDE AND NOT ADJACENT TO
THE LOCAL GOVERNMENT UNIT WHERE THE AFFECTED ISFS
HAVE THEIR SETTLEMENT;

(JJ) 'PEOPLE'S PLAN' REFERS TO THE PLAN FORMULATED
BY THE BENEFICIARY-ASSOCIATION IN COORDINATION WITH
THE IMPLEMENTING LOCAL GOVERNMENT UNIT WHICH SHALL
CONTAIN A SITE DEVELOPMENT PLAN THAT CONFORMS TO THE
CLUP OF THE LOCAL GOVERNMENT UNIT UNDER WHOSE
JURISDICTION THE PROJECT SITE IS PROPOSED TO BE LOCATED;

(KK) 'RECEIVING LOCAL GOVERNMENT UNIT' REFERS TO
THE CITY OR MUNICIPALITY, OTHER THAN THE IMPLEMENTING
LOCAL GOVERNMENT UNIT, THAT HAS JURISDICTION OVER THE
AREA WHERE THE QUALIFIED ISFS ARE RELOCATING OR
RESETTLING;

(LL) 'RESETTLEMENT ACTION PLAN (RAP)' REFERS TO
THE COMPREHENSIVE AND INTEGRATED PLAN PREPARED BY
THE IMPLEMENTING LOCAL GOVERNMENT UNIT OR THE
PROJECT PROPONENT AGENCY THROUGH THE LOCAL
INTER-AGENCY COMMITTEE, IN CONSULTATION WITH THE
AFFECTED FAMILIES AND BENEFICIARIES; AND

1 (MM) 'SOCIAL PREPARATION' REFERS TO THE PROCESS OF
2 ESTABLISHING SOCIAL, ORGANIZATIONAL, AND INSTITUTIONAL
3 NORMS AND MECHANISMS."

4 SEC. 2. Section 22 of Republic Act No. 7279 is hereby amended to read as follows:

5 "SEC. 22. *Livelihood Component.* – To the extent feasible, socialized
6 housing and resettlement projects shall be located near areas where employment
7 opportunities are accessible. The government agencies dealing with the
8 **PROVISION OF SKILLS AND LIVELIHOOD TRAINING**, development of
9 livelihood programs, and grant of livelihood loans, **NAMELY: THE**
10 **DEPARTMENT OF LABOR AND EMPLOYMENT, THE DEPARTMENT**
11 **OF SOCIAL WELFARE AND DEVELOPMENT, THE DEPARTMENT OF**
12 **SCIENCE AND TECHNOLOGY, THE TECHNICAL EDUCATION AND**
13 **SKILLS DEVELOPMENT AUTHORITY, AND THE PHILIPPINE TRADE**
14 **TRAINING CENTER** shall give priority to the beneficiaries of the Program."

15 SEC. 3. Section 23 of Republic Act No. 7279 is hereby amended to read as follows:

16 "SEC. 23. *Participation of PROGRAM Beneficiaries OR AFFECTED*
17 *ISFS, FORMATION OF BENEFICIARY-ASSOCIATION,*
18 *MAINSTREAMING SOCIAL PREPARATION, AND FORMULATION*
19 *AND IMPLEMENTATION OF A PEOPLE'S PLAN.* – The local government
20 units, in coordination with the Presidential Commission for the Urban Poor and
21 concerned government agencies, shall afford Program beneficiaries **OR**
22 **AFFECTED ISFS** or their duly designated representatives an opportunity to be
23 heard and to participate in the decision-making process over matters involving the
24 protection and promotion of their legitimate collective interests which shall
25 include appropriate documentation and feedback mechanisms. They shall also be
26 encouraged to organize themselves [and undertake self-help cooperative housing
27 and other livelihood activities] **INTO AN ASSOCIATION FOR**
28 **ACCREDITATION AS BENEFICIARIES OR AWARDEES OF**
29 **OWNERSHIP RIGHTS UNDER THE RESETTLEMENT PROGRAM,**
30 **COMMUNITY MORTGAGE PROGRAM, LAND TENURE ASSISTANCE**
31 **PROGRAM, AND OTHER SIMILAR PROGRAMS IN RELATION TO A**
32 **SOCIALIZED HOUSING PROJECT ACTUALLY BEING**
33 **IMPLEMENTED BY THE NATIONAL GOVERNMENT OR BY THE**
34 **LOCAL GOVERNMENT UNITS.** They shall assist the government in
35 preventing the incursions of professional squatters and members of squatting
36 syndicates into their communities.

37 In instances when the affected beneficiaries **OR ISFS** have failed to
38 organize themselves or form an [alliance] **ASSOCIATION** within a reasonable
39 period prior to the implementation of the program or projects affecting them,
40 consultation between the implementing **LOCAL GOVERNMENT UNIT OR**
41 agency and the affected [beneficiaries] **ISFS** shall be conducted with the
42 assistance of the Presidential Commission for the Urban Poor and the
43 concerned [nongovernment organization] **CSOS UNTIL AN ASSOCIATION**
44 **IS FORMED.**

1 THE ASSOCIATION, IN CONSULTATION WITH THE
2 PRESIDENTIAL COMMISSION FOR THE URBAN POOR AND IN
3 COORDINATION WITH THE IMPLEMENTING LOCAL
4 GOVERNMENT UNIT, SHALL, WITH OR WITHOUT THE SUPPORT OF
5 CSOS, FORMULATE A 'PEOPLE'S PLAN' WITHIN A REASONABLE
6 PERIOD OF SIX MONTHS TO ONE YEAR, WHICH SHALL INCLUDE
7 THE FOLLOWING COMPONENTS:

8 (A) COMMUNITY HEALTH, SANITATION, AND SECURITY
9 PLANS;

10 (B) NON-PHYSICAL DEVELOPMENT SUCH AS SELF-HELP
11 HOUSING COOPERATIVE, LIVELIHOOD, SELF-HELP
12 DEVELOPMENT, CAPABILITY BUILDING; AND

13 (C) A SYSTEM OF ALLOCATION OF SOCIALIZED HOUSING
14 UNITS THAT SHALL PROMOTE AND PROTECT THE WELFARE OF
15 THE ELDERLY, PERSONS WITH DISABILITY, AND CHILDREN AS
16 DEFINED IN SECTION 3(F) OF REPUBLIC ACT NO. 11201;

17 THE ASSOCIATION, WITH THE ASSISTANCE OF CSOS AND
18 CONCERNED GOVERNMENT AGENCIES, INCLUDING THE
19 NATIONAL ANTI-POVERTY COMMISSION, PRESIDENTIAL
20 COMMISSION FOR THE URBAN POOR, NATIONAL HOUSING
21 AUTHORITY, CITY OR MUNICIPAL SOCIAL WELFARE AND
22 DEVELOPMENT OFFICE, SOCIAL HOUSING FINANCE
23 CORPORATION, AND LOCAL GOVERNMENT UNITS, SHALL AGREE
24 ON, DEVELOP, AND IMPLEMENT THE PEOPLE'S PLAN.

25 IN ACCORDANCE WITH THE PROTECTION GUIDELINES
26 PROVIDED UNDER SECTION 28 OF THIS ACT, A RAP SHALL BE AN
27 INDISPENSABLE COMPONENT OF THE PEOPLE'S PLAN. THE RAP
28 SHALL ENUNCIATE THE FOLLOWING:

29 (A) A SAFE, AFFORDABLE, DECENT, AND HUMANE
30 CONDITION OF RELOCATION, INCORPORATING THEREIN
31 APPROPRIATE DISASTER RISK REDUCTION MANAGEMENT AND
32 CLIMATE CHANGE ADAPTATION STANDARDS;

33 (B) PROVISION OF ADEQUATE SOCIAL PREPARATION
34 WHICH SHALL ENABLE THE BENEFICIARIES TO COPE WITH
35 CHANGES AND ENCOURAGE THEM NOT ONLY TO WORK AMONG
36 THEMSELVES FOR THE PURPOSE OF DRAWING UP AND
37 UNDERTAKING THEIR HOUSING PROJECT PROPOSALS, BUT ALSO
38 TO ACTIVELY AND MEANINGFULLY PARTICIPATE IN HOUSING
39 PROJECTS UNDERTAKEN IN THEIR BEHALF, RESOLVING
40 PROBLEMS AMONG COMMUNITY MEMBERS AND COORDINATION
41 ISSUES WITH GOVERNMENT AND OTHER ENTITIES; AND

1 **(C) PREVENTION OF FORCED EVICTION: *PROVIDED*, THAT**
2 **PRIMARY CONSIDERATION SHALL BE GIVEN TO THE HOUSING**
3 **FINANCIAL SCHEME SUGGESTED IN THE PEOPLE’S PLAN.”**

4 **SEC. 4.** Section 26 of Republic Act No. 7279 is hereby amended to read as follows:

5 “**SEC. 26. *Urban Renewal and Resettlement.*** – [This] **URBAN**
6 **RENEWAL AND RESETTLEMENT** shall include the rehabilitation and
7 development of blighted and slum areas and the resettlement of Program
8 beneficiaries **OR AFFECTED ISFS** in accordance with the provisions of this
9 Act. On-site development shall be implemented [whenever possible] **AFTER**
10 **THE CONDUCT OF ADEQUATE AND GENUINE CONSULTATION**
11 **WITH THE AFFECTED ISFS, AND IN ACCORDANCE WITH THE**
12 **PEOPLE’S PLAN FORMULATED PURSUANT TO SECTION 23 OF THIS**
13 **ACT,** in order to ensure minimum movement of occupants of blighted lands and
14 slum areas.

15 **[The] WHERE DEMOLITION OR EVICTION IS ALLOWED IN**
16 **THE AREA OCCUPIED BY THE PROGRAM BENEFICIARIES OR**
17 **AFFECTED ISFS AND ON-SITE RESETTLEMENT CANNOT BE**
18 **UNDERTAKEN BY REASON THEREOF, THE IN-CITY** resettlement of the
19 beneficiaries of the Program **OR OF AFFECTED ISFS** from their existing places
20 of occupancy shall be undertaken only [when on-site development is not feasible
21 and] after compliance with the procedures [laid down in] **PURSUANT TO**
22 **Section 28 of this Act AND IN ACCORDANCE WITH THE PREFERENCE**
23 **OF THE AFFECTED ISFS AS CONTAINED IN THE PEOPLE’S PLAN.**

24 **SHOULD IN-CITY RESETTLEMENT NOT BE FEASIBLE,**
25 **NEAR-CITY RESETTLEMENT SHALL BE CONSIDERED. OFF-CITY**
26 **RESETTLEMENT SHALL ONLY BE RESORTED TO WHEN NEAR-**
27 **CITY RESETTLEMENT IS NOT FEASIBLE, AND MUST SATISFY THE**
28 **REQUIREMENTS OF ADEQUATE AND RESPONSIVE**
29 **CONSULTATION PRIOR TO RELOCATION, WHICH SHALL REQUIRE**
30 **THE FOLLOWING:**

31 **(A) EFFECTIVE DISSEMINATION OF RELEVANT**
32 **INFORMATION AND DOCUMENTS INCLUDING LAND RECORDS,**
33 **THE PROPOSED PLAN OR PROJECT, ALTERNATIVE HOUSING**
34 **OPTIONS, AND COMPREHENSIVE RESETTLEMENT PLANS;**

35 **(B) REASONABLE TIME FOR THE PUBLIC TO REVIEW**
36 **AND COMMENT ON THE PROPOSED PLAN OR PROJECT;**

37 **(C) PROVISION BY THE GOVERNMENT OR**
38 **NONGOVERNMENT ORGANIZATIONS OF LEGAL, TECHNICAL,**
39 **AND OTHER ADVICE TO AFFECTED ISFS ON THEIR RIGHTS AND**
40 **OPTIONS;**

41 **(D) THE CONDUCT OF PUBLIC HEARINGS THAT SHALL**
42 **PROVIDE AFFECTED ISFS, ADVOCATES, AND THE PUBLIC, WITH**
43 **OPPORTUNITIES TO COMMENT ON THE PROPOSED**

1 RESETTLEMENT ACTION PLAN, OR PRESENT ALTERNATIVE
2 PROPOSALS AND ARTICULATE THEIR DEMANDS AND
3 RESETTLEMENT PRIORITIES;

4 (E) PARTICIPATION IN LOCAL OR PROJECT INTER-AGENCY
5 COMMITTEES, OR ANY OTHER MULTI-SECTORAL MECHANISMS,
6 FORMED BY IMPLEMENTING AGENCIES FOR THE PURPOSE OF
7 COORDINATION REGARDING RESETTLEMENT OF AFFECTED
8 ISFS; AND

9 (F) MEDIATION, ARBITRATION, OR ADJUDICATION BY AN
10 INDEPENDENT BODY VESTED WITH CONSTITUTIONAL
11 AUTHORITY, SUCH AS A COURT OF LAW, AS MAY BE APPROPRIATE,
12 IN CASE NO AGREEMENT IS REACHED ON THE PROPOSALS OF
13 THE CONCERNED PARTIES, EXCEPT WHEN THE RESETTLEMENT
14 IS DUE TO EVICTION OR DEMOLITION IN AREAS COVERED
15 UNDER SECTION 28 (A) AND (B).”

16 SEC. 5. Section 29 of Republic Act No. 7279 is hereby amended to read as follows:

17 “SEC. 29. *Resettlement.* – THE IMPLEMENTING LOCAL
18 GOVERNMENT UNITS, JOINTLY WITH THE DEPARTMENT OF
19 HUMAN SETTLEMENTS AND URBAN DEVELOPMENT AND THE
20 APPROPRIATE KEY SHELTER AGENCIES, SHALL BE CHARGED
21 WITH THE PRIMARY RESPONSIBILITY OF:

22 (A) CRAFTING THE RESETTLEMENT ACTION PLAN WHICH
23 SHALL, IN THE CASE OF NEAR-CITY OR OFF-CITY RELOCATION,
24 BE CONCURRED WITH BY THE RECEIVING LOCAL GOVERNMENT
25 UNIT, AND IN ALL CASES SHALL:

26 (1) SPECIFY DETAILS ON THE IMPLEMENTATION OF
27 RELOCATION;

28 (2) INCLUDE OR PRIORITIZE AS FIRST RECOURSE, TO THE
29 EXTENT FEASIBLE, AND IN DESCENDING ORDER, ON-SITE,
30 IN-CITY, NEAR-CITY, AND OFF-CITY OPTIONS;

31 (3) INCLUDE THE BASIC SERVICES AND FACILITIES
32 RELATIVE TO THE HEALTH, EDUCATION, COMMUNICATION,
33 SECURITY, RECREATION, RELIEF AND WELFARE, LIVELIHOOD,
34 AND TRANSPORTATION NEEDS OF THE RELOCATEES; AND

35 (4) COORDINATING WITH THE DEPARTMENT OF SOCIAL
36 WELFARE AND DEVELOPMENT WHENEVER THE NECESSARY
37 ASSISTANCE CAN BE EXTENDED IN PARTICULAR TO MINORS,
38 WOMEN, SENIOR CITIZENS, AND PERSONS WITH DISABILITIES.

39 (B) IMPLEMENTING THE RESETTLEMENT OF AFFECTED
40 ISFS IN THEIR RESPECTIVE LOCALITIES [Within two (2) years from the
41 effectivity of this Act, the local government units, in coordination with the

1 National Housing Authority, shall implement] AND the relocation and
2 resettlement of [persons] ISFS living in danger areas such as *esteros*, railroad
3 tracks, garbage dumps, riverbanks, shorelines, waterways, and in other public
4 places such as sidewalks, roads, parks, and playgrounds[. The local government
5 unit, in coordination with the National Housing Authority, shall provide]; AND

6 (C) PROVIDING relocation or resettlement sites with basic services and
7 facilities and access to employment and livelihood opportunities sufficient to meet
8 the basic needs of the affected [families] ISFS. FOR THIS PURPOSE, THE
9 LOCAL GOVERNMENT UNIT MAY PURCHASE LANDS OUTSIDE ITS
10 JURISDICTION, TAKING INTO CONSIDERATION ITS FEASIBILITY,
11 VIABILITY, BUDGETARY CONCERNS, ZONING ORDINANCES, AND
12 OTHER RELEVANT LAWS.

13 WHERE THE LAND OCCUPIED BY THE ISFS IS PRIVATELY-
14 OWNED, THE LOCAL GOVERNMENT UNIT SHALL, IN
15 COORDINATION WITH THE APPROPRIATE KEY SHELTER
16 AGENCIES, NEGOTIATE WITH THE OWNER FOR THE PURCHASE
17 OF THE OCCUPIED PROPERTY. SHOULD THE NEGOTIATION FAIL,
18 THE LOCAL GOVERNMENT UNIT MAY RESORT TO
19 EXPROPRIATION: PROVIDED, THAT ITS EXERCISE SHOULD BE IN
20 ACCORDANCE WITH EXPROPRIATION LAWS, RULES,
21 REGULATIONS, AND PROCEDURES AND IN CONFORMITY TO
22 EXISTING PROGRAMS, AND POLICIES OF THE NATIONAL
23 GOVERNMENT AND LOCAL GOVERNMENT UNITS, TAKING INTO
24 CONSIDERATION ITS FEASIBILITY, VIABILITY, BUDGETARY
25 CONCERNS, ZONING ORDINANCES, AND OTHER RELEVANT LAWS.

26 IN INSTANCES WHEN THE RELOCATION OR
27 RESETTLEMENT SITE IS LOCATED IN ANOTHER LOCAL
28 GOVERNMENT UNIT, THE IMPLEMENTING LOCAL GOVERNMENT
29 UNIT AND THE CONCERNED NATIONAL GOVERNMENT AGENCIES
30 SHALL, THROUGH A MEMORANDUM OF AGREEMENT, PROVIDE
31 THE RECEIVING LOCAL GOVERNMENT UNIT WHERE THE
32 RELOCATION OR RESETTLEMENT SITE IS LOCATED, THE OTHER
33 BASIC SERVICES AND FACILITIES ENUMERATED UNDER SECTION
34 21 OF THIS ACT, INCLUDING A LIVELIHOOD COMPONENT FOR
35 THE BENEFICIARIES BEING RELOCATED.

36 THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN
37 DEVELOPMENT AND THE DEPARTMENT OF FINANCE – BUREAU
38 OF LOCAL GOVERNMENT FINANCE SHALL FORMULATE
39 THE IMPLEMENTING RULES AND REGULATIONS ON THE
40 COST-SHARING MECHANISM NECESSARY TO FULLY
41 IMPLEMENT THE PROVISION OF SUCH OTHER BASIC SERVICES
42 AND FACILITIES.

43 IN ADDITION TO THE FUNDING SOURCES PROVIDED UNDER
44 SECTION 42 OF THIS ACT, THE ALLOCATION FOR THE BASIC
45 SERVICES AND FACILITIES MAY BE SOURCED BY THE LOCAL
46 GOVERNMENT UNIT IMPLEMENTING THE RELOCATION OR

1 **RESETTLEMENT FROM THE TWENTY PERCENT (20%) OF THE**
2 **INTERNAL REVENUE ALLOTMENT APPROPRIATED FOR**
3 **DEVELOPMENT PROJECTS AS MANDATED UNDER SECTION 287 OF**
4 **REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE ‘LOCAL**
5 **GOVERNMENT CODE OF 1991’.**”

6 **SEC. 6. *Implementing Rules and Regulations.*** – The Department of Human
7 Settlements and Urban Development and the Department of the Interior and Local Government
8 shall, in consultation with appropriate government agencies, CSOs, NGOs, representatives
9 from the private sector, and ISFs, promulgate a new set of implementing rules and regulations
10 (IRR) within sixty (60) days from the effectivity of this Act. The IRR shall include the
11 following:

12 (a) A template of a People’s Plan that shall set the minimum standards and guide ISFs
13 in the preparation of their own People’s Plan; and

14 (b) A guide to the effective implementation of the People’s Plan, including details on
15 the necessity of the issuance of internal memoranda by concerned agencies.

16 **SEC. 7. *Separability Clause.*** – If, for any reason, any part, section or provision of this
17 Act is held invalid or unconstitutional, the remaining provisions not affected thereby shall
18 continue to be in full force and effect.

19 **SEC. 8. *Repealing Clause.*** – All laws, decrees, executive orders, proclamations, rules
20 and regulations, and other issuances, or parts thereof which are inconsistent with the provisions
21 of this Act are hereby repealed, amended or modified accordingly.

22 **SEC. 9. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in
23 the *Official Gazette* or in a newspaper of general circulation.

Approved,