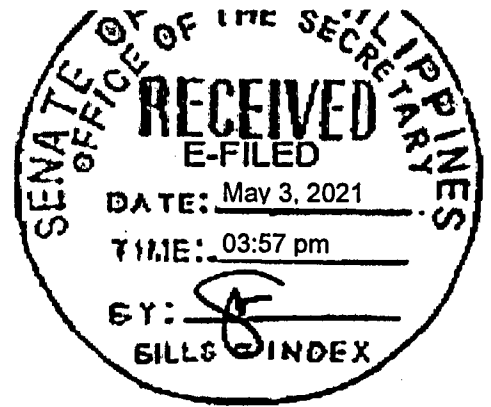


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )

SENATE  
Senate Bill No. 2153



---

INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

---

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

**EXPLANATORY NOTE**

The Updated Philippine Development Plan 2017-2022 stressed that metropolitan center provides higher forms of economic services and facilities, including innovation and advanced services, culture and tourism, education and research, transportation and trade, manufacturing and technology development.

Currently, Metro Manila, Metro Cebu and Metro Davao are the three major metropolitan centers in the country. Metro Davao is composed of Davao City and encompasses the nearby provinces of Davao de Oro, Davao del Norte, Davao Oriental, Davao del Sur and Davao Occidental. It is considered as Mindanao's "major international gateway and the center of commerce and education". With a population of more than 2.5 million (2015 Census), Metro Davao was initially organized by President Rodrigo Duterte during his stint as mayor of Davao City in 1995. With the continuing economic growth and expansion of local governments within Metro Davao, an institutionalized metropolitan level management is needed to harness its full economic potential and sustained development.

Fostering synergy and harmony of developmental plans between national and local governments will guarantee constancy and efficient public service delivery. In

line with this, the proposed measure aims to create the Metropolitan Davao Development Authority (MDDA) which will be mandated to formulate plans aligned to the Davao Region Development Plan (DRDP) and Philippines Development Plan 2017-2022; set and implement policies on transport management, solid waste disposal, urban renewal, zoning, land use planning, and shelter service, health and sanitation, urban protection, and pollution control, public safety and other metropolitan wide programs and project.

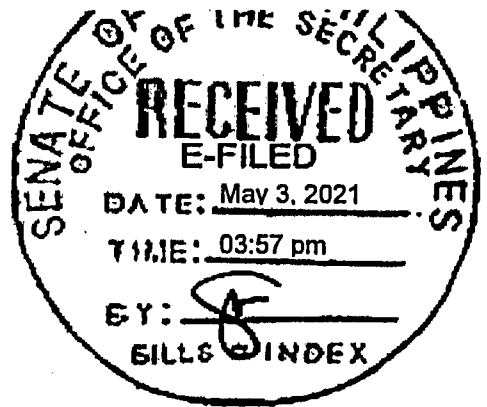
The objective of this bill was affirmed in the Updated Philippine Development Plan 2017-2022 which declared that the institutionalization of the Metropolitan Davao Development Authority (MDDA) will 'strengthen the coordination among the component cities and municipalities in the planning, implementation and monitoring of priority projects.'

Hence, the early passage of this bill is earnestly sought.



**SENATOR RONALD "BATO" DELA ROSA**

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



SENATE  
Senate Bill No. 2153

---

INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

---

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

*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 "Metropolitan Davao  
2 Development Authority Act".
- 3           Sec. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to  
4 adopt a national dispersion through regional agglomeration strategy to revitalize large  
5 cities and eventually stir them to expand their physical areas for planning as well as  
6 their service areas for urban service delivery. Considering the rapid urbanization of  
7 Davao City and increasing population of the cities of Panabo, Tagum, and the Island  
8 Garden City of Samal (IGaCoS), in Davao del Norte; the City of Digos in Davao del  
9 Sur; and the City of Mati in Davao Oriental, and the spatial, functional, and economic  
10 interdependence of these cities with the municipalities of Sta. Cruz in Davao del Sur,  
11 Carmen in Davao del Norte, Maco in Davao de Oro, and Malita in Davao Occidental, it  
12 is likewise hereby declared the policy of the State to consider these local government  
13 units (LGUs) as a special development and administrative region, to be known as  
14 Metropolitan Davao.
- 15           Sec. 3. *Creation of the Metropolitan Davao Development Authority.* - There is  
16 hereby created a special body to be known as the Metropolitan Davao Development  
17 Authority, hereinafter referred to as "MDDA", which shall be organized within thirty

1 (30) days after the approval of this Act, to coordinate and promote socio- economic  
2 growth and sustainable development of Metropolitan Davao. The MDDA shall execute  
3 the powers and functions herein vested which shall, however, in no way diminish the  
4 autonomy of the LGUs of Metropolitan Davao concerning purely local matters, within  
5 the framework and subject to the mandate and limitations of the Constitution and the  
6 pertinent provisions of Republic Act No. 7160, otherwise known as the "Local  
7 Government Code of 1991."

8       **Sec. 4. *Jurisdiction of the Metropolitan Davao Development Authority.*** - For the  
9 purposes of this Act, the MDDA shall have jurisdiction over Davao City; the cities of  
10 Panabo, Tagum, and the Island Garden City of Samal (IGaCoS), in Davao del Norte;  
11 the City of Digos in Davao del Sur; the City of Mati in Davao Oriental; and the  
12 municipalities of Sta. Cruz in Davao del Sur, Carmen in Davao del Norte, Maco in  
13 Davao de Oro, and Malita in Davao Occidental, and such other cities and municipalities  
14 as shall be created in the future within these LGUs as provided by law.

15       **Sec. 5. *Scope of MDDA Services.*** - The services of the MDDA are delivered  
16 across boundaries to multiple and often interdependent political entities whose  
17 activities impact each other significantly, and entail huge expenditures such that it  
18 would not be viable for said services to be provided by the individual LGUs. These  
19 services shall include:

- 20       (a) Development planning, which includes preparing medium- and long-term  
21 development plans; developing, evaluating and packaging of projects;  
22 investments programming; and coordinating and monitoring plans, program  
23 and project implementations;
- 24       (b) Transport management, which includes formulating, coordinating, and  
25 monitoring policies, standards, programs, and projects to rationalize the  
26 existing transport operations, infrastructure requirements, and promotion of  
27 safe and convenient movement of persons and goods; providing a mass  
28 transport system and instituting a system to regulate road users; administering  
29 and implementing all traffic enforcement operations, traffic engineering  
30 services and traffic education programs, including instituting a single ticketing  
31 system;

1 (c) Solid waste disposal and management, which includes formulating and  
2 implementing policies, standards, programs, and projects for proper and  
3 sanitary waste disposal. It shall likewise include establishing and operating a  
4 sanitary land fill and related facilities and implementing other alternative  
5 programs intended to reduce, reuse, and recycle solid waste; Flood control and  
6 sewerage management, which include formulating and implementing policies,  
7 standards, programs, and projects for an integrated flood control, drainage,  
8 and sewerage system;

9 (d) Urban renewal, zoning, land use planning, and shelter services, which include  
10 formulating, adopting and implementing policies, standards, rules, and  
11 regulations, programs, and projects to rationalize and optimize urban land use  
12 and provide direction to urban, growth and expansion, rehabilitating and  
13 developing slums and blighted areas, developing shelter and housing facilities,  
14 and providing necessary social services thereof;

15 (e) Health and sanitation, urban protection, and pollution control, which include  
16 formulating and implementing policies, rules and regulations, standards,  
17 programs, and projects for promoting and safeguarding health and sanitation  
18 to enhance ecological balance and prevent, control, and abate environmental  
19 pollution; and

20 (f) Public safety, which includes formulating and implementing programs, policies  
21 and procedure to achieve public safety, especially preparedness for preventive  
22 or rescue operations during times of calamity and disaster such as  
23 conflagration, earthquakes, flood, and coordinating and mobilizing resources  
24 and implementing contingency plans for rehabilitation and relief operations in  
25 coordination with national agencies concerned.

26 *Sec. 6. Functions of the Metropolitan Davao Development Authority.* - The  
27 MDDA shall exercise the following functions:

- 28 a. Formulate plans aligned to the Davao Region Development Plan (DRDP) and  
29 Philippines Development Plan 2017-2022;
- 30 b. Set policies concerning traffic, waste management, and public safety and  
31 security for Metropolitan Davao and coordinate, regulate, and enforce the

- 1 implementation of these programs and projects with concerned national  
2 government agencies and LGUs;
- 3 c. Prepare and implement or manage metropolitan-wide programs and projects  
4 for the delivery of specific services under its jurisdiction, subject to the approval  
5 to the Metropolitan Davao Development Council;
- 6 d. Review and recommend to the Metropolitan Davao Development Council  
7 policies regarding development permits for residential, commercial, or industrial  
8 purposes and other major land development that have metropolitan-wide  
9 impact on transportation and traffic, proposed to be implemented by or in the  
10 LGUs within Metropolitan Davao;
- 11 e. Monitor the implementation of metropolitan-wide programs and projects and  
12 identify implementation issues and appropriate solutions to address them;
- 13 f. Install and administer a single ticketing system, fix, impose, and collect fines  
14 and penalties for all kinds of violations of traffic rules and regulations, whether  
15 moving or non-moving in nature, and confiscate and suspend or revoke driver's  
16 licenses in the enforcement of such traffic laws and regulations;
- 17 g. Prescribe and collect services and regulatory fees, and impose and collect fines  
18 and penalties; and
- 19 h. Perform other functions, subject to approval by the Metropolitan Davao  
20 Development Council.

21 *Sec. 7. Metropolitan Davao Development Council.* - The governing board and  
22 policy making body of the MDDA shall be the Metropolitan Davao Development  
23 Council, herein referred to as the Council, which shall be composed of the Chairperson  
24 of the Regional Development Council, Region XI; the governors of the provinces of  
25 Davao Oriental, Davao de Oro, Davao del Norte, Davao del Sur, and Davao Occidental;  
26 the city mayors of Davao, Mati, Tagum, Digos, IGACoS, and Panabo; and the municipal  
27 mayors of Carmen, Sta Cruz, Maco, and Malita, who shall all serve in an ex officio  
28 capacity. The Chairperson of the Council shall be elected from among its members to  
29 serve for a term of three (3) years.

30 The heads of the following Davao regional offices of national government  
31 agencies shall attend all meetings of the Council as non-voting members: National  
32 Economic and Development Authority (NEDA); Department of Human Settlements and

1 Urban Development (DHSUD); Department of Public Works and Highways (DPWH),  
2 Department of the Interior and Local Government (DILG), Department of Environment  
3 and Natural Resources (DENR), Department of Health (DOH); Department of  
4 Information and Communications Technology (DICT), Department of Energy (DoE),  
5 Department of Tourism (DoT), Department of Transportation (DoTr); Land  
6 Transaction Office (LTO), and Philippine National Police (PNP).

7 The Chairperson and members of the Council, except ex officio members, are  
8 entitled to allowance and per diems in accordance with existing policies, rules, and  
9 regulations on the matter.

10 *Sec. 8. Functions of the Metropolitan Davao Development Council.* - The  
11 Council, as the policy-making body of the MDDA, shall exercise the following functions:

- 12 a. Approve plans, programs, and projects, and issue rules and regulations deemed  
13 necessary by the MDDA to carry out the purposes of this Act;
- 14 b. Subject to pertinent laws, policies, rules and regulations, increase the rate of  
15 allowances and per diems of the members of the Council to be effective during  
16 the term of the succeeding Council; fix the compensation of the officers and  
17 personnel of the MDDA in accordance with the Salary Standardization Law; and  
18 approve the annual budget of the MDDA for submission to the Department of  
19 Budget and Management (DBM);
- 20 c. Recommend investment programming for its plans and programs, as well as  
21 supervise the implementation of plans and programs which includes the  
22 formulation and coordination of its related activities;
- 23 d. Promulgate rules and regulations and set policies and standards for application  
24 governing the delivery of basic services, prescribe and collect service and  
25 regulatory fees, and impose and collect fines and penalties;
- 26 e. Endorse the annual as well as the supplemental budgets of the MDDA; and
- 27 f. Perform such other acts and assume such other functions as may be necessary  
28 to carry out the provisions of this Act.

29 *Sec. 9. Effectivity of Ordinances and Resolutions.* -

- 30 a. An ordinance or resolution passed by the Council, in the exercise of its rule-  
31 making power as provided in Section 8 hereof, shall be posted in a bulletin  
32 board at the entrance of the MDDA building and in at least two (2) other

1 conspicuous places in the office of the MDDA within ten (10) days from its  
2 approval and shall take effect fifteen (15) after such posting.

3 b. Ordinances with penal sanctions shall be published in a newspaper of general  
4 circulation within Metropolitan Davao and shall take effect fifteen (15) days  
5 thereafter.

6 *Sec. 10. Functions of the Chairperson of the Council.* - The Chairperson of the  
7 Council, herein referred to as the Chairperson, shall exercise the following functions:

- 8 a. Appoint, subject to civil service laws, rules and regulations, all subordinate  
9 officers and employees, who shall enjoy security of tenure and may be removed  
10 only for cause in accordance with law. The Chairperson is authorized to engage  
11 the services of expert or consultants either on full time or part-time basis, as  
12 may be required in the performance of the Chairperson's functions and duties;
- 13 b. Execute the policies and measures approved by the Council and be responsible  
14 for the efficient and effective day-to-day management of the operations of the  
15 MDDA;
- 16 c. Prepare the annual budget for the operations of the MDDA for the submission  
17 to the Council;
- 18 d. Submit for consideration of the Council such other duties and measures as the  
19 chairperson may deem necessary to carry out the purposes and provisions of  
20 this Act;
- 21 e. Subject to the guidelines and policies set by the Council, prepare the staffing  
22 pattern and fix the number of subordinate officials and employees of the MDDA  
23 in accordance with Civil Service laws, rules and regulations, and evaluation and  
24 approval of the DBM and exercise the power to discipline subordinate officials  
25 and employees under the provisions of law;
- 26 f. Prepare an annual report on the accomplishment of the MDDA at the close of  
27 each calendar year for submission to the Council and to the President of the  
28 Philippines; and
- 29 g. Perform such other duties as may be assigned by the President of the  
30 Philippines or by the Council.

31 The Chairperson, as head of the implementing arm of the MDDA, shall be  
32 assisted by a General Manager, an Assistant General Manager for Finance and



1 Administration, an Assistant General Manager for Planning, and an Assistant General  
2 Manager for Operations, all of whom shall be appointed by the President of the  
3 Philippines upon the recommendation of majority of the Council, subject to civil service  
4 laws, rules and regulation. These officials shall enjoy security of tenure and may be  
5 removed only for cause in accordance with law.

6 The Assistant General Manager for Planning must have at least five (5) years n  
7 extensive experience in development and planning or must hold a Master's degree in  
8 urban planning or similar disciplines.

9 Sec. 11. *Functions of the General Manager.* - The General Manager shall  
10 exercise the following functions:

- 11 a. Assist the Chairperson in the administration of the MDDA and supervision of  
12 subordinate personnel;
- 13 b. Assist the Chairperson in the supervision of the operation of the various is  
14 center and units of MDDA;
- 15 c. Assist the Chairperson in the review of plans and program for the MDDA and  
16 for the cities and municipalities in the preparation of the annual report of  
17 activities and accomplishments of the MDDA; and
- 18 d. Perform such other duties and functions as may be lawfully delegated or  
19 assigned by the Chairperson from time to time.

20 Sec. 12. *Institution Linkages of the MDDA.* - The MDDA shall, in carrying out  
21 its functions, consult, coordinate and work closely with the LGUs, the Regional  
22 Development Council of Region XI, and other national government agencies, people's  
23 organizations, non-government organizations, and the private sector operating in  
24 Metropolitan Davao. The MDDA shall adopt a master plan that shall serve as the  
25 framework for the local development plans of the component LGUs and aligned with  
26 the Davao Regional Development Plan (DRDP).

27 The MDDA shall submit the Council's approved development plans and  
28 investment programs to the Regional Development Council Region XI for integration  
29 into the plans, programs, and projects that shall be undertaken by the LGUs,  
30 concerned national government agencies, people's organizations, non-government  
31 organizations, private sector, and the MDDA itself where appropriate. For this purpose,

1 the MDDA may enter into contracts or memoranda of agreement with these bodies  
2 for the delivery of the required services within Metropolitan Davao.

3 The MDDA shall, in coordination with the NEDA and the Department of Finance  
4 (DOF), interface with foreign assistance agencies for the purpose of obtaining  
5 financing support, grants and donations in support of its programs and projects.

6 *Sec. 13. Sources of Funds and Operating Budget of MDDA.* - The amount  
7 necessary for the operations of the MDDA shall be included in the annual General  
8 Appropriations Act.

9 The operations of the MDDA shall likewise be supported through financial  
10 contributions and technical assistance from member LGUs, national government  
11 agencies and government-owned or controlled corporations (GOCCs) and the private  
12 sector, and other local and international organizations in the form of grants, donations,  
13 contributions, payments, penalties, fees and charges.

14 In case of grants, in cash or in kind, from foreign governments or their agencies  
15 and instrumentalities, or multilateral institutions or organizations, acceptance thereof  
16 shall be subject to prior clearance and approval of the Council and the President of  
17 the Philippines or the authorized representative, based on the recommendation of the  
18 Secretary of Finance. In case of donations, in cash or in kind, from foreign  
19 governments, acceptance thereof shall require prior clearance and approval by the  
20 Council and the President of the Philippines, or the authorized representative based  
21 on the recommendation of the Secretary of Foreign Affairs.

22 The MDDA is likewise empowered to levy fines, and impose fees and charges  
23 for various services rendered. The Council shall undertake continuing negotiations  
24 among the member LGUs and GOCCs to commit annual financial contributions for the  
25 operations of the MDDA.

26 *Sec. 14. Implementing Rules and Regulations.* - Within ninety (90) days from  
27 the approval of this Act, the Council shall promulgate the necessary rules and  
28 regulations for the implementation of this Act.

29 *Sec. 15. Separability Clause.* - If any part or provision of this Act is held  
30 unconstitutional or invalid, the other parts or provisions not affected shall remain in  
31 full force and effect.

1            **Sec. 16. *Repealing Clause.*** - All laws, decrees, executive orders, rules and  
2 regulations, parts or provisions thereof that are contrary to or inconsistent with the  
3 provisions of this Act are hereby repealed, amended, or modified accordingly.

4            **Sec. 17. *Effectivity.*** - This Act shall take effect fifteen (15) days after its  
5 publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*