

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'22 AUG -4 A9 :35

SENATE

S. No. 1025

RECEIVED BY

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT

ESTABLISHING AN ON-SITE, IN-CITY OR NEAR-CITY, OR OFF-CITY GOVERNMENT RESETTLEMENT PROGRAM FOR INFORMAL SETTLER FAMILIES IN ACCORDANCE WITH A PEOPLE'S PLAN AND MANDATING THE IMPLEMENTING LOCAL GOVERNMENT UNIT, JOINTLY WITH THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, IN CASES OF NEAR-CITY OR OFF-CITY RESETTLEMENT, TO PROVIDE OTHER BASIC SERVICES AND LIVELIHOOD COMPONENTS IN FAVOR OF THE RECIPIENT LOCAL GOVERNMENT UNIT, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7279, AS AMENDED, OTHERWISE KNOWN AS THE "URBAN DEVELOPMENT AND HOUSING ACT OF 1992"

EXPLANATORY NOTE

Article XIII, Section 9 of the 1987 Constitution provides that "The State shall, by law, and for the common good, undertake, in cooperation with the public sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas".

In line with this Constitutional mandate, Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of 1992," was signed into law on 24 March 1992. RA 7279 sought to address issues concerning urban development and to allow for people's participation with regard to housing. 30 years since, however, the country still faces widespread issues with regard to urban development as evidenced by the growing number of housing backlogs and of Informal Settler

Families (ISFs). The Department of Human Settlements and Urban Development puts the total housing need estimate at 6.6 million, and the number of ISFs at 3.8 million.¹

Many of the government's housing programs are located far from urban areas where access to livelihood opportunities are scarce and basic services and facilities are not guaranteed. This has resulted in low occupancy rates in a number of housing programs of the National Housing Authority (NHA). According to the 2016 Commission on Audit Report on the NHA, three housing projects namely: AFP/PNP/BJMP/BFP/BuCor Housing, the Resettlement Program for ISFs living along danger areas in Metro Manila, and the Typhoon Yolanda Housing Program, had low occupancy rates. Of the 190,413 units completed for the three projects, only 76,004 units or 40% were occupied. The reasons cited by COA for the low occupancy rate include the lack of basic facilities and access road, lack of consultation with beneficiaries, and the lack of coordination with the local government units (LGUs) concerned.

This bill seeks to amend Republic Act No. 7279 and to strengthen the government's housing program by prioritizing on-site or in-city resettlement for ISFs and by ensuring their access to employment and basic facilities. This bill also mandates the People's Plan which will require adequate dialogue that not only empowers the community, but will also enhance the sustainability and success of the government's housing programs.

Hence, the immediate passage of this bill is earnestly requested.



JINGGOY EJERCITO ESTRADA

¹ Department of Human Settlements and Urban Development (DHSUD) FY 2022 Budget Presentation

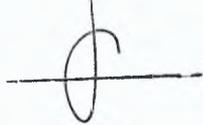


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AN ACT
ESTABLISHING AN ON-SITE, IN-CITY OR NEAR-CITY, OR OFF-CITY
GOVERNMENT RESETTLEMENT PROGRAM FOR INFORMAL SETTLER
FAMILIES IN ACCORDANCE WITH A PEOPLE'S PLAN AND MANDATING THE
IMPLEMENTING LOCAL GOVERNMENT UNIT, JOINTLY WITH THE
DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, IN
CASES OF NEAR-CITY OR OFF-CITY RESETTLEMENT, TO PROVIDE OTHER
BASIC SERVICES AND LIVELIHOOD COMPONENTS IN FAVOR OF THE
RECIPIENT LOCAL GOVERNMENT UNIT, 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 the House of Representatives of the Philippines in Congress assembled:

- 1 Section 1. *Amendatory Provisions.* – For purposes of this Act, the following
- 2 provisions of Republic Act No. 7279, otherwise known as the "Urban Development
- 3 and Housing Act of 1992," are hereby amended as follows:
- 4 a) Section 3 is hereby amended as follows:
- 5 "Sec. 3. *Definition of Terms.* – For purpose of this Act:
- 6 "(a)
- 7 "xxx
- 8 "(w) xxx; [and]
- 9 "(x) *Zonal Improvement Program or ZIP* refers to the
- 10 program of the National Housing Authority of upgrading and
- 11 improving **INFORMAL SETTLEMENTS** within the cities and

1 municipalities of Metro Manila pursuant to existing statutes
2 and pertinent executive issuances[-];

3 **"(Y) ADEQUATE AND RESPONSIVE**
4 **CONSULTATION REFERS TO THE STANDARD OF**
5 **DIALOGUE TO BE CONDUCTED BY THE**
6 **IMPLEMENTING LOCAL GOVERNMENT UNIT (LGU)**
7 **OR THE PROJECT PROPONENT AGENCY WITH THE**
8 **AFFECTED INFORMAL SETTLER FAMILIES (ISFs)**
9 **WHICH SHALL REQUIRE THE FOLLOWING:**

10 **"(1) EFFECTIVE DISSEMINATION OF RELEVANT**
11 **INFORMATION AND DOCUMENTS INCLUDING BUT**
12 **NOT LIMITED TO, LAND RECORDS, HOUSING**
13 **BUDGETS, THE PROPOSED PLAN OR PROJECT,**
14 **ALTERNATIVE HOUSING OPTIONS, AND**
15 **COMPREHENSIVE RESETTLEMENT PLANS;**

16 **"(2) PROVISION BY THE GOVERNMENT OR**
17 **NONGOVERNMENTAL ORGANIZATIONS OF LEGAL,**
18 **TECHNICAL, AND OTHER ADVICE TO AFFECTED ISFs**
19 **ON THEIR RIGHTS AND OPTIONS;**

20 **"(3) CONDUCT OF PUBLIC HEARINGS THAT**
21 **SHALL PROVIDE AFFECTED ISFs AND THEIR**
22 **ADVOCATES WITH OPPORTUNITIES TO COMMENT**
23 **ON THE PROPOSED RESETTLEMENT ACTION PLAN,**
24 **OR PRESENT ALTERNATIVE PROPOSALS AND TO**
25 **ARTICULATE THEIR DEMANDS AND DEVELOPMENT**
26 **PRIORITIES; AND,**

27 **"(4) PARTICIPATION IN LOCAL OR PROJECT**
28 **INTER-AGENCY COMMITTEES, OR ANY OTHER**
29 **MULTI-SECTORAL MECHANISMS, FORMED BY**
30 **IMPLEMENTING AGENCIES FOR THE PURPOSE OF**
31 **COORDINATION REGARDING RESETTLEMENT OF**
32 **AFFECTED ISFs; AND,**

1 “(5) **MEDIATION, ARBITRATION, OR**
2 **ADJUDICATION BY AN INDEPENDENT BODY VESTED**
3 **WITH CONSTITUTIONAL AUTHORITY SUCH AS A**
4 **COURT OF LAW, AS MAY BE APPROPRIATE, IN CASE**
5 **NO AGREEMENT IS REACHED ON THE PROPOSALS OF**
6 **THE CONCERNED PARTIES, EXCEPT WHEN THE**
7 **RESETTLEMENT IS DUE TO EVICTION OR**
8 **DEMOLITION IN AREAS COVERED UNDER SECTION**
9 **28 (A) AND (B);**

10 “(Z) *CIVIL SOCIETY ORGANIZATION OR CSO*
11 **REFERS TO A NONGOVERNMENT ORGANIZATION**
12 **(NGO), PEOPLE’S ORGANIZATION (PO),**
13 **COOPERATIVES, TRADE UNION, PROFESSIONAL**
14 **ASSOCIATION, FAITH-BASED ORGANIZATION,**
15 **MEDIA GROUP, INDIGENOUS PEOPLES MOVEMENT,**
16 **FOUNDATION, AND OTHER CITIZEN’S GROUP**
17 **FORMED PRIMARILY FOR SOCIAL AND ECONOMIC**
18 **DEVELOPMENT CONCERNS TO PLAN PROGRAMS AND**
19 **PROJECTS AND MONITOR THEIR DEVELOPMENT,**
20 **ENGAGE IN POLICY DISCUSSIONS, AND ACTIVELY**
21 **PARTICIPATE IN COLLABORATIVE ACTIVITIES WITH**
22 **THE GOVERNMENT;**

23 “(AA) *COMPREHENSIVE LAND USE PLAN*
24 **(CLUP) REFERS TO THE DOCUMENT, FORMULATED**
25 **BY THE LGU IN CONSULTATION WITH ITS**
26 **STAKEHOLDERS, THAT DEFINES OR PROVIDES**
27 **GUIDELINES ON THE ALLOCATION, UTILIZATION,**
28 **DEVELOPMENT, AND MANAGEMENT OF ALL LANDS**
29 **WITHIN A GIVEN TERRITORY OR JURISDICTION**
30 **ACCORDING TO THE INHERENT QUALITIES OF THE**
31 **LAND ITSELF AND SUPPORTIVE ECONOMIC,**
32 **DEMOGRAPHIC, SOCIO-CULTURAL, AND**

1 ENVIRONMENTAL OBJECTIVES AS DEFINED IN
2 SECTION 3(B) OF REPUBLIC ACT NO. 11201,
3 OTHERWISE KNOWN AS THE DEPARTMENT OF
4 HUMAN SETTLEMENTS AND URBAN DEVELOPMENT
5 ACT;

6 "(BB) *IMPLEMENTING LOCAL GOVERNMENT*
7 *UNIT (LGU)* REFERS TO THE CITY OR MUNICIPALITY
8 THAT WILL CARRY OUT THE RESETTLEMENT
9 PROGRAM AND HAS JURISDICTION OVER THE AREA
10 WHERE THE ISFs ARE SITUATED;

11 "(CC) *IN-CITY RESETTLEMENT* REFERS TO A
12 RELOCATION SITE WITHIN THE JURISDICTION OF
13 AN LGU WHERE THE AFFECTED ISFs ARE LIVING;

14 "(DD) *INFORMAL SETTLEMENT* REFERS TO:

15 "(1) AN AREA WHERE HOUSING UNITS HAVE
16 BEEN CONSTRUCTED BY SETTLERS ON LAND
17 WHICH THEY OCCUPY WITHOUT THE
18 CONSENT OF THE OWNER; OR,

19 "(2) AN UNPLANNED SETTLEMENT AND AREA
20 WHERE HOUSING IS NOT IN COMPLIANCE
21 WITH EXISTING PLANNING AND BUILDING
22 REGULATIONS;

23 "(EE) *INFORMAL SETTLER FAMILIES (ISFs)*
24 REFER TO HOUSEHOLDS LIVING IN A LOT, WHETHER
25 PUBLIC OR PRIVATE, WITHOUT THE CONSENT OF
26 THE PROPERTY OWNER; OR THOSE WITHOUT LEGAL
27 CLAIM OVER THE PROPERTY THEY ARE OCCUPYING;
28 OR THOSE LIVING IN DANGER AREAS SUCH AS
29 *ESTEROS*, RAILROAD TRACKS, GARBAGE DUMPS,
30 RIVERBANKS, SHORELINES, AND WATERWAYS, AS
31 DEFINED IN SECTION 3(E) OF REPUBLIC ACT NO.
32 11201;

1 “(FF) *KEY SHELTER AGENCIES* REFER TO THE
2 CORPORATIONS ATTACHED TO THE DEPARTMENT OF
3 HUMAN SETTLEMENTS AND URBAND DEVELOPMENT
4 (DHSUD), NAMELY: NATIONAL HOUSING AUTHORITY
5 (NHA), NATIONAL HOME MORTGAGE FINANCE
6 CORPORATION (NHMFC), HOME DEVELOPMENT
7 MUTUAL FUND (HDMF), AND SOCIAL HOUSING
8 FINANCE CORPORATION (SHFC), AND OVER WHICH
9 IT EXERCISES ADMINISTRATIVE SUPERVISION IN
10 ACCORDANCE WITH SECTION 22 OF REPUBLIC ACT
11 NO. 11201;

12 “(GG) *NEAR-CITY RESETTLEMENT* REFERS TO A
13 RELOCATION SITE CLOSE TO THE ORIGINAL
14 SETTLEMENT OF THE AFFECTED ISFs, BUT WITHIN
15 THE JURISDICTION OF ANOTHER LGU THAT IS
16 ADJACENT TO THE IMPLMENTING LGU;

17 “(HH) *NONGOVERNMENT ORGANIZATION*
18 (*NGO*) REFERS TO A DULY REGISTERED NON-STOCK,
19 NON-PROFIT ORGANIZATION FOCUSING ON THE
20 UPLIFTMENT OF THE BASIC OR DISADVANTAGED
21 SECTORS OF SOCIETY BY PROVIDING ADVOCACY,
22 TRAINING, COMMUNITY ORGANIZING, RESEARCH,
23 ACCESS TO RESOURCES, AND OTHER SIMILAR
24 ACTIVITIES, AS DEFINED UNDER REPUBLIC ACT NO.
25 8425, OTHERWISE KNOWN AS THE ‘SOCIAL REFORM
26 AND POVERTY ALLEVIATION ACT’ AND ORGANIZED
27 AND OPERATED EXCLUSIVELY FOR SCIENTIFIC,
28 RESEARCH, EDUCATIONAL, CHARACTER-BUILDING
29 AND YOUTH AND SPORTS DEVELOPMENT, HEALTH,
30 SOCIAL WELFARE, CULTURAL AND CHARITABLE
31 PURPOSES, OR A COMBINATION THEREOF, AND NO
32 PART OF THE NET INCOME OF WHICH INURES TO

1 THE BENEFIT OF ANY PRIVATE INDIVIDUAL
2 PURSUANT TO SECTION 34(H)(2)(c)(1) OF REPUBLIC
3 ACT NO. 8424, AS AMENDED, OTHERWISE KNOWN
4 AS THE 'TAX REFORM ACT OF 1997';

5 "(II) *OFF-CITY RESETTLEMENT* REFERS TO A
6 RELOCATION SITE DEVELOPED OUTSIDE AND NOT
7 ADJACENT TO THE LGU WHERE THE AFFECTED ISFs
8 HAVE THEIR SETTLEMENT;

9 "(JJ) *PEOPLE'S PLAN* REFERS TO THE PLAN
10 FORMULATED BY THE BENEFICIARY-ASSOCIATION
11 IN COORDINATION WITH THE IMPLEMENTING LGU
12 WHICH SHALL CONTAIN A SITE DEVELOPMENT PLAN
13 THAT CONFORMS TO THE CLUP OF THE LGU UNDER
14 WHOSE JURISDICTION THE PROJECT SITE IS
15 PROPOSED TO BE LOCATED, INCLUDING:
16 COMMUNITY HEALTH, SANITATION, AND SECURITY
17 PLANS; NON-PHYSICAL DEVELOPMENT
18 COMPONENTS SUCH AS SELF-HELP HOUSING
19 COOPERATIVE, LIVELIHOOD, SELF-HELP
20 DEVELOPMENT, CAPABILITY BUILDING; AND A
21 SYSTEM OF ALLOCATION OF SOCIALIZED HOUSING
22 UNITS THAT SHALL PROMOTE AND PROTECT THE
23 WELFARE OF THE ELDERLY, PERSONS WITH
24 DISABILITY, AND CHILDREN AS DEFINED IN
25 SECTION 3(F) OF REPUBLIC ACT NO. 11201;

26 "(KK) *RECEIVING LOCAL GOVERNMENT UNIT*
27 *(LGU)* REFERS TO THE CITY OR MUNICIPALITY,
28 OTHER THAN THE IMPLEMENTING LGU, THAT HAS
29 JURISDICTION OVER THE AREA WHERE THE
30 QUALIFIED ISFs ARE RELOCATING OR RESETTLING;

31 "(LL) *RESETTLEMENT ACTION PLAN (RAP)*
32 REFERS TO THE PLAN PREPARED BY THE

1 **IMPLEMENTING LGU OR THE PROJECT PROPONENT**
2 **AGENCY, IN CONSULTATION WITH THE AFFECTED**
3 **ISFs WHICH SHALL, IN THE CASE OF NEAR-CITY OR**
4 **OFF-CITY RELOCATION, BE CONCURRED WITH BY**
5 **THE RECEIVING LGU, AND IN ALL CASES SHALL:**

6 **“(1) SPECIFY DETAILS ON THE**
7 **IMPLEMENTATION OF RELOCATION;**

8 **“(2) INCLUDE OR PRIORITIZE, TO THE EXTENT**
9 **FEASIBLE, AND IN DESCENDING ORDER, ON-**
10 **SITE, IN-CITY, NEAR-CITY, AND OFF-CITY**
11 **OPTIONS; AND**

12 **“(3) INCLUDE THE BASIC SERVICES AND**
13 **FACILITIES RELATIVE TO THE HEALTH,**
14 **EDUCATION, COMMUNICATION, SECURITY,**
15 **RECREATION, RELIEF AND WELFARE,**
16 **LIVELIHOOD, AND TRANSPORTATION NEEDS OF**
17 **THE RELOCATEES; AND,**

18 **“(MM) *SOCIAL PREPARATION* REFERS TO THE**
19 **PROCESS OF ESTABLISHING SOCIAL,**
20 **ORGANIZATIONAL, AND INSTITUTIONAL NORMS**
21 **AND MECHANISMS THAT SHALL:**

22 **“(1) ENABLE THE BENEFICIARIES TO COPE**
23 **WITH CHANGES; AND,**

24 **“(2) IN PARTNERSHIP WITH CONCERNED**
25 **INSTITUTIONS AND STAKEHOLDERS,**
26 **ENCOURAGE THEM NOT ONLY TO WORK**
27 **AMONG THEMSELVES FOR THE PURPOSE OF**
28 **DRAWING UP AND UNDERTAKING THEIR**
29 **HOUSING PROJECT PROPOSALS, BUT ALSO TO**
30 **ACTIVELY AND MEANINGFULLY PARTICIPATE**
31 **IN HOUSING PROJECTS UNDERTAKEN IN**
32 **THEIR BEHALF, RESOLVING PROBLEMS AMONG**

1 **COMMUNITY MEMBERS AND COORDINATION**
2 **ISSUES WITH GOVERNMENT AND OTHER**
3 **ENTITIES.”**

4 b) Section 22 is hereby amended to read as follows:

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

19 c) Section 23 is hereby amended to read as follows:

20 “Sec. 23. *Participation of **PROGRAM** Beneficiaries **OR***
21 ***AFFECTED ISFs, FORMATION OF BENEFICIARY-***
22 ***ASSOCIATION, MAINSTREAMING SOCIAL***
23 ***PREPARATION, AND FORMULATION AND***
24 ***IMPLEMENTATION OF A PEOPLE’S PLAN.*** – The local
25 government units, in coordination with the Presidential
26 Commission of the Urban Poor and concerned government
27 agencies, shall afford Program beneficiaries **OR AFFECTED**
28 **ISFs** or their duly designated representatives an opportunity
29 to be heard and to participate in the decision-making
30 process over matters involving the protection and promotion
31 of their legitimate collective interests which shall include
32 appropriate documentation and feedback mechanisms. They

1 shall also be encouraged to organize themselves [~~and~~
2 ~~undertake self-help cooperative housing and other livelihood~~
3 ~~activities~~] **INTO AN ASSOCIATION FOR**
4 **ACCREDITATION AS BENEFICIARIES OR AWARDEES**
5 **OF OWNERSHIP RIGHTS UNDER THE RESETTLEMENT**
6 **PROGRAM, COMMUNITY MORTGAGE PROGRAM,**
7 **LAND TENURE ASSISTANCE PROGRAM, AND OTHER**
8 **SIMILAR PROGRAMS IN RELATION TO A SOCIALIZED**
9 **HOUSING PROJECT ACTUALLY BEING IMPLEMENTED**
10 **BY THE NATIONAL GOVERNMENT OR BY THE LGUs.**

11 They shall assist the government in preventing the
12 incursions of professional squatters and members of
13 squatting syndicates into their communities.

14 "In instances when the affected beneficiaries ~~OR~~
15 **ISFs** have failed to organize themselves or form an
16 ~~[alliance]~~ **ASSOCIATION** within a reasonable period prior
17 to the implementation of the program or projects affecting
18 them, consultation between the implementing ~~LGU OR~~
19 agency and the affected ~~[beneficiaries]~~ **ISFs** shall be
20 conducted with the assistance of the Presidential
21 Commission for the Urban Poor and the concerned
22 ~~[nongovernment—organization]~~ **CSOs UNTIL AN**
23 **ASSOCIATION IS FORMED.**

24 **"THE ASSOCIATION, IN CONSULATION WITH**
25 **THE PRESIDENTIAL COMMISSION FOR THE URBAN**
26 **POOR (PCUP) AND IN COORDINATION WITH THE**
27 **IMPLEMENTING LGU SHALL, WITH OR WITHOUT THE**
28 **SUPPORT OF CSOs, FORMULATE A PEOPLE'S PLAN.**

29 **"THE ASSOCIATION, WITH THE ASSISTANCE**
30 **OF CSOs AND CONCERNED GOVERNMENT AGENCIES,**
31 **INCLUDING THE NATIONAL ANTI-POVERTY**
32 **COMMISSION (NAPC), PCUP, NHA, CITY OR**

1 MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT
2 OFFICE, SHFC, AND LGUs SHALL AGREE ON,
3 DEVELOP, AND IMPLEMENT THE PEOPLE'S PLAN.

4 "IN ACCORDANCE WITH THE PROTECTION
5 GUIDELINES PROVIDED UNDER SECTION 28 OF THIS
6 ACT, A RAP SHALL BE AN INDISPENSABLE
7 COMPONENT OF THE PEOPLE'S PLAN. THE RAP SHALL
8 ENUNCIATE THE FOLLOWING:

9 "(A) A SAFE, AFFORDABLE, DECENT, AND
10 HUMANE CONDITION OF RELOCATION,
11 INCORPORATING THEREIN APPROPRIATE DISASTER
12 RISK REDUCTION MANAGEMENT AND CLIMATE
13 CHANGE ADAPTATION STANDARDS;

14 "(B) PROVISION OF ADEQUATE SOCIAL
15 PREPARATION; AND,

16 "(C) PREVENTION OF FORCED EVICTION:
17 *PROVIDED*, THAT PRIMARY CONSIDERATION SHALL
18 BE GIVEN TO THE HOUSING FINANCIAL SCHEME
19 SUGGESTED IN THE PEOPLE'S PLAN."

20 (d) Section 26 is hereby amended to read as follows:

21 "Sec. 26. Urban Renewal and Resettlement. – [~~This~~]
22 **URBAN RENEWAL AND RESETTLEMENT** shall include
23 the rehabilitation and development of blighted and slum
24 areas and the resettlement of Program beneficiaries **OR**
25 **AFFECTED ISFs** in accordance with the provisions of this
26 Act. On-site development shall be implemented [~~whenever~~
27 ~~possible~~] **AFTER THE CONDUCT OF ADEQUATE AND**
28 **GENUINE CONSULTATION WITH THE AFFECTED ISFs,**
29 **AND IN ACCORDANCE WITH THE PEOPLE'S PLAN**
30 **FORMULATED PURSUANT TO SECTION 23 OF THIS**
31 **ACT**, to ensure minimum movement of occupants of
32 blighted lands and slum areas.

1 ~~“[The]~~ **WHERE DEMOLITION OR EVICTION IS**
2 **ALLOWED IN THE AREA OCCUPIED BY THE PROGRAM**
3 **BENEFICIARIES OR AFFECTED ISFs AND ON-SITE**
4 **RESETTLEMENT CANNOT BE UNDERTAKEN BY**
5 **REASON THEREOF, THE IN-CITY** resettlement of the
6 beneficiaries of the Program **OR OF AFFECTED ISFs** from
7 their existing places of occupancy shall be undertaken only
8 ~~[when on-site development is not feasible and]~~ after
9 compliance with the procedures ~~[laid down in]~~ **PURSUANT**
10 **TO** Section 28 of this Act **AND IN ACCORDANCE WITH**
11 **THE PREFERENCE OF THE AFFECTED ISFs AS**
12 **CONTAINED IN THE PEOPLE’S PLAN.**

13 **“SHOULD IN-CITY RESETTLEMENT NOT BE**
14 **FEASIBLE, NEAR-CITY RESETTLEMENT SHALL BE**
15 **CONSIDERED. OFF-CITY RESETTLEMENT SHALL ONLY**
16 **BE RESTORED TO WHEN NEAR-CITY RESETTLEMENT**
17 **IS NOT FEASIBLE, AND MUST SATISFY THE**
18 **REQUIREMENTS OF ADEQUATE AND RESPONSIVE**
19 **CONSULTATION PRIOR TO RELOCATION.”**

20 (e) Section 29 is hereby amended to read as follow:

21 **“Sec. 29. Resettlement. – THE IMPLEMENTING**
22 **LGUs, JOINTLY WITH THE DHSUD AND THE**
23 **APPROPRIATE KEY SHELTER AGENCIES, SHALL BE**
24 **CHARGED WITH THE PRIMARY RESPONSIBILITY OF:**

25 **“(1) IMPLEMENTING THE RESETTLEMENT OF**
26 **AFFECTED ISFs IN THEIR RESPECTIVE LOCALITIES**
27 ~~[Within two (2) years from the effectivity of this Act, the~~
28 ~~local government units, in coordination with the National~~
29 ~~Housing Authority shall implement]~~ **AND** the relocation and
30 resettlement of ~~[persons]~~ **ISFs** living in danger areas such
31 as esteros, railroad tracks, garbage dumps, riverbanks,
32 shorelines, waterways, and in other public places such as

1 sidewalks, roads, parks, and playgrounds]. ~~The local~~
2 ~~government unit, in coordination with the National Housing~~
3 ~~Authority, shall provide]; AND,~~

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

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

28 **“IN INSTANCES WHEN THE RELOCATION OR**
29 **RESETTLEMENT SITE IS LOCATED IN ANOTHER LGU,**
30 **THE IMPLEMENTING LGU AND THE CONCERNED**
31 **NATIONAL GOVERNMENT AGENCIES SHALL,**
32 **THROUGH A MEMORANDUM OF AGREEMENT,**

1 PROVIDE THE RECEIVING LGU WHERE THE
2 RELOCATION OR RESETTLEMENT SITE IS LOCATED
3 THE OTHER BASIC SERVICES AND FACILITIES
4 ENUMERATED UNDER SECTION 21 OF THIS ACT,
5 INCLUDING A LIVELIHOOD COMPONENT FOR THE
6 BENEFICIAIRES BEING RELOCATED.

7 "THE DHSUD AND THE DEPARTMENT OF
8 FINANCE – BUREAU OF LOCAL GOVERNMENT
9 FINANCE SHALL FORMULATE THE IMPLMENTING
10 RULES AND REGULATIONS ON THE COST-SHARING
11 MECHANISM NECESSARY TO FULLY IMPLEMENT THE
12 PROVISION OF SUCH OTHER BASIC SERVICES AND
13 FACILITIES.

14 "IN ADDITION TO THE FUNDING SOURCES
15 PROVIDED UNDER SECTION 42 OF THIS ACT, THE
16 ALLOCATION FOR THE BASIC SERVICES AND
17 FACILITIES MAY BE SOURCED BY THE LGU
18 IMPLEMENTING THE RELOCATION OR
19 RESETTLEMENT FROM THE TWENTY PERCENT (20%)
20 OF THE INTERNAL REVENUE ALLOTMENT
21 APPROPRIATED FOR DEVELOPMENT PROJECTS AS
22 MANDATED UNDER SECTION 287 OF REPUBLIC ACT
23 NO. 7160, OTHERWISE KNOWN AS THE 'LOCAL
24 GOVERNMENT CODE OF 1991'."

25 *Sec. 2. Implementing Rules and Regulations.* – The DHSUD and Department
26 of Interior and Local Government, in consultation with appropriate government
27 agencies, CSOs, NGOs, representatives from the private sector, and ISFs, shall
28 promulgate a new set of implementing rules and regulations (IRR) within sixty (60)
29 days from the effectivity of this Act. The IRR shall include the following:

- 30 (a) A template of a People's Plan that shall set the minimum standards and guide
31 ISFs in the preparation of their own People's Plan; and

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

4 Sec 3. *Separability Clause.* – If any provision, section, or part of this Act shall
5 be declared unconstitutional or invalid, such judgement shall not affect, invalidate,
6 or impair any other provisions, sections, or parts hereof.

7 Sec 4. *Repealing Clause.* – All laws, acts, decrees, executive orders,
8 issuances, and rules and regulations or parts thereof which are contrary to and
9 inconsistent with this Act are hereby repealed, amended or modified accordingly.

10 Sec 5. *Effectivity.* – This Act shall take effect after fifteen (15) days following
11 its publication in the *Official Gazette* or in at least two (2) national newspapers or
12 general circulation.

Approved,