

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6741



Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III

EXPLANATORY NOTE

The establishment of rainwater harvesting facilities provides a solution to minimize the impact of flooding caused by heavy rainfall. The wells and collectors could harvest and store rainwater to prevent its direct discharge to sewers and drainages. This could aid in lessening the chances of flooding in the low-lying areas of Metro Manila. Further, the stored rainwater can be utilized for non-drinking purposes. This reduces water utility bills and lessens the demand on potable ground water.

This bill seeks to mandate newly-established commercial and residential institutions to provide and maintain rainwater harvesting facilities as part of flood mitigation measures in Metro Manila. This proposed legislation encourages the participation of the private sector to implement cohesive measures to lessen and control the incidences of flooding in the cities.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

MANUEL DG. CABOCHAN III
Representative
Magdalo Para Sa Pilipino Party-List

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HON. MANUEL DG. CABOCHAN II

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 Philippine in Congress assembled:

1 **SECTION 1. Short Title.** – This Act shall be known as “Rainwater Harvesting
2 Facility Act.”
3

4 **SEC. 2. Declaration of Policy.** – It is declared a policy of the State to protect and
5 advance the rights of the people to a balanced and healthful ecology in accord with the
6 rhythm and harmony of nature. Pursuant thereto, the State shall mandate the establishment of
7 rainwater harvesting facilities to reduce flooding and relieve the metropolis of the devastating
8 effects of typhoons and other weather disturbances, shall urge the conservation for potable
9 water, and shall engage the active participation of the public and private sector in the flood
10 mitigating efforts and initiatives of the government.
11

12 The State recognizes Metro Manila as one of the densest areas in the country. To
13 mitigate the adverse effects of a continuing growth in population and widening community
14 developments, the State shall ensure that Metro Manila local governments are capacitated to
15 respond to threats wrought by natural calamities and disasters such as massive flooding.
16 Towards this end, the State shall mandate the construction of rainwater harvesting facilities in
17 all new public and private institutional, commercial and residential development projects to
18 design and construct a rainwater harvesting facility to prevent or delay the release of
19 rainwater and runoff water into the public drainage systems, creeks and natural waterways
20 prior to the issuance of building permits.
21

22 **SEC. 3. Definition of Terms.** – For the purpose of this Act:
23

- 24 (a) **Rainwater harvesting facility** refers to a flood control structure such as a vertical
25 detention tank, horizontal water tank, open retarding basin and multiuse water
26 catchment area, or an on-site regulation pond used to prevent or delay the release of
27 rainwater into the public drainage system; and
28

1 (b) *Return period* refers to the average length of time in years for a rain-related natural
2 disaster of given magnitude to be equaled or exceeded by the length of time that a
3 rainwater-related disaster may probably recur.
4

5 **SEC. 4. Rainwater Harvesting Facility Requirement.** – An owner or developer of a
6 new institutional, commercial and residential development project in Metro Manila, with an
7 area of at least one thousand five hundred (1,500) square meters and requiring the issuance of
8 building permit, shall reserve, develop and maintain at least three percent (3%) of the total
9 area, exclusive of roads, services streets and alleys, as a rainwater harvesting facility.
10

11 The owner or developer of an on-going institutional, commercial and residential
12 development project in Metro Manila that has no existing provision for a rainwater harvesting
13 facility shall build the facility within a period of three (3) years from the effectivity of this
14 Act, or suffer the penalty imposed in Section 8 hereof.
15

16 To conserve potable water, rainwater collected by a harvesting facility may be used
17 for non-potable and suitable purposes, such as gardening and air-cooling processes.
18

19 **SEC. 5. Design Approval.** – The provision for a rainwater harvesting facility shall be
20 required by the Housing and Land Use Regulatory Board (HLURB) and local government
21 units (LGUs) to be incorporated in the design of all new institutional, commercial and
22 residential development projects in Metro Manila and no project design shall be approved for
23 construction unless it includes such facility. The HLURB and the LGUs shall ensure that
24 these facilities are built during the construction phase of the projects.
25

26 **SEC. 6. Design Requirements.** – The rainwater harvesting facility must be designed
27 to cope with a predetermined flood and rain return period and must have a storage capacity
28 prescribed by the Department of Public Works and Highways (DPWH). The design of the
29 rainwater harvesting facility shall include the following:
30

- 31 (a) Size, shape and physical characteristics of available space;
32
33 (b) Construction plans with specified material type including lining and coating
34 requirements; and
35
36 (c) Detailed drawing on how the installation will drain into an outfall structure such as
37 drywell or percolation chamber, storm drain system, drainage channel or natural
38 wash.
39

40 **SEC. 7. Building Permits.** – If the design of a new institutional, commercial and
41 residential development project in Metro Manila with an area of at least one thousand five
42 hundred (1,500) square meters does not provide for a rainwater harvesting facility, the LGU
43 concerned shall deny the request for issuance of a building permit for such project.
44

45 **SEC. 8. Penalties.** – The owner or developer of all new institutional, commercial and
46 residential development projects in Metro Manila who fails to construct a rainwater
47 harvesting facility in violation of Section 4 of this Act shall suffer the penalty of a fine of not
48 less than five hundred thousand pesos (P500,000.00), but not more than two million pesos
49 (P2,000,000.00) for every year of noncompliance.
50

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

4
5 If the offender is a foreigner, the foreigner shall be deported immediately without
6 further proceedings after payment of fine.

7
8 The head of the government institution who violates Section 4 of this Act, or
9 government officials, employees and agents who issue licenses or permits in violation of this
10 Act, shall suffer the penalty of suspension of not less than ten (1) days, but not more than one
11 hundred eighty (180) days after due notice and hearing in an appropriate administrative
12 proceeding.

13
14 **SEC. 9. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
15 effectivity of this Act, the Secretary of Public Works and Highways shall, in coordination
16 with the Secretary of the Interior and Local Government, the Chief Executive Officer of the
17 HLURB, and the Administrator of the Philippine Atmospheric, Geophysical and
18 Astronomical Services Administration, promulgate the rules and regulations for the effective
19 implementation of this Act. The implementing rule and regulations shall include the
20 standards and guidelines for the design, construction, installation, materials, site selection and
21 planning, site-specific considerations and maintenance of the rainwater harvesting facility.

22
23 **SEC. 10. *Separability Clause.*** – If any provision or part of this Act is declared invalid
24 or unconstitutional, the remaining parts or provisions not affected shall remain in full force
25 and effect.

26
27 **SEC. 11. *Repealing Clause.*** – All laws, executive orders, administrative orders, and
28 rules and regulations inconsistent with this Act are hereby repealed or amended accordingly.

29
30 **SEC. 12. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
31 publication in the Official Gazette or in a newspaper of general circulation.

Approved,