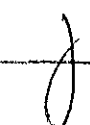


SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Third Regular Session )



'15 AUG -4 P1 58

SENATE  
S.B. No. 2885

RECEIVED BY: 

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Introduced by Senator Ramon Bong Revilla, Jr.

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**AN ACT  
ESTABLISHING AN ON-SITE, IN-CITY OR NEAR-CITY RESETTLEMENT  
PROGRAM FOR INFORMAL SETTLER FAMILIES IN ACCORDANCE WITH A  
PEOPLE'S PLAN AND MANDATING RELOCATING LOCAL GOVERNMENT UNITS  
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**

This proposed measure seeks to enhance the Urban Development and Housing Act of 1992 by mandating the development of a People's Plan which will establish an on-site, in-city or near-city resettlement program for informal settlers. It will also mandate the provision of basic services and livelihood components for the resettled communities. This proposal also strengthens and empowers association of informal settler families that will promote and protect their welfare against abusive elements. Furthermore, this proposal gives emphasis on public consultation and dialogue with stakeholders.

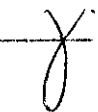
This bill takes significance in the fact that shelter is a basic human right. The People's Plan is a tool, not to encourage professional squatters, but an economic and social apparatus to support our many fellow Filipinos who are left of no other choice but to settle informally in urban areas. Let us give them the chance for a more humane and civilized settlement by supporting a genuine and real People's Plan.

In view of this, passage of this proposal is earnestly sought.

  
**RAMON BONG REVILLA, JR.**

'15 AUG -4 P1 58

SENATE  
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**AN ACT**  
**ESTABLISHING AN ON-SITE, IN-CITY OR NEAR-CITY RESETTLEMENT PROGRAM FOR INFORMAL SETTLER FAMILIES IN ACCORDANCE WITH A PEOPLE'S PLAN AND MANDATING RELOCATING LOCAL GOVERNMENT UNITS 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 House of Representatives of the Congress assembled:*

1       **SECTION 1. Short Title.** This Act shall be known as the "On-site, In-city or Near-  
2 City Resettlement Act".  
3

4       **Section 2. Amendatory Provisions.** For purposes of this Act, the following  
5 provisions of Republic Act No. 7279, otherwise known as the "Urban Development and  
6 Housing Act of 1992," are hereby amended as follows:

7       (a) Section 3 of Republic Act No. 7279 is hereby amended to read as follows:

8               "SEC. 3. Definition of Terms. – For purposes of this Act:

9               "x x x

10              "(w) x x x; [and]

11              "(x) 'Zonal Improvement Program or ZIP' refers to the program of the  
12 National Housing Authority of upgrading and improving blighted squatter  
13 areas within the cities and municipalities of Metro Manila pursuant to  
14 existing statutes and pertinent executive issuances [.];

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

1           “(1) EFFECTIVE DISSEMINATION OF RELEVANT  
2 INFORMATION AND DOCUMENTS INCLUDING LAND RECORDS,  
3 HOUSING BUDGETS, THE PROPOSED PLAN OR PROJECT,  
4 ALTERNATIVE HOUSING OPTIONS, AND COMPREHENSIVE  
5 RESETTLEMENT PLANS;

6           “(2) REASONABLE TIME FOR THE PUBLIC TO REVIEW,  
7 COMMENT AND OBJECT TO THE PROPOSED PLAN OR PROJECT;

8           “(3) PROVISION BY THE GOVERNMENT OR  
9 NONGOVERNMENT ORGANIZATIONS OF LEGAL, TECHNICAL, AND  
10 OTHER ADVICE TO AFFECTED PERSONS ON THEIR RIGHTS AND  
11 OPTIONS;

12           “(4) PUBLIC HEARINGS THAT PROVIDE AFFECTED ISFs AND  
13 THEIR ADVOCATES WITH OPPORTUNITES TO CHALLENGE THE  
14 EVICTION DECISION OR PRESENT ALTERNATIVE PROPOSALS AND  
15 TO ARTICULATE THEIR DEMANDS AND DEVELOPMENT  
16 PRIORITIES; AND

17           “(5) IN CASE NO AGREEMENT IS REACHED ON THE  
18 PROPOSALS OF THE CONCERNED PARTIES, AN INDEPENDENT  
19 BODY HAVING CONSTITUTIONAL AUTHORITY, SUCH AS A COURT  
20 OF LAW, SHOULD MEDIATE, ARBITRATE OR ADJUDICATE AS MAY  
21 BE APPROPRIATE;

22           “(Z) ‘CIVIL SOCIETY ORGANIZATIONS OR CSOs’ REFERS TO  
23 NONGOVERNMENTAL ORGANIZATIONS (NGOs), PEOPLE’S  
24 ORGANIZATIONS (POs), COOPERATIVES, TRADE UNIONS,  
25 PROFESSIONAL ASSOCIATIONS, FAITH-BASED ORGANIZATIONS,  
26 MEDIA GROUPS, INDIGENOUS PEOPLES MOVEMENTS,  
27 FOUNDATIONS AND OTHER CITIZEN’S GROUPS FORMED  
28 PRIMARILY FOR SOCIAL AND ECONOMIC DEVELOPMENT TO PLAN  
29 AND MONITOR GOVERNMENT PROGRAMS AND PROJECTS,  
30 ENGAGE IN POLICY DISCUSSIONS, AND ACTIVELY PARTICIPATE IN  
31 COLLABORATIVE ACTIVITIES WITH THE GOVERNMENT;

32           “(AA) ‘IN-CITY, RESETTLEMENT’ REFERS TO A RELOCATION  
33 SITE WITHIN THE JURISDICTION OF THE CITY WHERE THE  
34 AFFECTED ISFs ARE LIVING;

1                   “(BB) ‘INFORMAL SETTLEMENTS’ REFERS TO:

2                   “(1) RESIDENTIAL AREAS WHERE HOUSING UNITS HAVE  
3                   BEEN CONSTRUCTED BY SETTLERS ON LAND WHICH THEY  
4                   OCCUPY ILLEGALLY; OR

5                   “(2) UNPLANNED SETTLEMENTS ARE AREAS WHERE  
6                   HOUSING IS NOT IN COMPLIANCE WITH EXISTING PLANNING AND  
7                   BUILDING REGULATIONS;

8                   “(CC) ‘INFORMAL SETTLER FAMILIES’ COLLECTIVELY  
9                   REFERRED TO AS ISFs, REFERS TO FAMILIES LIVING IN INFORMAL  
10                  SETTLEMENTS AS THE LATTER IS DEFINED IN THIS ACT;

11                  “(DD) ‘NEAR-CITY RESETTLEMENT’ REFERS TO A  
12                  RELOCATION SITE IN A CITY OTHER THAN THE CITY OF THE  
13                  AFFECTED INFORMAL SETTLEMENTS: *PROVIDED, HOWEVER,*  
14                  THAT THE RELOCATION SITE IS ADJACENT TO THE CITY WHERE  
15                  THE AFFECTED ISFs HAVE THEIR SETTLEMENTS;

16                  “(EE) ‘NONGOVERNMENT ORGANIZATION OF NGO’ REFERS  
17                  TO A DULY REGISTERED NONSTOCK, NONPROFIT ORGANIZATION  
18                  FOCUSING ON THE UPLIFTMENT OF THE BASIC OR  
19                  DISADVANTAGED SECTORS OF SOCIETY BY PROVIDING  
20                  ADVOCACY, TRAINING, COMMUNITY ORGANIZING, RESEARCH,  
21                  ACCESS TO RESOURCES, AND OTHER SIMILAR ACTIVITIES, AS  
22                  DEFINED UNDER REPUBLIC ACT NO. 8425, OTHERWISE KNOWN AS  
23                  THE ‘SOCIAL REFORM AND POVERTY ALLEVIATION ACT’ AND  
24                  ORGANIZED AND OPERATED EXCLUSIVELY FOR SCIENTIFIC,  
25                  RESEARCH, EDUCATIONAL, CHARACTER-BUILDING AND YOUTH  
26                  AND SPORTS DEVELOPMENT, HEALTH, SOCIAL WELFARE,  
27                  CULTURAL OR CHARITABLE PURPOSES, OR A COMBINATION  
28                  THEREOF, AND NO PART OF THE NET INCOME OF WHICH INURES  
29                  TO THE BENEFIT OF ANY PRIVATE INDIVIDUAL PURSUANT TO  
30                  SECTION 34 (H)(2)(C)(1) OF REPUBLIC ACT NO. 8424, AS AMENDED,  
31                  OTHERWISE KNOWN AS THE ‘TAX REFORM ACT OF 1997’;

32                  “(FF) ‘OFF-CITY RESETTLEMENT’ REFERS TO A  
33                  RELOCATION SITE DEVELOPED OUTSIDE AND NOT ADJACENT TO  
34                  THE CITY WHERE THE AFFECTED ISFs HAVE THEIR  
35                  SETTLEMENTS;

1           “(GG) ‘PEOPLE’S PLAN’ REFERS TO THE PLAN  
2 FORMULATED BY THE BENEFICIARY-ASSOCIATION, IN  
3 COORDINATION WITH THE PRESIDENTIAL COMMISSION FOR THE  
4 URBAN POOR WITH OR WITHOUT THE SUPPORT OF CSOs, WHICH  
5 SHALL CONTAIN A SITE DEVELOPMENT PLAN, INCLUDING  
6 NONPHYSICAL DEVELOPMENT COMPONENTS SUCH AS SELF-  
7 HELP HOUSING COOPERATIVE, LIVELIHOOD, SELF-HELP  
8 DEVELOPMENT, AND CAPABILITY BUILDING; AND

9           “(HH) ‘SOCIAL PREPARATION’ REFERS TO THE PROCESS OF  
10 ESTABLISHING SOCIAL, ORGANIZATIONAL, AND INSTITUTIONAL  
11 NORMS AND MECHANISMS. SUCH NORMS AND MECHANISMS  
12 WILL: (1) ENABLE THE SETTLERS TO COPE WITH CHANGES; AND  
13 (2) IN PARTNERSHIP WITH CONCERNED INSTITUTIONS AND  
14 STAKEHOLDERS, ENCOURAGE THE SETTLERS NOT ONLY TO  
15 WORK AMONG THEMSELVES FOR THE PURPOSE OF DRAWING UP  
16 AND UNDERTAKING THEIR HOUSING RESETTLEMENT PROPOSALS  
17 BUT ALSO TO ACTIVELY AND MEANINGFULLY PARTICIPATE IN  
18 HOUSING RESETTLEMENT PROJECTS UNDERTAKEN IN THEIR  
19 BEHALF, THUS RESOLVING COLECTIVE ACTION PROBLEMS  
20 AMONG COMMUNITY MEMBERS AND COORDINATION PROBLEMS  
21 WITH GOVERNMENT AND OTHER ENTITIES.”;

22           (b) Section 23 of the same Act is hereby amended to read as follows:

23           “Sec. 23. *Participation of PROGRAM Beneficiaries OR AFFECTED*  
24 *ISFs, FORMATION OF BENEFICIARY-ASSOCIATION, AND*  
25 *FORMULATION AND IMPLEMENTATION OF A PEOPLE’S PLAN. –*  
26 The local government units, in coordination with the Presidential  
27 Commission for the Urban Poor and concerned government agencies,  
28 shall afford Program beneficiaries OR AFFECTED ISFs or their duly  
29 designated representatives an opportunity to be heard and to participate in  
30 the decision-making process over matters involving the protection and  
31 promotion of their legitimate collective interests which shall include  
32 appropriate documentation and feedback mechanisms. They shall also be  
33 encouraged to organize themselves [and undertake self-help cooperative  
34 housing and other livelihood activities] INTO AN ASSOCIATION FOR  
35 ACCREDITATION AS BENEFICIARIES OR AWARDEES OF  
36 OWNERSHIP RIGHTS UNDER THE RESETTLEMENT PROGRAM,

1           **COMMUNITY MORTGAGE PROGRAM, LAND TENURE ASSISTANCE**  
2           **PROGRAM, AND OTHER SIMILAR PROGRAMS IN RELATION TO A**  
3           **SOCIALIZED HOUSING PROJECT ACTUALLY BEING IMPLEMENTED**  
4           **BY THE NATIONAL GOVERNMENT OR BY THE LOCAL**  
5           **GOVERNMENT UNITS.** They shall assist the government in preventing  
6           the incursions of professional squatters and members of squatting  
7           syndicates into their communities.

8            “In instances when the affected beneficiaries have failed to  
9           organize themselves or form an [alliance] **ASSOCIATION** within a  
10          reasonable period prior to the implementation of the program or projects  
11          affecting them, consultation between the implementing agency and the  
12          affected beneficiaries shall be conducted with the assistance of the  
13          Presidential Commission for the Urban Poor and the concerned  
14          nongovernment organization **UNTIL AN ASSOCIATION IS FORMED IN**  
15          **PLACE.**

16          **“THE ASSOCIATION, IN COORDINATION WITH THE**  
17          **PRESIDENTIAL COMMISSION FOR THE URBAN POOR WITH OR**  
18          **WITHOUT THE SUPPORT OF CSOs, SHALL FORMULATE A**  
19          **‘PEOPLE’S PLAN’ THROUGH A PROCESS OF CONSULTATION**  
20          **WHICH SHALL CONTAIN A SITE DEVELOPMENT PLAN, INCLUDING**  
21          **NONPHYSICAL DEVELOPMENT COMPONENTS SUCH AS SELF**  
22          **HELP HOUSING COOPERATIVE, LIVELIHOOD, SELF-HELP**  
23          **DEVELOPMENT, AND CAPABILITY-BUILDING TRAININGS.**

24          **“THE ASSOCIATION, WITH THE ASSISTANCE OF CSOs AND**  
25          **GOVERNMENT AGENCIES INCLUDING THE NATIONAL ANTI-**  
26          **POVERTY COMMISSION (NAPC), PRESIDENTIAL COMMISSION FOR**  
27          **THE URBAN POOR, NATIONAL HOUSING AUTHORITY, CITY OR**  
28          **MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE,**  
29          **SOCIAL HOUSING FINANCE CORPORATION, LOCAL GOVERNMENT**  
30          **UNITS, AND OTHER RELEVANT AGENCIES OF GOVERNMENT,**  
31          **SHALL AGREE ON, DEVELOP, AND IMPLEMENT THE PEOPLE’S**  
32          **PLAN.**

33          **“IN ACCORDANCE WITH THE PROTECTION GUIDELINES**  
34          **PROVIDED UNDER SECTION 28 OF THIS ACT, A RELOCATION**  
35          **ACTION PLAN SHALL BE AN INDISPENSABLE COMPONENT OF THE**

1 PEOPLE'S PLAN. THE RELOCATION ACTION PLAN SHALL INCLUDE  
2 THE FOLLOWING OBJECTIVES:

3 "(A) ENSURE SAFE, AFFORDABLE, DECENT, AND HUMANE  
4 CONDITION OF RELOCATION, INCORPORATING THEREIN  
5 APPROPRIATE DISASTER RISK REDUCTION MANAGEMENT AND  
6 CLIMATE CHANGE ADAPTATION STANDARDS;

7 "(B) PROVIDE ADEQUATE SOCIAL PREPARATION; AND

8 "(C) PREVENT FORCED EVICTION:

9 **PROVIDED, THAT PRIMARY CONSIDERATION SHALL BE GIVEN TO**  
10 **THE HOUSING FINANCIAL SCHEME SUGGESTED IN THE PEOPLE'S**  
11 **PLAN."**

12 (c) Section 26 of the same Act is hereby amended to read as follows:

13 "Sec. 26. *Urban Renewal and Resettlement.* – [This] **URBAN**  
14 **RENEWAL AND RESETTLEMENT** shall include the rehabilitation and  
15 development of blighted and slum areas and resettlement of Program  
16 beneficiaries in accordance with the provisions of this Act. On-site  
17 development shall be implemented [whenever possible] **AFTER**  
18 **ADEQUATE AND GENUINE CONSULTATION WITH THE AFFECTED**  
19 **ISFs, AND IN ACCORDANCE WITH THE PEOPLE'S PLAN**  
20 **FORMULATED PURSUANT TO SECTION 23 OF THIS ACT,** in order to  
21 ensure minimum movement of occupants of blighted lands and slum  
22 areas.

23 "[The] **WHERE DEMOLITION OR EVICTION IS ALLOWED IN**  
24 **THE AREA OCCUPIED BY THE PROGRAM BENEFICIARIES**  
25 **PURSUANT TO SECTION 28 OF THIS ACT, AND ON-SITE**  
26 **RESETTLEMENT CANNOT BE UNDERTAKEN BY REASON**  
27 **THEREOF, THE IN-CITY** resettlement of the beneficiaries of the Program  
28 from their existing places of occupancy shall be undertaken only [when  
29 on-site development is not feasible and] after compliance with the  
30 procedures laid down in [Section 28 of this Act] **THE SAME SECTION OF**  
31 **THIS ACT AND IN ACCORDANCE WITH THE PREFERENCE OF THE**  
32 **AFFECTED ISFs AS CONTAINED IN THE PEOPLE'S PLAN.**

1           **“SHOULD IN-CITY RESETTLEMENT NOT BE FEASIBLE, NEAR-**  
2 **CITY RESETTLEMENT SHALL BE CONSIDERED, OFF-CITY**  
3 **RESETTLEMENT SHALL ONLY BE RESEORTED TO WHEN**  
4 **DIRECTLY REQUESTED BY THE AFFECTED ISFs THEMSELVES,**  
5 **AND MUST SATISFY THE REQUIREMENTS OF ADEQUATE AND**  
6 **GENUINE CONSULTATION PRIOR TO RELOCATION.”; and**

7 (d) Section 29 of the same Act is hereby amended to read as follows:

8           **“Sec. 29. *Resettlement.* – Within two (2) years from the effectivity of**  
9 **this Act, the local government units, in coordination with the National**  
10 **Housing Authority, shall implement the relocation and resettlement of**  
11 **persons living in danger areas such as esteros, railroad tracks, garbage**  
12 **dumps, riverbanks, shorelines, waterways, and in other public places such**  
13 **as sidewalks, roads, parks, and playgrounds. The local government unit,**  
14 **in coordination with the National Housing Authority, shall provide**  
15 **relocation or resettlement sites with basic services and facilities and**  
16 **access to employment and livelihood opportunities sufficient to meet the**  
17 **basic needs of the affected families.**

18           **“IN INSTANCES WHEN THE RELOCATION OR**  
19 **RESETTLEMENT SITE IS LOCATED IN ANOTHER LOCAL**  
20 **GOVERNMENT UNIT, THE LOCAL GOVERNMENT UNIT THAT**  
21 **IMPLEMENTS THE RELOCATION OR RESETTLEMENT AND THE**  
22 **CONCERNED NATIONAL GOVERNMENT AGENCIES SHALL,**  
23 **THROUGH A MEMORANDUM OF AGREEMENT, PROVIDE THE**  
24 **OTHER BASIC SERVICES AND FACILITIES ENUMERATED UNDER**  
25 **SECTION 21 OF THIS ACT TO THE RECIPIENT LOCAL**  
26 **GOVERNMENT UNIT WHERE THE RELOCATION OR**  
27 **RESETTLEMENT SITE IS LOCATED.**

28           **“THE HOUSING AND URBAN DEVELOPMENT COORDINATING**  
29 **COUNCIL AND THE DEPARTMENT OF FINANCE – BUREAU OF**  
30 **LOCAL GOVERNMENT FINANCE SHALL ON THE COST-SHARING**  
31 **MECHANISM NECESSARY TO FULLY IMPLEMENT THE PROVISION**  
32 **OF SUCH OTHER BASIC SERVICES AND FACILITIES.**

33           **“IN ADDITION TO THE FUNDING SOURCES PROVIDED UNDER**  
34 **SECTION 42 OF THIS ACT, THE ALLOCATION FOR THE BASIC**  
35 **SERVICES AND FACILITIES MAY BE TAKEN BY THE LOCAL**



1           **GOVERNMENT UNIT IMPLEMENTING THE RELOCATION OR**  
2           **RESETTLEMENT FROM THE TWENTY PERCENT (20%) OF THE**  
3           **INTERNAL REVENUE ALLOTMENT APPROPRIATED FOR**  
4           **DEVELOPMENT PROJECTS AS MANDATED UNDER SECTION 287**  
5           **OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE ‘LOCAL**  
6           **GOVERNMENT CODE OF 1991’.”**

7  
8           **Section 3. *Implementing Rules and Regulations.*** – The principles, policies and  
9 provisions of this Act shall be incorporated in the National Shelter Program.

10  
11           The Housing and Urban Development Coordinating Council and the Department  
12 of the Interior and Local Government, in consultation and coordination with appropriate  
13 government agencies, CSOs, NGOs, representatives from the private sector, and ISFs,  
14 shall promulgate a new set of implementing rules and regulations within sixty (60) days  
15 from the effectivity of this Act. The implementing rules and regulations shall be  
16 consistent with the provisions of this Act particularly with the amendments, parameters,  
17 and standards introduced to Sections 23, 26, and 29 of the “Urban Development and  
18 Housing Act of 1992”, and shall include the following:

19           (a) A *People's Plan* template to guide ISFs in the development of their own  
20 *People's Plan: Provided, That* such template shall be a complete *pro forma* *People's*  
21 *Plan: Provided, however, That* such a template shall be used to benchmark the  
22 minimum standards in a *People's Plan*; and

23           (b) A guide to effective implementation of the *People's Plan*, including details on  
24 the necessity of the issuance of internal memoranda by concerned agencies.

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

28  
29           **Section 4. *Repealing Clause.*** – All laws, decrees, executive orders,  
30 proclamations, rules and regulations, and other issuances, or parts thereof which are  
31 inconsistent with the provisions of this Act are hereby repealed, amended or modified  
32 accordingly.

33  
34           **Section 5. *Separability Clause.*** – If, for any reason, any part, section or provision  
35 of this Act is held invalid or unconstitutional, the remaining provisions not affected  
36 thereby shall continue to be in full force and effect.

1           **Section 6. *Effectivity.*** – This Act shall take effect fifteen (15) days after its  
2 publication in the Official Gazette or in a newspaper of general circulation.

***Approved.***