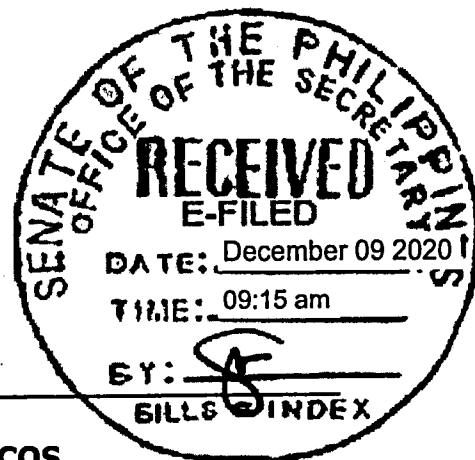


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE
S.B. No. 1940



Introduced by **SENATOR IMEE R. MARCOS**

**AN ACT CREATING THE WATER RESOURCES AND MANAGEMENT
AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Last 16 November 2020, the entire island of Luzon was declared to be under a state of calamity due to the impact and destruction caused by the typhoons "*Quinta*," "*Rolly*," and "*Ulysses*," impacting over 1.7 million people.

The typhoon "*Ulysses*" alone left 69 people dead, 21 injured, and 12 missing, while the Armed Forces of the Philippines (AFP) reported over 265,000 individuals rescued in various provinces. In Cagayan Valley alone, almost 100,000 people, were forced to flee their homes as a result of the massive flooding.

Numerous allegations accuse the National Irrigation Administration-Magat River Integrated Irrigation System (NIA-MARIIS) of failing to notify the downstream residents of their sudden releasing of water from the dam, as provided for under the Magat Dam protocol.

Charges have also been made against the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) for their highly erroneous forecast of water levels at the Marikina River, reaching 22 meters, higher than the 21.5 meters recorded during Typhoon *Ondoy* in 2009.

Article II, Section 15 of the 1987 Constitution provides that, "*The State shall protect and promote the right to health of the people and instill health consciousness among them.*" Access to clean water is a basic human right. It is crucial in the sustenance of man and is used in almost every industry such as in irrigation, power generation, livestock raising, and fisheries, among others.

With the onslaught of COVID-19 pandemic, water, more than ever, proved to be the most essential public utility in promoting health and cleanliness. The cursory and

oft-forgotten habit of hand-washing has never been this critical, in certain instances in fact a matter of life and death.

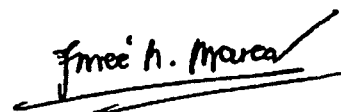
However, many Filipinos still do not have access to clean water. Based on the 2017 Annual Poverty Indicator's Survey conducted by the Philippine Statistics Authority (PSA), only fifty one percent (51%) of Filipino families' have water piped into their dwellings. Twenty-four percent (24%) obtain water through a protected well (24%) while a mere eight percent (8%) receive their supply piped directly into their homes. Data also shows that there are still Filipinos who rely on natural sources such as rivers, streams, pond, lake or dam and rain harvesting.

The management of water resources in the country used to be an exclusive function of the government through the Manila Waterworks and Sewerage System (MWSS) and its predecessors. Many laws have since been promulgated to address the water crisis, including the enactment of Republic Act No. 8041 or the "*National Water Crisis Act of 1995*" which recognized the need for the government to address the nationwide water management problem.

In March 1996, Executive Order No. 311 was issued by President Fidel V. Ramos, encouraging the private sector's participation in the operation and facilities of the MWSS. As a result, the institutional arrangements in the Philippines' water sector have become exceedingly complicated, with overlapping functions of over 30 national government offices, local water boards and privatized water utility operators.

The recent spate of "man-made" flooding disasters has made the consolidation of these entities into a single coherent and comprehensive Water Resources and Management Authority urgent and critical. This bill seeks to finally establish the Authority as the sole government unit in charge of managing, integrating, and unifying policies pertaining to the use, distribution, and management of water resources in the country.

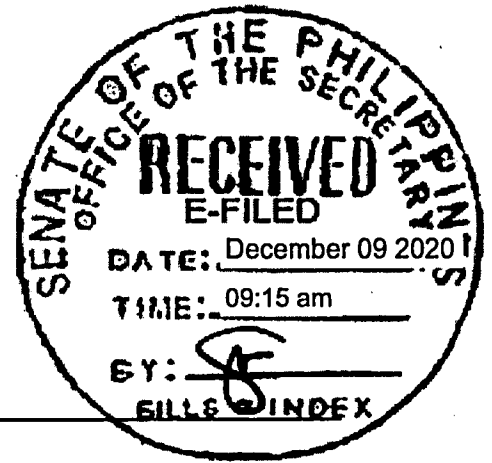
The passage of this bill is earnestly sought.

A handwritten signature in black ink that reads "Imee R. Marcos". The signature is written in a cursive style and is positioned above a horizontal line.

IMEE R. MARCOS

EIGHTEENTH CONGRESS OF THE)
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**AN ACT CREATING THE WATER RESOURCES AND MANAGEMENT
AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

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

**CHAPTER I
GENERAL PROVISIONS**

SECTION 1. Short Title. – This Act shall be known as the "*Water Resources and
Management Authority Act.*"

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to
ensure the provision of safe, adequate, affordable and sustainable water supply and
improved sanitation services, while maintaining the protection, preservation and revival
of the quality of the country's water resources and ecological balance.

SEC. 3. Definition of Terms. – For purposes of this Act, the following terms are
hereby defined as follows:

- a) *Authority* refers to the Water Resources and Management Authority;
- b) *Flood Control* refers to methods, acts and protocols to be observed in order to
prevent and reduce the detrimental and catastrophic effects of flood waters
which include sediment-laden or turbid flows, hyper-concentrated flows or debris
flows;
- c) *Flood Risk Management (FRM)* refers to such acts of defining and determining
the appropriate methods, acts and protocols aimed at preventing and reducing
the risk of incurring loss of both life and property due to flood waters. Flood risk
management consists of a cycle of prevention, mitigation, adaptation,

1 preparedness and early warning, and, finally response and recovery. The
2 elements of FRM include: integrating land-use planning, coastal zone
3 management into water management; adopting a holistic approach so that FRM
4 is part of wider risk or multi-hazard management (earthquake, landslides, storm
5 surge, etc); managing risk and uncertainty as a whole so it is not only
6 hydrological uncertainties but also social, economic and political uncertainties in
7 view of the human behavior and cultural dimensions of FRM;
8

9 d) *Host agency* refers to the Department of Science and Technology (DOST),
10 Department of Trade and Industry (DTI), Department of Information and
11 Communications Technology (DICT), Department of Public Works and Highways
12 (DPWH), Department of Agriculture (DA) or other national government agency,
13 local government unit, or public academic institution that provides programs,
14 benefits and incentives for those who will be able to develop a new technology
15 or innovate an existing one that will be beneficial to the management of water
16 resources;
17

18 e) *Infrastructure and public works* as used in this Act should be read to apply only
19 to wholly or primarily water-related projects and shall not be read to incorporate
20 projects which would not otherwise fall within the purview of the objectives,
21 power and duties of the Department;
22

23 f) *IWRM* refers to the Integrated Water Resource Management or to a systematic,
24 collaborative and multi-stakeholder process, which promotes the coordinated
25 development and management of water, land and related resources within
26 geophysical boundaries in order to maximize the resultant economic and social
27 welfare in an equitable manner and without compromising the sustainability of
28 vital ecosystems;
29

30 g) *Levels of water supply service* shall mean as follows:

31 Level I (*point source*) – a protected well or a developed spring with an outlet
32 but without any distribution system, generally adaptable for rural and upland
33 areas where the houses are thinly scattered. A Level 1 facility usually serves an
34 average of 15 households;

35 Level II (*communal faucet system or stand posts*) – a system composed of a
36 water source, a reservoir, a piped distribution network, and communal faucets.
37 Usually, one faucet serves 4 to 6 households. Generally suitable for rural and
38 urban fringe areas where houses are clustered densely to justify a simple piped
39 system;
40

1 Level III (*waterworks system or individual house connections*) – a system with
2 a water source, a reservoir, a piped distribution network and household taps.
3 This is generally suited for densely populated urban areas;
4

5 h) *LGU* refers to Local Government Unit or to the territorial and political subdivisions
6 of the Philippines as defined under the 1987 Constitution of the Philippines,
7 which includes provinces, cities, municipalities and barangays;
8

9 i) *NDRRMC* refers to the National Disaster Risk Reduction Management Council;
10

11 j) *PDP* refers to the country's medium-term development called the Philippine
12 Development Plan;
13

14 k) *RBO* refers to multi-stakeholder River Basin Organization or to organizations
15 which plan, coordinate and monitor activities within a river basin cluster;
16

17 l) *Sanitation* refers to sewage, sanitation and septage management;
18

19 m) *Sediment management* refers to control of sediment erosion and deposition in
20 rivers, reservoirs and coastal zones through non-structural and structural
21 measures and control works;
22

23 n) *SDG* refers to the United Nation's sustainable development goals;
24

25 o) *Septage* refers to sludge produced on individual onsite wastewater disposal
26 systems, principally septic tanks and cesspools;
27

28 p) *Sewage* refers to water-carried waste in solution or suspension including sanitary
29 waste (waste products of normal living), commercial waste, industrial waste,
30 agricultural waste and surface runoff conveyed by a sewerage system for
31 treatment or disposal. For purpose of this Act, the definition of septage shall be
32 included in the use of sewage;
33

34 q) *Sewerage* refers to any system or network of sanitary pipelines, ditches,
35 channels or conduits including pumping stations, lift stations and force mains,
36 service connections including other constructions, devices or appliances
37 appurtenant thereof, which includes the collection, sanitary piping transport,
38 pumping and treatment of water-borne human or animal waste removed from
39 residences, buildings, institutions and industrial and commercial establishments
40 to point of sewage treatment plant disposal;
41

42 r) *Sewers* refer to pipes or such other works or structures which are built and
43 constructed to treat, carry, transport and dispose sewage;

- 1
2 s) *Social inclusion* refers to the process of improving the terms for disadvantaged
3 individuals and groups to take part in society;
4
5 t) *Tariffs* refer to such amounts which may be charged by licensees of water supply
6 and/or sanitation services for their services based on principles, standards and
7 guidelines established by the Department;
8
9 u) *Water Demand Management (WDM)* refers to any method – whether technical,
10 economic, administrative, financial, or social – that will accomplish one (or more)
11 of the following things: (1) reduce the quantity or quality of water required to
12 accomplish a specific task (2) adjust the nature of the task or the way it is
13 undertaken so that it can be accomplished with less water or with lower quality
14 water (3) reduce the loss in quantity or quality of water as it flows from source
15 through use to disposal (4) shift the timing of use from peak to off-peak periods
16 (5) increase the ability of the water system to continue to serve society during
17 times when water is in short supply;
18
19 v) *Water Resources Regional Offices (WRROs)* refer to the field office of the
20 Department which are to be established in accordance with the identified water
21 resources regions in the country;
22
23 w) *Water Service Providers (WSPs)* refer to the water districts, any LGU-run water
24 utility, BWSA, RWSA, cooperatives and private sector who provides water supply
25 services to any given area;
26
27 x) *Water supply service* refers to any activity comprising Levels I, II and III water
28 supply including bulk suppliers, suppliers to subdivisions and other water service
29 providers.
30

31 **CHAPTER II**
32 **ORGANIZATION**
33

34 **SEC. 4. *Water Resources and Management Authority.*** – There is hereby created
35 and established the "*Water Resources and Management Authority*" hereinafter referred
36 to as the "*Authority*" which shall be organized within one hundred twenty (120) days
37 after the effectivity of this Act. It shall be the primary agency responsible for the
38 comprehensive and integrated water resources development and management of the
39 Philippines. It shall exercise such powers and functions needed to review, revise,
40 harmonize and integrate policies and regulations for conservation of water resources
41 and effective management of water supply, sanitation, irrigation, hydropower, flood
42 control, storm water/ urban drainage.

1 The Authority shall formulate and be guided by an "*Integrated Water Resources*
2 *Management (IWRM) Framework*", taking into account climate risks, and ensuring the
3 sustainability of natural ecosystem functions and services. In managing water
4 resources, the Authority shall aim to improve water conservation and increase system
5 efficiencies, and optimize the use of all freshwater in the country including
6 groundwater, surface water, rainwater, run-offs, floods, storm water and urban
7 drainage, and treated wastewater to meet various needs.

8 **SEC. 5. Powers and Functions.** – The Authority shall have the following powers
9 and functions:

10 I. Policy-making and Planning

11
12 a) Ensure that the IWRM is adopted as the strategic framework for water
13 management policy-making and planning in the country and coordinate the
14 implementation, promotion, revision and enhancement of IWRM plans;

15
16 b) Provide policy direction, strategies, and targets in coordination with other
17 relevant entities to meet the goals and objectives for water supply and sanitation,
18 water quality, irrigation, hydropower, flood control, storm water, and urban
19 drainage. Such policies shall, among other things, integrate the issues of water and
20 sanitation, food security, energy, environment and flood control;

21
22 c) Formulate and develop policies to promote universal access to safe, adequate,
23 affordable, and sustainable water supply, and improved sanitation services for all
24 Filipinos;

25
26 d) Formulate and promulgate rules and regulations for the development, and
27 optimum utilization of water resources and its administration and management,
28 including coherent water protocols and operation rules of all existing and future
29 water infrastructure; and the imposition on fees or charges as may be deemed
30 necessary by the Authority for water resources development;

31
32 e) Develop, in consultation with other agencies and stakeholders, the National Water
33 Resources Management Master Plan following the IWRM framework and building on
34 the 1998 Master Plan Study on Water Resources Management, the Philippine Water
35 Supply and Sanitation Master Plan and existing plans of other agencies;

36
37 f) Conduct continuing hydrologic surveys and studies of the country's renewable
38 water supply, establish, operate and maintain observation station networks with a
39 view towards formulating long-term policies to balance the sustainability and
40 optimal multiple use of water resources, defining the hydrologic boundaries of
41 basins of the existing water supply sources and developing or updating and
42 implementing countrywide comprehensive basin-wide master plans;

1 g) Establish, operate, and maintain a centralized water resources data center
2 necessary for the scientific survey and appraisal of surface and ground water
3 potentials of the country and determine the annual renewable water available per
4 water resources region;

5
6 h) Assist and provide the National Economic and Development Authority (NEDA)
7 secretariat with required data and input from and for the water sector in the
8 formulation of the country's short-term and long-term strategic development plans,
9 and actions and recommend the adoption of general policies and guidelines for
10 water resources development to the NEDA secretariat;

11
12 i) Review and approve development plans and programs of any agency within the
13 context of the National Water Resource Management Master Plan and overall
14 national plans and program;

15
16 j) Regularly review regulations prescribed by any government agency pertaining to
17 water use, exploitation, development, conservation or protection of waters, water
18 resources, and watershed or basin areas;

19
20 k) Develop and implement, in coordination with other relevant agencies, effective
21 codes, standards, benchmarks, and reasonable guidelines to ensure the safety of
22 all public, and private water structures in the country and assure efficiency and
23 proper quality in the construction of water, sanitation, irrigation, hydropower, flood
24 control and drainage infrastructure;

25
26 l) Review existing guidelines appropriate for Private Sector Participation in the water
27 sector;

28
29 m) Effect inter-sectoral and inter-agency coordination on all aspects of data
30 gathering for water resources development planning and direct the submission of
31 statistics and data on water management;

32
33 n) Issue and promulgate rules, regulations and guidelines as may be necessary to
34 implement and enforce its powers and functions under this Act; and

35
36 o) Strengthen and deepen interactions and partnerships among different actors
37 from the public and private sector, academe, research and development institutions
38 and communities towards promoting and improving water management resources.

39
40 **II. Resource Regulation**

41
42 a) Manage the country's water resources to ensure the optimal use thereof for
43 domestic water supply, sanitation, irrigation, hydropower, navigation, flood control,

1 and recreation, including the enhancement and maintenance of water quality,
2 conservation of watershed, control of water pollution and environmental restoration,
3 without compromising the natural ecosystem functions and services;
4

5 b) Regulate and control the utilization, abstraction, diversion and development of
6 water resources, taking into consideration its equitable distribution among
7 competing demands and determine the standards of beneficial and priority uses of
8 water in times of crisis and national emergencies;
9

10 c) Determine, adjudicate, and grant water rights; and
11

12 d) Formulate and enforce rules and regulations for the development and optimum
13 use of water resources and its administration and management, and implement
14 rules and guidelines for the enforcement of water-related laws including coherent
15 water protocols, operational rules of all existing and future water infrastructure and
16 appropriate sanctions to be imposed for non-compliance.
17

18 III. Administration and Management 19

20 a) Develop guidelines, including rules of partnership among the Authority, field
21 offices of national government agencies, LGUs and other stakeholders, facilitate the
22 establishment of multi-stakeholder river basin organizations (RBOs) per river basin,
23 and monitor, strengthen and support existing RBOs;
24

25 b) Develop materials for capacity building and training on RBO development and
26 conduct training and workshops for prospective river basins;
27

28 c) Authorize its representatives or any deputized agent to enter any property of
29 public dominion or any private land, building or enclave, whether inhabited or not,
30 for the purpose of conducting hydrologic surveys and investigations, including
31 assessing and evaluating the conditions of water facilities installed and determining
32 compliance with water laws and standards;
33

34 d) Provide technical assistance to water users including but not limited to farmers,
35 communities, LGUs and other water service providers (WSP) whether directly or in
36 coordination with other agencies on all aspects of integrated water resources
37 management; and
38

39 e) Deputize agents from other government agencies or Government-Owned and
40 Controlled Corporations (GOCC's) to assist in the performance of any of the powers
41 and functions of the Department.
42
43

1 IV. Coordination
2

3 a) Coordinate and integrate water resources development activities of the country
4 within the context of national plans and policies for social and economic
5 development;

6
7 b) Coordinate with other government agencies, universities and private professional
8 groups for all aspects of data gathering, the conduct of special studies and research
9 on all related aspects of water resources management and development such as
10 climate change, environmental quality, desalination, and the development of
11 operating strategies, procedures, and protocols with accompanying computerized
12 decision tools for major water facilities;

13
14 c) Coordinate with the concerned and relevant agencies engaged in flood control,
15 flood risk management and drought risk management; and

16
17 d) Coordinate with LGU's to ensure the integration of water resources development
18 plans into their comprehensive land use plans (CLUPs), Comprehensive
19 Development Plans (CDPs) or Provincial Physical Framework and Development Plan
20 (PPFDP).
21

22 **SEC. 6. *Administrator of the Water Resources and Management Authority.*** –
23 The authority and responsibility for the exercise of the mandate of the Authority and
24 for the discharge of its powers and functions shall be vested in the Administrator of the
25 Authority, hereinafter referred to as the "*Administrator*", who shall:
26

27 a) Advise the President on the promulgation of executive or administrative orders,
28 regulations, proclamations and other issuances relative to matters under the
29 jurisdiction of the Authority;

30
31 b) Establish the policies and standards for the operation of the Authority pursuant
32 to the President's guidelines;

33
34 c) Promulgate rules and regulations necessary to carry out objectives, policies and
35 functions;

36
37 d) Exercise supervision and control over all Offices under the Authority;

38
39 e) Supervise all attached agencies and corporations in accordance with law;

40
41 f) Represent the Authority in contracts, awards, and other similar activities; and
42

1 g) Perform such other duties and responsibilities, as may be necessary and
2 provided by law.

3 No person shall be appointed Administrator unless he or she possesses extensive
4 knowledge of public administration and has a minimum experience of ten (10) years in
5 the administration of water, sanitation, irrigation, flood control and drainage programs
6 preferably in a public agency.

7 **SEC. 7. Office of the Administrator.** – The Office of the Administrator shall be
8 composed of the Administrator and his immediate staff.

9 **SEC. 8. Offices.** – The Authority shall be consisted of five (5) offices, as follows:

10 1) Finance Service;

11 2) Administrative Service;

12 3) Planning and Engineering Services;

13 4) Regulatory and Financial Assistance Services; and

14 5) Operations.

15 **SEC. 9. Organizational Structure.** – The Authority shall be composed of the
16 following organizational units:

17 a) Authority Proper consisting of the Office of the Administrator, the Internal
18 Audit, Finance Service, Administrative Service, Planning and Engineering Services,
19 Regulatory and Financial Assistance Services, and Operations; and

20 b) Regional Offices, as deemed appropriate and necessary by the Administrator,
21 taking into consideration the existing water resources regions, river basins, and
22 catchment basins of the country.

23 **SEC. 10. Internal Audit.** – The Internal Audit is hereby created for the purpose
24 of conducting comprehensive audit of various Authority activities and shall have the
25 following specific functions:

26 a) Advise the Administrator on all matters relating to management control and
27 operations audit;

28 b) Conduct management and operations performance audit of activities and
29 units and determine as to compliance with established objectives, policies,
30 methods and procedures, government regulations, and contractual obligations
31 of the Authority;

1 c) Review and appraise systems and procedures, organizational structure, assets
2 management practices, accounting, and other records, reports, and performance
3 standards of the Authority;

4 d) Analyze and evaluate management deficiencies and assist top management
5 to solve problems by recommending realistic courses of action; and

6 e) Perform such other related duties and responsibilities as may be assigned or
7 delegated by the Administrator or as may be required by law.

8 **SEC. 11. Finance Services.** – The Finance Services is hereby created to provide
9 the Authority with coordinated services relating to financial systems and procedures,
10 budget, cash, accounting, and all financial matters not falling under other Services. For
11 such purposes, it shall have the following functions:

12 a) Advise the Administrator on all matters relating to the accounting of
13 government expenditures and receipts, budgeting and cash management,
14 project finances, and financial systems and procedures;

15 b) Prepare budget proposals and pursue formal budget authorizations,
16 undertake budget execution, and prepare and submit all appropriate reports to
17 the proper offices;

18 c) Develop and maintain accounting, financial, and assets management systems,
19 procedures, and practices in the Authority in accordance with the existing
20 government accounting and auditing rules and regulations;

21 d) Provide assistance in its area of specialization to any unit of the Administrator
22 and, when requested, to government corporations, councils, and boards
23 attached to the Authority; and

24 e) Perform such other related duties and responsibilities as may be assigned or
25 delegated by the Administrator or as may be required by law.

26 **SEC. 12. Administrative Services.** – The Administrative Service is hereby created
27 to provide the Authority with services relating to human resources development,
28 personnel records, facilities maintenance, medical and dental, gender and development
29 (GAD), security, property and procurement services. For such purposes, it shall have
30 the following functions:

31 a) Advise the Administrator on all matters relating to internal administration and
32 human resources management;

- 1 b) Prepare and implement an integrated personnel plan that shall include
2 provisions on merit promotion, performance evaluation, job rotation,
3 suggestions and incentive awards systems, and health and welfare services;
- 4 c) Provide services related to human resource training, education, and
5 development, including manpower, career planning and forecasting and
6 development of indigenous training materials;
- 7 d) Prepare and/or Implement GAD plans and budgets and GAD accomplishment
8 reports;
- 9 e) Develop, establish, and maintain an efficient and cost-effective property
10 procurement system and facilities and coordinate or otherwise interface with
11 relevant agencies, whether government or private, for the purpose of developing
12 or upgrading the system;
- 13 f) Secure and maintain necessary facilities, and develop, establish and maintain
14 an efficient and effective security system covering, among others, personnel,
15 physical installations, equipment, documents, and materials, including the
16 conduct of security investigations;
- 17 g) Coordinate with the appropriate government agencies for a more efficient
18 conduct of administrative processes;
- 19 h) Develop, establish and maintain an efficient records system;
- 20 i) Provide assistance in its area of specialization to the Authority and Regional
21 Offices and, when requested, the government agencies and corporations
22 attached to the Authority; and
- 23 j) Perform such other related duties and responsibilities as may be assigned or
24 delegated by the Administrator or as may be required by law.

25 **SEC. 13. *Planning and Engineering Services.*** – The Planning and Engineering
26 Services is hereby created to provide the Authority with the capability to undertake
27 infrastructure development planning, programming and implementation. For this
28 purpose, it shall have the following functions;

- 29 a) Advise the Administrator on all matters relating to infrastructure planning and
30 implementation;
- 31 b) Formulate strategies and priorities for infrastructure development consistent
32 with national development objectives and initiate or undertake relevant surveys
33 for development planning;

- 1 c) Formulate and implement long-range, medium-term and annual development
2 plans and programs for infrastructure, including flood control, water resource
3 development systems, and other public works projects, including phasing of
4 implementation and review and integrate land use plans with such water
5 development plans;
- 6 d) Identify and implement priority packages for infrastructure development,
7 including flood control, water resource development systems, and other public
8 works projects, and undertake or supervise and evaluate the conduct of
9 feasibility studies and project preparation and implementation thereof;
- 10 e) Prioritize project implementation and the allocation of funds and other
11 resources and package project proposals for funding and implementation;
- 12 f) Evaluate and appraise all regional interregional infrastructure development
13 plans and programs as to their feasibility and consistency with approved
14 strategies and long and medium-term plans;
- 15 g) Initiate regular Authority-wide planning exercises and act as the secretariat
16 thereof;
- 17 h) Gather, analyze, and organize needed statistical data and information;
- 18 i) Provide technical assistance related to its functions to the other Services and
19 Regional Offices as needed; and
- 20 j) Perform such other related duties and responsibilities as may be assigned or
21 delegated by the Administrator or as may be required by law.

22 **SEC. 14. *Regulatory and Financial Assistance Services.*** – The Regulatory and
23 Financial Assistance Services is hereby created to provide the Authority with services
24 on all legal affairs, compliance of attached government corporations, LWDs, RWSAs,
25 cooperatives, and other associations, including private entities under contractual or
26 concession arrangement with them, and other private water service providers on the
27 established standards, rules and regulations relating to: water quality; infrastructure
28 and facilities design and construction; equipment, materials and supplies; operations
29 and maintenance; personnel; organization; accounting; tariffs; and other matters
30 subject to regulation. It shall also provide the services on the management of the
31 financial assistance available and granted to LWDs and RWSAs. For this purpose, it
32 shall have the following functions:

- 33 a) Advise the Administrator on all matters relating to legal affairs and regulation
34 of the operation of the attached corporations, LWDs, RWSAs, cooperatives and
35 other associations;
- 36 b) Provide legal assistance, when requested, the attached corporations and
37 boards;

- 1 c) Prepare contracts and legal instruments, review of administrative charges
2 against officers and employees of the Authority, members of the top
3 management of the attached corporations and boards;
- 4 d) Conduct administrative investigation as well as the review of administrative
5 charges against officers and employees of the Authority, members of the top
6 management of the attached corporations and boards;
- 7 e) Exercise functional jurisdiction over the legal staffs of Regional Offices;
- 8 f) Establish standards for: water quality; design and construction of facilities;
9 optimum selection of equipment, materials and supplies; procedures for
10 operations and maintenance of water and sewer equipment and facilities;
11 training of personnel; organization; uniform accounting system; tariffs;
- 12 g) Review all water rates or charges;
- 13 h) Manage the financial assistance available and granted to LWDs, RWSAs and
14 other qualified water utilities; and
- 15 i) Maintain a databank for water quantity and quality of all water resources,
16 including ground water and or surface water resources being used by water
17 utilities, power utilities, sewage facilities, sanitation facilities, and irrigation
18 cooperatives and organizations and a databank for relevant information of all
19 these organizations as well.

20 **SEC. 15. *Water Resources Regional Offices.*** – The Water Resources Regional
21 Offices, organized per water resources region shall be responsible for implementing the
22 mandates, powers and duties of the Authority at the field level, except for policy-making
23 which will be vested solely with the Central Office. For this purpose, the duties and
24 responsibilities of the WRRO shall be as follows:

- 25 a) Formulate or update and coordinate the river basin master plans for river basins within
26 its jurisdictions ensuring consistency with the National Water Resources Management
27 Master Plan;
- 28
- 29 b) Evaluate the planning, design, and work supervision functions of the Authority
30 for the water infrastructures within the region;
- 31
- 32 c) Ensure the implementation of laws, policies, programs, rules and regulations
33 regarding the abovementioned infrastructure as well as public and private
34 physical structures;
- 35
- 36 d) Provide technical assistance related to the water-related functions of other
37 agencies within the region especially the local government;

- 1
2 e) Coordinate with other departments, agencies, institutions and organizations,
3 especially local government units within the region in the planning and
4 implementation of the river basin master plans;
5
6 g) Conduct continuing consultations with the local communities, take appropriate
7 measures to make the services responsive to the Central Office and recommend
8 such appropriate actions as may be necessary; and
9
10 h) Perform such other related duties and responsibilities as may be assigned or
11 delegated by the Administrator or as may be required by law.

12 **SEC. 16. *Regional Director.*** – Each Regional Office shall be headed by a Regional
13 Director who shall be responsible for efficiently and effectively carrying out the duties
14 and responsibilities of the Office. He shall also perform such other related duties and
15 responsibilities as may be assigned or delegated by the Administrator or as may be
16 required by law.

17 The Regional Director shall be assisted by two (2) Assistant Water Resources
18 Regional Office Directors who shall exercise supervision respectively over (1) the
19 planning, project design and evaluation function and (2) the construction, maintenance,
20 and works supervision functions in the region.

21 **SEC. 17. *Comptrollership and Financial Management Service.*** – The
22 Comptrollership and Financial Management Service is hereby created to provide the
23 Authority with coordinated services relating to financial systems and procedures,
24 budget, cash, accounting and all financial housekeeping matters. For such purposes, it
25 shall have the following functions:

- 26 a) Advise the Administrator on all matters relating to the accounting of government
27 expenditures and receipts, budgeting and cash management, project finances
28 and financial systems and procedures;
29
30 b) Prepare budget proposals and pursue formal budget authorizations, undertake
31 budget execution, and prepare and submit all appropriate reports to the proper
32 offices;
33
34 c) Develop and maintain accounting, financial and assets management systems,
35 procedures and practices in the Authority;
36
37 d) Review and appraise systems and procedures, organizational structure, assets
38 management practices, accounting, and other records, reports, ad performance
39 standards such as budgets and standard costs of the Authority, bureaus, and
40 regional offices;
41

1 e) Provide assistance in its area of specialization to any unit of the Authority and,
2 when requested, to government corporations and councils attached to the
3 Authority; and
4

5 f) Perform such other related duties and responsibilities as may be assigned or
6 delegated by the Administrator or as may be required by law.
7
8

9 **SEC. 18. Resource Regulation Service.** – The Resource Regulatory Service is
10 hereby created to provide the Authority with services on resource regulation of all
11 water-related services and activities. For such purposes, it shall have the following
12 functions:
13

14 a) Advise the Administrator on all matters relating to resource regulations;

15 b) Determine, grant and regulate water rights for the appropriate, optimal and sustainable
16 use of surface and ground water;

17 c) Determine, evaluate and grant waterworks and sewerage franchises;

18 d) Investigate violations of the water rights and the Water Code and impose the
19 appropriate sanctions in accordance with existing laws, rules and regulations as
20 well as future rules and regulations which the Authority will promulgate;
21

22 e) Adjudicate water use conflicts; and

23 f) Perform such other related duties and responsibilities as may be assigned or
24 delegated by the Administrator or as may be required by the law.
25

26 **SEC. 19. Internal Audit Office.** – The Internal Audit Office is hereby created for
27 the purpose of conducting comprehensive audit of various activities of the Authority
28 and will report directly to the Administrator. Specifically, it shall have the following
29 functions:

30 a) Advise the Administrator on all matters relating to management control and
31 operations audit;
32

33 b) Conduct management and operations performance audit of activities and units
34 and determine as to the degree of compliance with established objectives,
35 policies, standards, methods and procedures, government regulations and
36 contractual obligations of the Authority;
37

38 c) Review and appraise systems and procedures, organizational structure, assets
39 management practices, accounting and other records, and performance

1 standards (such as budgets and standard costs) of the Authority, Divisions, and
2 Regional Offices;

3
4 d) Analyze and evaluate management deficiencies and assist top management to
5 solve problems by recommending realistic courses of action; and

6
7 e) Perform such other related duties and responsibilities as may be assigned or
8 delegated by the Administrator or as may be required by law.
9

10 **SEC. 20. Public Affairs Office.** – The Public Affairs Office is hereby created for
11 the purpose of enhancing government relations with all stakeholders including the
12 media. It shall ensure that women, men, older people and people with disabilities will
13 be consulted, organized and can take active part in all aspects of water resources
14 development and management activities. The office will also lead the planning and
15 organizing of the special events of the Authority. For such purposes, it shall have the
16 following functions:

17 **A. Public Awareness**

18 a) Advise the Administrator on matters pertaining to public affairs services;

19 b) Develop and supervise the implementation of communications programs to
20 have relevant policies, programs and plans of the Authority understood by
21 the public;

22 c) Produce and supervise the dissemination of communication materials in line
23 with the priorities of the Authority and the national government public
24 information programs;

25 d) Conduct public opinion and attitude surveys to identify the interests and
26 concerns of key groups served by the Authority;

27 e) Establish editorial policies on print and broadcast media;

28 f) Establish and maintain linkages with the tri-media and presence in social
29 media;

30 g) Coordinate the conduct of interviews and news conferences;

31 h) Act as spokesperson for the Authority;

32 i) Coordinate with various departments, concerned government agencies, tri-
33 media and other stakeholders on matters related to the above-enumerated
34 functions;

- 1 j) Coordinate with the appropriate national government agencies tasked with
2 public information affairs;

3 B. Promoting Participation.

- 4 a) Conduct public consultations and discussions;
5
6 b) Develop and disseminate relevant and appropriate materials and programs
7 for public information and education, as well as advocacy campaign;
8
9 c) Conduct seminars and workshops involving the LGUs and the general public
10 on current water issues and problems;
11
12 d) Conduct capability building seminars of various stakeholders to promote
13 meaningful participation in the Authority's policy making, planning,
14 development and implementation of various programs and projects.

15 C. Special Events

- 16 a) Coordinate the organization and promotion of special events and water
17 exhibits;
18
19 b) Act as the focal point for all water related events.
20
21 c) Perform such other related duties and responsibilities as may be assigned or
22 delegated by the Administrator or as may be required by law.
23
24
25

26 **SEC. 21. Pollution Adjudication Board.** – There is hereby created a Pollution
27 Adjudication Board under the Authority. The Board shall be composed of the
28 Administrator as Chairman, two (2) Undersecretaries as may be designated by the
29 Secretary, the Director of Water Quality Management Bureau and three (3) other
30 representatives from other stakeholders to be designated by the Administrator as
31 members. The Board shall assume the powers and functions of the
32 Commission/Commissioners of the National Pollution Control Commission with respect
33 to the adjudication of water pollution cases under Republic Act No. 3931, Presidential
34 Decree 984, particularly with respect to Section 6 letters e, f, g, j, k and p of the P.D.
35 984 and RA 9275. The Bureau of Water Quality Management shall serve as the
36 Secretariat of the Board. These powers and functions may be delegated to the field
37 officers of the Authority in accordance with rules and regulations to be promulgated by
38 the Board.

39 **SEC. 22. Divisions.** – Each Division shall be headed by a Director who shall be
40 responsible for efficiently and effectively carrying out the functions of the Division
41 concerned. The Director shall be assisted by one (1) Assistant Director.

1 **SEC. 23. *Division of Flood Control and Drainage.*** – The Division of Flood Control
2 and Drainage is hereby created to plan and design flood control and drainage structures
3 and facilities in accordance with technical standards, guidelines and manuals. For this
4 purpose, it shall have the following duties and responsibilities:

- 5 a) Formulate policy, strategies and programs on flood risk management in the
6 context of integrated flood management (IFM) which integrates water, land,
7 coastal zone and multi-hazard management. In integrating land-use planning
8 and water management, the Authority should harmonize and synthesize plans
9 to enable the sharing of information between land-use planning and water
10 management authorities. In integrating hazard management, a holistic approach
11 should be adopted so that IFM should be part of a wider risk or multi-hazard
12 management system (e.g., earthquake, landslides, fire, tsunami, etc.);
13
- 14 b) Integrate climate change and disaster risk reduction and management in policies
15 and plans;
16
- 17 c) Prepare master plans of flood management and drainage in river basins in
18 coordination with the concerned water resources region and river basin
19 organizations;
20
- 21 d) Prepare master plans of urban drainage in cities/municipalities;
22
- 23 e) Prepare feasibility studies of recommended measures in the master plans;
24
- 25 f) Plan and design structural measures for flood control and drainage;
26
- 27 g) Implement and/or collaborate with concerned agencies on the non-structural
28 measures;
29
- 30 h) Patrol and investigate rivers including the monitoring of stream flows;
31
- 32 i) Conduct post-disaster investigation and evaluation and damage assessment of
33 flood infrastructures after extreme events;
34
- 35 j) Conduct research and development on water and sediment-related disasters;
36
- 37 k) Develop design guidelines, criteria and standards on flood control and drainage
38 structures;
39
- 40 l) Provide technical assistance to other agencies, LGUs and other stakeholders;
41

1 m) Advise the Secretary on declaring flood control areas and recommend guidelines
2 for flood plain management plans in these areas in coordination with the
3 proposed Department of Disaster Resiliency; and
4

5 n) Perform such other related duties and responsibilities as may be assigned or
6 delegated by the Secretary or as may be required by law.
7

8 **SEC. 24. *Division of Water Quality Management.*** – The Division of Water Quality
9 Management is hereby created to supervise and control over all aspects of water quality
10 management to ensure the sustainability of the country's water resources and the
11 protection of the environment. It should take into account proper and integrated
12 treatment of freshwater and wastewater within the whole process. For this purpose, it
13 shall have the following duties and responsibilities:

14 a) Establish water quality guidelines for freshwater and coastal/marine waters as
15 basis for classifying water bodies in the country. Specifically, develop water
16 quality indices or composite metrics to measure of the quality status and health
17 of natural water bodies in relation to ecological integrity and function.
18

19 b) Establish effluent standards for point sources of pollution;
20

21 c) Establish internationally accepted procedures for sampling and analysis;
22

23 d) Prepare an integrated water quality management framework;
24

25 e) Prepare 10-year water quality management plans for each water quality
26 management area as part of the River Basin Master Plans and in support of the
27 National Water Resources Management Master Plan;
28

29 f) Classify groundwater sources and prepare a national groundwater vulnerability
30 map;
31

32 g) Classify or reclassify all water bodies according to their beneficial usages using
33 the established water quality guidelines established;
34

35 h) Issue permits, clearances and similar instruments pursuant to the Clean Water
36 Act of 2004;
37

38 i) Collect the wastewater discharge (EUF) fees for all permittees;
39

40 j) Monitor the compliance of water discharge permittees with the effluent
41 standards;
42

- 1 k) Regularly monitor the water quality of major water bodies in the country and
2 analyze the data to identify possible sources of pollution;
3
4 l) Issue notices of violations and/or cease and desist orders for those found in
5 violation;
6
7 m) File the needed cases against violators with the Pollution Adjudication Board;
8
9 n) Serve as secretariat of the PAB; and
10
11 o) Perform such other related duties and responsibilities as may be assigned or
12 delegated by the Administrator or as may be required by law.

13
14 **CHAPTER III**
15 **INNOVATION AND NEW TECHNOLOGY**
16

17 **SEC. 25. *General Registration and Operational Benefits and Incentives.*** – Host
18 agencies shall be authorized to provide the following benefits and incentives to who
19 will be able to develop a new technology or innovate an existing one that will be
20 beneficial to the conservation, preservation, and management of water resources:
21

22 (a) Full or partial subsidy for the registration and cost in the application and
23 processing of permits and certificates required for the business registration and
24 operation of an enterprise with the appropriate local or national government
25 agencies;
26

27 (b) Endorsement of the host agency for the expedited or prioritized processing
28 of applications with other government agency;
29

30 (c) Full or partial subsidy for the use of facilities, office space, equipment, and/or
31 services provided by government or private enterprises or institutions;
32

33 (d) Full or partial subsidy in the use of repurposed government spaces and
34 facilities of the host agency as the registered business address; and
35

36 (e) Grants-in-aid (GIA) for research, development, training, and expansion
37 projects.
38

39 **SEC. 26. *General Benefits for Participation in Local and International Events.*** -
40 Host agencies shall be authorized to provide the following benefits and incentives in
41 order to support developers and innovators of water management resources who have

1 passed their respective selection and application process for the purpose of
2 participating in local or international events or competitions:

3
4 (a) Endorsement of the host agency for the expedited or prioritized processing
5 of travel documents, such as, but not limited to, passport and/or visa application;

6
7 (b) Full or partial subsidy for fees and charges incurred in the application for
8 pertinent travel documents;

9
10 (c) Full or partial subsidy for baggage allowance for materials, equipment, and/or
11 products pertinent to the participation in the local or international event:

12
13 (d) Full or partial airfare subsidy for roundtrip airfare; and/or

14
15 (e) Per diem allowance.

16
17 **CHAPTER IV**
18 **TRANSITORY PROVISIONS**

19
20 **SEC. 27. *Interface with Other Sector Regulators.*** - The Authority is mandated to
21 coordinate with the different sector regulators as follows:

22 1) The Department of Health (DOH) shall continue to have primary authority and
23 responsibility for setting and enforcing drinking water quality standards. The
24 Authority shall coordinate with the DOH in this regard and shall ensure consistency
25 of standards and targets which it will set for compliance of permittees with the
26 DOH's mandated standards;

27
28 2) The Department of Environment and Natural Resources (DENR) shall continue to
29 have primary authority and responsibility for protecting the environment and
30 managing the country's watersheds;

31
32 3) The Department of Energy (DOE) and the National Power Corporation (NPC) shall
33 continue to have primary authority and responsibility for setting up and running
34 hydropower plants but will ensure that any hydropower plant development plans
35 are consistent with the National Water Development and Management Plan;

36
37 4) The Authority shall coordinate with the Department of Agriculture (DA) to ensure
38 agricultural development that reduces sources of long-term pollution for surface
39 water and groundwater, and agricultural and industrial economic development
40 that employs water efficiency, water recycling/reuse and the appropriate
41 treatment of wastewater;

1 5) The Authority shall coordinate with the National Disaster Risk Reduction
2 Management Council (NDRRMC) to ensure that its plans and designs for flood
3 control, flood risk management and drought risk management are aligned with
4 the objectives and plans of the Authority; and
5

6 6) The Authority shall absorb the responsibility from the Department of Interior and
7 Local Government (DILG) on the management and operation of water supply
8 systems of local government units.
9

10 **SEC. 28. *Transfer of Rights and Obligations.*** – The Authority shall, by virtue of
11 this Act, be subrogated to all the rights and assume all the obligations of the relevant
12 parts of any government agency or unit whose powers and duties have been
13 transferred to the Authority, including the DPWH, National Irrigation Administration
14 (NIA), National Water Resources Board (NWRB), Metropolitan Waterworks and
15 Sewerage System (MWSS), River Basin Control Office, Manila Bay Coordinating Office,
16 Local Water Utilities Administration (LWUA), Metro Manila Development Authority
17 (MMDA), Department of Environment and Natural Resources, the Department of
18 Interior and Local Government (DILG), Laguna Lake Development Authority, Pasig
19 River Rehabilitation Commission, the Water Resources Regional Offices, and all other
20 offices whose powers are transferred by this Act.
21

22 The transfer of powers and functions as provided in Sec. 18 of this Act, as may
23 be applicable, and its attached agencies thereto, shall take effect within one hundred
24 eighty (180) days from the effectivity of this Act. The foregoing transfer of powers and
25 functions shall include all applicable funds, personnel, records, property, and
26 equipment, as may be necessary. All offices shall continue to function under their
27 present mandates until transition is effected.
28

29 All rights and obligations of said government agencies are hereby transferred to
30 and assumed by the Authority and shall be acted upon in accordance with the rules and
31 regulations of the Commission on Audit and other pertinent laws, rules, and regulations.
32

33 **SEC. 29. *Separation from Service.*** – Employees separated from government
34 service as a result of this Act shall be entitled to the benefits that they may receive
35 under existing laws, rules, and regulations.
36

37 **SEC. 30. *Source of Fund.*** – The sum of two billion pesos (PhP
38 2,000,000,000.00) shall be set aside from available funds of the National Treasury, and
39 is hereby appropriated and authorized to be released for the organization of the
40 Authority and its initial operations. Thereafter, funds sufficient to fully carry out the
41 objectives, powers, and functions of the Authority shall be appropriated every fiscal
42 year in the General Appropriations Act.

1 The Authority shall submit its annual budget, which shall include, among others,
2 detailed information on the compensation and benefits received by their employees to
3 the Office of the President for approval.

4 **SEC. 31. *Repealing Clause.*** – All laws, orders, rules and regulations, or portions
5 thereof, inconsistent with this Act are hereby repealed or modified accordingly.
6

7 **SEC. 32. *Separability Clause.*** – If any provisions of this Act or the application of
8 such provision to any person or circumstances be declared unconstitutional, the
9 remainder of this Act or the application of such provision to other person or
10 circumstances shall not be affected by such declaration.

11 **SEC. 33. *Effectivity.*** – This Act shall take effect fifteen (15) days from the date
12 of its publication in the *Official Gazette* or in two (2) newspapers of general circulation.
13

Approved,