

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 4995

Introduced by Representative **TYRONE D. AGABAS**

AN ACT
MANDATING THE NATIONAL GOVERNMENT TO ALLOCATE FUNDS
FOR POTABLE WATER ACCESS AND THE CONSTRUCTION OF
WATER SYSTEMS IN ALL BARANGAYS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

This bill seeks to require the national government to allocate funds for the construction or establishment of accessible and potable water systems in all barangays in the country.

The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost (Section 11, Article XIII, 1987 Constitution).

The unavailability of accessible and potable water system to our countrymen especially those living in far-flung areas and communities with no water or low water coverage with high incidence of poverty and water-borne diseases has become a social problem of national importance. Currently, the government has adopted the SaLinTubig (Sagana at Ligtas Na Tubig Para sa Lahat) Program through the Department of Interior and Local Government (DILG) for the implementation of programs that will secure potable water access in Local Government Units throughout the country. However, in the absence of a legislative framework that will institutionalize the mandatory establishment of potable water systems in the country, the full extent of the DILG ancillary programs cannot be fully implemented and maximized.

To date, millions of Filipinos have no access to clean potable water. They rely mainly on unsafe and unreliable water source. To ease the burden of being exposed to unsafe water source, some of our countrymen had to endure long walks sometimes crossing rivers and mountains just to have access to clean and potable waters. The need to mandatorily establish an accessible potable water systems in the country has not only become imperative but indispensable.

Hence, this earnest request for the immediate passage of this bill.



TYRONE D. AGABAS
Representative
6th District, Pangasinan

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

1 **SEC. 1. Short Title.** – This Act shall be known as the
2 “Potable Water Act of 2019”.

3 **SECTION 2. Declaration of State Policy.** - It is the declared
4 policy of the State to provide one of man’s basic right and need-the
5 right to access to potable water. It is also the policy of the State to
6 promote the quality of health of every Filipino through the
7 provision of adequate potable water supply system. To this end,
8 the State shall ensure access of every Filipino to potable water
9 through the funding, and the construction of, water systems
10 across the country-giving priority to the poorest barangays.

11 **Section 3. Definition of Terms.** –

12 **“LWUA”** – shall refer to the Local Utilities Administration

13 **“DOH”** – shall refer to the Department of Health.

39 or region basis which would be most strategic to cater to all
40 barangays as determined by the DOH, LWUA, DPWH, and
41 such other agencies that have data and studies on the
42 matter.

43 Any existing water system or facilities project shall be
44 enhance by the national government through the above-
45 mentioned government agencies and GOCCs in compliance
46 with the mandate of this Act.

47 **Section 5. Allocation from the national government.** – The
48 government, through the DOH, LWUA, DPWH, and such
49 other agencies that have the authority to plot where to
50 implement the objectives of this Act, develop the necessary
51 studies to ascertain key areas that are in need of potable
52 water, and implement the project necessary for the
53 construction of water system/facilities within the territory of
54 the Republic of the Philippines, shall henceforth include in
55 the budget an allocation for such study, construction and
56 completion of such water systems and/or facilities.

57 In the implementation of this Act, the poorest local
58 government units and barangays shall have the highest
59 priority. The socio-economic status of said local government
60 units shall be determined using data from the appropriate
61 government agencies such as the PSA, NAPC, DSWD and
62 NEDA.

63 Nothing in this Act shall be constructed to remove,
64 reduce, diminish or otherwise abandon the present
65 responsibility and commitment of local government units to

66 fund and/or spearhead the construction and completion of
67 their own water systems using their share from the IRA due
68 theme and other sources of revenue.

69 **Section 6. Appropriation.** – The funds required for the
70 implementation of this Act upon its approval shall be taken
71 from the budget of the LWUA and DPWH for the current fiscal
72 year.

73 Thereafter, the amount necessary to carry out the provisions
74 of this Act shall be included in the general Appropriation Act
75 of the year immediately following its enactment into law and
76 subsequent thereto. The LWUA, as a government-owned and
77 controlled corporation, shall be required to allocate from its
78 revenue a separate budget to comply with the requirements of
79 this Act.

80 **Section 7. Implementing Rules and Regulations.** – Within
81 ninety (90) days after the effectivity of this Act, LWUA, DPWH,
82 PSA, NAPC, NEDA and such other concerned agencies shall
83 adopt and promulgate such rules and regulations to carry out
84 the provision of this Act. Such implementing rules and
85 regulations shall be effective fifteen (15) days following their
86 publication in the Official Gazzate or in two (2) major
87 newspapers of general circulation.

88 **Section 8. Separability Clause.** – If any provision of this Act
89 shall be held unconstitutional or invalid, the other provisions
90 not otherwise affected shall remain in full force and effect

Section 9. – Repealing Clause. – All laws, executive orders, rules and regulation consistent with or contrary to this Act are hereby deemed accordingly repealed or amended.

Section 10. Effectivity Clause. – This Act shall take effect after fifteen (15) days from publication in at least two (2) newspapers of general circulation.

Approved,