

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2481



Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

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

President Rodrigo Roa Duterte during his 4th State of the Nation Address (SONA) called upon Members of Congress to enact a legislation that will establish a Department of Water Resources. He said, "We weathered one damaging effect of climate change this year. The El Niño were [*sic*] wreaked havoc in the agricultural sector and caused water shortage in the greater Metro Manila area. We need to pass bill creating the Department of Water Resources..."

The Philippines during the Global Forum on Water Supply and Sanitation, which was held in Manila in 1997, envisions "a world class, affordable and sustainable water supply, sanitation and sewerage system accessible to every Filipino". It was conceived consistent with the long-term vision on water, life and the environment or World Water Vision 2025.

In this light, it is imperative upon the government to develop a comprehensive national water resources management system to fully streamline the water sector and revitalize it in terms of the efficiency and sufficiency of its service and resources. Hence, the creation of the Department of Water, Irrigation, Sewage and Sanitation Resource Management as proposed in this bill seeks to rationalize the water, irrigation, sewage, and sanitation resource management, including water rights.

Presently, the set-up of water, irrigation, sewage, and sanitation responsibilities of the government involves, among others, the following agencies:

(1) National Water Resources Board (NWRB), an agency under the Department of Environment and Natural Resources (DENR) responsible for the enforcement of the Water Code of the Philippines;

(2) Local Water Utilities Administration (LWUA), an attached agency to the Department of Public Works and Highways (DPWH) which exercises regulatory power over all local water districts and rural waterworks and sanitation associations all over the country;

(3) Metropolitan Waterworks and Sewerage System (MWSS), a government-owned-and-controlled corporation also attached to the DPWH that is responsible for the water supply and sanitation in Metropolitan Manila and such contiguous areas as may be added to its area of jurisdiction; and

(4) National Irrigation Administration (NIA), a government agency under the Office of the President which is primarily responsible for irrigation development and management.

In the face of fragmented regulation and management of water resources in the country, there have been challenges in the coordination and implementation of the national policies and plans on water, sewage, sanitation, and irrigation, which has resulted in a backlog in the delivery of water supply and sanitation services to the public.

It must be emphasized that government's responsibility to provide safe, clean, accessible and affordable drinking water, sanitation, and irrigation service to the public is of utmost importance and

can be realized through well-coordinated, effective, efficient and sustainable management of its water and sanitation resources. This has even more become urgent in the face of the country's rapid population growth, water pollution, watershed degradation, increasing agricultural requirements for food production, waterborne diseases, climate change, and other related factors that need to be adequately addressed without delay.

The creation of the Department of Water, Irrigation, Sewage and Sanitation Resource Management will strengthen and coordinate water resource planning and policy-making to ensure sustainable and fair allocation and efficient use of water resources between water uses and users such as irrigation, power generation, and farming among others.

Through this proposed agency, the immediate attainment of universal access to safe, adequate, and sustainable water supply and sanitation services for all Filipinos will be given priority.

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



ANGELINA "HELEN" D.L. TAN, M.D.
4th District, Quezon

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

CHAPTER 1
GENERAL PROVISIONS

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

SEC. 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; and

(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.

SEC 3. *Definition of Terms.* - For purposes of this Act, the following terms are hereby defined:

(a) Department refers to the Department of Water, Irrigation, Sewage, and Sanitation Resource Management.

(b) Sanitation refers to sewage, sanitation, and septage management.

(c) Sewerage refers to any system or network of sanitary pipelines, ditches, channels, or conduits including pumping stations, lift stations, and force mains, service connections including other constructions, devices, or appliances appurtenant thereof, which includes the collection, sanitary piping transport, pumping, and treatment of water-borne human or animal waste removed from residences, buildings, institutions, and industrial and commercial establishments to point of sewage treatment plant disposal.

(d) Sewage refers to water-carried waste in solution or suspension, including sanitary waste, commercial waste, industrial waste, agricultural waste, and surface runoff, conveyed by a sewerage system for treatment or disposal. For purposes of this Act, the definition of septage shall be included in the use of sewage.

(e) Septage refers to sludge produced on individual on-site wastewater disposal systems, principally septic tanks and cesspools.

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

CHAPTER II ORGANIZATION

SEC. 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 twenty (120) 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 an updated national road map to address the water, sewage, and sanitation requirements of the State; and

(d) Improving conservation of water and increasing system efficiencies.

SEC. 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, sewage, 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 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 formulating 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 to water resources management;

(k) Regulate and control the utilization, exploitation, abstraction, diversion, and development of water resources, taking into account 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) Coordinate with other relevant government agencies and develop policies and plans in respect of water resources for farming, including sustainable mechanisms for irrigation;

(n) 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;

(o) 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;

(p) Authorize its representatives or any deputized agent to enter any property of public dominion or any private land, building, or enclave, whether inhabited or not, for the purpose of conducting hydrologic surveys and investigations, including assessing and evaluating the conditions of water facilities installed, and determining compliance with water laws and standards;

(q) Require Local Government Units (LGUs) and national agencies to submit zoning and land use management plans to ensure the integration of water resource management plans: Provided, That no zoning and land use plan shall become effective and enforceable unless and until a certification of integration of water, sewage, and sanitation resource management plan has been issued by the Department. Should the Department have serious concerns affecting conservation and sustainability of water supply, such concerns must first be resolved by the Department and the concerned LGU and/or national agency. However, in the absence of such concerns, the concerned LGU and/or government agency may, ninety (90) days from the submission of its zoning and land use plan and after submitting to the Department a written notice of compliance with this provision, proceed with the implementation of its zoning and land use plan without prejudice to later integration of the water resource management plan for the locality;

(r) Provide technical assistance to water, irrigation, sewer and sanitation users, whether directly or in coordination with other agencies, to assist them in applying for water and irrigation permits and providing data on water, irrigation, sewage, and sanitation resource usage;

(s) Plan, design, construct, and/or improve all types of irrigation projects and appurtenant structures;

(t) Operate, maintain, and administer all national irrigation systems (NIS);

(u) 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;

(v) 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;

(w) Delegate the partial or full management of NIS to duly organized cooperatives or associations;

(x) 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;

(y) Charge and collect from the beneficiaries of the water from all irrigation systems constructed under its administration;

(z) In coordination with other relevant government agencies, develop and implement effective codes, standards and reasonable guidelines to ensure the safety of all public and private structures in the country and assure efficiency and proper quality in the construction of water, irrigation, sewage, and sanitation infrastructures;

(aa) Coordinate with relevant government agencies, including the Department of Environment and Natural Resources, to ensure that the agencies' respective standards complement each other when taken as part of a larger whole;

(bb) In coordination with other relevant agencies, ascertain that all plans and project implementation designs are consistent with current standards and guidelines;

(cc) Provide the works supervision function for all public works construction and ensure that actual construction is done in accordance with approved government plans and specifications;

(dd) Assist other government agencies, including LCDs, in determining the most suitable entity to undertake the actual construction of water, irrigation, sewage, and sanitation projects;

(ee) Maintain and cause to be maintained all flood control, water resource development systems, irrigation systems, and other public works throughout the country except those that are the responsibility of other agencies as directed by the President of the Philippines or as provided by law;

(ff) Provide integrated planning for flood control, flood risk management, and water resource development and management systems, other public works;

(gg) Issue and promulgate rules, regulations, and guidelines as may be necessary to implement and enforce its powers and functions under this Act;

(hh) Determine and require the monitoring and submission of such data, statistics, and other information as may be necessary for the effective and efficient exercise of its duties, functions, powers and responsibilities;

(ii) Respond to consumer complaints and ensure the adequate promotion of consumer interests;

(jj) Deputize agents, whether from the public or private sector, to assist in the performance of any of the powers and functions of the Department;

(kk) Appoint, hire, and maintain adequate staff and personnel, advisers, and/or consultants, with suitable qualifications and experience, as necessary;

(II) Manage funds coursed through it under the General Appropriations Act intended as financial assistance to LWDs or LGUs for the development and/or improvement of water supply and sanitation facilities;

(mm) Exercise such other powers and functions necessary or incidental to the effective administration and management of the country's water, irrigation, sewage, and sanitation resources;

(nn) Exercise such other incidental powers and functions as may be necessary to attain the objectives of this Act; and

(oo) Carry out such other functions as the President may from time to time assign to the Department consistent with the aims and provisions of this Act.

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

(a) Advise the President on the promulgation of executive or administrative orders, regulations, proclamations, and other issuances relative to matters under the jurisdiction of the Department;

(b) Establish the policies and standards for the operation of the Department pursuant to the President's guidelines;

(c) Promulgate rules and regulations necessary to carry out Department objectives, policies, and functions;

(d) Exercise supervision and control over all Bureaus and Offices under the Department;

(e) Supervise all attached agencies and corporations in accordance with law;

(f) As deemed appropriate by the Secretary, delegate authority for the performance of any power or function, as defined herein or as delegated by the President, to officers and employees under the Secretary's direction; and

(g) Perform such other duties and responsibilities as may be provided by law.

SEC. 7. *Office of the Secretary.* - The Office of the Secretary shall be composed of the Secretary and his/her immediate staff.

SEC. 8. *Undersecretaries.* - The Secretary shall be assisted by not more than five (5) Undersecretaries, who shall be appointed by the President upon the recommendation of the Secretary, as follows:

1) One for the Finance Service;

2) One for the Administrative Service;

3) One for the Planning and Engineering Services;

4) One for the Regulatory and Financial Assistance Services; and

5) One for the Operations.

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

(a) Advise and assist the Secretary in the formulation and implementation of Department policies, plans, programs, and projects;

(b) Supervise all the operational activities of the units assigned to her/him, for which she/he is responsible to the Secretary; and

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

SEC. 9. *Assistant Secretaries.* - The Secretary shall also be assisted by one Assistant Secretary for Internal Audit and the five (5) Undersecretaries shall each be assisted by not more than three (3) Assistant Secretaries likewise appointed by the President of the Philippines upon the recommendation of the Secretary.

SEC. 10. *Organizational Structure.* - The Department shall be composed of the following organization units:

(a) Department Proper consisting of the Office of the Secretary, the Offices of the Undersecretaries and Assistant Secretaries, the Internal Audit, Finance Service, Administrative Service, Planning and Engineering Services, Regulatory and Financial Assistance Services; and Operations; and

(b) Regional Offices, as deemed appropriate and necessary by the Secretary.

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

(a) Advise the Secretary on all matters relating to management control and operations audit;

(b) Conduct management and operations performance audit of Department activities and units and determine as to compliance with established objectives, policies, methods and procedures, government regulations, and contractual obligations of the Department;

(c) Review and appraise systems and procedures, organizational structure, assets management practices, accounting, and other records, reports, and performance standards of the Department of Proper and Regional Offices;

(d) Analyze and evaluate management deficiencies and assist top management to solve problems by recommending realistic courses of action; and

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

SEC. 12. *Finance Service.* - The Finance Services is hereby created to provide the Department with coordinated services relating to financial systems and procedures, budget, cash, accounting, and all financial matters not falling under other Services. For such purposes, it shall have the following functions;

(a) Advise the Secretary on all matters relating to the accounting of government expenditures and receipts, budgeting and cash management, project finances, and financial systems and procedures;

(b) Prepare budget proposals and pursue formal budget authorizations, undertake budget execution, and prepare and submit all appropriate reports to the proper offices;

(c) Develop and maintain accounting, financial, and assets management systems, procedures,

and practices in the Department Proper and Regional Offices in accordance with the existing government accounting and auditing rules and regulations;

(d) Provide assistance in its area of specialization to any unit of the Department and, when requested, to government corporations, councils, and boards attached to the Department; and

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

SEC. 13. *Administrative Service.* - The Administrative Service is hereby created to provide the Department with services relating to human resources development, personnel records, facilities maintenance, medical and dental, gender and development (GAD), security, property and procurement services. For such purposes, it shall have the following functions:

(a) Advise the Secretary on all matters relating to internal administration and human resources management;

(b) Prepare and implement an integrated personnel plan that shall include provisions on merit promotion, performance evaluation, job rotation, suggestions and incentive awards systems, and health and welfare services;

(c) Provide services related to human resource training, education, and development, including manpower, career planning and forecasting and development of indigenous training materials;

(d) Prepare and/or implement Department GAD plans and budgets and GAD accomplishment reports;

(e) Develop, establish, and maintain an efficient and cost-effective property procurement system and facilities and coordinate or otherwise interface with relevant agencies, whether government or private, for the purpose of developing or upgrading the system;

(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.

SEC. 14. *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;

(g) Initiate regular Department-wide planning exercises and act as the secretariat thereof;

(h) Gather, analyze, and organize needed statistical data and information;

(i) Provide technical assistance related to its functions to the other Services and Regional Offices as needed; 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.

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

(a) Advise the Secretary on all matters relating to legal affairs and regulation of the operation of the attached corporations, LWDs, RWSAs, cooperatives and other associations;

(b) Provide legal assistance to the Department Proper and Regional Offices and, when requested, the attached corporations and boards;

(c) Prepare Department contracts and legal instruments, review of administrative charges against officers and employees of the Department, members of the top management of the attached corporations and boards;

(d) Conduct administrative investigation as well as the review of administrative charges against officers and employees of the Department, members of the top management of the attached corporations and boards;

(e) Exercise functional jurisdiction over the legal staffs of Regional Offices;

(f) Establish standards for water quality; design and construction of facilities; optimum selection of equipment, materials and supplies; procedures for operations and maintenance of water and sewer equipment and facilities; training of personnel; organization; uniform accounting system; tariffs;

(g) Review all water rates or charges;

(h) Manage the financial assistance available and granted to LWDs, RWSAs and other qualified water utilities.

SEC. 16. *Operations.* - The Operations is hereby created to provide the Department through Regional Offices with the capability to plan, design, and implement projects for water resource

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

(a) Undertake and evaluate the planning, design, construction, and works supervision functions of the Department for the abovementioned infrastructure within the region;

(b) Undertake the maintenance of the abovementioned infrastructure within the region and supervise the maintenance of such local infrastructure receiving national government financial assistance as the Secretary may determine;

(c) Ensure the implementation of laws, policies, programs, rules and regulations regarding the abovementioned infrastructure as well as public and private physical structures;

(d) Provide technical assistance related to their functions to other agencies within the region;

(e) Coordinate with other departments, agencies, institutions, and organizations within the region, in the planning and implementation of infrastructure projects;

(f) Conduct continuing consultations with the local communities, take appropriate measures to make the services of the Department responsive to the needs of the general public, compile and submit such information to the central office, and recommend such appropriate actions as may be necessary; and

(g) Perform such other related duties and responsibilities as may be assigned or delegated by the Secretary or as may be required by law.

SEC. 17. *Regional Director.* - Each Regional Office shall be headed by a Regional Director who shall be responsible for efficiently and effectively carrying out the duties and responsibilities of the Regional Office. She/he shall also perform such other related duties and responsibilities as may be assigned or delegated by the Secretary or as may be required by law.

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

CHAPTER III TRANSITORY PROVISIONS

SEC. 18. *Interface with Other Sector Regulators.* - The Department is mandated to coordinate with the different sector regulators as follows:

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

SEC. 19. *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 18 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.

SEC. 20. *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.

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

SEC. 22. *Appropriations.* - The amount necessary to carry out the initial implementation of this Act shall be sourced 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.

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

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

SEC. 23. *Separability Clause.* - If any provisions or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 24. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provision of this Act is hereby repealed, modified or amended accordingly.

SEC. 25. *Effectivity Clause.* - This Act shall take effect fifteen (15) days from its complete publication in the Official Gazette and in at least one (1) newspaper of general circulation.

Approved,