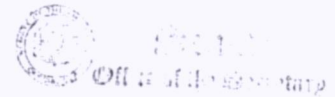



SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE

S. B. No. 2074



'18 OCT 11 P2:21

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO 

AN ACT
CREATING THE NATIONAL COMMISSION FOR THE URBAN
POOR, DEFINING ITS POWERS AND FUNCTIONS,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

Executive Order No. 82, series of 1986 created the Presidential Committee for the Urban Poor, the goal of which is to focus on the efforts of the government to alleviate the plight of the urban poor.

The Order seeks the need of establishing a government agency that shall serve as a direct link of the urban poor to the government in policy formulation and program implementation addressed to the needs of the poor people who are in dire need of immediate assistance. This was subsequently strengthened by EO 69.

As defined by the National Statistical Coordinating Board (NSCB), "Urban Poor" refers to the individuals or families living in the urban areas whose incomes are below the poverty line. These people are the underprivileged or the homeless sector of the society – they are either unemployed or underemployed who are incapable of meeting even the most basic needs on a day-to-day basis due to the high cost of living in urban areas, majority of these people live in unoccupied government or private lands, squatter and resettlement areas, slums, dumpsites, cemeteries, and other dangerous areas.

Alleviating poverty is one of the primary thrust of the government. While there are many factors which are attributable to the state of poverty, an Asian Development Bank (ADB) study in 2009 cited that the

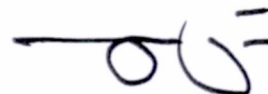
poor remain poor because they cannot borrow against future earnings to invest in education, skills, new crops, and entrepreneurial activities; it stated that they are cut off from economic activity because many property rights, public safety and infrastructure are said to be under-provided, and these people lack information about market opportunities.

Clearly, these factors are manifestations of disproportionate and inaccessible opportunities in the society. The government should bridge these gaps in the form of sound policies.

This bill seeks the creation of the National Commission for the Urban Poor bearing its goals to eradicate poverty in all levels through acting as the focal facilitator in addressing socialized housing problems.

The bill also seeks to empower the Commission to establish The Urban Poor Development Framework to fulfill its role in poverty reduction.

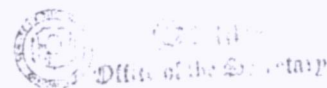
In view of the foregoing, approval of this bill is earnestly sought.



JOSEPH VICTOR EJERCITO

SENATE

S. B. No. 2074



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AN ACT
CREATING THE NATIONAL COMMISSION FOR THE URBAN
POOR, DEFINING ITS POWERS AND FUNCTIONS,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

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

CHAPTER I
GENERAL PROVISIONS

1
2
3
4 **SECTION 1.** Title. – This Act shall be known as "**The National**
5 **Commission for the Urban Poor Act**".
6

7 **SECTION 2. Declaration of Policies.** – It is the policy of the State to
8 eradicate poverty in all levels through policies that promote an
9 improved quality of life for all. Towards this end, the State shall
10 establish an agency which shall serve as a direct link of the urban poor
11 to the government in sound policy formulation and program
12 implementation.
13

14 **SECTION 3. General Objectives.** This Act seeks to:
15

- 16 a. Strengthen the mandate of the Commission for the Urban Poor and
17 pursue participatory governance in the formulation of policies for the
18 urban poor; and
19
20 b. Empower the Commission to establish The Urban Poor Development
21 Framework to fulfill its role in poverty reduction.

1 **SECTION 4. Definition of Terms.** – For the purpose of this Act, the
2 following terms are hereby defined:

- 3
- 4 a. *"Poor"* – Refers to individuals and families whose income fall below
5 the poverty threshold as defined by the National Economic and
6 Development Authority and/or cannot afford in a sustained manner
7 to provide their minimum basic needs of food, health, education,
8 housing and other essential amenities of life;
- 9
- 10 b. *"Social Preparation"* – Refers to the conduct or preliminary social
11 analysis of the community where organizers engage in institution
12 preparations, area selection, and social investigation/integration;
- 13
- 14 c. *"Urban poor"* – Refers to individuals or families residing in urban
15 centers and urbanizing areas whose income or combined household
16 income falls below the poverty threshold as defined by the National
17 Economic and Development Authority and/or cannot afford in a
18 sustained manner to provide their minimum basic needs of food,
19 health, education, housing and other essential amenities of life.
- 20

21

22 **CHAPTER II**

23 **THE NATIONAL COMMISSION FOR THE URBAN POOR**

24

25 **SECTION 5. Composition and Term of Office.** The National
26 Commission for the Urban Poor is hereby created and shall be
27 composed of:

- 28
- 29 a. A Chairperson who will act as the Chief Executive Officer;
- 30 b. Four (4) Commissioners representing the National Capital Region,
31 Luzon, Visayas, and Mindanao; and
- 32 c. An Executive Director
- 33

34 The Chairperson and Commissioners shall have a term of office of three
35 (3) years. They shall be appointed by the President of the Philippines
36 from among the list of nominees submitted by a duly organized and
37 accredited urban poor organization or institutions with national or
38 regional constituencies.

39

40 The Chairman shall have the rank and privileges of a departmental
41 undersecretary while the appointive Commissioners shall have the rank
42 and privileges of assistant secretaries of a department.

43

1 The Executive Director shall be appointed by the Chairman of the
2 Commission and to be concurred by all the Commissioners for a term of
3 one (1) year subject to yearly re-appointment.
4

5 **SECTION 6. Qualifications** – The Chairman and Commissioners must
6 be natural born citizens of the Philippines, have occupied positions of
7 responsibility and leadership in duly registered or affiliated urban poor
8 organization or institution serving the interest of the sector; with good
9 moral character, and not have been convicted of any crime involving
10 moral turpitude.
11

12 The Executive Director must possess the following:
13

- 14 a. Executive and Management experience of at least three (3) years
15 and with considerable exposure to the urban poor sector, programs
16 and project management.
17
- 18 b. Qualifications of a Bureau Director IV.
19

20 **SECTION 7. Objectives, Powers, and Functions of the**
21 **Commission.** – The National Commission for the Urban Poor shall
22 have the following functions and responsibilities:
23

- 24 a. To coordinate the speedy implementation of government policies
25 and programs for the urban poor;
26
- 27 b. To set up a consultative mechanism which shall provide a forum for
28 continuing dialogue between the government and the urban poor
29 on the proper planning and evaluation of programs and projects
30 affecting them;
31
- 32 c. To accredit legitimate urban poor organizations for purposes of
33 representation in the formulation of recommendations to the
34 President;
35
- 36 d. To review existing legislation, policies and programs of the
37 government relating to the Urban Poor, in consultation with the
38 latter, and recommend appropriate actions thereon to the President;
39
- 40 e. To evaluate post and ongoing shelter-related projects of the
41 government in squatter and resettlement areas in consultation with
42 beneficiary communities, and recommend appropriate action therein
43 to the President;
44

- 1 f. To help coordinate the various activities and services being
2 rendered by different government organizations for the Urban Poor;
3
4 g. To plan and monitor programs and projects for the development of
5 urban poor communities in coordination with agencies involved.
6
7 h. To request the assistance of any bureau, office or agency in the
8 performance of its functions;
9
10 i. To facilitate the funding of urban poor programs and projects both
11 from foreign and domestic fund sources;
12
13 j. To coordinate with the DENR in taking measures that will plan and
14 regulate urban activities for the conservation and protection of vital,
15 unique and sensitive ecosystem, scenic landscapes, cultural sites
16 and other similar resource areas;
17
18 k. To directly fund livelihood projects for Urban Poor Settler Families;
19
20 l. To promote the concept of "Township" or "Resettlement Sites"
21 within economic zones;
22
23 m. To serve as an intermediary agency of the urban poor sector with
24 agencies whose mandate and service is providing food and security;
25
26 n. To call a yearly Urban Poor Summit as part of its mechanism in
27 addressing the concern of the sector; and
28
29 o. To perform such other functions as may be authorized by the
30 President of the Philippines.
31

32 **SECTION 8. Structure of the Commission. -**

- 33 A. Each Commissioner shall head one Field Operations Division
34 (FOD)/Regional Divisions in (1) NCR; (2) Luzon; (3) Visayas; and
35 (4) Mindanao.
36
37 B. Division in each FOD/Regional Center.
38
39 1. Information and Communication Division
40 1.1 The Division Head will occupy a Directional II position
41 and in cases no one is qualified to occupy a directorial
42 level, an OIC shall be considered depending on the
43 rules of the Civil Service Commission.
44

- 1 1.2 Composition
- 2 a. Training Academy – 1 Unit Head
- 3 b. Media Relations – 1 Unit Head
- 4 c. Events Relation – 1 Unit Head
- 5
- 6 2. Research, Policy, Database/Data Analysis Center
- 7 2.1 The Division Head will occupy a Directorial position and
- 8 in cases no one is qualified to occupy a directorial level,
- 9 an OIC shall be considered depending on the rules of
- 10 the Civil Service Commission.
- 11
- 12 2.2. Composition
- 13 a. Social Preparation Evaluation Unit – 1 Unit Head
- 14 b. Research Unit – 1 Unit Head
- 15 c. Data Gathering / Data Base Analysis – 1 Unit Head
- 16
- 17 3. Resettlement/Relocation Division
- 18 3.1 The Division Head will occupy a Directorial II position
- 19 and in cases no one is qualified to occupy a directorial
- 20 level, an OIC shall be considered depending on the
- 21 rules of the Civil Service Commission.
- 22
- 23 3.2 Composition
- 24 a. Corporate Social Responsibility – 1 Unit Head
- 25 b. Livelihood/Economic Intervention – 1 Unit Head
- 26 c. Site selection/ monitoring/ inspection/ evaluation/
- 27 assessment – 1 Unit Head
- 28
- 29 4. Legal Division
- 30 4.1 The Division Head will occupy Directorial II position and
- 31 in cases no one is qualified to occupy a directorial level,
- 32 an OIC shall be considered depending on the rules of
- 33 the Civil Service Commission.
- 34
- 35 4.2 Composition
- 36 a. Pre Demolition Legal Unit – 1 Unit Head
- 37 b. Peoples Action Center – 1 Unit Head
- 38 c. Monitoring of Professional Squatters – 1 Unit Head
- 39 d. Monitoring of False and Land Titles – 1 Unit Head
- 40
- 41 5. Administration and Finance
- 42 5.1 The Division Head will occupy a Directorial II position
- 43 an in cases no one is qualified to occupy a directorial level,

1 an OIC shall be considered depending on the rules of the
2 Civil Service Commission.

3
4 5.2 Composition

- 5 a. HR and Personnel Unit – 1 Unit Head
6 b. Accounting Unit – 1 Unit Head
7 c. Cash Unit – 1 Unit Head
8 d. Records Unit – 1 Unit Head
9 e. General Services Unit – 1 Unit Head

10
11 6. External Affairs

12 6.1 The Division Head will occupy a Directorial II position
13 and in cases no one is qualified to occupy a
14 directorial level, an OIC shall be considered
15 depending on the rules of the Civil Service
16 Commission.

17
18 6.2 Composition

- 19 a. Inter-agency Liaison Office, National Office – 1 Unit
20 Head
21 b. Local Government Units Liaison – 1 Unit Head
22 c. Legislative Liaison Unit – 1 Unit Head
23 d. Office of the President/Cabinet Secretaries Liaison Unit
24 – 1 Unit Head
25 e. Urban Poor Organizations Liaison Unit – 1 Unit Head
26 f. Office of Participatory Governance Liaison – 1 Unit
27 Head

28
29
30 **CHAPTER III**

31 **THE URBAN POOR DEVELOPMENT FRAMEWORK**

32
33 **SECTION 9. The Urban Poor Development Framework.** - The
34 Commission shall formulate a national policy which shall be the
35 comprehensive approach by the national and local governments in
36 promoting (1) participatory governance; (2) building capacities of the
37 urban poor; (3) promoting environmental sustainability; (4)
38 preparedness and resiliency to disasters and climate change adaptation;
39 and (5) enabling reforms and linkages.

40
41 The Urban Poor Development Framework shall be subject to the
42 approval by the President and shall be reviewed on a three (3)-year
43 interval, or as may deemed necessary, in order to ensure its relevance.
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CHAPTER IV
RESETTLEMENT AND RELOCATION OF THE URBAN POOR

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SECTION 10. Social Preparations. The Commission shall directly handle all Social Preparations on government projects, local and national agencies, on matters affecting the urban poor sector. An automatic appropriation of 2% project cost shall be allocated for social preparations.

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SECTION 11. Republic Act No. 7279 or the Urban Development and Housing Act of 1992 is hereby amended insofar as the Commission shall be part of inter-agency formation, as follows:

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- a. Framework for Rational Development. The Commission shall be included in formulating the National Urban Development and Housing Framework;
 - b. Identification of Sites for Socialized Housing. The Commission shall recommend lands for socialized housing and resettlement needs;
 - c. Modes of Land Acquisition. The Commission shall be included as member agency aside from NHA and LGU in terms of modes of acquiring lands;
 - d. Balanced Housing Development. The monitoring team shall be composed of ISF groups that are directly affected, LGU and representative from the Commission; and
 - e. Basic Services. The NCUP shall act as a monitoring agency in resettlement areas where basic services are being provided by the LGU and NHA to include potable water, power/electricity, sewerage facilities, and solid waste disposal system, access to primary needs, and transportation facilities.

CHAPTER IV
APPROPRIATIONS

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SECTION 12. Appropriations. – The Commission shall be allocated an amount of Three Hundred Million Pesos (Php300,000,000.00) as additional funding for the Commission, to be charged against the funds of the Office of the President and PAGCOR.

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Thereafter, the amount needed for the operation and maintenance of the Commission shall be included in the Annual General Appropriations

1 Act: Provided, that operating expenses of the Commission itself shall
2 not exceed fourteen percent (14%) of the annual appropriation and
3 that at least eighty-six percent (86%) of said annual appropriation shall
4 be disbursed for the development program, projects and activities.
5
6

7 **CHAPTER III**
8 **MISCELLANEOUS PROVISIONS**
9

10 **SECTION 13. Transitory Provisions. –**
11

- 12 a. Any official or employee of the Presidential Commission for the
13 Urban Poor created under Executive Order No. 82 Series of 1987
14 and Executive Order 69 Series of 2012 separated from the service
15 as a result of the operation and effect of this Act may be absorbed,
16 if qualified, by the Commission for the good of the service, or where
17 qualified therefor, may opt to transfer to another office or elect to
18 apply for separation pay or retirement benefits: Provided, That the
19 official or employee who may be absorbed by the Commission shall
20 not suffer any loss or diminution of pay, seniority of rank: Provided
21 further, That benefits for separation or retirement of an official or
22 employee of the Presidential Commission for the Urban Poor shall
23 be derived from the funds of said Commission transferred to the
24 National Commission for the Urban Poor.
25
- 26 b. Transfer of Assets. Assets, properties and funds of Presidential
27 Commission for the Urban Poor under the Office of the President
28 pursuant to Executive Order No. 82, series of 1987 shall be
29 transferred to the National Commission for the Poor.
30

31 **SECTION 14. Presidential Land Grant. –** The provisions of any
32 existing law to the contrary notwithstanding, the President may, upon
33 the authority of Congress, grant by donation, sale, lease, or otherwise
34 to the Commission, portion of the land of the public domain as may be
35 necessary for the establishment of urban poor development and
36 training centers in all regions of the country and for the
37 accomplishment of any of its purpose.
38

39 **SECTION 15. Tax Deduction or Exemption of Donations and**
40 **Contributions. –** Any donation, contribution, bequest and grant which
41 may be made to the Commission shall constitute as allowable deduction
42 from the income of the donor for income tax purposes and shall be
43 exempted from donor's tax, subject to such conditions as provided
44 under the National Internal Revenue Code, as amended.

1 **SECTION 16. Separability Clause.** If for any reason or reasons, any
2 part or provision of this Act shall be held to be unconstitutional or
3 invalid, other parts or provisions thereof not affected thereby shall
4 continue to be in full force and effect.
5

6 **SECTION 17. Applicability and Repealing Clause.** – Republic Act
7 No. 7279 or the Urban Development and Housing Act of 1992 is hereby
8 amended with respect to the provisions of Section 11 of this Act.
9

10 Executive Order No. 82, series of 1986, Executive Order No. 69 series
11 of 2012, and all other laws, decrees, executive orders, rules and
12 regulations, other issuances or parts thereof which are contrary to or
13 inconsistent with the provisions of this Act are hereby repealed or
14 amended accordingly.
15

16 **SECTION 18. Effectivity Clause.** – This Act shall take effect fifteen
17 (15) days after its publication in the Official Gazette or in any
18 newspaper of general circulation.
19

20 *Approved,*