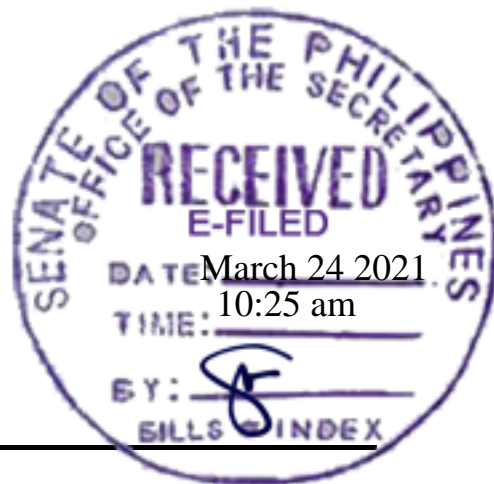


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )



**SENATE**  
**S.B. No. 2116**

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Introduced by **SENATOR IMEE R. MARCOS**

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**AN ACT CREATING THE METRO-DAVAO REGIONAL DEVELOPMENT  
AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS  
AND PROVIDING FUNDS THEREFOR**

**EXPLANATORY NOTE**

Section 1(1) of Article XII of the 1987 Philippine Constitution provides that "*The goals of the national economy are a more equitable distribution of opportunities, income, and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people; and an expanding productivity as the key to raising the quality of life for all, especially the underprivileged.*"

Section 1(3) of the same article further provides that "*In the pursuit of these goals, all sectors of the economy and all regions of the country shall be given optimum opportunity to develop. Private enterprises, including corporations, cooperatives, and similar collective organizations, shall be encouraged to broaden the base of their ownership.*"

Region XI, then known as Southern Mindanao, originally covered six (6) provinces: Compostela Valley, Davao del Norte, Davao del Sur, Davao Oriental, South Cotabato and Sarangani, and the cities of Davao, Digos, Panabo, Tagum, Samal, General Santos and Koronadal.

On September 2001, Executive Order No. 36 was enacted reorganizing the regions in Mindanao and renaming Region XI to Davao Region. The provinces of South Cotabato and Sarangani, and the cities of General Santos and Koronadal were transferred to Region XII.

Davao Region or Region XI now comprises five (5) provinces: Davao de Oro, Davao del Norte, Davao del Sur, Davao Oriental, and Davao Occidental. Based on 2015 Census of Population (POPCEN 2015) conducted by the Philippine Statistics Authority (PSA), Region XI has a total population of 4,893,318 people and comprises one highly urbanized city, five component cities, 43 municipalities, and 1,162 barangays.

On December 2020, Davao City Chamber of Commerce and Industry Inc. (DCCCII) President John Carlo Tria said that all business sectors in the region will see growth this 2021 as the country's economy recovers from the effects of the pandemic. He further emphasized that some of the growth drivers in the region will be its fruit exports. Davao Region is a known exporter of a variety of agricultural products like banana, coconut, cacao, durian, and livestock, among others. The continued growth of the agriculture sector gives optimism to the region's economy.

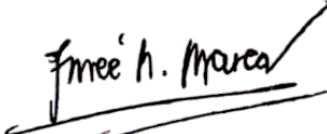
Davao Region's inflation of 1.3 percent in January 2021 was relatively lower than the same month of the previous year at 2.2 percent. According to the National Economic Development Authority (NEDA) Davao, amidst the debilitating impact of the pandemic on the economy, approved investment pledges registered in the Davao Region increased to PhP 2.4 billion in the second quarter of 2020, or higher by 79.29 percent as compared to PhP 497 million reported in the same quarter last year.

With a huge promising development ahead of the region, it is but fitting for the government to step in and help the region reach its goal especially in implementing the Davao Regional Development Plan 2017-2022 by establishing the region as a metropolitan center and a major contributor to Mindanao's development and economic contribution to the entire country.

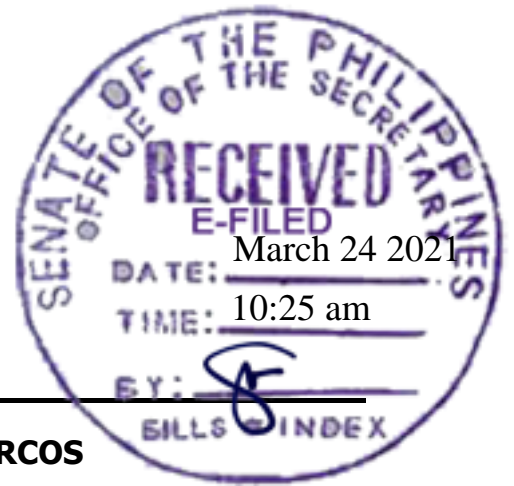
This bill seeks to create the Metro-Davao Regional Development Authority (MDRDA) as part of the Overall Spatial Strategy to develop the Comprehensive Outcomes for Rural Empowerment (C.O.R.E) growth in the region. The provinces, cities, and municipalities within the Davao region whole-heartedly cooperate with one another, fully embracing the ideas of consolidation and inter-LGU cooperation as constituted and institutionalized in the Davao Integrated Development Plan (DICP).

This bill also seeks the creation of a Network of Growth Centers, which is aligned with the Philippine Development Plan for 2017-2022, and will pursue a thorough rural empowerment program that will complement urban growth centers in terms of productivity and production of raw materials, and ensure dispersal of economic opportunities to prevent overcrowding in urban areas, and other related problems. Rural areas will be developed for economic and industrial prosperity, as well as for border and territorial security.

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

  
**IMEE R. MARCOS**

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

1           **SECTION 1. Short Title.** – This Act shall be known as the "*Metro-Davao Regional*  
2           *Development Authority Act*".

3           **SEC. 2. Declaration of Policy.** – It is the policy of the State to adopt measures to  
4           provide a better future to Filipinos throughout the country by boosting countryside  
5           development.

6           The Davao Region has a strategic role as a metropolitan center which is  
7           recognized as a critical factor in Mindanao's development and economic contribution  
8           to the country's national growth. The provinces and their respective local government  
9           units (LGUs) embrace the concept of consolidation and cooperation to adopt a  
10          Comprehensive Outcomes for Rural Empowerment (C.O.R.E.) growth strategy to  
11          promote connectivity and development of the region, as well as to establish a  
12          sustainable and cohesive regional plan for the Davao region. As such, the provinces  
13          of Davao de Oro, Davao del Norte, Davao del Sur, Davao Occidental and Davao  
14          Oriental, and the cities and municipalities therein, as well as Davao City, shall  
15          henceforth be constituted as a special development and administrative region, which  
16          shall be known as the Metro-Davao Region.

17          Within the framework and subject to the mandate and limitations of the  
18          Constitution, the Metro-Davao Region shall be developed into a sustainable, industrial,  
19          commercial, financial and investment center, to generate employment opportunities  
20          in the region and to attract and promote productive local and foreign investments.

21          **SEC. 3. Creation of the Metro-Davao Region Development Authority.** – The  
22          Metro-Davao Region Development Authority, herein after referred to as the MDRDA,  
23          is hereby created to oversee and administer the delivery of basic urban services  
24          requiring coordination among the different local government units within the Metro-

1 Davao Region. These basic urban services shall include, among others: land use,  
2 planning and zoning; traffic management; public safety; urban development and  
3 renewal; management and control of local government efforts during calamities and  
4 emergencies affecting public welfare and safety; and sanitation and waste  
5 management.

6 The MDRDA shall perform planning, monitoring and coordinative functions, and  
7 in the process, exercise regulatory authority and control over the delivery of metro-  
8 wide services within the Metro-Davao Region, without diminution of the autonomy of  
9 the local government units concerning matters beyond the ambit of the scope of the  
10 MDRDA's Services as provided for in the succeeding section.

11 **SEC. 4. Scope of MDRDA Services.** – The services under the jurisdiction of the  
12 MDRDA are those services which have metro-wide impact and which transcend legal  
13 and political boundaries, or which entail expenditures which the individual LGUs which  
14 compose the Metro-Davao Region would not be able to undertake on their own. These  
15 services include:

16 A. Development planning, which includes the preparation of medium and long-  
17 term development plans which shall govern the development of the LGUs within the  
18 Metro-Davao region, the evaluation and packaging of projects; investment  
19 programming, inward investment promotion and coordination, and monitoring of  
20 plans, programs and project implementation;

21 B. Uniform transport and traffic management, which includes the formulation,  
22 coordination and monitoring of policies, standards, programs and projects to  
23 rationalize existing transport operations, infrastructure requirements, the use of  
24 thoroughfares, and promotion of safe and convenient movement of persons and goods  
25 within the Metro-Davao Region; provision of a mass transport system within the  
26 Metro-Davao Region and the establishment of a system to regulate road users;  
27 administration and implementation of all traffic enforcement operations, traffic  
28 engineering services and traffic education programs, including the establishment of a  
29 single ticketing system in the Metro-Davao Region.

30 C. Solid waste disposal and management, which include formulation, and  
31 implementation of policies, standards, programs, and projects for proper and sanitary  
32 waste disposal. It shall likewise include the establishment and operation of sanitary  
33 landfill and related facilities, and the implementation of other alternative programs  
34 intended to reduce, reuse, and recycle solid waste.

35 D. Flood control and sewerage management, which include the formulation and  
36 implementation of policies, standards, programs and projects for an integrated flood  
37 control, drainage, and sewerage system.

38 E. Urban renewal, zoning, land use planning, and shelter services which  
39 includes the formulation, adoption and implementation of policies, standards, rules

1 and regulations, programs and projects to rationalize and optimize urban land use and  
2 provide direction to urban growth and expansion, the rehabilitation and development  
3 of slum and blighted areas, the development of shelter and housing facilities and the  
4 provision of necessary social services for the inhabitants of the Metro-Davao region.

5 F. Health and sanitation, urban protection and pollution control which include  
6 the formulation and implementation of policies, rules and regulations, standards,  
7 programs and projects for the promotion and safeguarding of the health and sanitation  
8 of the region and for the enhancement of ecological balance and the prevention,  
9 control and abatement of environmental pollution.

10 G. Public safety, which includes the formulation and implementation of  
11 programs and policies and procedures to achieve public safety, especially  
12 preparedness for preventive or rescue operations during times of calamities and  
13 disasters such as conflagrations, earthquake, flood and tidal waves; and mobilization  
14 of resources and the implementation for rehabilitation and relief operations in  
15 coordination with national agencies concerned.

16 H. Formulate, in consultation with the National Economic Development  
17 Authority and other national government agencies, the creation of developmental  
18 centers for tourism, agriculture, manufacturing, industrial parks, learning, finance,  
19 trade and commerce, tertiary and specialized health services, administration, real  
20 estate, as well as other zones that will contribute to the growth and advancement of  
21 the region.

22 I. Implementation of all policies, projects and programs for the economic  
23 development of the metro-Davao Region.

24 **SEC. 5. *Functions of the MDRDA.*** – The MDRDA shall exercise the following  
25 functions:

26 A. Formulate and create, in six year intervals, a comprehensive and detailed  
27 development plan for the Metro-Davao Region (Metro-Davao Region Development  
28 Plan), which shall embody a list of projects in accordance with the Philippine  
29 Development Plan and in consultation with NEDA and the LGUs that compose the  
30 Metro-Davao region;

31 B. Ensure that all other programs and projects for implementation in the  
32 Metro- Davao region are aligned with the Metro-Davao Region Development Plan;

33 C. Prepare, implement and manage Metro-Davao wide programs and projects  
34 for the delivery of specific services under its jurisdiction;

35 D. Formulate, prepare, implement, and manage programs and plans which  
36 would advance the development of the Metro-Davao Region and uplift the standard  
37 of living of individuals therein;

1 E. To designate priority development areas in the Metro-Davao region, in  
2 accordance with the Metro-Davao Region Development Plan, and plan and implement  
3 projects therein;

4 F. To designate and implement priority infrastructure projects in the Metro-  
5 Davao region, in coordination with the national agencies concerned and the LGUs in  
6 which such projects shall be undertaken;

7 G. Establish a mechanism for conducting consultations with LGUs within its  
8 jurisdiction on plans, programs and projects within the Metro-Davao region;

9 H. Monitor the implementation of region-wide programs and projects, and  
10 identify implementation issues and appropriate solutions to address them;

11 I. Plan and undertake the relocation or resettlement of inhabitants of any LGU  
12 within its jurisdiction, as may be deemed necessary and beneficial by the MDRDA, in  
13 coordination with the affected LGUs;

14 J. Adopt and implement measures and standards for environmental pollution  
15 control of all areas within its territory;

16 K. Prescribe and collect uniform service and regulatory fees, as well as impose  
17 and collect uniform fines and penalties; and

18 L. Perform other functions, subject to approval by the Metro-Davao Regional  
19 Development Council.

20 **SEC. 6.** *Composition of the Metro-Davao Regional Development Authority.* – The  
21 governing board and policy making body of the Metro-Davao Regional Development  
22 Authority shall be the Metro-Davao Regional Development Council, herein referred to  
23 as the Council, composed of the Chairperson of the Regional Development Council XI,  
24 city mayor of Davao City, and the governors of the provinces of Region 11, specifically  
25 governors for Davao de Oro, Davao del Norte, Davao del Sur, Davao Occidental, and  
26 Davao Oriental.

27 The heads of the following Davao Regional Offices of national government  
28 agencies shall attend all meetings of the Council as non-voting member:

- 29 a) Department of Public Works and Highways (DPWH);
- 30 b) Department of the Interior and Local Government (DILG);
- 31 c) Department of Environment and Natural Resources (DENR);
- 32 d) Department of Information and Communications Technology (DICT);
- 33 e) Department of Energy (DOE);
- 34 f) Department of Tourism (DOT);
- 35 g) Land Transportation Office (LTO); and

1 h) Philippine National Police (PNP) Regional Office.

2 The Council shall be led by a Chairperson and Vice-Chairperson, both shall be  
3 elected from among its members, to serve for a term of three (3) years each. The  
4 Chairperson shall be assisted by the following:

5 a) General Manager

6 b) Assistant General Manager for Finance and Administration, who shall be a  
7 Chartered Financial Analyst or a Certified Public Accountant

8 c) Assistant General Manager for Planning, who shall be have obtained a  
9 degree in Environmental Planning or its equivalent and

10 d) Assistant General Manager for Operations

11 All of whom shall be appointed by the President of the Philippines upon  
12 recommendation of a majority of the Council, subject to civil service laws, rules, and  
13 regulations. The abovementioned officers shall enjoy security of tenure and may only  
14 be removed for cause in accordance with law.

15 The chairperson and members of the Council are entitled to allowances and per  
16 diems in accordance with relevant policies, rules, and regulations.

17 **SEC. 7. Functions of the MDRDC.** – The Council is the policy-making body of the  
18 MDRDA and shall exercise the following functions:

19 A. Approve plans, programs, and projects, and issue rules and regulations  
20 deemed necessary by the MDRDA to carry out the purposes of this Act;

21 B. Increase the rate of allowances and per diems of the members of the  
22 Council to take effect during the term of the succeeding Council. It shall fix the  
23 compensation of the officers and personnel of the MDRDA, and approve the annual  
24 budget of the MDRDA for submission to the Department of Budget and Management  
25 (DBM);

26 C. Recommend investment programming for its plans and programs, as well  
27 as supervise the implementation of plans and programs which includes the formulation  
28 and coordination of its related activities;

29 D. Promulgate rules and regulations, as well as set policies and standards for  
30 the delivery of basic services;

31 E. Prescribe service and regulatory fees, and set fines and penalties;

32 F. Formulate programs and policies to create developmental centers for  
33 tourism, agriculture, manufacturing and industry, learning, finance, trade and  
34 commerce, tertiary and specialized health services, administration, real estate, and  
35 other zones that will contribute to the growth and advancement of the region;

36 G. Endorse the annual and supplemental budgets of the MDRDA; and

1 H. Perform such other acts and assume such other functions as may be  
2 necessary to carry out the provisions of this Act.

3 **SEC. 8. *Functions of the Chairperson.*** – The Chairperson shall exercise the  
4 following functions:

5 A. Appoint, subject to civil service laws, rules and regulations, al subordinate  
6 officers and employees, who shall enjoy security of tenure and may be removed only  
7 for cause in accordance with law. The Chairperson is authorized to engage the services  
8 of experts or consultants, either on a full time or part-time basis, as may be required  
9 in the performance of the chairperson’s functions and duties

10 B. Execute the policies and measures approved by the Council and be  
11 responsible for the efficient and effective day-to-day management of the operations  
12 of the MDRDA;

13 C. Prepare the annual budget for the operations of the MDRDA for submission  
14 to the Council;

15 D. Submit for consideration of the Council such other duties and measures as  
16 the Chairperson may deem necessary to carry out the purposes and provisions of this  
17 Act;

18 E. Subject to the guidelines and policies set by the Council, prepare the  
19 staffing pattern and fix the number of subordinate officials and employees of the  
20 MDRDA, and exercise the power to discipline subordinate officials and employees  
21 under the provisions of law;

22 F. Prepare an annual report on the accomplishments of the MDRDA at the  
23 close of each calendar year for submission to the Council and to the President of the  
24 Philippines; and

25 G. Perform such other duties as may be assigned to him by the President of  
26 the Philippines or by the Council.

27 **SEC. 9. *Functions of the General Manager.*** – The General Manager shall exercise  
28 the following functions:

29 A. Assist the chairperson in the administration of the MDRDA and supervision  
30 of subordinate personnel;

31 B. Assist the chairperson in the supervision of the operation of the various  
32 operating centers and units of MDRDA;

33 C. Assist the chairperson in the review of plans and programs for the MDRDA  
34 and for the cities and municipalities in the preparation of the annual report of activities  
35 and accomplishments of the MDRDA; and

36 D. Perform such other duties and functions as may be lawfully delegated or  
37 assigned by the chairperson from time to time.



1           **SEC. 10. *Institutional Linkages of the MDRDA.*** – The MDRDA shall, in carrying  
2 out its functions, consult, coordinate and work closely with the LGUs, the Regional  
3 Development Council for Region XI and other national government agencies, people’s  
4 organizations, non-government organizations, and the private sector operating in the  
5 Metro-Davao Region. The MDRDA shall have amaster plan that shall serve as the  
6 framework for the local development plans of the component provinces and LGUs,  
7 which local development plans shall, at al times, be aligned with the Metro-Davao  
8 Regional Development Program (MDRDP). In case of conflict between the MDRDP and  
9 the local development plans of the component provinces and LGUs of the Metro-Davao  
10 region, the former shall prevail.

11           The MDRDA shall submit the Council’s approved development plans and  
12 investment programs to the Regional Development Council XI for integration in the  
13 DRDP and public investment program. The implementation of the MDRDA’s plans,  
14 programs, and projects shall be undertaken by the provinces, LGUs, concerned  
15 national government agencies, people’s organizations, non-government organizations,  
16 private sector, and the MDRDA itself, when appropriate. For this purpose, the MDRDA  
17 may enter into contracts or memoranda of agreement with these bodies for the  
18 delivery of the required services within Metro-Davao Region.

19           The MDRDA shall, in coordination with the National Economic and Development  
20 Authority (NEDA) and Department of Finance (DOF), interface with foreign assistance  
21 agencies for purposes of obtaining financing support, grants, and donations in support  
22 of its programs and projects.

23           **SEC. 11. *Sources of Funds and Operating Budget of the MDRDA.*** –

24           A. To carry out the purposes of this Act, the amount of Five (5) Billion pesos  
25 (P 5,000,000,000) is hereby authorized to the appropriated for the initial operation of  
26 the MDRDA. Thereafter, the annual expenditures including capital outlays of the  
27 MDRDA shall be provided in the General Appropriations Act.

28           B. The MDRDA is likewise empowered to levy fines and impose fees and  
29 charges for various services rendered, which charges shall be uniform throughout the  
30 Metro-Davao Region.

31           C. Five percent (5%) of the total annual gross revenue of the preceding year,  
32 net of the internal revenue allotment, of each local government unit mentioned in  
33 Section 3 of this Act, shall accrue and become payable monthly to the MDRDA by each  
34 city or municipality. In case of failure to remit the said fixed contribution, the DBM  
35 shall cause the disbursement of the same to MDRDA chargeable against the IRA  
36 allotment of the city or municipality concerned, the provisions of Section 286 of RA  
37 7160, as amended, otherwise known as the “Local Government Code of 1991”, to the  
38 contrary notwithstanding.

1           **SEC. 12. *Transitory Provisions.*** – To prevent disruption in the delivery of basic  
2 urban services pending the full implementation of the MDRDA’s organizational  
3 structure and staffing pattern, all officials and employees of the provinces and LGUs  
4 shall continue to exercise their duties and functions and receive their salaries and  
5 allowances until they shall have been given notice of change of duties and functions,  
6 and of being transferred to another office or position.

7           The civil service laws, rules, and regulations pertinent to the displacement of  
8 personnel affected by this Act shall be strictly enforced. The National Government  
9 shall provide such amount as may be necessary to pay the benefits accruing to  
10 displace employees at the rate of one and one-fourth (1-1/4) months salary for every  
11 year of service: *Provided*, that is qualified for retirement under existing retirement  
12 laws, said employees may receive the benefits thereunder.

13           **SEC. 13. *Separability Clause.*** – If, for any reason or reasons, any part or  
14 provision of this Act shall be declared as unconstitutional or invalid, the other parts or  
15 provisions hereof which are not affected thereby shall continue to be in full force and  
16 effect.

17           **SEC. 14. *Repealing Clause.*** – All provisions of existing laws, orders, rules and  
18 regulations or parts thereof which are in conflict or inconsistent with the provisions of  
19 this Act are hereby repealed, amended or modified accordingly.

20           **SEC. 15. *Effectivity.*** – This act shall take effect fifteen (15) days after its  
21 publication in the *Official Gazette* or in two (2) newspaper of general circulation.

*Approved,*