

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SECRETARY

10 JUL 22 10:03

SENATE
S. No. **1893**

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 11, Section 15 provides:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

The Philippines is a country that is often hit by typhoons and other forms of heavy precipitation. This causes flooding in most parts of the country. There is a need to protect children who wander into culverts or drainage systems particularly when an area is flooded and the drainage system can hardly be seen.

This bill seeks to have a uniform standard of safeguards that will be required of all governmental entities. It will prevent accidents involving people who sustain injuries or even die by falling into culverts and other similar forms of drainage.¹

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Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the Thirteenth Congress, First Regular Session

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SENATE
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AN ACT
PROVIDING FOR SAFETY MEASURES FOR CULVERTS OR OTHER SIMILAR FLOOD
OR DRAINAGE SYSTEMS MAINTAINED BY GOVERNMENTAL ENTITIES

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

SECTION 1. *Short Title.* - This Act shall be referred to as the "The Culvert Safety Act."

SECTION 2. *Declaration of Policy.* - It is the policy of the State to promote the general welfare of the people. Pursuant to this policy, the State shall provide for safety measures for culverts or other similar flood drainage systems managed by governmental entities.

SECTION 3. *Duty of Governmental Entities.* - Every governmental entity shall:

(A) Ensure that the intake to each culvert or other enclosed flood or drainage system that the entity is responsible for maintaining is protected by a bar, grate, or other appropriate covering sufficient to ensure that a child may not be swept into the system;

(B) Ensure that a sign warning of the hazard for a child, including the danger for injury or drowning, is clearly posted at the intake to each culvert or other enclosed flood or drainage system that the entity is responsible for maintaining;

(C) Ensure that each culvert or other enclosed flood or drainage system that the entity is responsible for maintaining has a hinged opening or other type of opening and closing mechanism to permit emergency services personnel to access the system.

For purposes of this Act, the term culvert shall mean a sewer or drain crossing under a road or embankment, the part of a road or embankment that passes over such a sewer or drain, or the channel or conduit for such a sewer or drain.

1 SECTION 4. *Separability Clause.* - If any part or provision of this Act is held invalid or
2 unconstitutional, the other parts or provisions thereof shall remain valid and effective.

3 SECTION 5. *Repealing Clause.* - All laws, decrees, orders, proclamations, rules and
4 regulations or parts thereof, inconsistent with the provisions of this Act are hereby repealed,
5 amended or modified accordingly.

6 SECTION 6. *Effectivity Clause.* - This Act shall take effect fifteen (15) days from its
7 publication in at least two (2) newspapers of general circulation.

Approved,