

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



Senate  
Office of the Secretary

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SENATE  
S. No. 1244

RECEIVED BY: \_\_\_\_\_

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Introduced by Senator Loren B. Legarda

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**AN ACT  
CREATING THE DEPARTMENT OF WATER RESOURCES, DEFINING ITS  
POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND  
FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

There are around thirty (30) government agencies existing to regulate the water resources of the country, including the Manila Bay Coordinating Office of the Department of Environment and Natural Resources (DENR), the water quality management section of the Environmental Management Bureau of the DENR, the water supply sanitation unit of the Department of the Interior and Local Government (DILG), the flood management planning and sediment functions of the Department of Public Works and Highways (DPWH), the Laguna Lake Development Authority (LLDA), the Local Water Utilities Administration (LWUA), the National Irrigation Administration (NIA), and the Metro Manila Waterworks and Sewerage System (MWSS), among others.

The overwhelming competition for jurisdiction over funding and water management makes water resources vulnerable to gross mismanagement and exploitation. As a result, the budget allocated for water management multiplies unnecessarily, and jobs are created superfluously or redundantly. These issues needlessly contribute to the growing water crisis in the country and add to the

challenge of achieving our UN sustainable development goal of providing universal access to safe and sustainable water and sanitation to Filipinos by 2030.

There is a need to streamline water resources management to strengthen the government's role in regulating water supply and sanitation, reduce costs, and improve the regulation of privatized water infrastructure.

This bill seeks to establish the Department of Water Resources which shall be responsible for the comprehensive and systematic management and development of the country's water resources. Under the proposed measure, the Department shall integrate the different government agencies with water-related functions into the Department of Water Resources. National policies, plans, and programs focusing on water sewerage and sanitation shall be formulated, recommended, and implemented to ensure water availability for specific uses.

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



LOREN LEGARDA



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

1           Section 1. *Title.* - This Act shall be known as the "Department of Water  
2 Resources."

3           Sec. 2. *Declaration of Policy.* - It is the policy of the State to recognize, protect,  
4 realize, and enhance the right of all Filipinos to safe, clean, affordable, and accessible  
5 drinking water, sanitation, and irrigation as essential to the full enjoyment of life and  
6 all human rights and the protection and sustainability of the environment.

7           Sec. 3. *Creation of the Department of Water Resources* - There is hereby created and  
8 established the Department of Water Resources, referred to as the "Department,"  
9 which shall be organized within one hundred twenty (120) days after the effectivity  
10 of this Act.

11          Sec. 4. *Duties and Powers.* - The Department shall exercise the following duties  
12 and powers:

13           a. Formulate, recommend, and implement national policies, plans, and  
14 programs that will establish systematic and efficient water management and  
15 ensure the availability of water for specific purposes in the country;

16           b. Integrate the different agencies of the government that have water-related  
17 functions into the Department of Water Resources;

- 1 c. Create and update a road map of rivers and water sources;
- 2 d. Conduct continuing surveys and studies of the country's renewable water  
3 supply to formulate long-term policies to balance the sustainability and  
4 optimal use of water resources, define the hydrologic boundaries of basins of  
5 the existing water supply sources, and create and implement countrywide  
6 master plans for water resources management and development;
- 7 e. Regulate and control the utilization, exploitation, abstraction, diversion, and  
8 development of water resources, taking into account its equitable distribution,  
9 and determine the standards of beneficial and priority uses of water in times of  
10 crisis and national emergencies;
- 11 f. Assist and provide the National Economic and Development Authority  
12 (NEDA) with required data and inputs from and for the water sector in the  
13 formulation of the country's short-term and long-term strategic development  
14 plans and actions;
- 15 g. Require all private individuals, corporations, and government agencies  
16 affecting water resources and the construction of hydraulic facilities in  
17 watershed or basin areas of water supply sources to obtain a permit to construct  
18 such facilities from the Department;
- 19 h. Conduct and continue studies pertaining to water use, exploitation,  
20 development, conservation, or protection of waters, water resources, and  
21 watershed or basin areas;
- 22 i. Enter any property of public dominion or any private land or building for the  
23 purpose of conducting hydrologic surveys and investigations and to determine  
24 compliance with water laws and standards;
- 25 j. Issue and promulgate rules, regulations, and guidelines as may be necessary  
26 to implement and enforce its powers and functions under this Act;
- 27 k. Ensure and protect the rights and welfare of consumers;
- 28 l. Exercise such other acts as are incident to or are appropriate and necessary in  
29 connection with the creation of the Department.

30 Sec. 5. *Secretary of the Department of Water Resources.* - The authority and  
31 responsibility for the exercise of the mandate of the Department and the discharge of



1 its powers and functions shall be vested in the Secretary of the Department of Water  
2 Resources.

3         *Sec. 6. Office of the Secretary.* - The Office of the Secretary shall be composed of  
4 the Secretary and his or her immediate staff.

5         *Sec. 7. Undersecretaries.* - The Secretary shall be assisted by not more than five  
6 (5) Undersecretaries, who shall be appointed by the President upon the  
7 recommendation of the Secretary, as follows:

- 8         a. One for the Finance Service;
- 9         b. One for the Administrative Service;
- 10        c. One for the Planning and Engineering Services;
- 11        d. One for the Regulatory and Financial Assistance Services; and
- 12        e. One for the Operations.

13        Within her/his functional area of responsibility, an Undersecretary shall have the  
14 following functions:

- 15           (a) Advise and assist the Secretary in the formulation and implementation of  
16           Department policies, plans, programs, and projects; and
- 17           (b) Supervise all the operational activities of the units assigned to him or her,  
18           for which he or she is responsible to the Secretary.

19         *Sec. 8. Regional Director.* - Each Regional Office shall be headed by a Regional  
20 Director who shall be responsible for efficiently and effectively carrying out the duties  
21 and responsibilities of the Regional Office. He or she shall also perform other related  
22 duties and responsibilities as may be assigned or delegated by the Secretary or as may  
23 be required by law.

24         The Regional Director shall be assisted by two (2) Assistant Regional Directors  
25 who shall exercise supervision respectively over (1) the planning, project design,  
26 evaluation, and technical assistance functions of the Regional Office and (2) the  
27 construction, maintenance, and works supervision functions in the region.

28         *Sec. 9. Interface with Other Sector Regulators.* - The Department is mandated  
29 to coordinate with the different sector regulators as follows:

- 30         a. The Department of Environment and Natural Resources (DENR) shall continue  
31         to have the primary authority and responsibility for protecting the  
32         environment and for the conservation of water and related natural resources,

1 including protecting water bodies from waste and pollution, and shall  
2 promulgate rules, regulations, and standards in this regard. The Department  
3 shall coordinate with the DENR concerning the conservation of water  
4 resources, protection from sewage and septage waste, and restoration from  
5 environmental damage;

6 b. The Department of Health (DOH) shall determine and enforce drinking water  
7 quality and sanitation standards. The Department shall coordinate with the  
8 DOH to achieve an integrated approach for sanitation, including toilets,  
9 collection, treatment, and evaluation of wastewater;

10 c. The Department shall subsume responsibility from the Department of Public  
11 Works and Highways (DPWH) for wholly or primarily water-related public  
12 works projects, including flood control, water resources development,  
13 sewerage, sanitation, and the harnessing and impounding of water. The  
14 Secretaries of each department shall coordinate the development of evaluation  
15 criteria as necessary to determine the proper allocation of public works projects  
16 between the two departments; and

17 d. The Department shall absorb the responsibility from the Department of Interior  
18 and Local Government (DILG) on the management and operation of water  
19 supply systems of local government units.

20 Sec. 10. *Implementing Rules and Regulations.* - Within one hundred eighty (180) days  
21 from the effectivity of this Act, the Department, in consultation with the concerned  
22 government agencies, shall promulgate the necessary implementing rules and  
23 regulations for the implementation of this Act: *Provided,* That such revised  
24 implementing rules and regulations shall only take effect fifteen (15) days following  
25 its publication in two (2) newspapers of general circulation.

26 Sec. 11. *Appropriations.* - The amount necessary to carry out the initial  
27 implementation of this Act shall be sourced from any available funds of the National  
28 Treasury and is hereby appropriated and authorized to be released for the  
29 organization of the Department and its initial operations.

30 Thereafter, funds sufficient to fully carry out the objectives, powers, and functions  
31 of the Department shall be appropriated every fiscal year in the General  
32 Appropriations Act.

1       The Department shall submit its annual budget, including detailed information on  
2 the compensation and benefits received by its employees, to the Office of the President  
3 for approval.

4       Sec. 12. *Separability Clause.* - If any part or provision of this Act is held invalid or  
5 unconstitutional, other provisions not affected shall remain in force and effect.

6       Sec. 13. *Repealing Clause.* - The provisions of any law, whether general or special,  
7 rules and regulations, and other issuances or parts thereof that are inconsistent with  
8 the Act are hereby repealed, amended, or modified accordingly.

9       Sec. 14. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its  
10 publication in the Official Gazette or in at least two (2) national newspapers of  
11 general circulation.

Approved,