



HOUSE OF REPRESENTATIVES

H. No. 1716

BY REPRESENTATIVES GONZALES (N.) AND CALIMBAS-VILLAROSA

AN ACT DECLARING CERTAIN PORTIONS OF THE WELFAREVILLE
PROPERTY LOCATED IN THE CITY OF MANDALUYONG OPEN
FOR DISPOSITION TO *BONA FIDE* RESIDENTS WITHOUT
PUBLIC BIDDING AND FOR OTHER PURPOSES

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

1 SECTION 1. *Declaration of Policy* – It is hereby declared the policy
2 of the State to secure the land tenure of the urban poor. Pursuant to Sections 9
3 and 10 of Article XIII of the 1987 Constitution and the Urban Development
4 and Housing Act of 1992, certain portions of the Welfareville property owned
5 by the national government in the City of Mandaluyong shall be utilized for
6 socialized housing.

7 SEC. 2. *Direct Negotiated Sale Without Public Bidding of the*
8 *Welfareville Property.* – The Welfareville property, except the areas
9 occupied by the National Center for Mental Health (NCMH) and the
10 Correctional Institute for Women (CIW), is hereby declared disposable and
11 alienable and shall be sold through direct negotiated sale to *bona fide* residents
12 therein without public bidding: *Provided*, That the determination of *bona fide*
13 residents shall be based on the census verification survey conducted by the

1 Welfareville Commission of the Local Government of the City of
2 Mandaluyong in 2003: *Provided, further*, That persons and/or families who
3 are included in the 2003 survey but are residing or who own residential
4 structures within the NCMH and CIW areas shall be allowed to buy lots within
5 the disposable portion of the Welfareville property: *Provided, finally*, That a
6 nonnegotiable condition of the sale to *bona fide* residents therein shall be
7 annotated on their titles to the effect that, except for testate or intestate
8 succession, the residents cannot assign, sell, convey or dispose of their rights to
9 any party within a period of twenty (20) years from the date of purchase.

10 . SEC. 3. *Trustee Committee.* – There is hereby created a Trustee
11 Committee to be composed of the Secretary of the Department of Social
12 Welfare and Development as the Chairperson, the Chairperson of the
13 Commission on Audit, the Chairperson of the Presidential Commission for the
14 Urban Poor, the Representative of the Lone District of the City of
15 Mandaluyong, the Mayor of the City of Mandaluyong, the Chairperson of the
16 Housing and Urban Development Coordinating Council, the Secretary of the
17 Department of Environment and Natural Resources and two (2) representatives
18 from the duly recognized people's organizations, as members thereof. The
19 representatives of the duly recognized people's organizations shall be
20 appointed by the Chairperson of the Trustee Committee upon the
21 recommendation of the organization they represent.

22 SEC. 4. *Powers and Functions of the Trustee Committee.* – The
23 Trustee Committee shall have the following powers and functions:

24 (a) To supervise the sale of the Welfareville properties, except the
25 areas occupied by the NCMH and CIW;

26 (b) To draft a schedule to arrange for the procedure of the sale;

1 (c) To determine the *bona fide* residents based on the census
2 verification survey conducted by the Welfareville Commission of the Local
3 Government of the City of Mandaluyong in 2003; and

4 (d) To administer the proceeds of the sale and its utilization.

5 . SEC. 5. *Implementing Rules and Regulations.* – The Trustee
6 Committee shall formulate and promulgate the rules and regulations to
7 effectively implement the provisions of this Act sixty (60) days from the
8 effectivity of this Act.

9 SEC. 6. *Tax Exemption.* – All lands that will be disposed and/or sold
10 pursuant to this Act shall be exempted from the payment of Capital Gains Tax.

11 SEC. 7. *Appropriations.* – The amount necessary for the operations of
12 the Trustee Committee shall be included in the budget of the Department of
13 Social Welfare and Development in the annual General Appropriations Act.

14 SEC. 8. *Repealing Clause.* – Section 1 of Republic Act No. 5260 and
15 all laws, decrees, orders, rules and regulations, issuances or parts thereof
16 which are inconsistent with any of the provisions of this Act are hereby
17 repealed, amended or modified accordingly.

18 SEC. 9. *Separability Clause.* – If any provision of this Act is declared
19 invalid or unconstitutional, the remaining provisions not affected thereby shall
20 continue to be in full force and effect.

21 SEC. 10. *Effectivity.* – This Act shall take effect upon its approval.

Approved,

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