

SENATE

S.B. No. 1373

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

A common attribute of Philippine urban areas is the proliferation of illegal settlers, more commonly known as "squatters" in danger areas such as *esteros*, garbage dumps, riverbanks, waterways, as well as other public places such as sidewalks, roads, parks and playgrounds, and also in private lands. For the owners of the private lands they occupy, these tenacious settlers are a menace. For the rest of the citizenry, they are an eyesore and an urban blight.

What the citizens and their leaders fail to see is that the homeless who inhabit these danger places put their lives and limbs at risk every minute they stay in danger areas, not because they want to but because they are deprived of opportunities and are left with no choice. Indeed, inequality, apathy of the citizenry, and government neglect have pushed them to settle in these danger areas.

Removing settlers from these areas and demolishing their homes are often characterized with violence resulting in damages to property as well as danger to life and limb of the informal settlers who fight nail and tooth to resist the demolition or evacuation orders. There is always a dilemma: should they be deprived of their homes or should they be left at the mercy of violence, accidents and disasters? A simple solution is to provide habitable housing for the homeless.

This Act will benefit poor and homeless Filipinos who suffered damages and injuries to their persons and properties while being removed from danger areas. Victims of disasters and calamities and those affected by government infrastructure projects are also covered by this Act. Resettlement centers, home sites or town sites will be established for the immediate relief of the displaced underprivileged families and homeless citizens in urban areas.

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


LOREN LEGARDA
Senator

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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 AS WELL AS THE VICTIMS OF DISASTERS AND CALAMITIES AND THOSE AFFECTED BY GOVERNMENT INFRASTRUCTURE PROJECTS IN URBAN AREAS 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.

SEC. 2. Statement of Objectives and Guidelines. - This Act is intended to help the underprivileged and homeless citizens who suffered damages to property and injury to persons resulting from the demolition in or the clearing up of the aforementioned danger areas as well as the victims of disasters and calamities and those affected by government infrastructure projects in urban areas. It aims to provide funds for the immediate relief of the displaced underprivileged families and homeless citizens and the establishment of resettlement centers, home sites or town sites under local and national housing programs or under the other socialized housing programs of other agencies.

SEC. 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 urban areas;
- (b) Funds shall be used exclusively for relocation or resettlement sites under local and national housing programs or under the other socialized housing programs of other agencies;
- (c) Funds shall be used, when necessary, for the construction of basic services and facilities such as schools, health centers as well as roads or access to places of employment and

livelihood which should be 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.

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

SEC. 5. Determination of Beneficiaries and Projects. - City mayors, in consultation with national and local government agencies, shall assist in the resettlement of beneficiaries under local and national housing programs or under the other socialized housing programs of other agencies.

The Presidential Commission for the Urban Poor, in coordination with the LGU concerned, shall take the census of beneficiaries and cross-check the same with the census of the National Housing Authority (NHA).

Sec. 6 Alpha Listing of Beneficiaries. - The Housing and Urban Development Coordinating Council (HUDCC), in coordination with local government units, shall produce an alpha listing of the beneficiaries covered under this Act.

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

SEC. 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.

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

SEC. 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.

SEC. 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,