



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 2887

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

EXPLANATORY NOTE

This bill seeks to integrate all plans, operations, maintenance, and development efforts on the country's water supply and services by establishing a central agency tasked to oversee and implement policies, which shall be called the *Department of Water Services and Resource Management and Development*.

The general objectives of this proposed legislation are as follows:

1. To prioritize the immediate attainment of universal access to safe, adequate, and sustainable water supply, sanitation, and irrigation services for all Filipinos and adopt all necessary measures directed towards the realization of the human right to water and sanitation; and
 2. To integrate all water resource planning and policy making efforts to ensure strong, well-coordinated, sustainable, fair allocation, and efficient use of water resources between competing water uses and users, including but not limited to domestic and municipal use, irrigation, power generation, farming, fisheries, commercial, and industrial use.

32 Due to the apparent and recurring water shortage, irrigation, sewage, and
33 sanitation problems, this representation sees that a probable cause of such issues
34 is the uncoordinated efforts of agencies and institutions currently tasked to
35 oversee these specific areas in water management. Thus, it is high time that the
36 state create a department that will assume the responsibility of overseeing all
37 matters pertaining to the water resources and services of the country. Doing so
38 will allow for a more systematic, organized, efficient, effective, and accountable
39 approach to the management of water in the country.

41 It is no secret that we, in our vows to protect the well-being and development of
42 our people and our nation, are in urgent need of this piece of legislation. Instead
43 of correcting the problems as they come, we need to take steps in preventing such
44 problems to occur and ensure that the Filipinos enjoy their right to safe, clean,
45 affordable, and accessible drinking water, sanitation, and irrigation, and ensure
46 that the steps taken are sustainable.

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48 As a manifestation of support to the administration's promise of sustainable water
49 resource management and service, this representation seeks the urgent passage
50 of this measure.

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AN ACT INTEGRATING ALL WATER RESOURCE MANAGEMENT AND SERVICES, IRRIGATION, SEWAGE, AND SANITATION RESOURCE MANAGEMENT, HEREBY CREATING THE DEPARTMENT OF WATER SERVICES AND RESOURCE MANAGEMENT AND DEVELOPMENT, DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

CHAPTER 1 GENERAL PROVISIONS

Section 1. Short Title. - This Act shall be known as the "Department of Water Services and Resource Management and Development."

Section. 2. Declaration of Policy. - It is hereby declared the policy of the State to recognize, protect, realize, and enhance the right of all Filipinos to safe, clean, affordable, and accessible drinking water, sanitation, and irrigation as essential to the full enjoyment of life and all human rights and the protection and sustainability of the environment. To attain the success of this policy, this Act shall have the following objectives:

- (a) To prioritize the immediate attainment of universal access to safe, adequate, and sustainable water supply, sanitation, and irrigation services for all Filipinos and adopt all necessary measures directed towards the realization of the human right to water and sanitation; and
 - (b) To integrate all water resource planning and policy making efforts to ensure strong, well-coordinated, sustainable, fair allocation, and efficient use of water resources between competing water uses and users, including but not limited to domestic and municipal use, irrigation, power generation, farming, fisheries, commercial, and industrial use.

Section. 3. Definition of Terms. - For purposes of this Act, the following terms are hereby defined:

a) Department - refers to the Department of Water Services and Resource Management

(b) Sanitation - refers to sewage, sanitation, and septage management.

(c) Sewerage - refers to any system or network of sanitary pipelines, ditches, channels, or conduits including pumping stations, lift stations, and force mains, service connections including other constructions, devices, or appliances pertinent thereto, which includes the collection, sanitary piping transport, pumping, and treatment of water-borne human or animal waste removed from residences, buildings, institutions, and industrial and commercial establishments to point of sewage treatment plant disposal.

(d) Sewage - refers to water-carried waste in solution or suspension, including sanitary waste, commercial waste, industrial waste, agricultural waste, and surface runoff, conveyed by a sewerage system for treatment or disposal. For purposes of this Act, the definition of septage shall be included in the use of sewage.

{e) Septage - refers to sludge produced on individual on-site wastewater disposal systems, principally septic tanks and cesspools. The terms "infrastructure" and "public works" as used in this Act should be ready to apply only to wholly or primarily water-related projects and shall not be read to incorporate projects which would not otherwise fall within the purview of the objectives, powers, and duties of the Department.

CHAPTER II ORGANIZATION

Section. 4. The Department of Water Services and Resource Management and Development. - There is hereby created the Department of Water Services and Resource Management and, hereinafter referred to as the "Department," which shall be organized within one hundred twenty (120) days after the effectivity of this Act. The Department shall be tasked with developing and implementing a comprehensive water, irrigation, sewage, and sanitation program for the Philippines including, but not limited to:

(a) Implement necessary policy and resource reforms with respect to the management of water, irrigation, sewage, and sanitation;

(b) Monitor and evaluate compliance with the national goals relating to water, irrigation, sewage, and sanitation;

(c) Formulate an updated national road map to address the timely and sustainable water, sewage, and sanitation requirements of the State; and

(d) Improve and develop conservation of water and increase system efficiencies.

162 **Section 5. Powers and Duties of the Department.** — The Department shall be
163 vested with the following powers and duties:

164 (a) Develop policies to promote universal access to safe, adequate, affordable, and
165 sustainable water supply, irrigation, sewage, and sanitation services for all
166 Filipinos;

167 (b) Coordinate with relevant government agencies or entities to provide policy
168 directions, strategies, and targets to meet the goals and objectives for water
169 supply, irrigation, sewage, and sanitation. Such policies shall among other things,
170 integrate the issue sewage, energy, environment, and food security;

171 (c) Manage and protect the country's water resources to ensure its optimal use for
172 domestic water supply, sewage, sanitation, irrigation, hydropower, navigation,
173 flood control, and recreation, including the enhancement and maintenance of
174 water quality, conservation of watersheds, control of water pollution, and
175 environmental restoration, without compromising the natural ecosystem functions
176 and services;

177 (d) Manage the ownership, appropriation, utilization, exploitation, development,
178 conservation, and protection of water resources and rights to land related thereto
179 and their competing demands;

180 (e) Undertake and coordinate with other agencies and government entities in data
181 gathering, scientific research, and studies on water resources management and
182 development, and conduct nationwide hydrologic surveys to determine the annual
183 renewable water available per water region;

184 (f) Formulate and enforce rules and regulations in the administration and
185 management of the country's water resources and implement rules and guidelines
186 for the enforcement of water related laws;

187 (g) Conduct continuing surveys and studies of the country's renewable water
188 supply with a view towards formulating long-term policies to balance the
189 sustainability and optimal use of water resources, defining the hydrologic
190 boundaries of basins of the existing water supply sources, and creating and
191 implementing countrywide master plans for water resources management and
192 development;

193 (h) Coordinate with and assist other government agencies in all aspects of data
194 gathering, conduct studies and research, and classify and establish water quality
195 standards for surface and ground water, including national standards for drinking
196 water and wastewater effluence, in coordination with relevant agencies;

197 (i) Coordinate with other relevant agencies to engage in flood control and flood
198 risk management, formulate integrated water resources management (IWRM)
199 policies and plans, and coordinate the implementation, promotion, revision, and
200 enhancement of IWRM plans;

201 (j) Effect and compel inter-sectoral, inter-agency, and inter-departmental

- 202 coordination on water, irrigation, energy, environmental, sewage, and sanitation
203 resources development planning with the aim of operationalizing the integrated
204 approach to water resources management;
- 205 (k) Regulate and control the utilization, exploitation, abstraction, diversion, and
206 development of water resources, taking into account its equitable distribution,
207 and determine the standards of beneficial and priority uses of water in times of
208 crisis and national emergencies;
- 209 (l) Assist and provide the National Economic and Development Authority (NEDA)
210 with required data and input from and for the water sector in the formulation of
211 the country's short-term and long-term strategic development plans and actions;
- 212 (m) Coordinate with other relevant government agencies and develop policies
213 and plans on water resources for farming, including sustainable mechanisms for
214 irrigation;
- 215 (n) Pass upon, approve, or disapprove all plans, programs, or development
216 projects of private individuals, corporations, and government agencies, whether
217 national or local, that affect water resources, its diversion or abstraction, and the
218 construction of hydraulic facilities, including but not limited to plans and projects
219 in watershed or basin areas of water supply sources, which have direct or indirect
220 impact on the affected locality's water resources,
- 221 (o) Regularly review regulations prescribed by any government agency pertaining
222 to water use, exploitation, development, conservation, or protection of waters,
223 water resources, and watershed or basin areas;
- 224 (p) Authorize its representatives or any deputized agent to enter any property of
225 public dominion or any private land, building, or enclave, whether inhabited or
226 not, for the purpose of conducting hydrologic surveys and investigations,
227 including assessing and evaluating the conditions of water facilities installed, and
228 determining compliance with water laws and standards;
- 229 (q) Require Local Government Units (LGUs) and national agencies to submit
230 zoning and land use management plans to ensure the integration of water
231 resource management plans: Provided, That no zoning and land use plan shall
232 become effective and enforceable unless and until a certification of integration of
233 water, sewage, and sanitation resource management plan has been issued by the
234 Department. Should the Department have serious concerns affecting
235 conservation and sustainability of water supply, such concerns must first be
236 resolved by the Department and the concerned LGU and/or national agency.
237 However, in the absence of such concerns, the concerned LGU and/or
238 government agency may, ninety (90) days from the submission of its zoning and
239 land use plan and after submitting to the Department a written notice of
240 compliance with this provision, proceed with the implementation of its zoning and
241 land use plan without prejudice to later integration of the water resource
242 management plan for the locality;

- 243 (r) Provide technical assistance to water, irrigation, sewer and sanitation users,
244 whether directly or in coordination with other agencies, to assist them in
245 applying for water and irrigation permits and providing data on water, irrigation,
246 sewage, and sanitation resource usage;
- 247 (s) Plan, design, construct, and/or improve all types of irrigation projects and
248 appurtenant structures;
- 249 (t) Operate, maintain, and administer all national irrigation systems (NIS);
- 250 (u) Supervise the operation, maintenance, and repair, or otherwise, administer
251 temporarily all communal and pump irrigation systems constructed, improved,
252 and/or repaired wholly or partially with government funds;
- 253 (v) Supervise the operation, maintenance, and repair, or otherwise, administer
254 temporarily all communal and pump irrigation systems constructed, improved,
255 and/or repaired wholly or partially with government funds;
- 256 (w) Delegate the partial or full management of NIS to duly organized cooperatives
257 or associations;
- 258 (x) Construct multiple-purpose water resources projects designed primarily for
259 irrigation, and secondarily for hydraulic power development and/or other uses
260 such as flood control, drainage, land reclamation, domestic water supply, roads
261 and highway construction, and reforestation, among others; Provided, that the
262 plans, designs, and the construction thereof, shall be undertaken in coordination
263 with the agencies concerned;
- 264 (y) Charge and collect from the beneficiaries of the water from all irrigation
265 systems constructed under its administration;
- 266 (z) In coordination with other relevant government agencies, develop and
267 implement effective codes, standards and reasonable guidelines to ensure the
268 safety of all public and private structures in the country and assure efficiency and
269 proper quality in the construction of water, irrigation, sewage, and sanitation
270 infrastructures;
- 271 (aa) Coordinate with relevant government agencies, including the Department of
272 Environment and Natural Resources, to ensure that the agencies' respective
273 standards complement each other when taken as part of a larger whole;
- 274 (bb) In coordination with other relevant agencies, ascertain that all plans and
275 project implementation designs are consistent with current standards and
276 guidelines;
- 277 (cc) Provide the works supervision function for all public works construction and
278 ensure that actual construction is done in accordance with approved government
279 plans and specifications;
- 280 (dd) Assist other government agencies, including LCDs, in determining the most

281 suitable entity to undertake the actual construction of water, irrigation, sewage,
282 and sanitation projects;

283 (ee) Maintain and cause to be maintained all flood control, water resource
284 development systems, irrigation systems, and other public works throughout the
285 country except those that are the responsibility of other agencies as directed by
286 the President of the Philippines or as provided by law;

287 (ff) Provide integrated planning for flood control, flood risk management, and
288 water resource development and management systems, other public works;

289 (gg) Issue and promulgate rules, regulations, and guidelines as may be necessary
290 to implement and enforce its powers and functions under this Act;

291 (hh) Determine and require the monitoring and submission of such data, statistics,
292 and other information as may be necessary for the effective and efficient exercise
293 of its duties, functions, powers and responsibilities;

294 (ii) Respond to consumer complaints and ensure the adequate promotion of
295 consumer interests;

296 (jj) Deputize agents, whether from the public or private sector, to assist in the
297 performance of any of the powers and functions of the Department;

298 (kk) Appoint, hire, and maintain adequate staff and personnel, advisers, and/or
299 consultants, with suitable qualifications and experience, as necessary;

300 (ll) Manage funds coursed through it under the General Appropriations Act
301 intended as financial assistance to LWDs or LGUs for the development and/or
302 improvement of water supply and sanitation facilities;

303 (mm) Exercise such other powers and functions necessary or incidental to the
304 effective administration and management of the country's water, irrigation,
305 sewage, and sanitation resources;

306 (nn) Exercise such other incidental powers and functions as may be necessary to
307 attain the objectives of this Act; and

308 (oo) Carry out such other functions as the President may from time to time assign
309 to the Department consistent with the aims and provisions of this Act.

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311 **Section. 6- Secretary of the Department of Water Services and Resource
312 Management and Development-** The authority and responsibility for the
313 exercise of the mandate of the Department and for the discharge of its powers and
314 functions shall be vested in the Secretary of the Department of Water Services and
315 Resource Management and Development, hereinafter referred to as the Secretary,
316 who shall have supervision and control over the Department and shall be
317 appointed by the President. For such purposes, the Secretary shall:

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319 (a) Advise the President on the promulgation of executive or administrative
320 orders, regulations,

321 proclamations, and other issuances relative to matters under the jurisdiction of the
322 Department;

323
324 (b) Establish the policies and standards for the operation of the Department
325 pursuant to the President's guidelines;

326 (c) Promulgate rules and regulations necessary to carry out Department
327 objectives, policies, and functions;

328 (d) Exercise supervision and control over all Bureaus and Offices under the
329 Department;

330 (e) Supervise all attached agencies and corporations in
331 accordance with law;

332 (f) As deemed appropriate by the Secretary, delegate authority for the
333 performance of any power or function, as defined herein or as delegated by the
334 President, to officers and employees under the Secretary's direction; and

335 (g) Perform such other duties and responsibilities as may be provided by law.

336 **Section. 7. Office of the Secretary-** The Office of the Secretary shall be
337 composed of the Secretary and his/her immediate staff.

338 **Section. 8. Undersecretaries.** - The Secretary shall be assisted by not more
339 than five (5) Undersecretaries, who shall be appointed by the President upon the
340 recommendation of the Secretary, as follows:

341 1) One for the Finance
342 Service;

343 2) One for the Administrative
344 Service;

345 3) One for the Planning and Engineering
346 Services;

347 4) One for the Regulatory and Financial Assistance
348 Services, and

349 5) One for the Operations.

350 Within her/his functional area of responsibility, an Undersecretary shall have the
351 following functions:

352 (a) Advise and assist the Secretary in the formulation and implementation
353 of 14 Department policies, plans, programs, and projects;

354 (b) Supervise all the operational activities of the units assigned to her/him,
355 for which she/he is responsible to the Secretary; and

356 (c) Perform such other duties and responsibilities as may be assigned or
357 delegated by the Secretary to promote efficiency and effectiveness in the

358 delivery of public services or as may be required by law.

359 **Section. 9. Assistant Secretaries.** - The Secretary shall also be assisted by
360 one Assistant Secretary for Internal Audit and the five Undersecretaries shall
361 each be assisted by not more than three (3) Assistant Secretaries likewise
362 appointed by the President of the Philippines upon the recommendation of the
363 Secretary.

364 **Section. 10. Organizational Structure.** - The Department shall be composed of
365 the following organization units:

366 (a) Department Proper consisting of the Office of the Secretary, the Offices of the
367 Undersecretaries and Assistant Secretaries, the Internal Audit, Finance Service,
368 Administrative Service, Planning and Engineering Services, Regulatory and
369 Financial Assistance Services; and Operations, and

370 (b) Regional Offices, as deemed appropriate and necessary by the
371 Secretary.

372 **Section 11.- Internal Audit** -The Internal Audit is hereby created for the
373 purpose of conducting comprehensive audit of various Department activities and
374 shall have the following specific functions:

375 (a) Advise the Secretary on all matters relating to management control and
376 operations audit;

377 (b) Conduct management and operations performance audit of Department
378 activities and units and determine as to compliance with established objectives,
379 policies, methods and procedures, government regulations, and contractual
380 obligations of the Department;

381 (c) Review and appraise systems and procedures, organizational structure, assets
382 management practices, accounting, and other records, reports, and performance
383 standards of the Department of Proper and Regional Offices;

384 (d) Analyze and evaluate management deficiencies and assist top management to
385 solve problems by recommending realistic courses of action; and

386 (e) Perform such other related duties and responsibilities as may be assigned or
387 delegated by the Secretary or as may be required by law.

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389 **Section. 12 - Finance Service.** - The Finance Services is hereby created to
390 provide the Department with coordinated services relating to financial systems
391 and procedures, budget, cash, accounting, and ail financial matters not falling
392 under other Services. For such purposes, it shall have the following functions;

393 (a) Advise the Secretary on all matters relating to the accounting of government
394 expenditures and receipts, budgeting and cash management, project finances,
395 and financial systems and procedures;

396 (b) Prepare budget proposals and pursue formal budget authorizations, undertake
397 budget execution, and prepare and submit all appropriate reports to the proper
398 offices;

399 (c) Develop and maintain accounting, financial, and assets management systems,
400 procedures, and practices in the Department Proper and Regional Offices in
401 accordance with the existing government accounting and auditing rules and
402 regulations;

403 (d) Provide assistance in its area of specialization to any unit of the Department
404 and, when requested, to government corporations, councils, and boards attached
405 to the Department; and

406 (e) Perform such other related duties and responsibilities as may be assigned or
407 delegated by the Secretary or as may be required by law.

408 **Section. 13. Administrative Service.** - The Administrative Service is hereby
409 created to provide the Department with services relating to human resources
410 development, personnel records, facilities maintenance, medical and dental,
411 gender and development (GAD), security, property and procurement services. For
412 such purposes, it shall have the following functions:

413 (a) Advise the Secretary on all matters relating to internal administration and 19
414 human resources management;

415 (b) Prepare and implement an integrated personnel plan that shall include
416 provisions on merit promotion, performance evaluation, job rotation, suggestions
417 and incentive awards systems, and health and welfare services;

418 (c) Provide services related to human resource training, education, and
419 development, including manpower, career planning and forecasting and
420 development of indigenous training materials;

421 (d) Prepare and/or implement Department GAD plans and budgers and GAD
422 accomplishment reports;

423 (e) Develop, establish, and maintain an efficient and cost-effective property
424 procurement system and facilities and coordinate or otherwise interface with
425 relevant agencies, whether government or private, for the purpose of developing
426 or upgrading the system;

427 (f) Secure and maintain necessary Department facilities, and develop, establish,
428 and maintain an efficient and effective security system covering, among others,
429 personnel, physical installations, equipment, documents, and materials, including
430 the conduct of security investigations;

431 (g) Coordinate with the appropriate government agencies for a more efficient
432 conduct of administrative processes;

434 (h) Develop, establish and maintain an efficient records system;

435 (i) Provide assistance in its area of specialization to the Department Proper and
436 Regional Offices and, when requested, the government agencies and corporations
437 attached to the Department; and

438 (j) Perform such other related duties and responsibilities as may be assigned or
439 delegated by the Secretary or as may be required by law.

440 **Section. 14. Planning and Engineering Services.** - The Planning and
441 Engineering Services is hereby created to provide the Department with the
442 capability to undertake infrastructure development planning, programming, and
443 implementation. For this purpose, it shall have the following functions:

444 (a) Advise the Secretary on all matters relating to infrastructure planning and
445 implementation;

446 (b) Formulate strategies and priorities for infrastructure development consistent
447 with national development objectives and initiate or undertake relevant surveys
448 for development planning;

449 (c) Formulate and implement long-range, medium-term and annual development
450 plans and programs for infrastructure, including flood control, water resource
451 development systems. and other public works projects, including phasing of
452 implementation and review and integrate land use plans with such water
453 development plans;

454 (d) Identify and implement priority packages for infrastructure development,
455 including
456 control, water resource development systems, and other public works projects,
457 and undertake or supervise and evaluate the conduct of feasibility studies and
458 project preparation and implementation thereof;

459 (e) Prioritize project implementation and the allocation of funds and other
460 resources and package project proposals for funding and implementation;

461 (f) Evaluate and appraise all regional interregional infrastructure development
462 plans and programs as to their feasibility and consistency with approved strategies
463 and long and medium tens plans;

464 (g) Initiate regular Department-wide planning exercises and act as the secretariat
465 thereof;

466 (h) Gather, analyze, and organize needed statistical data and information;

467 (i) Provide technical assistance related to its functions to the other Services and
468 Regional Offices as needed; and

469 (j) Perform such other related duties and responsibilities as may be assigned or
470 delegated by the Secretary or as may be required by law.

471 **Section. 15. Regulatory and Financial Assistance Services.** - The Regulatory
472 and Financial Assistance Services is hereby created to provide the Department

473 with services on all legal affairs, compliance of attached government corporations,
474 LWDs, RWSAs, cooperatives, and other associations, including private entities
475 under contractual or concession arrangement with them, and other private water
476 service providers on the established standards, rules and regulations relating to:
477 water quality, infrastructure and facilities design and construction; equipment,
478 materials and supplies, operations and maintenance; personnel; organization;
479 accounting; tariffs; and other matters subject to regulation. It shall also provide
480 the Department services on the management of the financial assistance available
481 and granted to LWDs and RWSAs. For this purpose, it shall have the following
482 functions:

- 483 (a) Advise the Secretary on all matters relating to legal affairs and regulation of
484 the operation of the attached corporations, LWDs, RWSAs, cooperatives and other
485 associations,
- 486 (b) Provide legal assistance to the Department Proper and Regional Offices 7 and,
487 when requested, the attached corporations and boards;
- 488 (c) Prepare Department contracts and legal instruments, review of administrative
489 charges against officers and employees of the Department, members of the top
490 management of the attached corporations and boards;
- 491 (d) Conduct administrative investigation as well as the review of administrative
492 charges against officers and employees of the Department, members of the top
493 management of the attached corporations and boards;
- 494 (e) Exercise functional jurisdiction over the legal staffs of Regional Offices;
- 495 (f) Establish standards for water quality; design and construction of facilities,
496 optimum selection of equipment, materials and supplies, procedures for operations
497 and maintenance of water and sewer equipment and facilities; training of
498 personnel; organization; uniform accounting system, tariffs,
- 499 (g) Review all water rates or charges;
- 500 (h) Manage the financial assistance available and granted to LWDs, RWSAs and
501 other qualified water utilities.

502 **Section. 16. Operations.** - The Operations is hereby created to provide the
503 Department through Regional Offices with the capability to plan, design, and
504 implement projects for water resource development systems, irrigation, flood
505 control, and other public works in different regions of the country. For this
506 purpose, it shall have the following functions:

- 507 (a) Undertake and evaluate the planning, design, construction, and works
508 supervision functions of the Department for the abovementioned infrastructure
509 within the region;
- 510 (b) Undertake the maintenance of the abovementioned infrastructure within

511 the region and supervise the maintenance of such local infrastructure receiving
512 national government financial assistance as the Secretary may determine;

513 (c) Ensure the implementation of laws, policies, programs, rules and
514 regulations regarding the abovementioned infrastructure as well as public and
515 private physical structures;

516 (d) Provide technical assistance related to their functions to other agencies
517 within the region;

518 (e) Coordinate with other departments, agencies, institutions, and
519 organizations within the region, in the planning and implementation of
520 infrastructure projects,

521 (f) Conduct continuing consultations with the local communities, take
522 appropriate measures to make the services of the Department responsive to the
523 needs of the general public, compile and submit such information to the central
524 office, and recommend such appropriate actions as may be necessary, and

525 (g) Perform such other related duties and responsibilities as may be
526 assigned or delegated by the Secretary or as may be required by law.

527 **Section. 17. Regional Director.** - Each Regional Office shall be headed by a
528 Regional Director who shall be responsible for efficiently and effectively carrying
529 out the duties and responsibilities of the Regional Office. She/he shall also
530 perform such other related duties and responsibilities as may be assigned or
531 delegated by the Secretary or as may be required by law. The Regional Director
532 shall be assisted by two (2) Assistant Regional Directors who shall exercise
533 supervision respectively over:

534 (1) the planning, project design, evaluation, and technical assistance functions of
535 the Regional Office, and

536 (2) the 2 construction, maintenance, and works supervision functions in the
537 region.

539 CHAPTER III TRANSITORY PROVISIONS

540 **Section. 18. Interface with Other Sector Regulators.** - The Department is
541 mandated to coordinate with the different sector regulators as follows:

542 (a) The Department of Environment and Natural Resources (DENR) shall continue
543 to have the primary authority and responsibility for protecting the environment
544 and for the conservation of water and related natural resources, including
545 protecting water bodies from waste and pollution and shall promulgate rules,
546 regulations, and standards in this regard. The Department shall coordinate with
547 the DENR with respect to the conservation of water resources, protection from

548 sewage and septage waste, and restoration from environment damage;

549 (b)The Department of Health (DOH) shall have primary authority and
550 responsibility for determining and enforcing drinking water quality and sanitation
551 standards. The Department shall coordinate with the DOH to achieve an
552 integrated approach for sanitation, including toilets, collection, treatment, and
553 evaluation of wastewater.

554 (c)The Department shall subsume responsibility from the Department of Public
555 Works and Highways (DPWH) for wholly or primarily water-related public works
556 projects including flood control, water resources development, sewerage,
557 sanitation, and the harnessing and impounding of water. The Secretaries of each
558 department shall coordinate on the development of evaluation criteria as
559 necessary, to determine proper allocation of public works projects between the
560 two departments;

561 (d) The Department shall absorb the responsibility from the Department of
562 Interior and Local Government (DILG) on the management and operation of
563 water supply systems of local government units.

564 **Section 19. Transfer of Rights and Obligations.** - The Department, shall by
565 virtue of this Act, be subrogated to all the rights, and assume all the obligations of
566 the relevant parts of any agency or unit whose powers and duties have been
567 transferred to the Department, including the DPWH, National Irrigation
568 Administration (NIA), National Water Resources Board (NWRB), Metropolitan
569 Waterworks and Sewerage System (MWSS), Local Water Utilities Administration
570 (LWUA), Metro Manila Development Authority (MMDA), and the Department of
571 Interior and Local Government (DILG).The transfer of powers and functions in
572 Section 18 above, as applicable, and agencies attached thereto, as herein
573 provided for, shall take effect within one hundred eighty (180) days after the
574 effectivity of this Act.

575 The foregoing transfer of powers and functions shall include all applicable funds,
576 personnel, records, property, and equipment, as may be necessary. All offices
577 shall continue to function under their present mandates until transition is effected
578 as provided for under this Act. All rights and obligations of said government
579 agencies are hereby transferred to and assumed by the Department and shall be
580 acted upon in accordance with the rules and regulations of the Commission on
581 Audit and other pertinent laws, rules, and regulations.

582 **Section 20. Separation from Service.** - Employees separated from government
583 service as a result of this Act shall be entitled to the benefits that they may
584 receive under existing laws, rules, and regulations.

585 **Section. 21. Implementing Rules and Regulations.** — Within one hundred
586 eighty (180) days from the effectivity of this Act, the Department, in consultation
587 with the concerned government agencies, shall promulgate the necessary
588 implementing rules and regulations for the implementation of this Act: Provided,
589 That such revised implementing rules and regulations shall only take effect fifteen

590 (15) days following its 3 publication in two (2) newspapers of general circulation.

591 **Section. 22. Appropriations.** - The amount necessary to carry out the initial
592 implementation of this Act shall be sourced from any available funds of the
593 National Treasury, and is hereby appropriated and authorized to be released for
594 the organization of the Department and its initial operations. Thereafter, funds
595 sufficient to fully carry out the objectives, powers, and 9 functions of the
596 Department shall be appropriated every fiscal year in the General Appropriations
597 Act. The Department shall submit its annual budget, which shall include, among
598 others, detailed information on the compensation and benefits received by their
599 employees to the Office of the President for approval.

600 **Section. 23. Separability Clause.** - If any provisions or part hereof, is held
601 invalid or unconstitutional, the remainder of the law or the provision not otherwise
602 affected shall remain valid and subsisting.

603 **Section 24. Repealing Clause.** - Any law, presidential decree or issuance,
604 executive order, letter of instruction, administrative order, rule or regulation
605 contrary to or inconsistent with the provision of this Act is hereby repealed,
606 modified or amended accordingly.

607 **Section. 25. Effectivity Clause.** - This Act shall take effect fifteen (15) days
608 from its complete publication in the Official Gazette and in at least one (1)
609 newspaper of general circulation.

610 *Approved,*