



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS

First Regular Session

House Bill No. **1418**

Introduced by Representative Jose Enrique S. Garcia III

EXPLANATORY NOTE

It has been the policy of the State that the territorial and political subdivisions of the State shall enjoy genuine and meaningful local autonomy to enable the local governments to attain their fullest development as self-reliant communities and make them more effective partners in the attainment of national goals.

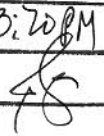
This measure seeks to implement the above State policy through the creation of the Metro Bataan Development Authority (MBDA) so as to integrate and coordinate the delivery of certain basic services as well as enforcement of laws, rules and regulations between and among the cities and municipalities in the Province of Bataan.

The MBDA will be under the Office of the Governor to which the implementing arm will be the Council composed of the mayors of all the member city and municipalities chaired by the Provincial Governor. Some of its powers and functions were focused on the formulation, coordination and regulation of the implementation of approved medium and long term plans and programs of the Province, setting the policies concerning traffic in the Province, deputization of its personnel by the Land Transportation Office (LTO) or other government agency concerned, and performance of basic services.

Assistance to medium and long-term development plans of the Bataan Provincial Planning and Development (PPDO), transport and traffic management, zoning and land use planning, and shelter services, health and sanitation protection and pollution control, public safety, peace and order were among the primary and basic services to be catered.

The passage of this bill is earnestly sought.


JOSE ENRIQUE S. GARCIA III
Second District, Bataan

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House Bill No. **1418**

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AN ACT
CREATING THE METRO BATAAN DEVELOPMENT AUTHORITY, DEFINING ITS
POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR AND FOR OTHER
PURPOSES

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

1 **SECTION 1. Title.** – This Act shall be known as the “Metro Bataan Development Authority
2 Act of 2014.”

3 **SEC. 2. Declaration of Policy.** – Consonant with the declaration of policy of the State as
4 provided in the Constitution, the Local Government Code and other pertinent national laws, it
5 is hereby declared to be the policy of the State to encourage its city and municipalities to
6 group themselves to coordinate their efforts, services and resources for purposes commonly
7 beneficial to them. It is also declared to be the policy of the State to integrate and coordinate
8 the delivery of certain basic services as well as enforcement of laws, rules and regulations
9 among its different local government units through the Metro Bataan Development Council
10 composed of the chief executives of the member city/municipalities with its implementing
11 arm, the Metro Bataan Development Authority as created herein.

12 **SEC 3. Creation of the Metro Bataan Development Authority.** - The Metro Bataan
13 Development Authority, hereinafter referred to as the MBDA, is hereby created under the
14 Office of the Governor as the implementing arm of the Metro Bataan Development Council,
15 hereinafter referred to as the Council. The Council shall be composed of the chief executives

1 of the city/municipalities and chaired by the Provincial Governor in the Province of Bataan
2 based on the Memoranda of Agreement executed among the member local government
3 units.

4 The MBDA shall perform planning and implementation of policies approved by the
5 Council, monitoring and coordinative functions, and in the process exercise regulatory and
6 supervisory authority over the delivery of province-wide services in the Province of Bataan
7 without diminution of the autonomy of the local government units concerning purely local
8 matters.

9 **SEC. 4 Scope of MBDA Services.** – Province-wide services under the jurisdiction of the
10 MBDA are those services which have province-wide impact and transcend legal political
11 boundaries or entail huge expenditures such that it would not be viable for said services to
12 be provided by the individual local government units (LGUs) in the Province of Bataan.
13 These services shall include:

- 14 (a) Assist the Bataan Provincial Planning and Development Office (PPDO) in
15 development planning which includes the preparation of medium and long-term
16 development plans; the development evaluation and packaging of projects;
17 investment programming and coordination and monitoring of plan, program and
18 project implementation;
- 19 (b) Transport and traffic management which include the formulation, coordination
20 and monitoring of policies, standards, programs and projects to rationalize the
21 existing transport operations, infrastructure requirements, the use of
22 thoroughfares, and promotions of safe and convenient movement of persons and
23 goods: provision for transport system and the institution of a system to regulate
24 road users; administration and implementation of all traffic enforcement
25 operations, traffic engineering services and traffic services and traffic education
26 programs, including the institution of a single ticketing system in the Province of
27 Bataan;

- 1 (c) Zoning and land use planning, and shelter services which include the
2 formulation, adoption and implementation of policies, standards, rules and
3 regulations, programs and projects to rationalize and optimize land use and
4 provide direction to growth and expansion, the rehabilitation and development of
5 slum and blighted areas, the development of shelter and housing facilities and
6 the provision of necessary social services thereof;
- 7 (d) Health and sanitation protection and pollution control which include the
8 formulation and implementation of policies, rules and regulations, standards,
9 programs and projects for the promotion and safeguarding of the health and
10 sanitation of the province and for the enhancement of ecological balance and the
11 prevention, control and abatement of environmental pollution, in coordination
12 with the Department of Health (DOH) and the DENR;
- 13 (e) Public safety which includes the formulation and implementation of programs and
14 policies and procedures to achieve public safety, especially preparedness for
15 preventive or rescue operations during times of calamities and disasters such as
16 conflagrations earthquake, flood and tidal wave; and coordination and
17 mobilization and resources and the implementation for rehabilitation and relief
18 operations in coordination with national agencies concerned;
- 19 (f) Peace and order including the formulation and implementation of programs and
20 policies and procedures to achieve public safety, especially preparedness for
21 preventive or rescue operations during times of calamities and disasters such as
22 conflagrations, earthquake, flood and tidal waves; and coordination and
23 mobilization of resources and the implementation for rehabilitation and relief
24 operations in coordination with national agencies concerned;
- 25 (g) Such other province-wide services and functions as the Council may order the
26 MBDA to perform.

27 **SEC. 5. Metro Bataan Development Authority.** – The Metro Bataan Development
28 Authority herein created under the Office of the Governor shall be headed by a General

1 Manager, who shall have the rank and privileges of head of a department of the Provincial
2 Government of Bataan, to be appointed by the Provincial Governor. The term of the General
3 Manager shall be co-terminous with that of the Provincial Governor.

4 The General Manager shall be assisted by an Assistant General Manager, who shall
5 have the rank and privileges of an assistant head of a department of the Provincial
6 Government of Bataan.

7 **SEC. 6. Metro Bataan Development Council.** – In accordance with the Memoranda of
8 Agreement executed among the member city/municipalities, the Metro Batan Development
9 Council shall form and approve the policy and programs to be implemented by the MBDA in
10 coordination with other agencies of the national and local government. The Council shall be
11 composed of the mayors of all the member city and municipalities headed and chaired by
12 the Provincial Governor. The directors of the DPWH, Department of the Interior and Local
13 Government (DILG) and the Philippine National Police (PNP) or their duly authorized
14 representatives, shall also attend the meetings of the Council.

15 The Chairman and members of the Council shall be entitled to allowances and per
16 diems in accordance with existing policies, rules and regulations on the matter.

17 **SEC. 7. Functions and powers of the Metro Bataan Development Authority.** – The
18 MBDA shall:

- 19 (a) Formulate, coordinate and regulate the implementation of approved medium and
20 long term plans and programs for the delivery of province-wide services, land use
21 and physical development within the Province of Bataan, consistent with national
22 development objectives and priorities;
- 23 (b) Undertake and manage on its own approved plans and projects for the delivery of
24 specific services under its jurisdiction;
- 25 (c) Coordinate, monitor and adopt solutions to problems of implementation of such
26 plans, programs and projects in the Province;
- 27 (d) The MBDA shall set the policies concerning traffic in the Province, coordinate
28 and regulate the implementation of all approved programs and projects

concerning traffic management specifically pertaining to enforcement, engineering and education. Upon request, it shall be extended assistance and cooperation, including but not limited to, assignment of personnel by local government units and other government agencies and offices concerned;

(e) Upon the deputization of its personnel by the Land Transportation Office or other government agency concerned, the personnel of the MBDA shall enforce, impose and collect fines and penalties for all kinds of violations of traffic laws, ordinances, rules and regulations, whether moving or non-moving in nature, and confiscate and suspend or revoke driver's licenses in the enforcement of such traffic laws and regulations;

(f) Perform other related functions assigned by the Chairman and the Council that may be necessary to achieve the objectives of the MBDA, including the undertaking of delivery of basic services to the local government units when deemed necessary, subject to prior coordination with and consent of the local government unit concerned.

SEC. 8. Functions of the General Manager. – The General Manager shall:

(a) Execute the policies and programs of the MBDA and be responsible for the efficient and effective day-to-day management of the operations of the MBDA;

(b) Supervise subordinate personnel;

(c) Supervise the operation of various operating centers and units of the MBDA;

(d) Formulate and recommend policies and programs to the Council for the efficient delivery of province-wide services;

(e) Review of plans and programs of the MBDA, in the preparation of the annual report of the activities and accomplishments of the MBDA; and

(f) Perform such other duties and functions as may be lawfully delegated or assigned by the Council from time to time.

SEC. 9. Institutional Linkages of the MBDA. - The MBDA shall, in carrying out its functions, consult, coordinate and work closely with the LGUs, the DPWH, Department of

1 Transportation and Communication (DOTC) and other national government agencies;
2 accredited people's organizations (POs); non-government organizations (NGOs), and the
3 private sector operating in the Province of Bataan.

4 The MBDA shall have an approved master plan that shall serve as the framework for
5 the local development plans of the component LGUs.

6 The implementation of the MBDA's plans, programs and project shall be undertaken
7 by the LGUs, the concerned national government agencies, the POs, NGOs and the private
8 sector and MBDA itself where appropriate.

9 **SEC. 10. Sources of Funds and the Operating Budget of MBDA.** – The annual
10 expenditures, including capital outlays, of the MBDA shall be included in the General
11 Appropriations Act of the year following its enactment into law and thereafter.

12 The MBDA is likewise empowered to levy fines and impose fees and charges for
13 various services rendered.

14 The MBDA, subject to the approval of the Council, may hereafter resolve to require all
15 its member city and municipalities to contribute a portion of its annual revenue for its
16 operation and the implementation of projects.

17 **SEC. 11. Repealing Clause.** – All laws, executive orders, rules and regulations or parts
18 thereof inconsistent with or contrary to the provisions of this Act are hereby repealed or
19 modified accordingly.

20 **SEC. 12. Separability Clause.** – In case any part or provision of this Act is held
21 unconstitutional or invalid, other parts of provisions thereof which are not affected shall
22 continue to remain full force and effect.

23 **SEC. 13. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in at
24 least two (2) newspapers of general circulation.

25 Approved,