

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



HOUSE OF REPRESENTATIVES
H. No. 3987

Introduced by **Representative Raul C. Tupas**

**AN ACT CREATING THE DEPARTMENT OF WATER, IRRIGATION, SEWAGE AND
SANITATION RESOURCE MANAGEMENT, DEFINING ITS POWERS AND
FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Water is a basic human need and access to safe water is a universal human right as declared by the United Nations.

With global warming, water security is a growing problem worldwide, and it calls for long term planning and responses. In the case of the Philippines, although an archipelagic country blessed with an abundant source of water, severe water shortage is being experienced due to the impact of rapid population growth, urbanization, pollution, excessive and inefficient use of water, and climate change. This is further aggravated by the lack of a holistic program for water resources management.

One of the Sustainable Development Goals (SDGs) adopted by all United Nations Member States in 2015 is to ensure availability and sustainable management of water and sanitation for all by 2030.¹ Despite progress, billions of people still lack safe water, sanitation and handwashing facilities. Data suggests that achieving universal access to even basic sanitation service by 2030 would require doubling the current annual rate of progress.

At present, management of water resources in the country is lodged with different units or agencies of the government such as National Water Resources Board (NWRB), Local Water Utilities Administration (LWUA), Metropolitan Waterworks and Sewerage System (MWSS), and the National Irrigation Administration (NIA) thereby resulting to duplication of functions, lack of coordination or even conflicts in the implementation of the national policies and plans on water, sewage, sanitation, and irrigation thereby resulting to backlog in the provision of water supply and sanitation services to the public.

This bill seeks to rationalize the water, irrigation, sewage, and sanitation resource management, including water rights, through the creation of the Department of Water, Irrigation, Sewage, and Sanitation Resource Management.

¹ <https://sustainabledevelopment.un.org/sdg6>

The proposed Department of Water, Irrigation, Sewage and Sanitation Resource Management shall have the following primary functions:

1. Set the policies for water supply and sewage and sanitation management;
2. Develop and manage the country's water resources to ensure optimal use, including but not limited to, domestic, irrigation, power generation, industrial, agricultural, and commercial use;
3. Build, maintain and monitor water-related infrastructure, water quality and accessibility;
4. Regulate the operation and management of water utilities such as MWSS, LWDs, RWSAs and other water and sanitation service providers;
5. Make available and/or provide financial assistance to non-viable LWDs for the improvement of water facilities or services through funds prior and future appropriations of the National Government for waterworks and sewerage systems;
6. Regulate and control the utilization, exploitation, development, conservation and protection of all water resources;
7. Administer and enforce the provisions of Water Code of the Philippines;
8. Plan, design, construct, and/or improve all types of irrigation projects and appurtenant structures;
9. Operate, maintain, and administer all national irrigation systems (NIS);
10. Supervise the operation, maintenance, and repair, or otherwise, administer temporarily all communal and pump irrigation systems constructed, improved, and/or repaired wholly or partially with government funds;
11. Delegate the partial or full management of NIS to duly organized cooperatives or associations;
12. Construct multiple-purpose water resources projects designed primarily for irrigation, and secondarily for hydraulic power development and/or other uses such as flood control, drainage, land reclamation, domestic water supply, roads and highway construction, and reforestation, among others, Provided, that the plans, designs, and the construction thereof, shall be undertaken in coordination with the agencies concerned;
13. Charge and collect from the beneficiaries of the water from all irrigation systems constructed by or under its administration.

The proposed bill is part of the priority legislative agenda of the Duterte administration as mentioned by the President in his Fourth State of the Nation Address.

Hence, the immediate passage of this bill is earnestly sought.


RAUL "BOBBY" C. TUPAS

HOUSE OF REPRESENTATIVES
H. No. 3987

Introduced by Representative Raul C. Tupas

**AN ACT CREATING THE DEPARTMENT OF WATER, IRRIGATION, SEWAGE AND
SANITATION RESOURCE MANAGEMENT, DEFINING ITS POWERS AND FUNCTIONS,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

CHAPTER I- GENERAL PROVISIONS

SECTION 1. Short Title. - This Act shall be known as the "Department of Water,
Irrigation, Sewage, and Sanitation Resource Management Act of 2019".

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

In pursuit of said policy, this Act shall have the following objectives:

- a. To prioritize and pursue the immediate attainment of universal access to safe,
adequate, and sustainable water supply and sanitation services for all Filipinos and
adopt all necessary measures directed towards the realization of the human right
to water and sanitation;
- b. To strengthen and coordinate water resource planning and policy-making to
ensure sustainable and fair allocation and efficient use of water resources between
competing water uses and users, including but not limited to domestic and
municipal use, irrigation, power generation, farming, fisheries, commercial, and
industrial use.
- c. To achieve Goal No. 6 of the Sustainable Development Goals (SDGs) which is to
ensure availability and sustainable management of water and sanitation for all by
year 2030. Under this goal are the following specific targets:
 - i. By 2030, improve water quality by reducing pollution, eliminating dumping
and minimizing release of hazardous chemicals and materials, halving the

1 proportion of untreated wastewater and substantially increasing recycling
2 and safe reuse in the country
3

- 4 ii. By 2030, substantially increase water-use efficiency across all sectors and
5 ensure sustainable withdrawals and supply of freshwater to address water
6 scarcity and substantially reduce the number of people suffering from water
7 scarcity
8
- 9 iii. By 2030, implement integrated water resources management at all levels,
10 including through transboundary cooperation as appropriate
11
- 12 iv. By 2030, expand international cooperation and capacity-building support to
13 developing countries in water- and sanitation-related activities and
14 programmes, including water harvesting, desalination, water efficiency,
15 wastewater treatment, recycling and reuse technologies
16
- 17 v. Support and strengthen the participation of local communities in improving
18 water and sanitation management
19

20 **SECTION 3. Definition of Terms.** - For purposes of this Act, the following terms are
21 hereby defined:
22

- 23 a. Department refers to the Department of Water, Irrigation, Sewage, and Sanitation
24 Resource Management.
25
- 26 b. Sanitation refers to sewage, sanitation, and septage management.
27
- 28 c. Sewerage refers to any system or network of sanitary pipelines, ditches, channels,
29 or conduits including pumping stations, lift stations, and force mains, service
30 connections including other constructions, devices, or appliances appurtenant
31 thereof, which includes the collection, sanitary piping transport, pumping, and
32 treatment of water-borne human or animal waste removed from residences,
33 buildings, institutions, and industrial and commercial establishments to point of
34 sewage treatment plant disposal.
35
- 36 d. Sewage refers to water-carried waste in solution or suspension, including sanitary
37 waste (waste products of normal living), commercial waste, industrial waste,
38 agricultural waste, and surface runoff, conveyed by a sewerage system for
39 treatment or disposal. For purposes of this Act, the definition of septage shall be
40 included in the use of sewage.
41
- 42 e. Septage refers to sludge produced on individual on-site wastewater disposal
43 systems, principally septic tanks and cesspools.
44

45 The terms "infrastructure" and "public works" as used in this Act should be ready to
46 apply only to wholly or primarily water-related projects and shall not be read to incorporate
47 projects which would not otherwise fall within the purview of the objectives, powers, and duties
48 of the Department.

CHAPTER II- ORGANIZATION

SECTION 4. *The Department of Water, Irrigation, Sewage, and Sanitation*

Resource Management - There is hereby created and established the Department of Water, Irrigation, Sewage, and Sanitation Resource Management, hereinafter referred to as the "Department", which shall be organized within one hundred eighty (180) days after the effectivity of this Act. The Department shall be tasked with developing and implementing a comprehensive water, irrigation, sewage, and sanitation program for the Philippines including, but not limited to:

- a. Implementing necessary policy and resource reforms with respect to the management of water, irrigation, sewage, and sanitation;
- b. Monitoring and evaluating compliance with the national goals relating to water, irrigation, sewage, and sanitation;
- c. Formulating a national updated road map to address the water, sewage, and sanitation requirements of the State; and
- d. Improving conservation of water and increasing system efficiencies.

SECTION 5. *Powers and Duties of the Department.* - The Department shall have the following powers and duties, among others:

- a. Develop policies to promote universal access to safe, adequate, affordable, and sustainable water supply, irrigation, sewage, and sanitation services for all Filipinos;
- b. Coordinate with relevant government agencies or entities to provide policy directions, strategies, and targets to meet the goals and objectives for water supply, irrigation, sewage, and sanitation. Such policies shall, among other things, integrate the issues of water, irrigation, sewer, energy, environment, and food security;
- c. Manage and protect the country's water resources to ensure the optimal use thereof for domestic water supply, sewage, sanitation, irrigation, hydropower, navigation, flood control, and recreation, including the enhancement and maintenance of water quality, conservation of watersheds, control of water pollution, and environmental restoration, without compromising the natural ecosystem functions and services;
- d. Manage the ownership, appropriation, utilization, exploitation, development, conservation, and protection of water resources and rights to land related thereto and their competing demands;
- e. Undertake and coordinate with other agencies and government entities in data gathering, scientific research, and studies on water resources management and

- development, and conduct nationwide hydrologic surveys to determine the annual renewable water available per water region;
- f. Formulate, issue, promulgate and enforce rules and regulations in the administration and management of the country's water resources and implement rules and guidelines for the enforcement of water-related laws;
 - g. Conduct continuing surveys and studies of the country's renewable water supply with a view towards formulation long-term policies to balance the sustainability and optimal use of water resources, defining the hydrologic boundaries of basins of the existing water supply sources, and creating and implementing countrywide master plans for water resources management and development;
 - h. Coordinate with and assist other government agencies in all aspects of data gathering, conduct studies and research, and classify and establish water quality standards for surface and ground water, including national standards for drinking water and wastewater effluence in coordination with relevant agencies;
 - i. Coordinate with other relevant agencies to engage in flood control and flood risk management, formulate integrated water resources management (IWRM) policies and plans, and coordinate the implementation, promotion, revision, and enhancement of IWRM plans;
 - j. Effect and compel inter-sectoral, inter-agency, and inter-departmental coordination on water, irrigation, energy, environmental, sewage, and sanitation resources development planning with the aim of operationalizing the integrated approach water resources management;
 - k. Regulate and control the utilization, exploitation, abstraction, diversion, and development of water resources, taking into its equitable distribution, and determine the standards of beneficial and priority uses of water in times of crisis and national emergencies;
 - l. Assist and provide the National Economic and Development Authority (NEDA) with required data and inputs from and for the water sector in the formulation of the country's short-term and long-term strategic development plans and actions;
 - m. Pass upon, approve, or disapprove all plans, programs, or development projects of private individuals, corporations, and government agencies, whether national or local, that affect water resources, its diversion or abstraction, and the construction of hydraulic facilities, including but not limited to plans and projects in watershed or basin areas of water supply sources, which have direct or indirect impact on the affected locality's water resources;
 - n. Review from time to time regulations prescribed by any government agency pertaining to water use, exploitation, development, conservation, or protection of waters, water resources, and watershed or basin areas;

- 1
- 2 o. Authorize its representatives or any deputized agent to enter any property of public
- 3 dominion or any private land, building, or enclave, whether inhabited or not, for the
- 4 purpose of conducting hydrologic surveys and investigations, including assessing
- 5 and evaluating the conditions of water facilities installed and determining
- 6 compliance with water laws and standards;
- 7
- 8 p. Require Local Government Units (LGUs) and national agencies to submit zoning
- 9 and land use management plans to ensure the integration of water resource
- 10 management plans; Provided, That no zoning and land use plan shall become
- 11 effective and enforceable unless and until a certification of integration of water,
- 12 sewage, and sanitation resource management plan has been issued by the
- 13 Department. Should the Department have serious concerns affecting conservation
- 14 and sustainability of water supply, such concerns must first be resolved by the
- 15 Department and the concerned LGU and/or national agency. However, in the
- 16 absence of such concerns, the concerned LGU and/or government agency may,
- 17 ninety (90) days from the submission of its zoning and land use plan and after
- 18 submitting to the Department a written notice of compliance with this provision,
- 19 proceed with the implementation of its zoning and land use plan without prejudice
- 20 to later integration of the water resource management plan for the locality;
- 21
- 22 q. Provide technical assistance to water, irrigation, sewer and sanitation users,
- 23 whether directly or in coordination with other agencies, to assist them in applying
- 24 for water and irrigation permits and providing data on water, irrigation, sewage, and
- 25 sanitation resource usage;
- 26
- 27 r. Plan, design, construct, and/or improve all types of irrigation projects and
- 28 appurtenant structures;
- 29
- 30 s. Operate, maintain, and administer all national irrigation systems (NIS);
- 31
- 32 t. Supervise the operation, maintenance, and repair, or otherwise, administer
- 33 temporarily all communal and pump irrigation systems constructed, improved,
- 34 and/or repaired wholly or partially with government funds;
- 35
- 36 u. Supervise the operation, maintenance, and repair, or otherwise, administer
- 37 temporarily all communal and pump irrigation systems constructed, improved,
- 38 and/or repaired wholly or partially with government funds;
- 39
- 40 v. Delegate the partial or full management of NIS to duly organized cooperatives or
- 41 associations;
- 42
- 43 w. Construct multiple-purpose water resources projects designed primarily for
- 44 irrigation, and secondarily for hydraulic power development and/or other uses such
- 45 as flood control, drainage, land reclamation, domestic water supply, roads and
- 46 highway construction, and reforestation, among others, Provided, that the plans,

1 designs, and the construction thereof , shall be undertaken in coordination with the
2 agencies concerned;

3
4 x. Charge and collect from the beneficiaries of the water from all irrigation systems
5 constructed by under its administration;

6
7 y. In coordination with other relevant government agencies, develop and implement
8 effective codes, standards and reasonable guidelines to ensure the safety of all
9 public and private structures in the country and assure efficiency and proper quality
10 in the construction of water, irrigation, sewage, and sanitation infrastructures;
11

12 z. Assist other government agencies, including LGUs, in determining the most
13 suitable entity to undertake the actual construction of water, irrigation, sewage, and
14 sanitation projects;
15

16 aa. Maintain and cause to be maintained all flood control, water resource development
17 systems, irrigation systems, and other public works throughout the country except
18 those that are the responsibility of other agencies as directed by the President of
19 the Philippines or as provided by law;
20

21 bb. Provide integrated planning for flood control, flood risk management, and water
22 resource development and management systems, other public works;
23

24 cc. Determine and require the monitoring and submission of such data, statistics, and
25 other information as may be necessary for the effective and efficient exercise of its
26 duties, functions, powers and responsibilities;
27

28 dd. Respond to consumer complaints and ensure the adequate promotion of consumer
29 interests;
30

31 ee. Deputize agents, whether from the public or private sector, to assist in the
32 performance of any of the powers and functions of the Department;
33

34 ff. Appoint, hire, and maintain adequate staff and personnel, advisers, and/or
35 consultants, with suitable qualifications and experience, as necessary;
36

37 gg. Manage funds coursed through it under General Appropriations Act intended as
38 financial assistance to LWDs or LGUs for the development and/or improvement of
39 water supply and sanitation facilities;
40

41 hh. Exercise such other powers and functions necessary or incidental to the effective
42 administration and management of the country's water, irrigation, sewage, and
43 sanitation resources;
44

45 ii. Exercise such other incidental powers and functions as may be necessary to attain
46 the objectives of this Act; and

- 1
2 jj. Carry such other functions as the President may from time to time assign to the
3 Department consistent with the aims and provisions of this Act.
4

5 **SECTION 6. Secretary of the Department of Water, Sewage, and Sanitation.** -The
6 authority and responsibility for the exercise of the mandate of the Department and for the
7 discharge of its powers and functions shall be vested in the Secretary of the Department of
8 Water, Sewage and Sanitation, hereinafter referred to as the Secretary, who shall have
9 supervision and control over the Department and shall be appointed by the President. For
10 such purposes, the Secretary shall:
11

- 12 a. Advise the President on the promulgation of executive or administrative orders,
13 regulations, proclamations, and other issuances relative to matters under the
14 jurisdiction of the Department;
15
16 b. Establish the policies and standards for the operation of the Department pursuant to
17 the President's guidelines;
18
19 c. Promulgate rules and regulations necessary to carry out Department
20 objectives, policies, and functions;
21
22 d. Exercise supervision and control over all Bureaus and Offices under the Department;
23
24 e. Supervise all attached agencies and corporations in accordance with law;
25
26 f. As deemed appropriate by the Secretary, delegate authority for the performance of
27 any power or function, as defined herein or as delegated by the President, to officers
28 and employees under his direction; and
29
30 g. Perform such other duties and responsibilities as may be provided by law.
31

32 **SECTION 7. Office of the Secretary** - The Office of the Secretary shall be composed of
33 the Secretary and his immediate staff.
34

35 **SECTION 8. Undersecretaries.** -The Secretary shall be assisted by not more than four
36 (4) Undersecretaries, who shall be appointed by the President upon the
37 recommendation of the Secretary, as follows:
38

- 39 1. One for the Finance and Administrative Service;
40 2. One for the Planning and Engineering Services;
41 3. One for the Regulatory and Financial Assistance Services; and
42 4. One for the Operations.
43

44 Within her/his functional area of responsibility, an Undersecretary shall have the
45 following functions:
46

- 47 a. Advise and assist the Secretary in the formulation and implementation of
48 Department policies, plans, programs, and projects;

1 b. Supervise all the operational activities of the units assigned to her/him, for which
2 she/he is responsible to the Secretary; and
3

4 c. Perform such other duties and responsibilities as may be assigned or delegated
5 by the Secretary to promote efficiency and effectiveness in the delivery of public
6 services or as may be required by law.
7

8 **SECTION 9. Assistant Secretaries.** -The Secretary shall also be assisted by one
9 Assistant Secretary for Internal Audit and the four (4) Undersecretaries shall each be assisted
10 by not more than two (2) Assistant Secretaries likewise appointed by the President of the
11 Philippines upon the recommendation of the Secretary.
12

13 **SECTION 10. Organizational Structure.** - The Department shall be composed of the
14 following organization units:
15

16 a. Department Proper consisting of the Office of the Secretary, the Offices of the
17 Undersecretaries and Assistant Secretaries, the Internal Audit, Finance and
18 Administrative Service, Planning and Engineering Services, Regulatory and
19 Financial Assistance Services; and Operations; and
20

21 b. Regional Offices, as deemed appropriate and necessary by the Secretary.
22

23 **SECTION 11. Internal Audit.** - The Internal Audit is hereby created for the purpose of
24 conducting comprehensive audit of various Department activities and shall have the following
25 specific functions:
26

27 a. Advise the Secretary on all matters relating to management control and operations
28 audit;
29

30 b. Conduct management and operations performance audit of Department activities
31 and units and determine as to compliance with established objectives, policies,
32 methods and procedures, government regulations, and contractual obligations of
33 the Department;
34

35 c. Review and appraise systems and procedures, organizational structure, assets
36 management practices, accounting, and other records, reports, and
37 performance standards of the Department Proper and Regional Offices;
38

39 d. Analyze and evaluate management deficiencies and assist top management to
40 solve problems by recommending realistic courses of action; and
41

42 e. Perform such other related duties and responsibilities as may be assigned or
43 delegated by the Secretary or as may be required by law.
44

45 **SECTION 12. Finance Service and Administrative Service. –**
46

47 Finance Service
48

1 The Finance Services is hereby created to provide the Department with coordinated services
2 relating to financial systems and procedures, budget, cash, accounting, and all financial
3 matters not falling under other Services. For such purposes, it shall have the following
4 functions:

- 5
- 6 a. Advise the Secretary on all matters relating to the accounting of government
7 expenditures and receipts, budgeting and cash management, project finances, and
8 financial systems and procedures;
- 9
- 10 b. Prepare budget proposals and pursue formal budget authorizations, undertake
11 budget execution, and prepare and submit all appropriate reports to the proper
12 offices;
- 13 c. Develop and maintain accounting, financial, and assets management systems,
14 procedures, and practices in the Department Proper and Regional Offices in
15 accordance with the existing government accounting and auditing rules and
16 regulations;
- 17
- 18 d. Provide assistance in its area of specialization to any unit of the Department and,
19 when requested, to government corporations, councils, and boards attached to the
20 Department; and
- 21

22 Administrative Service

23

24 The Administrative Service is hereby created to provide the Department with services relating
25 to human resources development, personnel records, facilities maintenance, medical and
26 dental, gender and development (GAD), security, property and procurement services. For
27 such purposes, it shall have the following functions:

- 28
- 29 a. Advise the Secretary on all matters relating to internal administration and human
30 resources management;
- 31
- 32 b. Prepare and implement an integrated personnel plan that shall include provisions
33 on merit promotion, performance evaluation, job rotation, suggestions and
34 incentive awards systems, and health and welfare services;
- 35
- 36 c. Provide services related to human resource training, education, and development,
37 including manpower, career planning and forecasting and development of
38 indigenous training materials;
- 39
- 40 d. Prepare and/or implement Department GAD plans and budgets and GAD
41 accomplishment reports;
- 42
- 43 e. Develop, establish, and maintain an efficient and cost-effective property
44 procurement system and facilities and coordinate or otherwise interface with
45 relevant agencies, whether government or private, for the purpose of developing
46 or upgrading the system;
- 47

- f. Secure and maintain necessary Department facilities, and develop, establish, and maintain an efficient and effective security system covering, among others, personnel, physical installations, equipment, documents, and materials, including the conduct of security investigations;
- g. Coordinate with the appropriate government agencies for a more efficient conduct of administrative processes;
- h. Develop, establish and maintain an efficient records system;
- i. Provide assistance in its area of specialization to the Department Proper and Regional Offices and, when requested, the government agencies and corporations attached to the Department; and
- j. Perform such other related duties and responsibilities as may be assigned or delegated by the Secretary or as may be required by law.

SECTION 13. *Planning and Engineering Services.* - The Planning and Engineering Services is hereby created to provide the Department with the capability to undertake infrastructure development planning, programming and implementation. For this purpose, it shall have the following functions:

- a. Advise the Secretary on all matters relating to infrastructure planning and implementation;
- b. Formulate strategies and priorities for infrastructure development consistent with national development objectives and initiate or undertake relevant surveys for development planning;
- c. Formulate and implement long-range, medium-term and annual development plans and programs for infrastructure, including flood control, water resource development systems, and other public works projects, including phasing of implementation and review and integrate land use plans with such water development plans;
- d. Identify and implement priority packages for infrastructure development, including flood control, water resource development systems, and other public works projects, and undertake or supervise and evaluate the conduct of feasibility studies and project preparation and implementation thereof;
- e. Prioritize project implementation and the allocation of funds and other resources and package project proposals for funding and implementation;
- f. Evaluate and appraise all regional interregional infrastructure development plans and programs as to their feasibility and consistency with approved strategies and long and medium-term plans;

- 1 g. Gather, analyze, and organize needed statistical data and information;
- 2
- 3 h. Provide technical assistance related to its functions to the other Services and
- 4 Regional Offices as needed; and
- 5
- 6 i. Perform such other related duties and responsibilities as may be assigned or
- 7 delegated by the Secretary or as may be required by law.
- 8

9 **SECTION 14. *Regulatory and Financial Assistance Services.*** - The Regulatory and
10 Financial Assistance Services is hereby created to provide the Department with services on
11 all legal affairs, compliance of attached government corporations, LWDs, RWSAs,
12 cooperatives, and other associations, including private entities under contractual or
13 concession arrangement with them, and other private water service providers on the
14 established standards, rules and regulations relating to: water quality; infrastructure and
15 facilities design and construction; equipment, materials and supplies; operations and
16 maintenance; personnel; organization; accounting; tariffs; and other matters subject to
17 regulation. It shall also provide the Department services on the management of the financial
18 assistance available and granted to LWDs and RWSAs. For this purpose, it shall have the
19 following functions:

- 20
- 21 a. Advise the Secretary on all matters relating to legal affairs and regulation of the
- 22 operation of the attached corporations; LWDs RWSAs, cooperatives and other
- 23 associations;
- 24
- 25 b. Provide legal assistance to the Department Proper and Regional Offices and, when
- 26 requested, the attached corporations and boards;
- 27
- 28 c. Prepare Department contracts and legal instruments, review of administrative
- 29 charges against officers and employees of the Department, members of the top
- 30 management of the attached corporations and boards;
- 31
- 32 d. Conduct administrative investigation as well as the review of administrative
- 33 charges against officers and employees of the Department, members of the top
- 34 management of the attached corporations and boards;
- 35
- 36 e. Establish standards for: water quality; design and construction of facilities;
- 37 optimum selection of equipment, materials and supplies; procedures for operations
- 38 and maintenance of water and sewer equipment and facilities; training of
- 39 personnel; organization; uniform accounting system; tariffs;
- 40
- 41 f. Review all water rates or charges;
- 42
- 43 g. Manage the financial assistance available and granted to LWDs, RWSAs and other
- 44 qualified water utilities.
- 45

46 **SECTION 15. *Operations.*** - The Operations is hereby created to provide the
47 Department through Regional Offices with the capability to plan, design, and implement

1 projects for water resource development systems, irrigation, flood control, and other public
2 works in different regions of the country. For this purpose, it shall have the following functions:

- 3
4 a. Undertake and evaluate the planning, design, construction, and works
5 supervision functions of the Department for the abovementioned infrastructure
6 within the region;
- 7
8 b. Undertake the maintenance of the abovementioned infrastructure within the
9 region and supervise the maintenance of such local infrastructure receiving
10 national government financial assistance as the Secretary may determine;
- 11
12 c. Ensure the implementation of laws, policies, programs, rules and regulations
13 regarding the abovementioned infrastructure as well as public and private
14 physical structures;
- 15
16 d. Coordinate and provide technical assistance with other departments, agencies,
17 institutions, and organizations within the region, in the planning and
18 implementation of infrastructure projects;
- 19
20 e. Conduct continuing consultations with the local communicates, take
21 appropriate measures to make the services of the Department responsive to
22 the needs of the general public, compile and submit such information to the
23 central office, and recommend such appropriate actions as may be necessary;
24 and
- 25
26 f. Perform such other related duties and responsibilities as may be assigned or
27 delegated by the Secretary or as may be required by law.

28
29 **SECTION 16. *Regional Director.*** - Each Regional Office shall be headed by a
30 Regional Director who shall be responsible for efficiently and effectively carrying out the duties
31 and responsibilities of the Regional Office. She/he shall also perform such other related duties
32 and responsibilities as may be assigned or delegated by the Secretary or as may be required
33 by law.

34
35 The Regional Director shall be assisted by two (2) Assistant Regional Directors who
36 shall exercise supervision respectively over (1) the planning, project design, evaluation,
37 monitoring, and technical assistance functions of the Regional Office, and (2) the
38 construction, maintenance, and works supervision functions in the region.

39 40 **CHAPTER III- TRANSITORY PROVISIONS**

41
42 **SECTION 17. *Interface with Other Sector Regulators.*** - The Department is
43 mandated to coordinate with the different sector regulators as follows:

- 44
45 a. The Department of Environment and Natural Resources (DENR) shall continue to
46 have the primary authority and responsibility for protecting the environment and for
47 the conservation of water and related natural resources, including protecting water
48 bodies from waste and pollution and shall promulgate rules, regulates, and

standards in this regard. The Department shall coordinate with the DENR with respect to the conservation of water resources, protection from sewage and septage waste, and restoration from environment damage.

- b. The Department of Health (DOH) shall have primary authority and responsibility for determining and enforcing drinking water quality and sanitation standards. The Department shall coordinate with the DOH to achieve an integrated approach for sanitation, including toilets, collection, treatment, and evaluation of wastewater.
- c. The Department shall subsume responsibility from the Department of Public Works and Highways (DPWH) for wholly or primarily water-related public works projects including flood control, water resources development, sewerage, sanitation, and the harnessing and impounding of water. The Secretaries of each department shall coordinate on the development of evaluation criteria, as necessary, to determine proper allocation of public works projects between the two departments.
- d. The Department shall absorb the responsibility from the Department of Interior and Local Government (DILG) on the management and operation of water supply systems of local government units.

SECTION 18. *Transfer of Rights and Obligations.* - The Department, shall by virtue of this Act, be subrogated to all the rights, and assume all the obligations of the relevant parts of any government agency or unit whose powers and duties have been transferred to the Department, including the DPWH, National Irrigation Administration (NIA), National Water Resources Board (NWRB), Metropolitan Waterworks and Sewerage System (MWSS), Local Water Utilities Administration (LWUA), Metro Manila Development Authority (MMDA), and the Department of Interior and Local Government (DILG).

The transfer of powers and functions in Section 17 above, as applicable, and agencies attached thereto, as herein provided for, shall take effect within one hundred eighty (180) days after the effectivity of this Act. The foregoing transfer of powers and functions shall include all applicable funds, personnel, records, property, and equipment, as may be necessary. All offices shall continue to function under their present mandates until transition is effected as provided for under this Act.

All rights and obligations of said government agencies are hereby transferred to and assumed by the Department and shall be acted upon in accordance with the rules and regulations of the Commission on Audit and other pertinent laws, rules, and regulations.

SECTION 19. *Separation from Service.* - Employees separated from government service as a result of this Act shall be entitled to the benefits that they may receive under existing laws, rules, and regulations.

SECTION 20. *Funding.* - The sum of _____ Billion Pesos shall be set aside from any available funds of the National Treasury, and is hereby appropriated and authorized to be released, for the organization of the Department and its initial operations.

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

3 The Department shall submit its annual budget, which shall include, among others,
4 detailed information on the compensation and benefits received by their employees to the
5 Office of the President for approval.

6
7 **SECTION 21. *Separability Clause.*** - If any provisions or part hereof, is held invalid or
8 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
9 valid and subsisting.

10
11 **SECTION 22. *Repealing Clause.*** - Any law, presidential decree or issuance,
12 executive order, letter of instruction, administrative order, rule or regulation contrary to or
13 inconsistent with the provision of this Act is hereby repealed, modified or amended
14 accordingly.

15
16 **SECTION 23. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
17 publication in at least two (2) newspapers of general circulation with its Implementing Rules
18 and Regulations promulgated by an inter-agency committee composed of the DPWH, NIA,
19 NWRB, MWSS, LWUA, MMDA, and the DILG within sixty (60) days from the formal
20 organization of the inter-agency committee.

21
22 Approved,