

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



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SENATE

S.B. NO. 110

BY: *JR*

Introduced by SENATOR FERDINAND R. MARCOS, JR.

Explanatory Note

The 1987 Constitution provides that, "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. x x x." **(Article XIII, Section 9)**

True to the above mandate, numerous agencies, public and private, as well as the local government units, have been given imprimatur by the State to institute programs and construct facilities aimed at delivering to our citizens the most basic commodity of shelter.

However, credible and current statistics show that there still remains a heavy backlog in the housing sector, which now stands at a dismal 5.8 million housing units in 2016, according to the Philippine Development Plan, 2011-2016.

While the housing need for all Filipino families is a constant priority, the government has to notice also the largest beneficiary group on whom all government depends: its loyal and hardworking—and equally needing—government employees, who render valuable services and without whom its machinery would be rendered paralyzed.

Because of the built-in facility of an administrative and transactional link and network between the State and its employees as result of their symbiotic relationship, the government can and must tap into such a facility by accessing its database, and readily reach out to them and implement an effective housing program specially for them. The government only has to lay down the policy and coordinate the efforts and the interconnections of the various key shelter agencies (KSAs) involved in addressing the housing need, including the local government units and also the private sector, all of which have their multifarious respective programs for housing financing.

The goal of this bill is not only to create a national housing program specifically for government employees, but also to integrate into such program all existing individual housing loans of which government employees are the beneficiaries. This bill intends to establish a "one-stop shop" for the housing needs of government employees and integrate into one single program the various housing programs of these agencies and LGUs, including those of the particular mother units of employees (i.e., the Socialized Housing for Teachers and Employees [SHELTER Program] of the Department of Education) under one national office that shall administer the same.

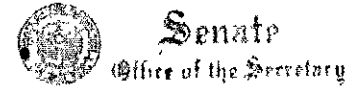
In the process, the government will not only be able to address the housing backlog, but also find efficiencies to obviate the bureaucratic delays that normally accompany the implementation of a housing program. This is especially true for the very persons in its own employ, the government employees, with whom they are symbiotically linked in a contractual relationship of employment. Moreover, on the other side of the bargaining table, the parties participating in the Program, both public and private, shall also be assured of incentives and reasonable returns on their investments.

In view of thereof, the passage of this bill is earnestly requested.



FERDINAND R. MARCOS, JR

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SENATE
SENATE BILL NO. 110

BY: *[Signature]*

Introduced by Senator FERDINAND R. MARCOS, JR.

**AN ACT ESTABLISHING A NATIONAL HOUSING PROGRAM FOR
GOVERNMENT EMPLOYEES, APPROPRIATING FUNDS THEREFOR
AND FOR OTHER PUROSES**

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

SECTION 1. Title. - This Act shall be known as "**The Civil Service
Housing Program of 2013.**"

SECTION 2. Declaration of Policy. - The State hereby affirms the
state policies enshrined in the Constitution and in various national laws to
provide decent housing for its citizens, especially government employees,
such as but not limited to the following:

1. Continuing program of urban land reform and housing which will
make available at affordable cost, decent housing and basic
services to under-privileged and homeless citizens in urban centers
and resettlement areas, in cooperation with the private sector.
2. Full protection to labor, since the State is indubitably acting as the
employer of government personnel.
3. Decentralization and full participation of local government units.
4. Participation of non-governmental, community-based, or sectoral
organizations that promote the welfare of the nation.
5. Equitable allocation of national funds for purposes of housing
programs and projects for housing purposes.

SECTION 3. The Civil Service Housing Program. - There is hereby
created a Civil Service Housing Program that shall be developed and
implemented by the Civil Service Housing Executive Committee that is
hereby created in Section 5 hereunder. The Civil Service Housing Program
shall systematize and institutionalize a comprehensive housing program for
government personnel, under certain conditions and factors to be
determined by the Committee, after prior consultation with the Key
Shelter Agencies (KSAs) and participating Local Government Units (LGUs)
as stated hereunder.

The Program shall also integrate and subsume all existing housing programs of which government employees are the beneficiaries, in accordance with Sections 6, 7 and 8 of this Act.

SECTION 4. Coverage. - The Civil Service Housing Program shall extend to all government personnel embraced in the term "Civil Service", as defined by Section 4 of Presidential Decree No. 807.

SECTION 5. Civil Service Housing Executive Committee. - A Civil Service Housing Executive Committee is hereby created to administer the Civil Service Housing Program. The Civil Service Housing Executive Committee shall be composed of the Housing and Urban Development Coordinating Council (HUDCC) Chairman as ex officio Chairman and, as ex officio members, the Secretary or appropriate Undersecretary of the Department of Interior and Local Government, the heads of Social Security System (SSS), Government Service Insurance System (GSIS), Home Development Mutual Fund (HDMF/Pag-IBIG Fund), National Home Mortgage Financing Corporation, Home Guaranty Corporation, National Housing Authority (NHA), Socialized Housing Financing Corporation (SHFC).

SECTION 6. Participation and Coordination of Key Shelter Agencies (KSAs). - The Program shall effectively involve and coordinate the various housing and financing programs of the key shelter agencies that are involved in the housing sector, namely, the Social Security System (SSS), Government Service Insurance System (GSIS), Home Development Mutual Fund (HDMF/Pag-IBIG Fund), National Home Mortgage Financing Corporation, Home Guaranty Corporation, National Housing Authority (NHA), Socialized Housing Financing Corporation (SHFC), and those of the other Departments, agencies and offices of the government.

The Program shall also effectively integrate and subsume all existing housing loans which have been availed of by government employees.

SECTION 7. Participation of Local Government Units (LGUs). - The housing programs of the local government units (LGUs) specifically intended for government employees shall be effectively integrated to the Civil Service Housing Program for program and policy coordination. LGUs shall also determine and provide available lands for the Program, including idle and underutilized lands, as provided in Section 10 hereof.

SECTION 8. Participation of the Private Sector. - For the successful implementation of the Program, the Act hereby encourages the full and effective participation of the private sector and other non-governmental organizations (NGOs), which are recognized as indispensable partners in addressing the housing backlog. The Program shall provide a fiscal incentives program for participating representatives from the private sector and NGOs, whether as landowner, developer, or financier, donor, or otherwise, without prejudice to Section 12 (g) of this Act on deductibility of donations.

SECTION 9. Prohibition on Alienation. - Sale, conveyance, assignment of or any transfer of right over the housing unit purchased or availed as a result of the Program shall be strictly prohibited within a period of ten (10) years, unless the transfer shall be made in favor of the employee's family member up to the second (2nd) degree by consanguinity.

SECTION 10. Comprehensive Inventory and Geo-hazard Mapping of Available Lands. - Within sixty (60) days from the effectivity of this Act, the Executive Committee, in consultation with the KSAs and the local government units, shall conduct a comprehensive inventory of available lands of the Government, including idle and underutilized ones, which may be used for the Program. In conjunction with the Department of Environment and Natural Resources, the Executive Committee shall conduct the necessary geo-hazard mapping and urban planning study of all lands earmarked for the Program, including the lands donated by the private sector and the LGUs.

SECTION 11. Program Official Database. - The Executive Committee shall establish and maintain an official database of the Program, including all integrated housing programs and loans whose beneficiaries are government employees.

SECTION 12. Implementing Rules and Regulations. - Within sixty (60) days from effectivity of this Act, the Executive Committee shall promulgate the rules and regulations to effectively implement the Program and the provisions of this Act.

SECTION 13. Funding Sources. - For the initial implementation of this Act, the amount of One Billion Pesos (PhP1,000,000,000.00) shall be appropriated from the General Appropriations Act of the year of effectivity of this Act. Other sources of funds shall include:

- a) Specific budget allocation for the Program in the yearly appropriations for the key shelter agencies (KSAs) that derive budgetary support from the National Government;
- b) Specific budget allocations from the funds of the local government units (LGUs);
- c) One percent (1%) of the Value-Added Tax collections under the National Internal Revenue Code of 1997;
- d) Gratuitous financial assistance and donations from legitimate sources from the private sector and NGOs, which shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended: *Provided*, That the allowable deductions shall be equivalent to one hundred fifty percent (150%) of the value of such donation.

SECTION 14. Separability Clause. - The provisions of this Act are hereby declared to be separable and if any clause, sentence, provision or section of this Act or its application thereof to any person or circumstance should, for any reason, be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Act which can be given force and effect.

SECTION 15. Repealing Clause. - All laws, decrees, charters, executive orders, administrative orders, proclamations, rules and regulations, or parts thereof insofar as they are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 16. Effectivity. - This Act shall take effect fifteen (15) days after completion of publication in the Official Gazette or in a newspaper of general circulation.

Approved,