

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
**Quezon City**

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 4698**



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**Introduced by Hon. John Marvin "Yul Servo" C. Nieto**

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**EXPLANATORY NOTE**

This bill seeks to mandate the construction of rainwater harvesting facilities in all new public and private commercial, institutional, and residential developments in Metro Manila in order to adapt to the changing climate and combat the devastating effects of heavy rainfall and typhoons that continue to plague our country.

Requiring new buildings to integrate a rainwater harvesting facility to their building plans is seen as a measure that will contribute to our government's effort to prevent, mitigate, and control floods. This measure is also seen to strengthen the water supply of the metro, which was an emergent problem as evidenced by the recent water crisis that Metro Manila faced.

As a manifestation of support to our colleagues in Congress who likewise advocate the urgency of this matter, this representation respectfully refiles this bill.

  
**JOHN MARVIN "YUL SERVO" C. NIETO**

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**AN ACT MANDATING THE ESTABLISHMENT AND MAINTENANCE OF A  
RAINWATER HARVESTING FACILITY IN ALL NEW INSTITUTIONAL,  
COMMERCIAL, AND RESIDENTIAL DEVELOPMENT PROJECTS IN  
METRO MANILA**

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

**SECTION 1. Short Title.** - This Act shall be known as the "Rainwater  
Harvesting Facility Act."

**SEC. 2. Declaration of Policy.** - It is declared a policy of the State to protect  
and advance the right of the people to a balanced and healthful ecology in  
accord with the rhythm and harmony of nature. Pursuant thereto, the State  
shall mandate the establishment of rainwater harvesting facilities to reduce  
flooding and relieve the metropolis of the devastating effects of typhoons and  
other weather disturbances, shall urge the conservation of potable water, and  
shall engage the active participation of the public and private sector in the  
flood mitigating efforts and initiatives of the government.

The State recognizes Metro Manila as one of the densest areas in the country.  
To mitigate the adverse effects of a continuing growth in population and  
widening community developments, the State shall ensure that Metro Manila  
local governments are capacitated to respond to threats wrought by natural  
calamities and disasters such as massive flooding.

Towards this end, the State shall mandate the construction of rainwater  
harvesting facilities in all new public and private commercial, institutional, and  
residential developments in Metro Manila. Pursuant thereto owners and  
developers of all new public and private commercial, institutional, and  
residential development projects in Metro Manila requiring the issuance of



building permit are mandated to design and construct a rainwater harvesting facility to prevent or delay the release of rainwater and runoff water into the public drainage systems, creeks, and natural waterways.

**SEC. 3. Definition of Terms.** - As used in this Act:

- a. Rainwater harvesting facility refers to a flood control structure such as vertical detention tank, horizontal water tank, open retarding basin, and multi-use water catchment area, or an on-site regulation pond used to prevent to delay the release of rainwater into the public drainage system; and
- b. Rainwater Harvesting Facility Requirement refers to the average length of time in years for a rain-related natural disaster of given magnitude to be equaled or exceeded by the length of time that a rainwater-related disaster may probably recur.

**SEC. 4. Rainwater Harvesting Facility Requirement.** - An owner or developer of a new commercial, institutional, and residential development project in Metro Manila, with an area of at least one thousand five hundred (1,500) square meters and requiring the issuance of building permit, shall reserve, develop, and maintain at least three percent (3%) of the total area, exclusive of roads, service streets and alleys, as a rainwater harvesting facility.

The owner or developer of an on-going commercial, institutional, and residential development project in Metro Manila that has no existing provision for a rainwater harvesting facility shall build the facility within a period of three (3) years from the effectivity of this Act, or suffer the penalty imposed in Section 8 thereof.

To conserve potable water, rainwater collected by a harvesting facility may be used for non-potable and suitable purposes, such as gardening and air-cooling processes.

**SEC. 5. Design Approval.** - The provision for a rainwater harvesting facility shall be required by the Department of Human Settlements and Urban Development (DHSUD) and local government units (LGUs) to be incorporated in the design of all new commercial, institutional, and residential development projects in Metro Manila and no project design shall be approved for construction unless it includes such facility. The DHSUD and the LGUs shall

ensure that these facilities are built during the construction dphase of the projects.

**SEC. 6. Design Requirements.** - The rainwater harvesting facility must be designed to cope with a pre-determined flood and rain return period and must have a storage capacity prescribed by the Department of Public Works and Highways (DPWH). The design of the rainwater harvesting facility shall include the following:

- a) Size, shape and physical characteristics of available space;
- b) Construction plans with specified material type including lining and coating requirements, and
- c) Detailed drawing on how the installation will drain into an outfall structure such as drywell or percolation chamber, storm drain system, drainage channel, or natural wash.

**SEC. 7. Building Permits.** - If the design of a new commercial, institutional, and residential project in Metro Manila with an area of at least one thousand five hundred (1,500) square meters does not provide for a rainwater harvesting facility, the LGU concerned shall deny the request for issuance of a building permit for such project.

**SEC. 8. Penalties.** - The owner or developer of all new commercial, institutional, and residential development projects in Metro Manila who fails to construct a rainwater harvesting facility in violation of Section 4 of this Act shall suffer the penalty of a fine of not less than Five hundred thousand pesos (P 500,000.00), but not more than Two million pesos (P 2,000,000.00) for every year of non-compliance.

In the case of a partnership, association, corporation or any juridical person, the fine shall be imposed upon the president, treasurer or any other officer or person responsible for the violation.

If the offender is a foreigner, the foreigner shall be deported immediately without further proceedings after payment of fine. The head of the government institution who violated Section 4 of this Act, or government officials, employees, and agents who issue licenses or permits in violation of Section 8 of this Act, shall suffer the penalty of suspension of not less than



ten (10) days, but not more than one hundred eighty (180) days after due notice and hearing in an appropriate administrative proceeding.

**SEC. 9. Implementing Rules and Regulations.** - Within sixty (60) days from the effectivity of this Act, the Secretary of Public Works and Highways shall, in coordination with the Secretary of the Interior and Local Government, the Secretary of Human Settlements and Urban Development, and the Administrator of the Philippine Atmospheric, Geophysical and Astronomical Services Administration, promulgate the rules and regulations for the effective implementation of this Act. The implementing rules and regulations shall include the standards and guidelines for the design, construction, installation, materials, site selection and planning, site-specific considerations, and maintenance of the rainwater harvesting facility.

**SEC. 10. Separability Clause.** - If any provision or part of this Act is declared invalid or unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in full force and effect.

**SEC. 33. Repealing Clause.** - All other laws, rules and regulations, orders, circulars, and other issuances or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

**SEC. 34. EFFECTIVITY.** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a national newspaper of general circulation.

*Approved,*