

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



'22 SEP -6 P4 :07

SENATE

Senate Bill No. 1283

RECEIVED BY

Introduced by **SENATOR JOEL VILLANUEVA**

AN ACT
ESTABLISHING AN ON-SITE, IN-CITY OR NEAR-CITY 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"

EXPLANATORY NOTE

Republic Act No. 7279, or the Urban Development Housing Act of 1992 (UDHA), was enacted to establish a comprehensive National Urban Development and Housing Program to uplift the conditions of underprivileged and homeless Filipinos in urban and resettlement areas.

The right to adequate housing is protected by the Constitution under Article XIII, Section 9, which reads:

"The State shall, by law, and for the common good, undertake, in cooperation with the private 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."

According to the Department of Human Settlement and Urban Development (DHSUD), the number of Informal Settler Families (ISFs)¹ in the country has reached 5.9 million in 2021. Majority of ISFs (63.2%) are located in Luzon (net of NCR), while the rest are in Visayas (17.3%), Mindanao (15.2%), and the NCR (43%). As of 2021, the overall housing requirement is 6.7 million units, which would require a total of 60,782.5 hectares of land.² The DHSUD reported that the average annual housing production is low at 189,167. Considering this, the projected backlog in 2028 is at an alarming number of 10,990,117 units.

¹ ISFs refer to families who have settled on the land of another without the title or right or without the owner's consent whether in urban or rural areas, as defined in Section 2 of this proposed measure.

² CPBRD, *The Philippine Housing and Household Statistics*, Published in August 2022, Available at https://cpbrd.congress.gov.ph/images/PDF%20Attachments/Facts%20in%20Figures/FF2022-50_Phil_Housing_and_Household_Statistics.pdf (Accessed on 30 August 2022).

To address the current year backlog of 6.7 million housing units, the Marcos Administration targets to build 1 million units annually or a total of 6 million housing units by 2028. This would require an increase in the annual housing subsidy, which has been historically less than 1% of the annual total national budget.³

Aside from the inadequate budget and the growing backlog that beset the housing sector, there is a lack of institutional remedy that would ensure prior and sufficient consultation of government with affected ISFs. Further, while off-site resettlement may reduce disaster-related risks, it has resulted in an increase in unemployment in target communities and delays in the delivery of basic services. This strategy was also proposed by the Informal Settler Families National Technical Working Group (ISF-NTWG) in 2013. According to the Department of Social Welfare and Development, one of the members of the ISF-NTWG, “the on-site, near-site, and in-city relocation is preferred to off-site relocation since the latter often leads to lost livelihood, lost sense of community and social capital, and to the eventual abandonment of the new sites in favor of the location of the original community by the ISFs.”⁴

To address these pressing concerns of the sector, this bill seeks to amend the UDHA to prioritize the implementation of on-site, in-city, and near-city relocation of ISFs as the primary mechanism of resettlement. By mandating the creation of “People’s Plans,” it promotes a bottom-up planning approach that empowers affected communities to take the lead and actively participate in the resettlement process. The bill also institutionalizes adequate and genuine consultation with ISFs and provides minimum standards for resettlement areas, which includes provision of sufficient and expanded basic services and facilities.

In view of the foregoing, the passage of this measure is earnestly sought.


SENATOR JOEL VILLANUEVA

³ Senate Committee on Urban Planning, Housing, and Resettlement Organizational Meeting and Briefing, 17 August 2022.

⁴ DSWD Administrative Order No. 09, series of 2013, *On-site, Near-site, and In-city Shelter Assistance for Informal Settler Families along the waterways and danger zones of Metro Manila*, Published in 2013, Available at https://www.dswd.gov.ph/issuances/AOs/AO_2013-009.pdf (Accessed on 5 September 2022).

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

1 **SECTION 1. Short Title.** – This Act shall be known as the "On-site, In-City, or Near-City Resettlement Act"

3 **SEC. 2.** Section 3 of Republic Act No. 7279 is hereby amended to read as follows:

4 "Sec. 3. *Definition of Terms.* – For the purposes of this Act:

5 "x x x

6 "(w) x x x; [and]

7 "(x) 'Zonal Improvement Program or ZIP' refers to the program of
8 the National Housing Authority of upgrading and improving blighted
9 [~~squatter~~] INFORMAL SETTLEMENT areas within the cities and
10 municipalities of Metro Manila AND OTHER METROPOLITAN AREAS
11 OUTSIDE OF METRO MANILA pursuant to existing statutes and
12 pertinent executive issuances[.];

13 "(Y) 'ADEQUATE AND GENUINE CONSULTATION' REFERS TO
14 THE STANDARD OF CONSULTATION WITH THE AFFECTED
15 INFORMAL SETTLER FAMILIES (ISFs) WHICH SHALL REQUIRE THE
16 FOLLOWING:

- 17 1. EFFECTIVE DISSEMINATION OF, AND FULL ACCESS TO,
18 RELEVANT INFORMATION AND DOCUMENTS,
19 INCLUDING LAND RECORDS, HOUSING BUDGETS, THE
20 PROPOSED PLAN OR PROJECT, ALTERNATIVE
21 HOUSING OPTIONS, AND COMPREHENSIVE
22 RESETTLEMENT PLANS;

- 1 2. REASONABLE TIME FOR THE PUBLIC TO REVIEW,
2 COMMENT, AND OBJECT TO THE PROPOSED PLAN OR
3 PROJECT;
- 4 3. PROVISION BY THE GOVERNMENT OR NON-
5 GOVERNMENT ORGANIZATIONS (NGOs) OF LEGAL,
6 TECHNICAL, AND OTHER ADVICE TO AFFECTED
7 PERSONS ON THEIR RIGHTS AND OPTIONS;
- 8 4. PUBLIC HEARINGS THAT PROVIDE AFFECTED ISFs AND
9 THEIR ADVOCATES WITH OPPORTUNITIES TO
10 CHALLENGE THE EVICTION DECISION, PRESENT
11 ALTERNATIVE PROPOSALS, AND ARTICULATE THEIR
12 DEMANDS AND DEVELOPMENT PRIORITIES; AND
- 13 5. IN CASE NO AGREEMENT IS REACHED ON THE
14 PROPOSALS OF THE CONCERNED PARTIES, AN
15 INDEPENDENT BODY HAVING CONSTITUTIONAL
16 AUTHORITY, SUCH AS A COURT OF LAW, SHOULD
17 MEDIATE, ARBITRATE, OR ADJUDICATE, AS MAY BE
18 APPROPRIATE;

19 (Z) '*CIVIL SOCIETY ORGANIZATIONS OR CSOS*' REFERS TO
20 NON-GOVERNMENTAL ORGANIZATIONS (NGOs), PEOPLE'S
21 ORGANIZATIONS (POS), COOPERATIVES, TRADE UNIONS,
22 PROFESSIONAL ASSOCIATIONS, FAITH-BASED ORGANIZATIONS,
23 MEDIA GROUPS, INDIGENOUS PEOPLES MOVEMENTS,
24 FOUNDATIONS, AND OTHER CITIZEN'S GROUPS FORMED
25 PRIMARILY FOR SOCIAL AND ECONOMIC DEVELOPMENT TO PLAN
26 AND MONITOR GOVERNMENT PROGRAMS AND PROJECTS,
27 ENGAGE IN POLICY DISCUSSIONS, AND ACTIVELY PARTICIPATE
28 IN COLLABORATIVE ACTIVITIES WITH THE GOVERNMENT;

29 (AA) '*IN-CITY RESETTLEMENT*' REFERS TO A RELOCATION
30 SITE WITHIN THE JURISDICTION OF THE CITY WHERE THE
31 AFFECTED ISFs ARE LIVING;

32 (BB) '*INFORMAL SETTLEMENTS*' REFERS TO RESIDENTIAL
33 AREAS WHERE HOUSING UNITS HAVE BEEN CONSTRUCTED BY
34 SETTLERS ON LAND WHICH THEY OCCUPY ILLEGALLY OR
35 UNPLANNED SETTLEMENTS AND AREAS WHERE HOUSING IS NOT
36 IN COMPLIANCE WITH EXISTING PLANNING AND BUILDING
37 REGULATIONS;

38 (CC) '*INFORMAL SETTLER*' OR '*INFORMAL SETTLERS*' REFER
39 TO A PERSON OR PERSONS WHO SETTLES ON THE LAND OF
40 ANOTHER WITHOUT TITLE OR RIGHT OR WITHOUT THE OWNER'S
41 CONSENT WHETHER IN URBAN OR RURAL AREAS;

42 (DD) '*INFORMAL SETTLER FAMILIES*' OR '*ISFs*' REFER TO
43 FAMILIES WHO HAVE SETTLED ON THE LAND OF ANOTHER
44 WITHOUT TITLE OR RIGHT OR WITHOUT THE OWNER'S CONSENT
45 WHETHER IN URBAN OR RURAL AREAS;

46 (EE) '*NEAR-CITY RESETTLEMENT*' REFERS TO A
47 RELOCATION SITE IN A CITY OTHER THAN THE CITY OF THE
48 AFFECTED INFORMAL SETTLEMENTS: *PROVIDED*, HOWEVER,

1 THAT THE RELOCATION SITE IS ADJACENT TO THE CITY WHERE
2 THE AFFECTED ISFs HAVE THEIR SETTLEMENTS;

3 (FF) '*NON-GOVERNMENTAL ORGANIZATION*' OR '*NGO*'
4 REFERS TO A DULY REGISTERED NONSTOCK, NONPROFIT
5 ORGANIZATION FOCUSING ON THE UPLIFTMENT OF THE BASIC
6 OR DISADVANTAGED SECTORS OF SOCIETY BY PROVIDING
7 ADVOCACY, TRAINING, COMMUNITY ORGANIZING, RESEARCH,
8 ACCESS TO RESOURCES, AND OTHER SIMILAR ACTIVITIES, AS
9 DEFINED UNDER REPUBLIC ACT NO. 8425, OTHERWISE KNOWN
10 AS THE '*SOCIAL REFORM AND POVERTY ALLEVIATION ACT*' AND
11 ORGANIZED AND OPERATED EXCLUSIVELY FOR SCIENTIFIC,
12 RESEARCH, EDUCATIONAL, CHARACTER-BUILDING AND YOUTH
13 AND SPORTS DEVELOPMENT, HEALTH, SOCIAL WELFARE,
14 CULTURAL OR CHARITABLE PURPOSES, OR A COMBINATION
15 THEREOF, AND NO PART OF THE NET INCOME OF WHICH INURES
16 TO THE BENEFIT OF ANY PRIVATE INDIVIDUAL PURSUANT TO
17 SECTION 34 (H)(2)(C)(1) OF REPUBLIC ACT NO. 8424, AS
18 AMENDED, OTHERWISE KNOWN AS THE '*TAX REFORM ACT OF*
19 '*1997*';

20 (GG) '*OFF-CITY RESETTLEMENT*' REFERS TO A RELOCATION
21 SITE DEVELOPED OUTSIDE AND NOT ADJACENT TO THE CITY
22 WHERE THE AFFECTED ISFs HAVE THEIR SETTLEMENTS;

23 (HH) '*PEOPLE'S PLAN*' REFERS TO THE PLAN FORMULATED
24 BY THE BENEFICIARY-ASSOCIATION, IN COORDINATION WITH
25 THE PRESIDENTIAL COMMISSION FOR THE URBAN POOR AS
26 CREATED UNDER EXECUTIVE ORDER NOT. 152 s. 2002, WITH OR
27 WITHOUT THE SUPPORT OF CSOs, WHICH SHALL CONTAIN A SITE
28 DEVELOPMENT PLAN, INCLUDING NON-PHYSICAL DEVELOPMENT
29 COMPONENTS SUCH AS SELF-HELP HOUSING COOPERATIVE,
30 LIVELIHOOD, SELF-HELP DEVELOPMENT, AND CAPABILITY
31 BUILDING; AND

32 (II) '*SOCIAL PREPARATION*' REFERS TO THE PROCESS OF
33 ESTABLISHING SOCIAL, ORGANIZATIONAL, AND INSTITUTIONAL
34 NORMS AND MECHANISMS. SUCH NORMS AND MECHANISMS
35 SHALL:

- 36 1. ENABLE THE SETTLERS TO COPE WITH CHANGES; AND
- 37 2. IN PARTNERSHIP WITH CONCERNED INSTITUTIONS
38 AND STAKEHOLDERS, ENCOURAGE THE SETTLERS,
39 NOT ONLY TO WORK AMONG THEMSELVES FOR THE
40 PURPOSE OF DRAWING UP AND UNDERTAKING THEIR
41 HOUSING RESETTLEMENT PROPOSALS, BUT ALSO TO
42 ACTIVELY AND MEANINGFULLY PARTICIPATE IN
43 HOUSING RESETTLEMENT PROJECTS UNDERTAKEN
44 ON THEIR BEHALF, THUS RESOLVING COLLECTIVE
45 ACTION PROBLEMS AMONG COMMUNITY MEMBERS
46 AND COORDINATION PROBLEMS WITH GOVERNMENT
47 AND OTHER ENTITIES."

48 **SEC. 3.** Section 21 of the same Act is hereby amended to read as follows:

1 “Sec. 21. ~~[Basic—Services]~~ *MINIMUM STANDARDS FOR*
2 *RESETTLEMENT AREAS.* – Socialized housing or resettlement areas
3 shall be provided by the local government unit, IN COORDINATION
4 WITH ~~[or]~~ the ~~[National Housing Authority]~~ DEPARTMENT OF HUMAN
5 SETTLEMENTS AND URBAN DEVELOPMENT AND ITS ATTACHED
6 AGENCIES, OTHER RELEVANT GOVERNMENT AGENCIES AND ~~[in~~
7 ~~cooperation with the]~~ private developers ~~[and concerned agencies]~~ with
8 the following basic services and facilities:

9 (b) Potable AND TREATED water SUPPLY, OR LEVEL III
10 STANDARDS, AS DEFINED IN NEDA BOARD RESOLUTION NO.
11 4 s. 1994 AND PURSUANT TO PRESIDENTIAL DECREE NO. 856
12 OR THE “CODE ON SANITATION OF THE PHILIPPINES” AND
13 ITS IMPLEMENTING RULES AND REGULATIONS, WITH
14 ADEQUATE WATER PRESSURE AND AT LEAST EIGHT (8)
15 HOURS OF SERVICE PER DAY;

16 (c) Power and electricity and an adequate power distribution system
17 WITH SERVICE FOR 24 HOURS A DAY;

18 (d) Sewerage facilities, MATERIAL RECOVERY FACILITIES,
19 GARBAGE COLLECTION and an efficient and adequate solid
20 waste disposal system, IN ACCORDANCE WITH REPUBLIC ACT
21 NO. 9003, OTHERWISE KNOWN AS THE “ECOLOGICAL SOLID
22 WASTE MANAGEMENT ACT OF 2000”; ~~[and]~~

23 (e) Access to primary roads and transportation facilities~~[.]~~;

24 (f) A PUBLIC SCHOOL WITH ADEQUATE FACILITIES AND HUMAN
25 RESOURCES WHICH SHALL PROGRESSIVELY SATISFY THE
26 FOLLOWING STANDARDS:

- 27 1. A RATIO OF ONE (1) STANDARD CLASSROOM FOR
28 EVERY FORTY (40) STUDENTS;
- 29 2. A RATIO OF ONE (1) TEACHER FOR EVERY FORTY (4)
30 STUDENTS; AND
- 31 3. A RATIO OF ONE (1) TEXTBOOK FOR EACH STUDENT;

32 (g) A HEALTH CENTER, WITH ADEQUATE HUMAN RESOURCES,
33 FACILITIES, AND MEDICINES TO PROVIDE PRIMARY,
34 MATERNAL, AND EMERGENCY CARE;

35 (h) AN OUTPOST OF THE PHILIPPINE NATIONAL POLICE (PNP);
36 AND

37 (i) ACCESS TO EMPLOYMENT AND LIVELIHOOD.

38 The provision of other basic services and facilities such as health,
39 education, communications, security, recreation, relief, and welfare shall
40 be planned and shall be given priority for implementation by the local
41 government unit and concerned agencies in cooperation with the private
42 sector and the beneficiaries themselves. THE CONCERNED LOCAL
43 GOVERNMENT UNITS (LGUs) AND NATIONAL GOVERNMENT
44 AGENCIES SHALL SIGN A MEMORANDUM OF AGREEMENT (MOA)
45 WHICH SHALL SPECIFY THEIR DUTIES AND RESPONSIBILITIES
46 AND THE TIMETABLES FOR THEIR COMPLETION, SUBJECT TO
47 APPLICABLE LAWS AND REGULATIONS. COPIES OF THE MOA
48 SHALL BE PUBLISHED IN THE WEBSITE OF THE CONCERNED

1 GOVERNMENT AGENCY AND GIVEN TO THE AFFECTED ISFs AT
2 LEAST THIRTY (30) DAYS PRIOR TO THE START OF THE
3 RESETTLEMENT PROCESS: *PROVIDED*, THAT THE RECIPIENT
4 LGUs IN CASES OF NEAR-CITY OR OFF CITY RESETTLEMENT
5 SHALL ALSO BE CONSULTED AND SHALL PARTICIPATE IN THE
6 PROVISION OF BASIC SERVICES, AS REQUIRED IN THIS
7 PROVISION.

8 The [local government unit] LGU, in coordination with the
9 concerned national agencies, shall ensure that these basic services are
10 provided at the most cost efficient rates, and shall set as mechanism to
11 coordinate operationally the thrusts, objectives, and activities of other
12 government agencies concerned with providing basic services to housing
13 projects. THE HOUSING AND URBAN DEVELOPMENT
14 COORDINATING COUNCIL (HUDCC) AND THE DEPARTMENT OF
15 FINANCE-BUREAU OF LOCAL GOVERNMENT FINANCE (DOF-
16 BLGF), IN COORDINATION WITH THE RELEVANT NATIONAL
17 AGENCY, SHALL JOINTLY WORK ON THE COST-SHARING
18 MECHANISM NECESSARY TO FULLY IMPLEMENT THE PROVISION
19 OF SUCH OTHER BASIC SERVICES AND FACILITIES.

20 ALL LGUs SHALL IDENTIFY POTENTIAL RESETTLEMENT
21 AREAS IN THEIR COMPREHENSIVE LAND USE PLANS.”

22 **SEC. 4.** Section 23 of the same Act is hereby amended to read as follows:

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

44 In instances when the affected beneficiaries have failed to organize
45 themselves or form an [alliance] ASSOCIATION within a reasonable
46 period prior to the implementation of the program or projects affecting
47 them, consultation between the implementing agency and the affected
48 beneficiaries shall be conducted with the assistance of the Presidential
49 Commission for the Urban Poor and the concerned NGO UNTIL AN
50 ASSOCIATION IS FORMED IN PLACE.

1 THE ASSOCIATION, IN COORDINATION WITH THE
2 PRESIDENTIAL COMMISSION FOR THE URBAN POOR SHALL
3 FORMULATE A 'PEOPLE'S PLAN' THROUGH A PROCESS OF
4 CONSULTATION WHICH SHALL CONTAIN A SITE DEVELOPMENT
5 PLAN, INCLUDING NON-PHYSICAL DEVELOPMENT COMPONENTS,
6 SUCH AS SELF-HELP HOUSING COOPERATIVE, LIVELIHOOD,
7 SELF-HELP DEVELOPMENT, AND CAPABILITY-BUILDING
8 TRAININGS.

9 THE ASSOCIATION, WITH THE ASSISTANCE OF CSOs AND
10 GOVERNMENT AGENCIES INCLUDING THE NATIONAL ANTI-
11 POVERTY COMMISSION (NAPC), PRESIDENTIAL COMMISSION
12 FOR THE URBAN POOR, NATIONAL HOUSING AUTHORITY, CITY,
13 OR MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE,
14 SOCIAL HOUSING FINANCE CORPORATION, LGUs, AND OTHER
15 RELEVANT AGENCIES OF THE GOVERNMENT, SHALL AGREE ON,
16 DEVELOP, AND IMPLEMENT THE PEOPLE'S PLAN.

17 IN ACCORDANCE WITH THE PROTECTION GUIDELINES
18 PROVIDED UNDER SECTION 28 OF THIS ACT, A RELOCATION
19 ACTION PLAN SHALL BE AN INDISPENSABLE COMPONENT OF THE
20 PEOPLE'S PLAN. THE RELOCATION PLAN SHALL INCLUDE THE
21 FOLLOWING OBJECTIVES:

- 22 1. ENSURE SAFE, AFFORDABLE, DECENT, AND HUMANE
23 CONDITION OF RELOCATION, INCORPORATING THEREIN
24 APPROPRIATE DISASTER RISK REDUCTION MANAGEMENT
25 AND CLIMATE CHANGE ADAPTATION STANDARDS;
26
- 27 2. PROVIDE ADEQUATE SOCIAL PREPARATION; AND
- 28 3. PREVENT FORCED EVICTION.
29

30 *PROVIDED*, THAT PRIMARY CONSIDERATION SHALL BE GIVEN TO
31 THE HOUSING FINANCIAL SCHEME SUGGESTED IN THE PEOPLE'S
32 PLAN.”

33
34 **SEC. 5.** Section 26 of the same Act is hereby amended to read as follows:

35 “Sec. 26. *Urban Renewal and Resettlement.* – [~~This~~] URBAN RENEWAL
36 AND RESETTLEMENT shall include the rehabilitation and development
37 of blighted [~~and slum~~] INFORMAL SETTLEMENT areas and
38 resettlement of Program beneficiaries in accordance with the provisions
39 of this Act. On-site development shall be implemented [~~whenever~~
40 ~~possible~~] AFTER ADEQUATE AND GENUINE CONSULTATION WITH
41 THE AFFECTED ISFs, AND IN ACCORDANCE WITH THE PEOPLE'S
42 PLAN FORMULATED PURSUANT TO SECTION 23 OF THIS ACT, in
43 order to ensure minimum movement of occupants of blighted lands and
44 slum areas.

45 [~~The~~] WHERE DEMOLITION OR EVICTION IS ALLOWED IN THE
46 AREA OCCUPIED BY THE PROGRAM BENEFICIARIES PURSUANT
47 TO SECTION 28 OF THIS ACT, AND ON-SITE RESETTLEMENT
48 CANNOT BE UNDERTAKEN BY REASON THEREOF, THE IN-CITY
49 resettlement of the beneficiaries of the Program from their existing places
50 of occupancy shall be undertaken only [~~when on-site development is not~~
51 ~~feasible and~~] after compliance with the procedures laid down in [~~Section~~

1 28 ~~of this Act~~] THE SAME SECTION OF THIS ACT AND IN
2 ACCORDANCE WITH THE PREFERENCE OF THE AFFECTED ISFs
3 AS CONTAINED IN THE PEOPLE'S PLAN AND ITS TEMPLATE
4 REQUIREMENTS.

5 SHOULD IN-CITY RESETTLEMENT NOT BE FEASIBLE, NEAR-
6 CITY RESETTLEMENT SHALL BE CONSIDERED. OFF-CITY
7 RESETTLEMENT SHALL ONLY BE RESORTED TO WHEN DIRECTLY
8 REQUESTED BY THE ISFs THEMSELVES, BUT IN ALL CASES SHALL
9 SATISFY THE REQUIREMENTS OF ADEQUATE AND GENUINE
10 CONSULTATION PRIOR TO RELOCATION AND THE TEMPLATE
11 REQUIREMENTS OF THE PEOPLE'S PLAN."

12 **SEC. 6.** Section 28 of the Same Act is hereby amended to read as follows:

13 "Section 28. *Eviction and Demolition.* – x x x

14 (a) x x x

15 (b) x x x

16 (c) x x x

17 In the execution of eviction or demolition orders involving underprivileged
18 and homeless citizens, the following shall be necessary

19 (1) x x x

20 (2) x x x

21 (3) x x x

22 (4) x x x

23 (5) x x x

24 (6) x x x

25 (7) x x x

26 (8) Adequate relocation, whether temporary or permanent, AND
27 IN ACCORDANCE WITH THE TEMPLATE REQUIREMENTS
28 OF THE PEOPLE'S PLAN: *Provided*, however, That in cases
29 of eviction and demolition pursuant to a court order involving
30 underprivileged and homeless citizens, relocation shall be
31 undertaken by the local government unit concerned and the
32 HUDCC, ITS ATTACHED AGENCIES, [the National Housing
33 Authority with the assistance of] AND other government
34 agencies within forty-five (45) days from service of notice of
35 final judgement by the court, after which period the said order
36 shall be executed: *Provided*, further, That should relocation
37 not be possible within the said period, financial assistance in
38 the amount equivalent to the prevailing minimum daily wage
39 multiplied by sixty (60) days shall be extended to the affected
40 families by the local government unit concerned.

41 x x x"

42 **SEC. 7.** Section 29 of the same Act is hereby amended to read as follows:

43 "Sec. 29. *Resettlement.* – Within two (2) years from the effectivity of this
44 Act, the local government units, in coordination with the National Housing
45 Authority, shall implement the relocation and resettlement of persons
46 living in danger areas such as esteros, railroad tracks, garbage dumps,
47 riverbanks, shorelines, waterways, and in other public places such as
48 sidewalks, roads, parks, and playgrounds. The local government unit, in
49 coordination with the DEPARTMENT OF HUMAN SETTLEMENTS AND
50 URBAN DEVELOPMENT, OTHER GOVERNMENT AGENCIES, AND
51 OTHER AFFECTED LGUs IN CASES OF NEAR-CITY AND OFF-CITY
52 RESETTLEMENT [National Housing Authority], shall provide relocation

1 or resettlement sites with basic services and facilities and access to
2 employment and livelihood opportunities [~~sufficient to meet the basic~~
3 ~~needs of the affected families~~] PURSUANT TO THE TEMPLATE
4 REQUIREMENTS OF THE PEOPLE'S PLAN .

5 IN INSTANCES WHEN THE RELOCATION OR RESETTLEMENT
6 SITE IS LOCATED IN ANOTHER LGU, THE DEPARTMENT OF
7 HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, THE
8 DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
9 (DILG), AND THE DOF-BLGF SHALL FORMULATE THE
10 IMPLEMENTING RULES AND REGULATIONS ON THE COST-
11 SHARING MECHANISM NECESSARY TO FULLY IMPLEMENT THE
12 PROVISION OF BASIC SERVICES AND FACILITIES, IN
13 ACCORDANCE WITH APPLICABLE LAWS."

14 **SEC. 8.** Section 42 of the same Act is hereby amended to read as follows:

15 "Sec. 42. *Funding.* – Funds for the urban development and housing
16 program shall come from the following sources:

- 17 (a) x x x
18 (b) x x x
19 (c) x x x
20 (d) x x x
21 (e) x x x
22 (f) x x x
23 (G) TWENTY PERCENT (20%) OF THE INTERNAL REVENUE
24 ALLOTMENT APPROPRIATED FOR DEVELOPMENT
25 PROJECTS AS MANDATED UNDER SECTION 287 OF
26 REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL
27 GOVERNMENT CODE OF 1991;
28 (H) THROUGH BUILD-OPERATE-TRANSFER AND OTHER
29 SCHEMES, AS PROVIDED UNDER REPUBLIC ACT NO. 6957,
30 AS AMENDED, OR AN ACT AUTHORIZING THE FINANCING,
31 CONSTRUCTION, OPERATION AND MAINTENANCE OF
32 INFRASTRUCTURE PROJECTS BY THE PRIVATE SECTOR,
33 AND FOR OTHER PURPOSES.

34 **SEC. 9. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
35 effectivity of this Act, the Department of Human Settlements and Urban Development, in
36 consultation with the Department of the Interior and Local Government, other concerned
37 government agencies, CSOs, NGOs, representative from the private sector, and ISFs,
38 shall promulgate the implementing rules and regulations for the effective implementation
39 of this Act.

40 The implementing rules and regulations shall be consistent with the provisions of
41 this Act particularly with the amendments, parameters, and standards introduced to
42 Sections 23, 26, and 29 of the "Urban Development Housing Act of 1992", and shall
43 include the following:

- 44 (a) A People's Plan template to guide ISFs in the development of their own
45 People's Plan: *Provided*, That such template shall be a complete pro forma
46 People's Plan: *Provided*, however, That such a template shall be used to
47 benchmark the minimum standards in a People's Plan; and
48 (b) A guide to effective implementation of the People's Plan, including details on
49 the necessity of the issuance of internal memoranda by concerned agencies.

1 The implementing rules and regulations issued pursuant to this section shall take
2 effect thirty (30) days after its publication in two (2) national newspapers of general
3 circulation.

4 **SEC. 10. Repealing Clause.** – All laws, decrees, executive orders, proclamations,
5 rules and regulations, and other issuances, or parts thereof which are inconsistent with
6 the provisions of this Act are hereby repealed, amended, or modified accordingly.

7 **SEC. 11. Separability Clause.** – If, for any reason, any part, section, or provision
8 of this Act is held invalid or unconstitutional, the remaining provisions not affected shall
9 continue to be in full force and effect.

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

Approved,