

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

**EIGHTEENTH (18<sup>th</sup>) CONGRESS**  
First Regular Session  
**4125**  
**HOUSE BILL NO. \_\_\_\_\_**

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Introduced by REP. JOSE CHRISTOPHER Y. BELMONTE

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**EXPLANATORY NOTE**

A version of this bill was originally filed in the 16<sup>th</sup> Congress by this Representation as House Bill No. 5266. After the consolidation of all other House Bills filed of the same subject, namely HB Nos. 182 by Rep. Gustavo S. Tambunting, 904 by Rep. Erlinda M. Santiago, 2618 by Former Akbayan Reps. Ibarra "Barry" Gutierrez Ill and Walden Bello, 2791 by Reps. Cresente C. Paez, et. al, 2824 by Rep. Winston "Winnie" Castelo, and 5266 by this representation, as well as the deliberations by the technical working group, which took into consideration House Resolution No. 120 by Rep. Fernando L. Hicap; and Privileged Speeches Numbered 0005 by Rep. Emmi A. De Jesus on July 30, 2014; and 0131 by Rep. Fernando L. Hicap on January 29, 2014, the Committee on Housing and Urban Development and Committee on Appropriation, in Committee Report No. 1025 dated 03 February 2016 during the 16<sup>th</sup> Congress came out with this version. The same version was again filed in the 17<sup>th</sup> Congress and remained under the deliberation of its Technical Working Group.

The importance of this bill in the pursuit of social justice for informal settler families cannot be over-emphasized.

Section 10, Article XIII of the 1987 Constitution provides that “urban and rural poor dwellers shall not be evicted nor their dwellings demolished, except in accordance with law and in a just and humane manner.”

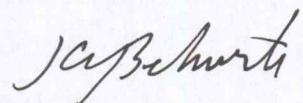
Pursuant to this constitutional mandate, Section 28 of Republic Act No. 7279, otherwise known as “Urban Development and Housing Act (UDHA) of 1992”, stresses that eviction or demolition as a practice shall be discouraged and that certain requirements must first be complied prior to the dismantling of houses and eviction of affected families. Eviction or demolition may only be allowed (a) when persons or entities occupy danger areas, (b) when government infrastructure projects with available funding are about to be implemented, or (c) when there is a court order for

eviction and demolition.

Despite the provisions in the Constitution and the UDHA, violence still erupts during the conduct of evictions and demolitions of informal settler families (ISFs), leading to instances of severe injuries, and sometimes, loss of lives, especially among the poor and vulnerable dwellers. Moreover, these instances of violence get publicized, not only in the local and national mass and social media, but also in the international press, putting the country's reputation as signatory to various human rights covenants and agreements in a negative light.

This bill aims to strengthen the safeguards already provided for under Section 28 of the UDHA. A pre-demolition conference must be called upon to coordinate the various stakeholders, including government agencies tasked to provide the basic needs of the ISFs, to ensure that all forms of aggressions related to demolition and eviction are reduced, if not eliminated. Subscribing to the practice of peaceful dialogues guarantees an inclusive process that brings together the conflicting opinions of the stakeholders, focusing on finding just and sustainable solutions.

In view of the foregoing reasons, the approval of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read "Jacob Bhakti".



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**AN ACT**

**PRESCRIBING A CODE OF CONDUCT FOR THE EVICTION OF UNDERPRIVILEGED AND HOMELESS CITIZENS OR THE DEMOLITION OF THEIR DWELLINGS, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBERED 7279, OTHERWISE KNOWN AS THE "URBAN DEVELOPMENT AND HOUSING ACT OF 1992"**

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

1       **SECTION 1.** Section 28 of Republic Act Numbered 7279 is hereby amended  
2 to read as follows:

3       **"Sec. 28. Eviction and Demolition.** - Eviction or demolition as a practice shall  
4 be discouraged. [Eviction or demolition, however, may be allowed under the  
5 following situations:]

6       a.      EVICTION OR DEMOLITION, WHEN ALLOWED. - EVICTION OR  
7 DEMOLITION MAY BE ALLOWED UNDER THE FOLLOWING SITUATIONS:

8       [(a)] 1. When persons or entities occupy a danger area[s such as *esteros*, railroad  
9 tracks, garbage dumps, riverbanks, shorelines, waterways, and other public  
10 places such as sidewalks, roads, parks, and playgrounds] OR HIGH RISK  
11 AREA WHICH POSES A HIGH LEVEL OF THREAT TO PUBLIC  
12 WELFARE AND SAFETY THAT CANNOT BE ADDRESSED THROUGH

1 OR REMEDIED BY SCIENTIFIC, PHYSICAL, AND ENGINEERING  
2 METHODS AND, THEREBY, UNSUITABLE FOR SETTLEMENT AND  
3 PERMANENT STRUCTURES: PROVIDED, THAT AN AREA CAN ONLY  
4 BE DECLARED AS A DANGER AREA OR HIGH RISK AREA THROUGH  
5 AN APPROPRIATE TECHNICAL STUDY AND ADEQUATE PUBLIC  
6 CONSULTATION WITH THE AFFECTED PERSONS OR ENTITIES;

7 [(b)] 2. When government infrastructure projects with available funding are about  
8 to be implemented: PROVIDED, THAT THE AGENCY WHICH SEEKS TO  
9 IMPLEMENT THE EVICTION OR DEMOLITION SHALL ESTABLISH  
10 THE PURPOSE OF THE PROPOSED PROJECT AND THE BUDGET  
11 PERTAINING TO IT UPON ITS APPLICATION TO THE PRESIDENTIAL  
12 COMMISSION FOR THE URBAN POOR FOR AN EVICTION OR  
13 DEMOLITION CERTIFICATE OF COMPLIANCE; [or] AND

14 [(c)] 3. When there is a court order for eviction and demolition: PROVIDED,  
15 HOWEVER, THAT NO EXECUTION OF EVICTION OR DEMOLITION  
16 ORDER SHALL PROCEED AND BE CARRIED OUT DURING THE  
17 PENDENCY OF AN APPEAL, NOTWITHSTANDING THE FAILURE TO  
18 FILE A SUPERSEDEAS BOND TO STAY THE EXECUTION OF THE  
19 ORDER IF THE APPELLANT IS AN UNDERPRIVILEGED AND  
20 HOMELESS CITIZEN.

21 [In the execution of eviction or demolition orders involving underprivileged  
22 and homeless citizens, the following shall be mandatory:]

23 b. MANDATORY REQUIREMENTS BEFORE THE CONDUCT OF-EVICTION  
24 OR DEMOLITION. - NO EVICTION OR DEMOLITION ACTIVITIES  
25 INVOLVING UNDERPRIVILEGED AND HOMELESS CITIZENS SHALL BE  
26 EXECUTED ABSENT COMPLIANCE WITH THE FOLLOWING  
27 MANDATORY REQUIREMENTS:

28 1. CONDUCT OF SOCIAL PREPARATION ACTIVITIES RELATED  
29 TO ASSET REFORM, HUMAN DEVELOPMENT AND BASIC  
30 SERVICES, EMPLOYMENT AND LIVELIHOOD, AND OTHER  
31 PROGRAMS OF THE GOVERNMENT FOR THE AFFECTED  
32 UNDERPRIVILEGED AND HOMELESS CITIZENS;

1        [(1)] 2. Notice upon the effected persons or entities at least thirty (30) days prior to  
2                  the date of eviction or demolition;

3        [(2)] 3. Adequate consultations on the matter of resettlement with the duly designated  
4                  representatives of the families to be resettled and the affected communities in  
5                  the areas where they are to be relocated: PROVIDED, THAT A  
6                  CONSULTATION IN THE FORM OF AN INTER-AGENCY PRE-  
7                  EVICTION OR PRE-DEMOLITION CONFERENCE WITH THE  
8                  AFFECTED UNDERPRIVILEGED AND HOMELESS CITIZENS SHALL  
9                  BE CONVENED BY THE NATIONAL GOVERNMENT AGENCY OR  
10                 THE LOCAL GOVERNMENT UNIT AUTHORIZED TO EVICT OR  
11                 DEMOLISH AND THE SAME SHALL BE COMPLIED WITH UNDER  
12                 THE FOLLOWING CONDITIONS:

13                 i. THE LOCAL PHILIPPINE NATIONAL POLICE  
14                 PERSONNEL, WHOSE FUNCTION IS TO PROVIDE LAW  
15                 ENFORCEMENT AND CIVIL DISTURBANCE CONTROL  
16                 BUT NOT TO PARTICIPATE IN THE PHYSICAL  
17                 DISMANTLING OF ANY STRUCTURE, SHALL ACTIVELY  
18                 PARTICIPATE IN THE CONSULTATION PROCESS AND  
19                 THEIR ROLE SHALL BE CLEARLY SET FORTH;

20                 ii. THE FOLLOWING AGENCIES SHALL BE REPRESENTED  
21                 DURING THE INTERAGENCY PRE-EVICTION OR PRE-  
22                 DEMOLITION CONFERENCE WITH THE AFFECTED  
23                 UNDERPRIVILEGED AND HOMELESS CITIZENS: THE  
24                 DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN  
25                 DEVELOPMENT, THE DEPARTMENT OF INTERIOR AND  
26                 LOCAL GOVERNMENT, THE DEPARTMENT OF SOCIAL  
27                 WELFARE AND DEVELOPMENT, THE DEPARTMENT OF  
28                 EDUCATION, THE DEPARTMENT OF PUBLIC WORKS  
29                 AND HIGHWAYS, THE NATIONAL HOUSING  
30                 AUTHORITY, THE PRESIDENTIAL COMMISSION FOR THE  
31                 URBAN POOR, THE DEPARTMENT OF HEALTH, THE  
32                 COMMISSION ON HUMAN RIGHTS, APPROPRIATE KEY  
33                 SHELTER AGENCIES, AND THE BARANGAY  
34                 CONCERNED;

- 1                     iii. THE INTER-AGENCY PRE-EViction OR PRE-  
2                     DEMOLITION CONFERENCE WITH THE AFFECTED  
3                     UNDERPRIVILEGED AND HOMELESS CITIZENS SHALL  
4                     BE PRESIDED BY THE DEPARTMENT OF HUMAN  
5                     SETTLEMENTS AND URBAN DEVELOPMENT AND THE  
6                     PRESIDENTIAL COMMISSION FOR THE URBAN POOR,  
7                     WHICH MAY CALL ON THE ASSISTANCE OF OTHER  
8                     AGENCIES WHENEVER NECESSARY;
- 9                     iv. THE DETAILS OF THE INTER-AGENCY PRE-EViction  
10                     OR PRE-DEMOLITION CONFERENCE WITH THE  
11                     AFFECTED UNDERPRIVILEGED AND HOMELESS  
12                     CITIZENS SHALL BE DOCUMENTED OR RECORDED,  
13                     AND A SUMMARY OF THE POINTS OF THE  
14                     AGREEMENTS ARRIVED AT AS WELL AS THE  
15                     DISAGREEMENTS THEREON SHALL FORM PART OF THE  
16                     DOCUMENTATION, COPIES OF WHICH SHALL BE  
17                     PROVIDED TO ALL THE STAKEHOLDERS PRESENT; AND
- 18                     v. THE INTER-AGENCY PRE-EViction OR PRE-  
19                     DEMOLITION CONFERENCE WITH THE AFFECTED  
20                     UNDERPRIVILEGED AND HOMELESS CITIZENS SHALL  
21                     BE CONDUCTED NOT LATER THAN SEVENTY-TWO (72)  
22                     HOURS PRIOR TO THE INTENDED DATE OF EVICTION  
23                     OR DEMOLITION, AND IN NO CASE SHALL THE  
24                     CONFERENCE BE HELD WITHIN THE SAME  
25                     PRESCRIPTIVE PERIOD: PROVIDED, THAT A REQUEST  
26                     FOR POLICE ASSISTANCE SHALL BE ACCOMPANIED BY  
27                     A CERTIFICATION FROM THE DEPARTMENT OF HUMAN  
28                     SETTLEMENTS AND URBAN DEVELOPMENT AND THE  
29                     PRESIDENTIAL COMMISSION FOR THE URBAN POOR  
30                     THAT AN INTER-AGENCY PREEViction OR PRE-  
31                     DEMOLITION CONFERENCE WITH THE AFFECTED  
32                     UNDERPRIVILEGED AND HOMELESS CITIZENS WAS  
33                     CONDUCTED;

1     4.     A CERTIFICATE OF COMPLIANCE SECURED FROM THE  
2     PRESIDENTIAL COMMISSION FOR THE URBAN POOR PRIOR TO THE  
3     ACTUAL IMPLEMENTATION OF THE EVICTION OR DEMOLITION  
4     ACTIVITY;

5     5.     SUBMISSION TO THE BARANGAY OFFICIALS OF THE FOLLOWING:

- 6              i.CERTIFICATE OF COMPLIANCE;
- 7              ii.NAMES OF ALL PERSONNEL, STAFF, AND CREW TAKING  
8                  PART IN THE EVICTION OR DEMOLITION ACTIVITY,  
9                  INCLUDING PRIVATE SECURITY, AND THE NAMES OF  
10                 THE PHILIPPINE NATIONAL POLICE PERSONNEL  
11                 ASSIGNED TO MAINTAIN LAW AND ORDER;
- 12              iii.NOTICE OF THE DATE OF DEMOLITION WHICH SHALL BE  
13                 AT LEAST FIVE (5) CALENDAR DAYS FROM SUCH  
14                 NOTICE; AND
- 15              iv.LIST OF OFFICERS OF THE AGENCIES FORMING PART OF  
16                 THE INTERAGENCY BODY CONVENED TO EXTEND  
17                 SUPPORT AND ASSISTANCE;

18[(3)] 6. Presence of local government officials or their representatives during eviction or  
19                 demolition;

20[(4)] 7. Proper identification of all persons taking part in the demolition;

21[(5)] 8. Execution of eviction or demolition only during regular office hours from  
22                 Mondays to Fridays and during good weather, unless the affected families  
23                 consent otherwise;

24[(6)] 9. No use of heavy equipment for demolition except for structures that are  
25                 permanent and of concrete materials;

26[(7)]10. Proper uniforms for members of the Philippine National Police who shall occupy  
27                 the first line of law enforcement and observe proper disturbance control  
28                 procedures;

29     11. OBSERVANCE OF A MINIMUM STANDARD OF CONDUCT BASED ON  
30                 RULES OF ENGAGEMENT THAT APPLY MAXIMUM TOLERANCE IN  
31                 ORDER TO PREVENT THE OUTBREAK OF VIOLENCE OR THE  
32                 ESCALATION THEREOF;

1[(8)] 12. Adequate relocation, whether temporary or permanent; Provided, however, That  
2       in cases of eviction and demolition pursuant to a court order involving  
3       underprivileged and homeless citizens, relocation shall be undertaken by the local  
4       government unit concerned and the National Housing Authority with the  
5       assistance of other government agencies within forty-five (45) days from service  
6       of notice of final judgment by the court, after which period the said order shall be  
7       executed: Provided, further, That should relocation not be possible within the said  
8       period, financial assistance in the amount equivalent to the prevailing minimum  
9       daily wage multiplied by sixty (60) days shall be extended to the affected families  
10      by the local government unit concerned.

11                   OBSERVANCE OF THE ABOVE REQUIREMENTS SHALL BE  
12                   MANDATORY IN ALL CASES INVOLVING THE EVICTION AND  
13                   DEMOLITION OF UNDERPRIVILEGED AND HOMELESS CITIZENS,  
14                   REGARDLESS OF WHETHER OR NOT THEIR DWELLINGS OR  
15                   RESIDENTIAL STRUCTURES WERE CONSTRUCTED AFTER THE  
16                   EFFECTIVITY OF THIS ACT.

17                   [The Department of Interior and Local Government and the Housing and  
18                   Urban Development Coordinating Council shall jointly promulgate the  
19                   necessary rules and regulations to carry out the above provision.]

20 c. PROHIBITION AGAINST EVICTION BY THE CONSTRUCTION OF A  
21       FENCE ENCLOSING A PROPERTY INHABITED BY UNDERPRIVILEGED  
22       AND HOMELESS CITIZENS WHICH IS RAZED TO THE GROUND BY A  
23       FIRE OR RUINED BY A NATURAL CALAMITY. - NO PERSON SHALL  
24       SECURE OR BUILD A PERIMETER FENCE ON AN AREA OR PROPERTY  
25       INHABITED BY UNDERPRIVILEGED AND HOMELESS CITIZENS AFTER  
26       THE SAME IS RAZED TO THE GROUND BY A FIRE OR RUINED BY A  
27       NATURAL CALAMITY: PROVIDED, THAT THE FENCING OF THE  
28       PROPERTY SHALL BE ALLOWED IF THE PERSON CAUSING THE  
29       FENCING CAN SHOW A DULY-SIGNED COURT ORDER ALLOWING THE  
30       SAME.

31  
32 d. DESIGNATION OF A CENTRAL COORDINATING BODY FOR EVICTION  
33       AND DEMOLITION. THE PRESIDENTIAL COMMISSION FOR THE URBAN

1 POOR IS HEREBY DESIGNATED AS THE CENTRAL COORDINATING  
2 BODY FOR THE CONDUCT OF EVICTION AND DEMOLITION  
3 ACTIVITIES INVOLVING UNDERPRIVILEGED AND HOMELESS  
4 CITIZENS. IT SHALL EXERCISE THE FOLLOWING POWERS AND  
5 FUNCTIONS:

- 6 1. MONITOR ALL EVICTIONS AND DEMOLITIONS,  
7 WHETHER EXTRA-JUDICIAL OR COURT-ORDERED,  
8 INVOLVING UNDERPRIVILEGED AND HOMELESS  
9 CITIZENS;
- 10 2. REQUIRE A GOVERNMENT AGENCY OR LOCAL  
11 GOVERNMENT UNIT PROPOSING TO UNDERTAKE  
12 EVICTION OR DEMOLITION ACTIVITIES TO SECURE  
13 FIRST FROM THE PRESIDENTIAL COMMISSION FOR THE  
14 URBAN POOR CENTRAL OFFICE, IN THE CASE OF  
15 NATIONAL PROJECTS, OR FROM ITS REGIONAL OFFICE,  
16 IN THE CASE OF LOCAL PROJECTS, THE CHECKLIST AND  
17 GUIDELINES FOR THE NATIONAL PROJECTS OR LOCAL  
18 PROJECTS, RESPECTIVELY, ON EVICTION OR  
19 DEMOLITION PRIOR TO THE ACTUAL IMPLEMENTATION  
20 THEREOF AND, SUBSEQUENTLY, SUBMIT TO THE  
21 PRESIDENTIAL COMMISSION FOR THE URBAN POOR THE  
22 COMPLETED CHECKLIST, ATTESTED TO UNDER OATH BY  
23 THE PROONENT INDICATING THAT:
  - 24 i. ADEQUATE CONSULTATION WITH THE  
25 AFFECTED FAMILIES HAVE ALREADY BEEN  
26 UNDERTAKEN;
  - 27 ii. ADEQUATE RESETLEMENT SITE AND  
28 RELOCATION FACILITIES ARE AVAILABLE; AND
  - 29 iii. THE PRE-RELOCATION REQUIREMENTS HAVE  
30 BEEN COMPLIED WITH.
- 31 3. REVIEW THE BASIS FOR APPLICATION FOR THE  
32 CONDUCT OF EVICTION OF UNDERPRIVILEGED AND  
33 HOMELESS CITIZENS OR THE DEMOLITION OF THEIR

- 1 DWELLINGS IN A DANGER AREA OR HIGH RISK AREA,  
2 OR IN AN AREA WHERE A GOVERNMENT  
3 INFRASTRUCTURE PROJECT WITH AVAILABLE  
4 FUNDING IS ABOUT TO BE IMPLEMENTED;
- 5 4. BASED ON THE COMPLETED CHECKLIST, SUBJECT TO  
6 FURTHER VERIFICATION, AND THE REVIEW OF THE  
7 BASIS FOR APPLICATION FOR EVICTION OR  
8 DEMOLITION IN THE PRECEDING SUB-PARAGRAPH,  
9 ISSUE A DEMOLITION AND EVICTION CERTIFICATE OF  
10 COMPLIANCE TO THE ENDORSER OF A PROPOSED  
11 EVICTION OR DEMOLITION INVOLVING  
12 UNDERPRIVILEGED AND HOMELESS CITIZENS;
- 13 5. INITIATE, IN COORDINATION WITH RELEVANT  
14 GOVERNMENT AGENCIES, RULES OF ENGAGEMENT IN  
15 THE IMPLEMENTATION OF EVICTION OR DEMOLITION  
16 BASED ON MAXIMUM TOLERANCE;
- 17 6. INVESTIGATE MOTU PROPRIO OR UPON COMPLAINT BY  
18 ANY PARTY, ANY VIOLATION OF THE PROVISIONS OF  
19 SUBSECTIONS A, B, AND C HERE OF OR THE RULES AND  
20 REGULATIONS ISSUED TO IMPLEMENT THEM;
- 21 7. FILE MOTU PROPRIO OR BY WAY OF ASSISTANCE TO  
22 ANY AGGRIEVED PARTY, THE APPROPRIATE CRIMINAL,  
23 CIVIL OR ADMINISTRATIVE CASE AGAINST ANY  
24 PERSON OR PERSONS FOUND TO HAVE VIOLATED THE  
25 PROVISIONS OF SUBSECTIONS A, B, AND C HEREOF OR  
26 THE RULES AND REGULATIONS ISSUED TO IMPLEMENT  
27 THEM;
- 28 8. RECOMMEND TO THE PRESIDENT APPROPRIATE  
29 MEASURES FOR THE IMPLEMENTATION AND  
30 ENFORCEMENT OF THIS SECTION AND THE RULES AND  
31 REGULATIONS ISSUED TO IMPLEMENT THEM,  
32 INCLUDING POSSIBLE ADMINISTRATIVE SANCTIONS  
33 AGAINST NATIONAL OR LOCAL GOVERNMENT

- 1                    OFFICIALS WHO HAVE VIOLATED THE SAID LAW,  
2                    RULES AND REGULATIONS;
- 3                    9. REQUEST ANY GOVERNMENT AGENCY FOR  
4                    ASSISTANCE AND NECESSARY INFORMATION IN THE  
5                    DISCHARGE OF THEIR RESPECTIVE FUNCTIONS UNDER  
6                    THIS ACT;
- 7                    10. PUBLICIZE MATIERS COVERED BY ITS INVESTIGATION  
8                    OF VIOLATIONS OF THE PROVISIONS OF SUBSECTIONS  
9                    A, B, AND C HEREOF OR THE RULES AND REGULATIONS  
10                  ISSUED TO IMPLEMENT THEM, WHEN CIRCUMSTANCES  
11                  SO WARRANT AND WITH DUE PRUDENCE: PROVIDED,  
12                  HOWEVER, THAT THE PRESIDENTIAL COMMISSION FOR  
13                  THE URBAN POOR SHALL, UNDER THE RULES AND  
14                  REGULATIONS THAT SHALL HEREAFTER BE  
15                  PROMULGATED, DETERMINE WHAT CASES MAY NOT  
16                  BE MADE PUBLIC: PROVIDED, FURTHER, THAT ANY  
17                  PUBLICITY ISSUED BY THE PRESIDENTIAL COMMISSION  
18                  FOR THE URBAN POOR SHALL BE BALANCED, FAIR AND  
19                  TRUE;
- 20                  11. ADMINISTER OATHS, ISSUE SUBPOENA AND SUBPOENA  
21                  DUCES TECUM, AND TAKE THE TESTIMONIES OF  
22                  WITNESSES IN THE COURSE OF ITS INVESTIGATION;
- 23                  12. ADOPT ITS OWN OPERATIONAL GUIDELINES AND  
24                  RULES OF PROCEDURES, AS WELL AS RULES AND  
25                  REGULATIONS NOT OTHERWISE INCONSISTENT WITH  
26                  EXISTING LAWS, RULES AND REGULATIONS, TO  
27                  EFFECTIVELY CARRY OUT ITS MANDATE; AND
- 28                  13. PERFORM SUCH OTHER FUNCTIONS AS MAY  
29                  HEREAFTER BE PROVIDED BY LAW. FOR THIS PURPOSE,  
30                  THE PRESIDENTIAL COMMISSION FOR THE URBAN  
31                  POOR SHALL DESIGNATE ADDITIONAL PERSONNEL TO  
32                  CARRY OUT ITS MANDATE.
- 33                  e. PENALTY FOR VIOLATION. - ANY PERSON WHO VIOLATES SUB-  
34                  SECTIONS A, B, AND C HEREOF SHALL BE IMPOSED THE PENALTY OF

1 NOT MORE THAN SIX (6) YEARS OR IMPRISONMENT OR A FINE OF  
2 NOT LESS THAN TWENTY-FIVE THOUSAND PESOS (P25,000) BUT NOT  
3 MORE THAN ONE HUNDRED THOUSAND PESOS (P100,000), OR BOTH,  
4 AT THE DISCRETION OF THE COURT: PROVIDED, THAT, IF THE  
5 OFFENDER IS A CORPORATION, PARTNERSHIP, ASSOCIATION, OR THE  
6 GOVERNMENT OR ANY OF ITS POLITICAL SUBDIVISIONS,  
7 INSTRUMENTALITIES OR AGENCIES, INCLUDING GOVERNMENT-  
8 OWNED OR -CONTROLLED CORPORATIONS, OR OTHER JURIDICAL  
9 ENTITIES, THE PENAL TV SHALL BE IMPOSED ON THE OFFICER OR  
10 OFFICERS OF SAID CORPORATION, PARTNERSHIP, ASSOCIATION,  
11 GOVERNMENT ENTITY, OR JURIDICAL ENTITY WHO CAUSED THE  
12 VIOLATION."

13

14       **SEC. 2.** Section 46 of Republic Act Numbered 7279 is also amended to read  
15 as follows:

16       **"Sec. 46. Appropriations.** - The amount necessary to carry out the purpose of  
17 this Act shall be included in the annual budget of implementing agencies in the  
18 General Appropriations Act [of the year following its enactment into law and every  
19 year thereafter].

20

21       **SEC. 3. Implementing Rules and Regulations.** - Within one hundred twenty  
22 (120) days from the effectivity of this Act, the Housing and Urban Development  
23 Coordinating Council, Department of the Interior and Local Government, and  
24 Presidential Commission for the Urban Poor shall, in consultation with non-  
25 government organizations, people's organizations, and the private sector, jointly  
26 promulgate the rules and regulations implementing the provisions of this Act.

27

28       **SEC. 4. Separability Clause.** - If any provision of this Act is declared  
29 unconstitutional, the remainder of this Act or any provision not affected thereby shall  
30 remain in full force and effect.

31

1           **SEC. 5. Repealing Clause.** - All laws, executive orders, presidential decrees,  
2       proclamations, rules, regulations, issuances, and enactments or parts thereof  
3       inconsistent with this Act are hereby repealed or modified accordingly.

4

5           **SEC. 6. Effectivity.** - This Act shall take effect fifteen (15) days after its  
6       publication in the Official Gazette or in a newspaper of general circulation.

7

8           Approved,