


THIRTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*Second Regular Session*

6 JUN -7 P4:26

RECEIVED BY: 

SENATE

S. No. 2300

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INTRODUCED BY SEN. MANNY VILLAR


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**EXPLANATORY NOTE**

P.D. NO. 401, in addition to the provisions of P.D. No. 1017, otherwise known as "The water Code of the Philippines", are the only laws in connection with water use, consumption and distribution. The former penalizes such acts as the unauthorized installation of water connections, the tampering of meters and the use of tampered meters. But this law has not been effectively implemented inspite of the growing number of violations in connection therewith, hence, the need to impose heavier penalties to stop or at least minimize these acts or violations.

In relation to these rampant illegal installations and tamperings, there also exists the need to regulate the use of water generators to maintain an equitable or proportionate distribution of mater to consumers. For the same reason, there also arises the exigency of regulating the installation of water tanks beneath mainline water pipe.

Hence, the immediate need for putting an end to these nefarious activities as to deprive lawful users of water supply, jeopardize the effective administration of water distribution and are inimical to public interest.

  
MANNY VILLAR

THIRTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*Second Regular Session*

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SENATE

RECEIVED BY:                     

S. No.   2360  

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INTRODUCED BY SEN. MANNY VILLAR

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**AN ACT  
AMENDING P.D. 401 SO AS TO PROVIDE FOR STIFFER PENALTIES FOR  
UNAUTHORIZED WATER INSTALLATIONS OR CONNECTIONS, THE  
TAMPERING OF METERS, AND THE USE OF TAMPERED METERS,  
REGULATING THE USE OF WATER GENERATORS AND THE  
INSTALLATION OF WATER TANKS BENEATH MAINLINE WATER PIPES  
AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

Be<sup>it</sup> enacted by the Senate and House of Representatives of the  
*Philippines in congress assembled:*

SECTION 1. Policy- It is the policy of the State to supervise and regulate the use, operation, consumption and distribution of property or resources which affect public interest. Pursuant to this, the state shall provide adequate water supply to consumers and supervise and regulate water use, consumption and distribution.

SECTION 2. Amendment.- Section 2 of P.D. No. 401-a is hereby amended to read as follows:

telephone wires, or piped gas pipes and conduits, shall, upon conviction, be punished with (prision correccional) PRISION MAYOR in its minimum period or a fine ranging from two (TEN) thousand to six (TWENTY) thousand pesos, or both.

"If the violation is committed by, or with the connivance of an officer or employee of the Metropolitan Waterworks and Sewerage System, or the Manila Electric Company, or the Philippine Long Distance Telephone company, or the Manila Gas Corporation, such officer or employee shall, upon conviction, be punished with (a penalty one degree higher than the penalty provided herein) PRISION MAYOR IN ITS MAXIMUM PERIOD), and forthwith be dismissed and perpetually disqualified from employment in any public or private utility or service company.

THE FOLLOWING ACTS ARE ALSO PROHIBITED:

1. ANY PERSON WHO INSTALLS OR USES WATER GEERATORS, WITHOUT AUTHORITY FROM THE MWSS, SHALL SUFFER A PENALTY OF PRISION CORRECCIONAL OR A FINE OF P10,000.00; AND

2. ANY PERSON WHO INSTALLS, PERMITS OR CAUSES TO BE INSTALLED A WATER TANK BENEATH MAINLINE WATER PIPES, SHALL SUFFER THE PENALTY OF PRISION CORRECCIONAL OR A FINE OF P10,000.00.

SECTION 3. Implementing Rules and Regulations.- The appropriate government agency shall issue and publish the necessary rules and regulations to implement the provisions of this Act.

SECTION 4. Repealing Clause.- All laws, rules and regulations which are inconsistent with or contrary to the provisions of this Act, are hereby amended or repealed accordingly.

SECTION 5. Separability Clause.- If any of the provisions of this Act is declared invalid, the remainder thereof not affected thereby shall continue to be in full force and effect.

SECTION 6. This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,