

SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES

First Regular Session



Senate
Office of the Secretary

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SENATE
S.B. No. 1216

RECEIVED BY: 

Introduced by Senator Poe

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 LOCAL GOVERNMENT UNITS TO PROVIDE OTHER BASIC SERVICES AND LIVELIHOOD COMPONENTS IN RESETTLEMENT SITES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO 7279, AS AMENDED, OTHERWISE KNOWN AS THE "URBAN DEVELOPMENT AND HOUSING ACT OF 1992"

Explanatory Note

The 1987 Constitution does not limit human rights to their traditional role as safeguards of individual liberty. It also conceptualizes human rights as positive instruments to be used in ensuring social justice and securing human dignity. This is manifested most notably in Article XII, which is entitled "*Social Justice and Human Rights*". The first section of the aforementioned provision declares: "The Congress shall give highest priority to the enactment of measures that protect and enhance *the right of all the people to human dignity*."¹

The right to adequate housing is an essential component of the right to human dignity. Article 1, Paragraph 1 of the International Covenant on Economic, Social and Cultural Rights includes housing in the components of the right to an adequate standard of living:

"The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and *housing*, and to the continuous improvement of living conditions."

Our fundamental law recognizes the essential role of housing in ensuring human dignity. In fact, the Framers of the Constitution deliberately included an entire subsection dedication to housing under Article XIII. Article XIII, Section 9 reads:

¹ Article XIII, Section 1, 1987 Philippine Constitution (emphasis supplied).

“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 under-privileged and homeless citizens in urban centers and resettlement areas.”

Informal settler families (ISFs) comprise the most affected sector on matters related to housing. There are around 1.345 million ISFs in the country, 564,000 or 42% of whom are located in Metro Manila. The Framers of the Constitution understood their vulnerability and provided them with special protection under Article XIII, Section 10:

“Urban or rural poor dwellers shall not be evicted nor their dwelling demolished, except in accordance with law and in a just and humane manner. No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated.”

Congress sought to give life to these constitutional provisions by enacting Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of 1992." With regards to informal settlers, Article VII, Section 28 of RA 7279 explicitly bans the eviction and demolition of sites occupied by ISFs, except in the following circumstances:

- a) When persons or entities occupy danger areas such as *esteros*, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and other public places such as sidewalks, roads, parks, and playgrounds;
- b) When government infrastructure projects with available funding are about to be implemented; or
- c) When there is a court order for eviction and demolition.

However, existing laws still do not sufficiently protect the rights of ISFs. Two of the major issues remain to be 1) lack of prior and sufficient consultation with affected ISFs, and 2) increasing resort to off-site resettlement, which is contrary to the intent of R.A. 7279.

This bill seeks to provide a remedy. It proposes amendments to R.A. 7279 which will rectify the issues identified above through the following mechanisms:

1. The formulation “people’s plans” by ISF beneficiary-associations, which shall contain a site development plan, including nonphysical development components such as self-help housing cooperatives, livelihood, self-help development, and capability-building training.
2. The introduction of stronger minimum standards for resettlement or relocation sites.

3. The implementation of on-site, in-city and near-city development – in that order – as the primary means for urban renewal and development.
4. The relegation of off-city resettlement as a process of last resort, to be utilized only when directly requested by the affected ISFs themselves and after adequate and genuine consultation prior to an off-site relocation.

Due to the continuing hazards faced by ISFs, immediate approval of this measure is eagerly sought.


GRACE POE

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AN ACT

1 ESTABLISHING AN ON-SITE, IN-CITY OR NEAR-CITY RESETTLEMENT
2 PROGRAM FOR INFORMAL SETTLER FAMILIES IN ACCORDANCE WITH A
3 PEOPLE'S PLAN AND MANDATING LOCAL GOVERNMENT UNITS TO
4 PROVIDE OTHER BASIC SERVICES AND LIVELIHOOD COMPONENTS IN
5 RESETTLEMENT SITES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO
6 7279, AS AMENDED, OTHERWISE KNOWN AS THE "URBAN DEVELOPMENT
7 AND HOUSING ACT OF 1992"

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

8 SECTION 1. *Short Title.* This Act shall be known as the "*On-site, In-city or Near-*
9 *City Resettlement Act of 2016*".

10
11 SEC. 2. *Amendatory Provisions.* For purposes of this Act, the following provisions of
12 Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of
13 1992," are hereby amended as follows:

14
15 a) Section 3 of Republic Act No. 7279 is hereby amended to read as follows:

16
17 "SEC. 3. *Definition of Terms.* - *For purposes of this Act:*

18
19 "xxx

20
21 "(w) x x x; [and]

22

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

5
6 **"(Y) 'ADEQUATE AND GENUINE CONSULTATION' REFERS TO THE**
7 **STANDARD OF CONSULTATION WITH THE AFFECTED INFORMAL**
8 **SETTLER FAMILIES (ISFs) WHICH SHALL REQUIRE THE**
9 **FOLLOWING:**

10
11 **(1) EFFECTIVE DISSEMINATION OF AND FULL ACCESS TO**
12 **RELEVANT INFORMATION AND DOCUMENTS INCLUDING**
13 **LAND RECORDS, HOUSING BUDGETS, THE PROPOSED PLAN**
14 **OR PROJECT, ALTERNATIVE HOUSING OPTIONS, AND**
15 **COMPREHENSIVE RESETTLEMENT PLANS;**

16
17 **(2) REASONABLE TIME FOR THE PUBLIC TO REVIEW,**
18 **COMMENT, AND OBJECT TO THE PROPOSED PLAN OR**
19 **PROJECT;**

20
21 **(3) PROVISION BY THE GOVERNMENT OR NONGOVERNMENT**
22 **ORGANIZATIONS OF LEGAL, TECHNICAL, AND OTHER**
23 **ADVICE TO AFFECTED PERSONS ON THEIR RIGHTS AND**
24 **OPTIONS;**

25
26 **(4) PUBLIC HEARINGS THAT PROVIDE AFFECTED ISFs AND**
27 **THEIR ADVOCATES WITH OPPORTUNITES TO CHALLENGE**
28 **THE EVICTION DECISION OR PRESENT ALTERNATIVE**
29 **PROPOSALS AND TO ARTICULATE THEIR DEMANDS AND**
30 **DEVELOPMENT PRIORITIES; AND**

31
32 **(5) IN CASE NO AGREEMENT IS REACHED ON THE PROPOSALS**
33 **OF THE CONCERNED PARTIES, AN INDEPENDENT BODY**
34 **HAVING CONSTITUTIONAL AUTHORITY, SUCH AS A COURT**

1 OF LAW, SHOULD MEDIATE, ARBITRATE OR ADJUDICATE
2 AS MAY BE APPROPRIATE;

3
4 “(Z) *'CIVIL SOCIETY ORGANIZATIONS'* OR *'CSOS'* REFER TO
5 NONGOVERNMENTAL ORGANIZATIONS (NGOs), PEOPLE'S
6 ORGANIZATIONS (POs), COOPERATIVES, TRADE UNIONS,
7 PROFESSIONAL ASSOCIATIONS, FAITH-BASED ORGANIZATIONS,
8 MEDIA GROUPS, INDIGENOUS PEOPLES MOVEMENTS,
9 FOUNDATIONS AND OTHER CITIZEN'S GROUPS FORMED
10 PRIMARILY FOR SOCIAL AND ECONOMIC DEVELOPMENT TO
11 PLAN AND MONITOR GOVERNMENT PROGRAMS AND PROJECTS,
12 ENGAGE IN POLICY DISCUSSIONS, AND ACTIVELY PARTICIPATE
13 IN COLLABORATIVE ACTIVITIES WITH THE GOVERNMENT;

14
15 “(AA) *'IN-CITY RESETTLEMENT'* REFERS TO A RELOCATION SITE
16 WITHIN THE JURISDICTION OF THE CITY WHERE AFFECTED ISFs
17 ARE LIVING;

18
19 “(BB) *'INFORMAL SETTLEMENTS'* REFER TO RESIDENTIAL AREAS
20 OR UNPLANNED SETTLEMENTS WHERE INFORMAL SETTLERS OR
21 INFORMAL SETTLER FAMILIES ARE DWELLING;

22
23 “(CC) *'INFORMAL SETTLERS'* REFER TO PERSONS WHO SETTLE ON
24 THE LAND OF ANOTHER WITHOUT TITLE OR RIGHT OR WITHOUT
25 THE OWNER'S CONSENT WHETHER IN URBAN OR RURAL AREAS;

26
27 “(DD) *'INFORMAL SETTLER FAMILIES'* OR *'ISFs,'* REFER TO
28 FAMILIES WHO HAVE SETTLED ON THE LAND OF ANOTHER
29 WITHOUT TITLE OR RIGHT OR WITHOUT THE OWNER'S
30 CONSENT WHETHER IN URBAN OR RURAL AREAS;

31
32 “(EE) *'NEAR-CITY RESETTLEMENT'* REFERS TO A RELOCATION
33 SITE IN A CITY OTHER THAN THE CITY OF THE AFFECTED
34 INFORMAL SETTLEMENTS: *PROVIDED*, HOWEVER, THAT THE

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

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

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

24
25 **"(HH) 'PEOPLE'S PLAN' REFERS TO THE PLAN FORMULATED BY**
26 **THE BENEFICIARY-ASSOCIATION, IN COORDINATION WITH THE**
27 **PRESIDENTIAL COMMISSION FOR THE URBAN POOR AS CREATED**
28 **UNDER EXECUTIVE ORDER NO. 152 s. 2002, WITH OR WITHOUT**
29 **THE SUPPORT OF CSOs, WHICH SHALL CONTAIN A SITE**
30 **DEVELOPMENT PLAN, INCLUDING NONPHYSICAL DEVELOPMENT**
31 **COMPONENTS SUCH AS SELF-HELP HOUSING COOPERATIVE,**
32 **LIVELIHOOD, SELF-HELP DEVELOPMENT, AND CAPABILITY**
33 **BUILDING; AND**

1 **"(II) 'SOCIAL PREPARATION' REFERS TO THE PROCESS OF**
2 **ESTABLISHING SOCIAL, ORGANIZATIONAL, AND INSTITUTIONAL**
3 **NORMS AND MECHANISMS. SUCH NORMS AND MECHANISMS**
4 **WILL:**

5
6 **(1) ENABLE THE SETTLERS TO COPE WITH CHANGES; AND**

7
8 **(2) IN PARTNERSHIP WITH CONCERNED INSTITUTIONS AND**
9 **STAKEHOLDERS, ENCOURAGE THE SETTLERS NOT ONLY**
10 **TO WORK AMONG THEMSELVES FOR THE PURPOSE OF**
11 **DRAWING UP AND UNDERTAKING THEIR HOUSING**
12 **RESETTLEMENT PROPOSALS BUT ALSO TO ACTIVELY AND**
13 **MEANINGFULLY PARTICIPATE IN HOUSING**
14 **RESETTLEMENT PROJECTS UNDERTAKEN IN THEIR**
15 **BEHALF, THUS RESOLVING COLLECTIVE ACTION**
16 **PROBLEMS AMONG COMMUNITY MEMBERS AND**
17 **COORDINATION PROBLEMS WITH GOVERNMENT AND**
18 **OTHER ENTITIES."**

19
20 **"(JJ) "UNPLANNED SETTLEMENTS" ARE AREAS WHERE HOUSING**
21 **IS NOT IN COMPLIANCE WITH EXISTING PLANNING AND**
22 **BUILDING REGULATIONS;"**

23
24 The succeeding provisions shall be renumbered accordingly.

25
26 b) Section 21 of the Same Act is hereby amended to read as follows:

27
28 **"Sec. 21. [Basic Services] *MINIMUM STANDARDS FOR RESETTLEMENT***
29 ***AREAS.* — Socialized housing or resettlement areas shall be provided by the local**
30 **government unit, IN COORDINATION WITH [or] the [National Housing Authority]**
31 **HUDDCC AND ITS ATTACHED AGENCIES, OTHER RELEVANT**
32 **GOVERNMENT AGENCIES, AND [in cooperation with the] private developers [and**
33 **concerned agencies] with the following basic services and facilities:**

- 1 a) Potable AND TREATED water SUPPLY, OF LEVEL III STANDARDS AS
2 DEFINED UNDER EXISTING NATIONAL ECONOMIC AND
3 DEVELOPMENT AUTHORITY (NEDA) RULES AND REGULATIONS,
4 WITH ADEQUATE WATER PRESSURE AND PROVIDING AT LEAST
5 EIGHT (8) HOURS OF SERVICE PER DAY;
6
- 7 b) Power and electricity and an adequate power distribution system WITH
8 SERVICE FOR 24 HOURS A DAY;
9
- 10 c) [SANITATION FACILITIES INCLUDING] [S]sewerage [facilities],
11 MATERIAL RECOVERY FACILITIES, GARBAGE COLLECTION and
12 an efficient and adequate solid waste disposal system; [and]
13
- 14 d) A PUBLIC SCHOOL WITH FACILITIES AND HUMAN RESOURCES
15 WHICH SHALL SATISFY THE FOLLOWING STANDARDS:
16
- 17 1. A RATIO OF ONE (1) STANDARD CLASSROOM FOR EVERY
18 FORTY (40) STUDENTS;
 - 19 2. A RATIO OF ONE (1) TEACHER FOR EVERY FORTY (40)
20 STUDENTS; AND
 - 21 3. A RATIO OF ONE (1) TEXTBOOK FOR EACH STUDENT
22
- 23 e) A HEALTH CENTER, WITH ADEQUATE HUMAN RESOURCES,
24 FACILITIES, AND MEDICINES TO PROVIDE PRIMARY, MATERNAL
25 AND EMERGENCY CARE;
26
- 27 f) AN OUTPOST OF THE PHILIPPINE NATIONAL POLICE;
28
- 29 g) ACCESS TO EMPLOYMENT AND LIVELIHOOD; AND
30
- 31 h) Access to primary roads and transportation facilities.”
32

33 “The provision of other basic services and facilities such as health, education,
34 communications, security, recreation, relief and welfare shall be planned and shall be

1 given priority for implementation by the local government unit and concerned
2 agencies in cooperation with the private sector and the beneficiaries themselves. **THE**
3 **CONCERNED LOCAL GOVERNMENT UNITS AND NATIONAL**
4 **GOVERNMENT AGENCIES SHALL SIGN A MEMORANDUM OF**
5 **AGREEMENT (MOA) WHICH SHALL SPECIFY THEIR DUTIES,**
6 **RESPONSIBILITIES, AND TIMETABLES FOR THEIR COMPLETION.**
7 **COPIES OF THE MOA SHALL BE PUBLISHED IN THE WEBSITE OF THE**
8 **LEAD LOCAL GOVERNMENT UNIT AND GIVEN TO THE AFFECTED**
9 **ISFS AT LEAST THIRTY (30) DAYS PRIOR TO THE START OF THE**
10 **RESETTLEMENT PROCESS; PROVIDED, THAT THE RECIPIENT LOCAL**
11 **GOVERNMENT UNITS IN CASES OF NEAR CITY OR OFF-CITY**
12 **RESETTLEMENT SHALL ALSO BE CONSULTED AND SHALL**
13 **PARTICIPATE IN THE PROVISION OF BASIC SERVICES AS REQUIRED**
14 **UNDER THIS PROVISION;”**

15
16 “The local government unit, in coordination with the concerned national agencies,
17 shall ensure that these basic services are provided at the most cost efficient rates, and
18 shall set as mechanism to coordinate operationally the thrusts, objectives and
19 activities of other government agencies concerned with providing basic services to
20 housing projects. **THE HOUSING AND URBAN DEVELOPMENT**
21 **COORDINATING COUNCIL AND THE BUREAU OF LOCAL**
22 **GOVERNMENT FINANCE OF THE DEPARTMENT OF FINANCE SHALL**
23 **JOINTLY WORK ON THE COST-SHARING MECHANISM NECESSARY**
24 **TO FULLY IMPLEMENT THE PROVISION OF SUCH OTHER BASIC**
25 **SERVICES AND FACILITIES.”**

26
27 **ALL LOCAL GOVERNMENT UNITS SHALL IDENTIFY POTENTIAL**
28 **RESETTLEMENT AREAS IN THEIR COMPREHENSIVE LAND USE PLANS”**

29
30 c) Section 23 of the same Act is hereby amended to read as follows:

31
32 *"Sec. 23. Participation of PROGRAM Beneficiaries OR AFFECTED ISFs,*
33 *FORMATION OF BENEFICIARY-ASSOCIATION, AND FORMULATION*
34 *AND IMPLEMENTATION OF A PEOPLE'S PLAN.- Local government units,*

1 in coordination with the Presidential Commission for the Urban Poor and
2 concerned government agencies, shall afford Program beneficiaries **OR**
3 **AFFECTED ISFs** or their duly designated representatives an opportunity to be
4 heard and to participate in the decision-making process over matters involving the
5 protection and promotion of their legitimate collective interests which shall
6 include appropriate documentation and feedback mechanisms. They shall also be
7 encouraged to organize themselves [and undertake self-help cooperative housing
8 and other livelihood activities] **INTO AN ASSOCIATION FOR**
9 **ACCREDITATION AS BENEFICIARIES OR AWARDEES OF**
10 **OWNERSHIP RIGHTS UNDER THE RESETTLEMENT PROGRAM,**
11 **COMMUNITY MORTGAGE PROGRAM, LAND TENURE ASSISTANCE**
12 **PROGRAM, AND OTHER SIMILAR PROGRAMS IN RELATION TO A**
13 **SOCIALIZED HOUSING PROJECT ACTUALLY BEING**
14 **IMPLEMENTED BY THE NATIONAL GOVERNMENT OR BY THE**
15 **LOCAL GOVERNMENT UNITS.** They shall assist the government in
16 preventing the incursions of professional squatters and members of squatting
17 syndicates into their communities.

18
19 "In instances when the affected beneficiaries have failed to organize themselves or
20 form an [alliance] **ASSOCIATION AS DEFINED IN THE PREVIOUS**
21 **PARAGRAPH** within a reasonable period prior to the implementation of the
22 program or projects affecting them, consultation between the implementing
23 agency and the affected beneficiaries shall be conducted with the assistance of the
24 Presidential Commission for the Urban Poor and the concerned nongovernment
25 organization **UNTIL AN ASSOCIATION IS FORMED AND ORGANIZED.**

26
27 **"THE ASSOCIATION, IN COORDINATION WITH THE PRESIDENTIAL**
28 **COMMISSION FOR THE URBAN POOR, SHALL FORMULATE A**
29 **'PEOPLE'S PLAN' THROUGH A PROCESS OF CONSULTATION**
30 **WHICH SHALL CONTAIN A SITE DEVELOPMENT PLAN THAT**
31 **INCLUDES NONPHYSICAL DEVELOPMENT COMPONENTS SUCH AS**
32 **SELF-HELP HOUSING COOPERATIVES, LIVELIHOOD, SELF-HELP**
33 **DEVELOPMENT, AND CAPABILITY-BUILDING TRAINING.**

1 "THE ASSOCIATION, WITH THE ASSISTANCE OF CSOs AND
2 GOVERNMENT AGENCIES INCLUDING THE NATIONAL ANTI-
3 POVERTY COMMISSION (NAPC), PRESIDENTIAL COMMISSION FOR
4 THE URBAN POOR, NATIONAL HOUSING AUTHORITY, CITY OR
5 MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE,
6 SOCIAL HOUSING FINANCE CORPORATION, LOCAL
7 GOVERNMENT UNITS, AND OTHER RELEVANT AGENCIES OF
8 GOVERNMENT, SHALL AGREE ON, DEVELOP, AND IMPLEMENT
9 THE PEOPLE'S PLAN.

10
11 "IN ACCORDANCE WITH THE PROTECTION GUIDELINES
12 PROVIDED UNDER SECTION 28 OF THIS ACT, A RELOCATION
13 ACTION PLAN SHALL BE AN INDISPENSABLE COMPONENT OF THE
14 PEOPLE'S PLAN. THE RELOCATION ACTION PLAN SHALL
15 INCLUDE THE FOLLOWING OBJECTIVES:

16
17 (a) ENSURE SAFE, AFFORDABLE, DECENT, AND HUMANE
18 CONDITION OF RELOCATION, INCORPORATING THEREIN
19 APPROPRIATE DISASTER RISK REDUCTION MANAGEMENT
20 AND CLIMATE CHANGE ADAPTATION STANDARDS;

21
22 (b) PROVIDE ADEQUATE SOCIAL PREPARATION; AND

23
24 (c) PREVENT FORCED EVICTION;

25
26 **PROVIDED, THAT PRIMARY CONSIDERATION SHALL BE GIVEN TO**
27 **THE HOUSING FINANCIAL SCHEME SUGGESTED IN THE PEOPLE'S**
28 **PLAN. "**

29
30 d) Section 26 of the same Act is hereby amended to read as follows:

31
32 "Sec. 26. *Urban Renewal and Resettlement.* - [This] URBAN RENEWAL AND
33 RESETTLEMENT shall include the rehabilitation and development of blighted
34 and slum areas and resettlement of Program beneficiaries in accordance with the

1 provisions of this Act. On-site development shall be implemented [whenever
2 possible] AFTER ADEQUATE AND GENUINE CONSULTATION WITH
3 THE AFFECTED ISFs, AND IN ACCORDANCE WITH THE PEOPLE'S
4 PLAN FORMULATED PURSUANT TO SECTION 23 OF THIS ACT, in
5 order to ensure minimum movement of occupants of blighted lands and slum
6 areas.

7
8 "[The] WHERE DEMOLITION OR EVICTION IS ALLOWED IN THE
9 AREA OCCUPIED BY THE PROGRAM BENEFICIARIES PURSUANT
10 TO SECTION 28 OF THIS ACT, AND ON-SITE RESETTLEMENT
11 CANNOT BE UNDERTAKEN BY REASON THEREOF, THE IN-CITY
12 resettlement of the beneficiaries of the Program from their existing places of
13 occupancy shall be undertaken only [when on-site development is not feasible
14 and] after compliance with the procedures laid down in [Section 28 of this Act]
15 THE SAME SECTION OF THIS ACT AND IN ACCORDANCE WITH
16 THE PREFERENCE OF THE AFFECTED ISFs AS CONTAINED IN THE
17 PEOPLE'S PLAN AND THE REQUIREMENTS UNDER SECTION 21 OF
18 THIS ACT.

19
20 "SHOULD IN-CITY RESETTLEMENT NOT BE FEASIBLE, NEAR-CITY
21 RESETTLEMENT SHALL BE CONSIDERED. OFF-CITY
22 RESETTLEMENT SHALL ONLY BE RESEORTED TO WHEN
23 DIRECTLY REQUESTED BY THE AFFECTED ISFs THEMSELVES,
24 AND MUST SATISFY THE REQUIREMENTS OF ADEQUATE AND
25 GENUINE CONSULTATION PRIOR TO RELOCATION AND THE
26 REQUIREMENTS UNDER SECTION 21 OF THIS ACT.

27
28 e) Section 28 of the same Act is hereby amended to read as follows:

29
30 "Section 28. *Eviction and Demolition.* - x x x

31
32 (a) x x x

33 (b) x x x

34 (c) x x x

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

- (1) x x x
- (2) x x x
- (3) x x x
- (4) x x x
- (5) x x x
- (6) x x x
- (7) x x x

(8) Adequate relocation, whether temporary or permanent, **AND IN ACCORANCE WITH THE REQUIREMENTS UNDER SECTION 21 OF THIS ACT:** *Provided*, however, That in cases of eviction and demolition pursuant to a court order involving underprivileged and homeless citizens, relocation shall be undertaken by the local government unit concerned and the **HOUSING AND URBAN DEVELOPMENT COORDINATING COUNCIL, ITS ATTACHED AGENCIES, [THE** National Housing Authority with the assistance of] **AND** other government agencies within forty-five (45) days from service of notice of final judgment by the court, after which period the said order shall be executed: *Provided*, further, That should relocation not be possible within the said period, financial assistance in the amount equivalent to the prevailing minimum daily wage multiplied by sixty (60) days shall be extended to the affected families by the local government unit concerned.

X X X”

f) Section 29 of the same Act is hereby amended to read as follows:

"Sec. 29. Resettlement. - Within two (2) years from the effectivity of this Act, the local government units, in coordination with the National Housing Authority, shall implement the relocation and resettlement of persons living in danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and in other public places such as sidewalks, roads, parks, and playgrounds. The local

1 government unit, in coordination with the **CONCERNED GOVERNMENT**
2 **AGENCIES AND AFFECTED LOCAL GOVERNMENT UNITS IN CASES**
3 **OF NEAR-CITY AND OFF-CITY RESETTLEMENT** [National Housing
4 Authority], shall provide relocation or resettlement sites with basic services and
5 facilities and access to employment and livelihood opportunities sufficient to meet
6 the basic needs of the affected families] **PURSUANT TO THE**
7 **REQUIREMENTS LISTED UNDER SECTION 21 OF THIS ACT.**

8
9 g) Section 42 of the same Act is hereby amended to read as follows:

10 "Section 42. Funding- Funds for the urban development and housing program
11 shall come from the following sources:

12
13 a) x x x

14 b) x x x

15 c) x x x

16 d) x x x

17 e) x x x

18 f) x x x

19 g) **TWENTY PERCENT (20%) OF THE INTERNAL REVENUE**
20 **ALLOTMENT APPROPRIATED FOR DEVELOPMENT PROJECTS**
21 **AS MANDATED UNDER SECTION 287 OF REPUBLIC ACT NO.**
22 **7160, OTHERWISE KNOWN AS THE 'LOCAL GOVERNMENT**
23 **CODE OF 1991'."**

24 h) **THROUGH BUILD-OPERATE-AND-TRASFER AND OTHER**
25 **SCHEMES, AS PROVIDED FOR UNDER REPUBLIC ACT NO. 6957,**
26 **AS AMENDED.**

27
28 **SECTION 3. *Implementing Rules and Regulations.*** - The principles, policies and
29 provisions of this Act shall be incorporated in the National Shelter Program. The Housing
30 and Urban Development Coordinating Council, in consultation with its attached agencies, the
31 Department of the Interior and Local Government, other concerned government agencies,
32 CSOs, NGOs, representatives from the private sector, and ISFs, shall promulgate a new set of
33 implementing rules and regulations within sixty (60) days from the effectivity of this Act.

1 The implementing rules and regulations shall be consistent with the provisions of this
2 Act particularly with the amendments, parameters, and standards introduced to Sections 23,
3 26, and 29 of the "Urban Development and Housing Act of 1992", and shall include the
4 following:

5
6 a) A People's Plan template to guide ISFs in the development of their own People's
7 Plan: *Provided*, That such template shall be a complete pro forma People's Plan:
8 *Provided*, however, That such a template shall be used to benchmark the
9 minimum standards in a People's Plan; and

10
11 b) A guide to effective implementation of the People's Plan, including details on the
12 necessity of the issuance of internal memoranda by concerned agencies.

13
14 The implementing rules and regulations issued pursuant to this section shall take
15 effect thirty (30) days after its publication in two (2) national newspapers of general
16 circulation.

17
18 **SECTION 4. *Repealing Clause.*** All laws, decrees, executive orders, proclamations,
19 rules and regulations, and other issuances, or parts thereof which are inconsistent with the
20 provisions of this Act are hereby repealed, amended or modified accordingly.

21
22 **SECTION 5. *Separability Clause.*** If, for any reason, any part, section or provision of
23 this Act is held invalid or unconstitutional, the remaining provisions not affected thereby
24 shall continue to be in full force and effect.

25
26 **SECTION 6. *Effectivity.*** This Act shall take effect fifteen (15) days after its
27 publication in the Official Gazette or in a newspaper of general circulation

28
29 *Approved,*