

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **3494**

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Introduced by Honorable FREDERICK W. SIAO

EXPLANATORY NOTE

This Bill seeks to create the Iligan City Waterfalls and River Development Authority, with the function of preserving, protecting, managing, and developing all the waterfalls, rivers, river basins, river systems, and natural waterways within the city.

This Bill aims to centralize in one independent government agency the responsibility of taking charge of all the city's waterfalls, rivers, river basins and waterways, for the purpose of protecting, managing and developing them with the end in view of securing their permanent and rational utilization.

There are two (2) major rivers situated and running in Iligan City, the Iligan River and Mandulog River with ten (10) tributaries, the Agus River, Malindug River, Pugaan River, Nonucan River, Linamon River, Maria Cristina River, Kapay River, Buru'un River, Basleyan River and Bayog River. And there are about twenty eight (28) waterfalls namely the Abaga Falls, Bridal Veil Falls, Dalipuga Falls, Digkianlao Falls, Dodiongan Falls, Gata Falls, Guimbalolan Falls, Hindang Falls, Ikog Falls, Kalisaon Falls, Kalubihon Falls, Kamadahan Falls, Kibalang Falls, Languyon Falls, Langilanon Falls, Limunsudan Falls, Linanot Falls, Lumbatin Falls, Malaigang Falls, Malapacan Falls, Malinao Falls, Maria Cristina Falls, Mimbabut Falls, Pampam Falls, Pindarangahan Falls, Rogongon Falls, Sikyop Falls and Tinago Falls.

The joint efforts between the private and public sectors to at least keep the rivers and waterfalls clean and obstruction-free are laudable. But for the long term, what is required is an independent office which shall be tasked to address the preservation and development of the city's rivers, waterfalls and natural waterways on a permanent and consistent basis. This may be achieved with the creation of the Iligan City Waterfalls and River Development Authority, as herein proposed.

In view of the foregoing, approval of this Bill is earnestly requested.


FREDERICK W. SIAO
Lone District, Iligan City

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HOUSE OF REPRESENTATIVES
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House Bill No. **3494**

Introduced by Honorable FREDERICK W. SIAO

AN ACT
CREATING THE ILIGAN CITY WATERFALLS AND RIVER DEVELOPMENT
AUTHORITY FOR THE PRESERVATION, PROTECTION, AND DEVELOPMENT
OF ALL WATERFALLS, RIVERS, RIVER BASINS, RIVER SYSTEMS, AND
NATURAL WATERWAYS WITHIN THE CITY'S JURISDICTION, DEFINING ITS
POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR

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

Section 1. Creation of the Authority. There is hereby created a body corporate to be known as the Iligan City Waterfalls and River Development Authority, hereinafter referred to as the Authority, which shall be responsible for the preservation, protection, management, and development of all waterfalls, rivers, river basins, river systems, and natural waterways within the city's jurisdiction.

Sec. 2. Principal Office. The principal office of the Authority shall be in Iligan City.

Sec. 3. Purposes and Functions. The Authority shall have the following powers and functions:

- a) To prepare a master plan to preserve, protect, develop and utilize all waterfalls, rivers, river basins, river systems, and natural waterways in Iligan City;
- b) To conduct engineering surveys of waterfalls, rivers, river systems, river basins, and natural waterways; monitoring of water quality, pinpointing pollution sources, and identifying the waterfalls, rivers,

river basins, and natural waterways that need to be developed for utilization, or rehabilitation;

- c) To initiate and facilitate planning, implementation, monitoring and evaluation of pertinent projects with positive impact on environment and development, including dredging and deepening of river channels and improvement of river alignments;
- d) To prioritize waterfalls and rivers positively identified for development and rehabilitation and on the basis thereof, prepare a waterfalls-specific or river-specific plan of operation for their development and rehabilitation, and the general improvement of environmentally degraded waterfalls or rivers;
- e) To initiate funding arrangements with local and foreign donors, including fund raising, to finance priority development projects and provide direct funding of minor initiatives expected to create a positive impact on the environment in the projected area;
- f) To develop information materials to ensure a high degree of environmental awareness in government agencies, organizations, and the general public;
- g) To make recommendations to the proper agencies offering financial support, technical and physical assistance about the level of priority to be accorded to waterfalls and river systems development and rehabilitation projects;
- h) To coordinate and integrate such projects or operations of local governments, government agencies, public corporations and, where clearly necessary and feasible, those of private entities, as will bear directly upon the plans and activities of the Authority so as to make possible the accelerated and intensive development and rehabilitation of the waterfalls, rivers, river basins, river systems, and natural waterways in the city within the context of the master plan, and to set up a well-trained staff for effective liaison and consultation or joint planning and implementation with such government and private entities;

- i) To submit an annual report to Congress on its activities including those done in collaboration with various government and private entities engaged in the implementation of the projects and programs.

Sec. 4. Corporate Powers. The Authority shall exercise the following powers and authorities:

- a) To sue and be sued;
- b) To adopt, alter and use a corporate seal;
- c) To undertake the programs and projects specified in Section 3 hereof;
- d) To engage in agricultural, industrial and commercial or other activities necessary or proper in the preservation, management, or development of the city's waterfalls, rivers, river basins, river systems and natural waterways, and for this purpose, whether by itself or in cooperation with private persons or entities, to organize, finance, invest in, and operate subsidiary corporations;
- e) To invest in or otherwise acquire, own, hold, use, operate, sell, assign, transfer, exchange, mortgage, pledge, lease, develop or otherwise deal in, properties of every kind and description, including shares of stock, bonds, debentures, notes, evidence or indebtedness, and other securities;
- f) To exercise the right of eminent domain or acquire by purchase privately-owned land within the area for purposes of implementing the projects of the Authority;
- g) To borrow funds from any local or foreign financial institutions independent of the bonds it may issue to carry out the purposes of the Authority;
- h) To acquire, lease, or own properties or assets in whatever form, and serve as the custodian of such properties or assets, real or movable, and sell or otherwise dispose of the same as the Authority may deem it necessary in the pursuit of its aims, objectives and purposes;

- i) To lend or facilitate the extension of financial assistance and/or act as surety or guarantor to viable agricultural, industrial and commercial enterprises or activities related to the purposes of the Authority;
- j) To accept grants, donations, gifts, bequests, funds and/or properties in whatever form and whatever source, and administer the same in accordance with the terms thereof, or in the absence of any condition, in such manner consistent with the policy, aims and objectives of the Authority as provided for in this Act;
- k) To enter into contracts of any kind and description to enable it to carry out its purposes and objectives;
- l) To issue such rules and regulations as may be necessary to effectively carry out the powers and purposes herein provided, including the plans, programs and projects of the Authority, the same to take effect thirty (30) days after publication thereof in a newspaper based and of general circulation in Iligan City; and
- m) For the purposes of attaining or in furtherance of any of its objectives, to perform any and all acts which a corporation is authorized to perform under laws existing or which may be enacted hereafter.

Sec. 5. Governing Body. The corporate powers and functions of the Authority shall be exercised by a Board of Directors, composed of eight (8) members as follows:

- a) The Mayor of Iligan City as Chairman
- b) The River Administrator as Vice Chairman
- c) The City's Member of the House of Representatives
- d) The City Engineer
- e) A Member of the City Council or Sangguniang Panlungsod
- f) The Community Environment and Natural Resources Officer (CENRO) assigned in Iligan City

- g) Two representatives from the private sector

The River Administrator shall be appointed by the City Mayor, to be confirmed by the City Council or Sangguniang Panlungsod. He shall also sit as Vice Chairman of the Board and shall have the same term, qualifications and compensation as that of the City Administrator. The two private sector representatives shall be appointed by the City Mayor for a term of three (3) years without re-appointment. Each must be a natural-born Filipino citizen and a resident of Iligan City for at least ten (10) years prior to his appointment. The representative of the City Council or Sangguniang Panlungsod shall be the chairman of its committee on environment or its equivalent.

Sec. 6. Board Powers. The Board shall have the following powers and functions:

- a) To formulate, prescribe, amend, and repeal the rules and regulations to govern the conduct of operation of the Authority;
- b) To appoint the necessary staff of the Authority and to fix their compensation in accordance with existing laws;
- c) To suspend, remove or otherwise discipline for just cause any staff member appointed by the Board;
- d) To recommend the annual and/or supplemental budgets of the Authority;
- e) To render annual reports to Congress, and such special reports as may be necessary or requested;
- f) To do other acts and perform other functions as may be necessary or proper to carry out the provisions of this Act.

Sec. 7. Quorum/Per Diems. The presence of five members of the Board shall be required to constitute a quorum, provided, that both or either the Chairman or the River Administrator shall be present in all Board meetings. The Board shall receive reasonable per diems for every Board meeting actually attended, to be fixed by the City Council or Sangguniang Panlungsod. All meetings of the Board shall be held in Iligan City.

Sec. 8. The River Administrator. The River Administrator shall be the chief executive of the Authority, and as such, he shall have the following powers and functions:

- a) Submit, for the consideration of the Board, the policies and measures which he believes to be necessary or proper to carry out the purposes and provisions of this Act;
- b) Execute and administer the policies, plans, programs and projects approved by the Board;
- c) Direct and supervise the operation and internal administration of the Authority. He may delegate some of his administrative responsibilities to other officers of the Authority subject to the prior approval of the Board;
- d) Prepare the annual budget of the Authority for the consideration of the Board;
- e) Submit within thirty (30) days after the close of each fiscal year, an annual report to the Board and such other reports as may be required;
- f) Exercise such other powers as may be vested in him by the Board.

Sec. 9. Capitalization. The Authority shall have an authorized capital of One Hundred Million (Php100,000,000.00) Pesos, divided into 100 million shares with a par value of Php1.00 per share, which shall be fully subscribed and paid for by the National Government, provided, that at least Php25,000,000.00 thereof shall be fully paid in within 120 days from the effectivity of this Act. Such amounts as may be necessary to maintain the operations of the Authority shall be appropriated yearly in the General Appropriations Act.

Sec. 10. Tax Exemption. The Authority, including its subsidiaries, if any, shall be fully exempt from all kinds of taxes, value added taxes , local or national, including but not limited to, income taxes, franchise taxes, value added taxes, transfer taxes, sales taxes, realty taxes, import duties and taxes, licenses, fees, charges, permits, and all kinds of impositions, whether of the national or local government.

Sec. 11. Repealing Clause. All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Sec. 12. Auditing. The Commission on Audit shall appoint a representative who shall be full-time auditor of the Authority. The commission may also assign to the Authority such number of personnel as may be necessary to assist its representative, and their salaries shall be in accordance with existing laws, rules, and regulations.

Sec. 13. Effectivity. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation and in one newspaper published and of general circulation in Iligan City.

Approved,