

SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



Senate
Office of the Secretary

'18 SEP 10 A11 :36

SENATE
S.B. NO. 1988

Introduced by Senator Maria Lourdes Nancy S. Binay

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

EXPLANATORY NOTE

Article II, Section 15 of the 1987 Philippine Constitution provides:

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

Article II, Section 16 of the 1987 Philippine Constitution provides:

"The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."

As a tropical country, the Philippines face an average of 20 typhoons per year. These massive rains bring about tremendous flooding in many parts of the country. There is a need to protect the people, most importantly children, who walk and move along culverts or drainage systems when an area is flooded and the drainage system can't be noticed.

The proposed bill seeks to establish uniform standards and safeguards required for all government entities to prevent accidents, injuries, death and other similar forms from falling into culverts.

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


MARIA LOURDES NANCY S. BINAY
Senator

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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 referred to as "The Culvert
2 Safety Act."

3
4 Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote the
5 general welfare of the people. Pursuant to this policy, the State shall provide for
6 safety measures for culverts or other similar flood drainage systems managed by
7 government entities.

8
9 Sec. 3. *Duty of Government Entities.* – Every government entity shall:

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

15 (B) Ensure that a sign warning of the hazard for a child, including
16 the danger for injury or drowning, is clearly posted at the

1 intake to each culvert or other enclosed flood or drainage
2 system that the entity is responsible for maintaining;

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

8
9 For purposes of this Act, the term culvert shall mean a sewer or drain
10 crossing under a road or embankment, the part of a road or embankment that
11 passes over such a sewer or drain, or the channel or conduit for such a sewer or
12 drain.

13
14 Sec. 4. *Separability Clause.* – If any part or provision of this Act is held
15 invalid or unconstitutional, the other parts or provisions thereof shall remain valid
16 and effective.

17
18 Sec. 5. *Repealing Clause.* – All laws, decrees, orders, proclamations, rules
19 and regulations or parts thereof inconsistent with the provisions of this Act are
20 hereby repealed, amended, or modified accordingly.

21
22 Sec. 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
23 from its publication in at least two (2) newspapers of general circulation.

Approved,