

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
First Regular Session

House Bill No. 129



Introduced by **REP. MANUEL ANTONIO F. ZUBIRI**

EXPLANATORY NOTE

A healthy populace means a healthy nation. And one of the ways to achieve a healthier Philippines is through access to potable water.

Over 8 million Filipinos have no access to clean water (<https://businessmirror.com.ph/clean-water-services-for-healthier-philippines-pushed/>). Nine (9) million Filipinos rely on unimproved, unsafe and unsustainable water sources. Families without a safe water source in or near their home often spend significant time and energy collecting water. Thus, Filipinos consider water and sanitation access a matter of safety, pride, progress and convenience, in addition to the health consideration (<https://water.org/our-impact/philippines>). In another study, about 455 municipalities nationwide have been identified by the National Anti-Poverty Commission (NAPC) as waterless areas that are having households with access to safe water of less than 50% only. As a result, diarrhea and other waterborne diseases still rank among the leading causes of morbidity and mortality in the Philippines (<https://www.doh.gov.ph/provision-of-potable-water-program>). The National Economic and Development Authority (NEDA) on the other hand stated that 12.32% of the country's 22.7 million families still have no access to safe water supply (source: water.org).

While the United Nations recognized the human right to water and sanitation on July 28, 2010 in its General Assembly, the fact remains that access to potable water is a basic need of every person especially that water is vital to our survival.

Thus, the approval of this bill is earnestly sought.

MANUEL ANTONIO F. ZUBIRI
Representative
3rd District, Bukidnon

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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

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 “Potable Water Act of 2019”.

Section 2. Declaration of State Policy. – It is the declared policy of the State to provide one of man’s basic right and need—the right to access to potable water. It is also the policy of the State to promote the quality of health of every Filipino through the provision of adequate potable water supply system. To this end, the State shall ensure access of every Filipino to potable water through the funding, and the construction of, water systems across the country—giving priority to the poorest barangays.

Section 3. Definition of Terms. –

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

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

“**DSWD**” – shall refer to the Department of Social Welfare and Development.

“**NEDA**” – shall refer to the National Economic Development Authority.

“**DPWH**” – shall refer to the Department of Public Works and Highways.

“**LGUs**” – shall refer to the Local Government Units which shall then include provinces, cities, municipalities, barangays and autonomous areas in the Philippines.

“**NAPC**” – shall refer to the National Anti-Poverty Commission.

“**PSA**” – shall refer to the Philippine Statistics Authority.

“**IRA**” – shall refer to the Internal Revenue Allotment of Local Government Units.

“**Water Systems / Water Facilities**” – A water supply system in one or more provincial cities or municipalities.

“**Water District**” – A water district is a local corporate entity that operates and maintains a water supply system in one or more provincial cities or municipalities.

“Potable Water” – shall refer to drinking water; is water that is safe to drink or to use for food preparation.

Section 4. Scope. – This Act shall cover all local government units. The necessary water systems and water facilities shall be established, constructed and implemented on a per-area or region basis which would be most strategic to cater to all barangays as determined by the DOH, LWUA, DPWH, and such other agencies that have data and studies on the matter.

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

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

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

Nothing in this Act shall be construed to remove, reduce, diminish or otherwise abandon the present responsibility and commitment of local government units to fund and/or spearhead the construction and completion of their own water systems using their share from the IRA due them and other sources of revenues.

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

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

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

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

Section 9. Repealing Clause. – All laws, executive orders, rules and regulations inconsistent 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,