



HOUSE OF REPRESENTATIVES

H. No. 8930

BY REPRESENTATIVES UNGAB, GONZAGA, ZAMORA (W.K.), BAUTISTA, GARCIA (V.), DUTERTE, GONZALEZ, DUJALI, TAMBUNTING, ALMARIO, OLIVAREZ, VILLANUEVA (N.), YAP (E.), SINSUAT, GARCIA (J.E.), ROMAN, BAUTISTA-BANDIGAN, DAGOOC, HARESCO, TADURAN, GASATAYA AND CAGAS, PER COMMITTEE REPORT NO. 825

**AN ACT
CREATING THE METROPOLITAN DAVAO DEVELOPMENT AUTHORITY,
DEFINING ITS POWERS AND FUNCTIONS, AND PROVIDING FUNDS
THEREFOR**

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 "Metropolitan Davao
2 Development Authority Act".

3 **SEC. 2. *Declaration of Policy.*** – It is hereby declared the policy of the State
4 to adopt a national dispersion through regional agglomeration strategy to revitalize
5 large cities and eventually stir them to expand their physical areas for planning as
6 well as their service areas for urban service delivery.

7 Considering the rapid urbanization of Davao City and increasing population of
8 the cities of Panabo, Tagum, and the Island Garden City of Samal (IGaCoS), in
9 Davao del Norte; the City of Digos in Davao del Sur; and the City of Mati in Davao
10 Oriental, and the spatial, functional, and economic interdependence of these cities
11 with the municipalities of Sta. Cruz in Davao del Sur, Carmen in Davao del Norte,
12 Maco in Davao de Oro, and Malita in Davao Occidental, it is likewise hereby
13 declared the policy of the State to consider these local government units (LGUs) as

1 a special development and administrative region, to be known as Metropolitan
2 Davao.

3 **SEC. 3. *Creation of the Metropolitan Davao Development Authority.***

4 – There is hereby created a special body to be known as the Metropolitan Davao
5 Development Authority, hereinafter referred to as “MDDA”, which shall be organized
6 within thirty (30) days after the approval of this Act, to coordinate and promote socio-
7 economic growth and sustainable development of Metropolitan Davao.

8 The MDDA shall execute the powers and functions herein vested which shall,
9 however, in no way diminish the autonomy of the LGUs of Metropolitan Davao
10 concerning purely local matters, within the framework and subject to the mandate
11 and limitations of the Constitution and the pertinent provisions of Republic Act No.
12 7160, otherwise known as the “Local Government Code of 1991.”

13 **SEC. 4. *Jurisdiction of the Metropolitan Davao Development Authority.***

14 – For the purposes of this Act, the MDDA shall have jurisdiction over Davao City;
15 the cities of Panabo, Tagum, and the Island Garden City of Samal (IGaCoS), in
16 Davao del Norte; the City of Digos in Davao del Sur; the City of Mati in Davao
17 Oriental; and the municipalities of Sta. Cruz in Davao del Sur, Carmen in Davao del
18 Norte, Maco in Davao de Oro, and Malita in Davao Occidental, and such other cities
19 and municipalities as shall be created in the future within these LGUs as provided
20 by law.

21 **SEC. 5. *Scope of MDDA Services.*** - The services of the MDDA are delivered

22 across boundaries to multiple and often interdependent political entities whose
23 activities impact each other significantly, and entail huge expenditures such that it
24 would not be viable for said services to be provided by the individual LGUs. These
25 services shall include:

26 (a) Development planning, which includes preparing medium- and long-term
27 development plans; developing, evaluating and packaging of projects;
28 investments programming; and coordinating and monitoring plans,
29 program and project implementations;

30 (b) Transport management, which includes formulating, coordinating, and
31 monitoring policies, standards, programs, and projects to rationalize the
32 existing transport operations, infrastructure requirements, and promotion

1 of safe and convenient movement of persons and goods; providing a mass
2 transport system and instituting a system to regulate road users;
3 administering and implementing all traffic enforcement operations, traffic
4 engineering services and traffic education programs, including instituting
5 a single ticketing system;

6 (c) Solid waste disposal and management, which includes formulating and
7 implementing policies, standards, programs, and projects for proper and
8 sanitary waste disposal. It shall likewise include establishing and operating
9 a sanitary land fill and related facilities and implementing other alternative
10 programs intended to reduce, reuse, and recycle solid waste;

11 (d) Flood control and sewerage management, which include formulating and
12 implementing policies, standards, programs, and projects for an integrated
13 flood control, drainage, and sewerage system;

14 (e) Urban renewal, zoning, land use planning, and shelter services, which
15 include formulating, adopting and implementing policies, standards, rules,
16 and regulations, programs, and projects to rationalize and optimize urban
17 land use and provide direction to urban growth and expansion,
18 rehabilitating and developing slums and blighted areas, developing shelter
19 and housing facilities, and providing necessary social services thereof;

20 (f) Health and sanitation, urban protection, and pollution control, which
21 include formulating and implementing policies, rules and regulations,
22 standards, programs, and projects for promoting and safeguarding health
23 and sanitation to enhance ecological balance and prevent, control, and
24 abate environmental pollution; and

25 (g) Public safety, which includes formulating and implementing programs,
26 policies and procedure to achieve public safety, especially preparedness
27 for preventive or rescue operations during times of calamity and disaster
28 such as conflagration, earthquakes, flood, and coordinating and mobilizing
29 resources and implementing contingency plans for rehabilitation and relief
30 operations in coordination with national agencies concerned.

31 **SEC. 6. Functions of the Metropolitan Davao Development Authority. -**

32 The MDDA shall exercise the following functions:

33 (a) Formulate plans aligned to the Davao Region Development Plan (DRDP)
34 and Philippines Development Plan 2017-2022;

- 1 (b) Set policies concerning traffic, waste management, and public safety and
2 security for Metropolitan Davao and coordinate, regulate, and enforce the
3 implementation of these programs and projects with concerned national
4 government agencies and LGUs;
- 5 (c) Prepare and implement or manage metropolitan-wide programs and
6 projects for the delivery of specific services under its jurisdiction, subject
7 to the approval to the Metropolitan Davao Development Council;
- 8 (d) Review and recommend to the Metropolitan Davao Development Council
9 policies regarding development permits for residential, commercial, or
10 industrial purposes and other major land development that have
11 metropolitan-wide impact on transportation and traffic, proposed to be
12 implemented by or in the LGUs within Metropolitan Davao;
- 13 (e) Monitor the implementation of metropolitan-wide programs and projects
14 and identify implementation issues and appropriate solutions to address
15 them;
- 16 (f) Install and administer a single ticketing system, fix, impose, and collect
17 fines and penalties for all kinds of violations of traffic rules and regulations,
18 whether moving or non-moving in nature, and confiscate and suspend or
19 revoke driver's licenses in the enforcement of such traffic laws and
20 regulations;
- 21 (g) Prescribe and collect services and regulatory fees, and impose and collect
22 fines and penalties; and
- 23 (h) Perform other functions, subject to approval by the Metropolitan Davao
24 Development Council.

25 **SEC. 7. Metropolitan Davao Development Council.** - The governing board
26 and policy making body of the MDDA shall be the Metropolitan Davao Development
27 Council, herein referred to as the Council, which shall be composed of the
28 Chairperson of the Regional Development Council, Region XI; the governors of the
29 provinces of Davao Oriental, Davao de Oro, Davao del Norte, Davao del Sur, and
30 Davao Occidental; the city mayors of Davao, Mati, Tagum, Digos, IGACoS, and
31 Panabo; and the municipal mayors of Carmen, Sta Cruz, Maco, and Malita, who
32 shall all serve in an *ex officio* capacity. The Chairperson of the Council shall be
33 elected from among its members to serve for a term of three (3) years.

1 The heads of the following Davao regional offices of national government
2 agencies shall attend all meetings of the Council as non-voting members: National
3 Economic and Development Authority (NEDA); Department of Human Settlements
4 and Urban Development (DHSUD); Department of Public Works and Highways
5 (DPWH), Department of the Interior and Local Government (DILG), Department of
6 Environment and Natural Resources (DENR), Department of Health (DOH);
7 Department of Information and Communications Technology (DICT), Department of
8 Energy (DoE), Department of Tourism (DoT), Department of Transportation (DoTr);
9 Land Transaction Office (LTO), and Philippine National Police (PNP).

10 The Chairperson and members of the Council, except *ex officio* members, are
11 entitled to allowance and per diems in accordance with existing policies, rules, and
12 regulations on the matter.

13 **SEC. 8. Functions of the Metropolitan Davao Development Council.** - The
14 Council, as the policy-making body of the MDDA, shall exercise the following
15 functions:

- 16 (a) Approve plans, programs, and projects, and issue rules and regulations
17 deemed necessary by the MDDA to carry out the purposes of this Act;
- 18 (b) Subject to pertinent laws, policies, rules and regulations, increase the rate
19 of allowances and per diems of the members of the Council to be effective
20 during the term of the succeeding Council; fix the compensation of the
21 officers and personnel of the MDDA in accordance with the Salary
22 Standardization Law; and approve the annual budget of the MDDA for
23 submission to the Department of Budget and Management (DBM);
- 24 (c) Recommend investment programming for its plans and programs, as well
25 as supervise the implementation of plans and programs which includes
26 the formulation and coordination of its related activities;
- 27 (d) Promulgate rules and regulations and set policies and standards for
28 application governing the delivery of basic services, prescribe and collect
29 service and regulatory fees, and impose and collect fines and penalties;
- 30 (e) Endorse the annual as well as the supplemental budgets of the MDDA;
31 and
- 32 (f) Perform such other acts and assume such other functions as may be
33 necessary to carry out the provisions of this Act.

34 **SEC. 9. Effectivity of Ordinances and Resolutions.** -

1 (a) An ordinance or resolution passed by the Council, in the exercise of its
2 rule-making power as provided in Section 8 hereof, shall be posted in a
3 bulletin board at the entrance of the MDDA building and in at least two (2)
4 other conspicuous places in the office of the MDDA within ten (10) days
5 from its approval and shall take effect fifteen (15) after such posting.

6 (b) Ordinances with penal sanctions shall be published in a newspaper of
7 general circulation within Metropolitan Davao and shall take effect fifteen
8 (15) days thereafter.

9 **SEC. 10. Functions of the Chairperson of the Council.** - The Chairperson
10 of the Council, herein referred to as the Chairperson, shall exercise the following
11 functions:

12 (a) Appoint, subject to civil service laws, rules and regulations, all subordinate
13 officers and employees, who shall enjoy security of tenure and may be
14 removed only for cause in accordance with law. The Chairperson is
15 authorized to engage the services of expert or consultants either on full
16 time or part-time basis, as may be required in the performance of the
17 Chairperson's functions and duties;

18 (b) Execute the policies and measures approved by the Council and be
19 responsible for the efficient and effective day-to-day management of the
20 operations of the MDDA;

21 (c) Prepare the annual budget for the operations of the MDDA for the
22 submission to the Council;

23 (d) Submit for consideration of the Council such other duties and measures
24 as the chairperson may deem necessary to carry out the purposes and
25 provisions of this Act;

26 (e) Subject to the guidelines and policies set by the Council, prepare the
27 staffing pattern and fix the number of subordinate officials and employees
28 of the MDDA in accordance with Civil Service laws, rules and regulations,
29 and evaluation and approval of the DBM and exercise the power to
30 discipline subordinate officials and employees under the provisions of law;

31 (f) Prepare an annual report on the accomplishment of the MDDA at the close
32 of each calendar year for submission to the Council and to the President
33 of the Philippines; and

1 (g) Perform such other duties as may be assigned by the President of the
2 Philippines or by the Council.

3 The Chairperson, as head of the implementing arm of the MDDA, shall be
4 assisted by a General Manager, an Assistant General Manager for Finance and
5 Administration, an Assistant General Manager for Planning, and an Assistant
6 General Manager for Operations, all of whom shall be appointed by the President
7 of the Philippines upon the recommendation of majority of the Council, subject to
8 civil service laws, rules and regulation. These officials shall enjoy security of tenure
9 and may be removed only for cause in accordance with law.

10 The Assistant General Manager for Planning must have at least five (5) years
11 extensive experience in development and planning or must hold a Master's degree
12 in urban planning or similar disciplines.

13 **SEC. 11. Functions of the General Manager.** - The General Manager shall
14 exercise the following functions:

- 15 (a) Assist the Chairperson in the administration of the MDDA and supervision
16 of subordinate personnel;
- 17 (b) Assist the Chairperson in the supervision of the operation of the various
18 center and units of MDDA;
- 19 (c) Assist the Chairperson in the review of plans and program for the MDDA
20 and for the cities and municipalities in the preparation of the annual report
21 of activities and accomplishments of the MDDA; and
- 22 (d) Perform such other duties and functions as may be lawfully delegated or
23 assigned by the Chairperson from time to time.

24 **SEC. 12. Institution Linkages of the MDDA.** - The MDDA shall, in carrying
25 out its functions, consult, coordinate and work closely with the LGUs, the Regional
26 Development Council of Region XI, and other national government agencies,
27 people's organizations, non-government organizations, and the private sector
28 operating in Metropolitan Davao. The MDDA shall adopt a master plan that shall
29 serve as the framework for the local development plans of the component LGUs
30 and aligned with the Davao Regional Development Plan (DRDP).

31 The MDDA shall submit the Council's approved development plans and
32 investment programs to the Regional Development Council Region XI for integration
33 into the plans, programs, and projects that shall be undertaken by the LGUs,
34 concerned national government agencies, people's organizations, non-government

1 organizations, private sector, and the MDDA itself where appropriate. For this
2 purpose, the MDDA may enter into contracts or memoranda of agreement with
3 these bodies for the delivery of the required services within Metropolitan Davao.

4 The MDDA shall, in coordination with the NEDA and the Department of
5 Finance (DoF), interface with foreign assistance agencies for the purpose of
6 obtaining financing support, grants and donations in support of its programs and
7 projects.

8 **SEC. 13. Sources of Funds and Operating Budget of MDDA.** – The
9 amount necessary for the operations of the MDDA shall be included in the annual
10 General Appropriations Act.

11 The operations of the MDDA shall likewise be supported through financial
12 contributions and technical assistance from member LGUs, national government
13 agencies and government-owned or controlled corporations (GOCCs) and the
14 private sector, and other local and international organizations in the form of grants,
15 donations, contributions, payments, penalties, fees and charges.

16 In case of grants, in cash or in kind, from foreign governments or their
17 agencies and instrumentalities, or multilateral institutions or organizations,
18 acceptance thereof shall be subject to prior clearance and approval of the Council
19 and the President of the Philippines or the authorized representative, based on the
20 recommendation of the Secretary of Finance. In case of donations, in cash or in
21 kind, from foreign governments, acceptance thereof shall require prior clearance
22 and approval by the Council and the President of the Philippines, or the authorized
23 representative based on the recommendation of the Secretary of Foreign Affairs.

24 The MDDA is likewise empowered to levy fines, and impose fees and
25 charges for various services rendered.

26 The Council shall undertake continuing negotiations among the member
27 LGUs and GOCCs to commit annual financial contributions for the operations of the
28 MDDA.

29 **SEC. 14. Implementing Rules and Regulations.** – Within ninety (90) days
30 from the approval of this Act, the Council shall promulgate the necessary rules and
31 regulations for the implementation of this Act.

1 **SEC. 15. Separability Clause.** - If any part or provision of this Act is held
2 unconstitutional or invalid, the other parts or provisions not affected shall remain in
3 full force and effect.

4 **SEC. 16. Repealing Clause.** - All laws, decrees, executive orders, rules and
5 regulations, parts or provisions thereof that are contrary to or inconsistent with the
6 provisions of this Act are hereby repealed, amended, or modified accordingly.

7 **SEC. 17. Effectivity.** - This Act shall take effect fifteen (15) days after its
8 publication in the Official Gazette or in a newspaper of general circulation.

9 *Approved,*