

SENATE

S.B. No. 3092

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Introduced by Senator Ramon Bong Revilla, Jr.

EXPLANATORY NOTE

Section 1 of Article XIII of the 1987 Constitution provides that:

“The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good. x x x”

More than 126,230 families live in almost subhuman environment along esteros, under bridges, dump sites and other danger zones in Metro Manila, in which they are vulnerable to natural and man-made disasters. It should come as no surprise that these areas are characterized by limited access to basic services, no legal land tenure and insecure shelter generally on the least appealing plots of land.

A Filipino once said, “Social justice, for us Filipinos, means a coherent, intelligible system of law, made known to us, enacted by a legitimate government freely chosen by us, and enforced fairly and equitably by a courageous, honest, impartial, and competent police force, legal profession and judiciary, that: first, respects our rights and our freedoms both as individuals and as a people; second, seeks to repair the injustices that society has inflicted on the poor by eliminating poverty as rapidly as our resources and our ingenuity permit x x x.” (Jose W. Diokno, in his essay “A Filipino Concept of Justice” published in Solidarity magazine in 1983)

Let us advance social justice by providing habitable housing for the homeless. This act seeks to aid and alleviate the condition of the underprivileged and homeless citizens in areas adversely affected by the demolition of houses/dwellings along danger areas such as esteros, garbage dumps, riverbanks, shorelines, waterways and other public places such as sidewalks, roads, parks and playgrounds as well as the victims of disasters and calamities and those affected by government infrastructure projects.



RAMON BONG REVILLA, JR.
Senator

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Introduced by Senator Ramon Bong Revilla, Jr.

AN ACT PROVIDING FOR THE RESETTLEMENT, AID AND REHABILITATION SERVICES FOR THE UNDERPRIVILEGED AND HOMELESS CITIZENS AFFECTED BY THE DEMOLITION OF HOUSES/DWELLINGS ALONG DANGER AREAS SUCH AS ESTEROS, GARBAGE DUMPS, RIVERBANKS, SHORELINES, WATERWAYS AND OTHER PUBLIC PLACES SUCH AS SIDEWALKS, ROADS, PARKS AND PLAYGROUNDS AS WELL AS THE VICTIMS OF DISASTERS AND CALAMITIES AND THOSE AFFECTED BY GOVERNMENT INFRASTRUCTURE PROJECTS IN METRO MANILA AND FOR OTHER PURPOSES

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

SECTION 1. Declaration of Policy. - It is hereby declared the policy of the State to assist the underprivileged and homeless citizens in urban areas adversely affected by the demolition of houses/dwellings along danger areas such as esteros, garbage dumps, riverbanks, shorelines, waterways and other public places such as sidewalks, roads, parks and playgrounds as well as the victims of disasters and calamities and those affected by government infrastructure projects.

SECTION 2. Statement of Objectives and Guidelines. - This Act is intended to help the underprivileged and homeless citizens who suffered damages resulting from the demolition in or the clearing up of the danger areas such as esteros, garbage dumps, riverbanks, shorelines, waterways and other public places such as sidewalks, roads, parks and playgrounds as well as the victims of disasters and calamities and those affected by government infrastructure projects in Metro Manila. It aims to provide funds for the immediate relief of the displaced underprivileged families and homeless citizens through the establishment of resettlement centers, home sites or town sites, whether off-site or beneficiary-led, through the Community Mortgage Program or other socialized housing programs.

SECTION 3. Guidelines in the Allocation of Funds. - Government funds and resources shall be spent effectively in consonance with the principle of providing the greatest good for the greatest number. Accordingly, the following guidelines shall be observed in allocating the funds made available for the implementation of this Act:

- (a) Funds shall be allocated exclusively for the underprivileged and homeless citizens affected by the demolition of their houses/dwellings in Metro Manila;

- (b) Funds shall be exclusively for relocation or resettlement sites that will be beneficiary-led or off-site under the Community Mortgage Program of the Social Housing Finance Corporation or under the other socialized housing programs of other agencies;
- (c) Funds shall, when necessary, be for the construction of basic services and facilities such as schools and health centers as well as roads or access to employment and livelihood opportunities sufficient to meet the basic needs of the affected families; and
- (d) In no case shall any portion of the sum herein appropriated be used in payment of any subsisting obligation contracted before the passage of this Act.

SECTION 4. Appropriations. - The amount necessary for the implementation of this Act shall be included in the annual General Appropriations Act until such time that the total requirements for this purpose shall have been fully implemented.

SECTION 5. Determination of Beneficiaries and Projects. - The Office of the President through the Housing and Urban Development Coordinating Council (HUDCC), in consultation with the Metro Manila Inter-Agency Committee (MMIAC) and the local government unit (LGU) as host site, shall assist in the resettlement of beneficiaries through a beneficiary-led or off-site Community Mortgage Program or other socialized housing programs. The Presidential Commission for the Urban Poor, in coordination with the MMIAC and the LGU concerned, shall take the census of beneficiaries and cross-check the same with the census of the National Housing Authority (NHA).

SECTION 6. Alpha Listing of Beneficiaries. - The HUDCC, in coordination with the MMIAC, shall produce an alpha listing of the beneficiaries covered under this Act.

SECTION 7. Rules and Regulations. - The HUDCC, in coordination with the MMIAC, shall, within thirty (30) days from the approval of this Act, issue the necessary rules and regulations for the effective implementation of this Act.

SECTION 8. Penalty Clause. - Any person or persons who shall take advantage of the situation for undue personal and private gain by committing an act of profiteering in the purchase of lots or materials, or by committing an act of misrepresentation in the documentation, or by falsifying reports shall be imposed the penalty of not more than six (6) years of imprisonment or a fine of not less than Five thousand pesos (P5,000.00) but not more than One hundred thousand pesos (P100,000.00). Any other illegal act that may be committed in relation thereto shall be prosecuted to the full extent of the law.

SECTION 9. Separability Clause. - If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SECTION 10. Repealing Clause. - Any law, decree, rules and regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed accordingly.

SECTION 11. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,