

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S. No. 582

19 JUL 17 P5:51

Introduced by Senator Grace Poe

RECEIVED

A handwritten signature in black ink, appearing to read "Grace Poe".

AN ACT

ESTABLISHING AN ON-SITE, IN-CITY OR NEAR-CITY RESETTLEMENT PROGRAM FOR INFORMAL SETTLER FAMILIES IN ACCORDANCE WITH A PEOPLE'S PLAN AND MANDATING RELOCATING LOCAL GOVERNMENT UNITS TO PROVIDE OTHER BASIC SERVICES AND LIVELIHOOD COMPONENTS IN FAVOR OF THE RECIPIENT LOCAL GOVERNMENT UNIT, AMENDING FOR THE PURPOSE REPUBLIC ACT NO 7279, AS AMENDED, OTHERWISE KNOWN AS THE "URBAN DEVELOPMENT AND HOUSING ACT OF 1992"

Explanatory Note

The 1987 Constitution does not limit rights to their traditional role as safeguards of individual liberty. It also conceptualizes human rights as positive instruments to be used in ensuring social justice and securing human dignity. This is manifested most notably in Article XII, which is entitled "*Social Justice and Human Rights*". The first section of the aforementioned provision declares: "The Congress shall give highest priority to the enactment of measures that protect and enhance *the right of all the people to human dignity*.¹"

The right to adequate housing is an essential component of the right to human dignity. Article 1, Paragraph 1 of the International Covenant on Economic, Social and Cultural Rights includes housing in the components of the right to an adequate standard of living:

"The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and *housing*, and to the continuous improvement of living conditions."

Our fundamental law recognizes the essential role of housing in ensuring human dignity. In fact, the Framers of the Constitution deliberately included an entire subsection dedication to housing under Article XIII. Article XIII, Section 9 reads:

¹ Article XIII, Section 1, 1987 Philippine Constitution.

"The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost, decent housing and basic services to under-privileged and homeless citizens in urban centers and resettlement areas."

Informal settler families (ISFs) are the most affected sector on matters related to housing. There are around 1.345 million ISFs in the country, 564,000 or 42% of whom are located in Metro Manila. The Framers of the Constitution understood their vulnerability and provided them with special protection under Article XIII, Section 10:

"Urban or rural poor dwellers shall not be evicted nor their dwelling demolished, except in accordance with law and in a just and humane manner. No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated."

Congress complied with these constitutional provisions by enacting Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of 1992." With regards to informal settlers, Article VII, Section explicitly bans the eviction and demolition of locations occupied by ISFs, except in the following circumstances:

- a) When persons or entities occupy danger areas such as *esteros*, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and other public places such as sidewalks, roads, parks, and playgrounds;
- 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.

However, these constitutional provisions and laws still do not sufficiently protect the rights of ISFs. Two of the major issues are 1.) lack of prior and sufficient consultation with affected ISFs and 2.) the utilization of off-site resettlement, which is contrary to the intent of R.A. 7279.

This bill seeks to provide a remedy. It proposes amendments to R.A. 7279 which will rectify the issues identified above through the following mechanisms:

1. The formulation "people's plans" by ISF beneficiary-associations, which shall contain a site development plan, including nonphysical development components such as self-help housing cooperative, livelihood, self-help development, and capability-building trainings.

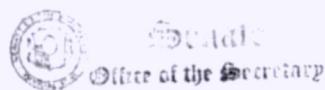
2. The introduction of stronger minimum standards for resettlement or relocation sites.
3. The implementation of on-site, in-city and near-city development as the primary mechanisms urban renewal and development.
4. The relegation of off-city resettlement as a process of last resort, to be utilized only when directly requested by the affected ISFs themselves and after adequate and genuine consultation prior to relocation.

Due to the continuing hazards faced by ISFs, immediate approval of this measure is eagerly sought.



The image shows a handwritten signature in black ink. The signature reads "grace Poe" in a cursive script. Below the signature, the name "GRACE POE" is printed in a smaller, sans-serif font. To the right of the printed name, there is a small, stylized drawing of a heart or star shape.

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

1 Section 1. *Short Title.* – This Act shall be known as the "*On-site, In-city or*
2 *Near- City Resettlement Act of 2019*".

3 Sec. 2. Section 3 of Republic Act No. 7279 is hereby amended to read as
4 follows:

5 "SEC. 3. *Definition of Terms. - For purposes of this Act:*

6 "xxx

7 "(w) x x x; [and]

8 "(x) 'Zonal Improvement Program or ZIP' refers to the program of the
9 National Housing Authority of upgrading and improving blighted
10 squatter areas within the cities and municipalities of Metro Manila
11 pursuant to existing statutes and pertinent executive issuances [-];

12 "**(Y) 'ADEQUATE AND GENUINE CONSULTATION'** - REFERS TO
13 THE STANDARD OF CONSULTATION WITH THE AFFECTED
14 INFORMAL SETTLER FAMILIES (ISFs) WHICH SHALL REQUIRE
15 THE FOLLOWING:

- 1 **1. EFFECTIVE DISSEMINATION OF AND FULL ACCESS TO**
2 **RELEVANT INFORMATION AND DOCUMENTS**
3 **INCLUDING LAND RECORDS, HOUSING BUDGETS, THE**
4 **PROPOSED PLAN OR PROJECT, ALTERNATIVE HOUSING**
5 **OPTIONS, AND COMPREHENSIVE RESETTLEMENT**
6 **PLANS;**
- 7 **2. REASONABLE TIME FOR THE PUBLIC TO REVIEW,**
8 **COMMENT AND OBJECT TO THE PROPOSED PLAN OR**
9 **PROJECT;**
- 10 **3. PROVISION BY THE GOVERNMENT OR**
11 **NONGOVERNMENT ORGANIZATIONS OF LEGAL,**
12 **TECHNICAL, AND OTHER ADVICE TO AFFECTED**
13 **PERSONS ON THEIR RIGHTS AND OPTIONS;**
- 14 **4. PUBLIC HEARINGS THAT PROVIDE AFFECTED ISFs AND**
15 **THEIR ADVOCATES WITH OPPORTUNITES TO**
16 **CHALLENGE THE EVICTION DECISION OR PRESENT**
17 **ALTERNATIVE PROPOSALS AND TO ARTICULATE THEIR**
18 **DEMANDS AND DEVELOPMENT PRIORITIES; AND**
- 19 **IN CASE NO AGREEMENT IS REACHED ON THE PROPOSALS OF**
20 **THE CONCERNED PARTIES, AN INDEPENDENT BODY HAVING**
21 **CONSTITUTIONAL AUTHORITY, SUCH AS A COURT OF LAW,**
22 **SHOULD MEDIATE, ARBITRATE OR ADJUDICATE AS MAY BE**
23 **APPROPRIATE;**
- 24 *"(Z) 'CIVIL SOCIETY ORGANIZATIONS' OR 'CSOs' REFERS TO*
25 *NONGOVERNMENTAL ORGANIZATIONS (NGOs), PEOPLE'S*
26 *ORGANIZATIONS (POs), COOPERATIVES, TRADE UNIONS,*
27 *PROFESSIONAL ASSOCIATIONS, FAITH-BASED*
28 *ORGANIZATIONS, MEDIA GROUPS, INDIGENOUS PEOPLES*
29 *MOVEMENTS, FOUNDATIONS AND OTHER CITIZEN'S GROUPS*
30 *FORMED PRIMARILY FOR SOCIAL AND ECONOMIC*
31 *DEVELOPMENT TO PLAN AND MONITOR GOVERNMENT*
32 *PROGRAMS AND PROJECTS, ENGAGE IN POLICY*

DISCUSSIONS, AND ACTIVELY PARTICIPATE IN COLLABORATIVE ACTIVITIES WITH THE GOVERNMENT;

"(AA) '*IN-CITY RESETTLEMENT*' REFERS TO A RELOCATION SITE WITHIN THE JURISDICTION OF THE CITY WHERE AFFECTED ISFs ARE LIVING;

"(BB) '*INFORMAL SETTLEMENTS*' REFERS TO RESIDENTIAL AREAS OR UNPLANNED SETTLEMENTS WHERE INFORMAL SETTLERS OR INFORMAL SETTLER FAMILIES ARE DWELLING;

"(CC) '*INFORMAL SETTLER*' OR '*INFORMAL SETTLERS*' REFERS TO A PERSON OR PERSONS WHO SETTLES ON THE LAND OF ANOTHER WITHOUT TITLE OR RIGHT OR WITHOUT THE OWNER'S CONSENT WHETHER IN URBAN OR RURAL AREAS;

"(DD) '*INFORMAL SETTLER FAMILIES*' OR '*ISFs*,' REFER TO FAMILIES WHO HAVE SETTLED ON THE LAND OF ANOTHER WITHOUT TITLE OR RIGHT OR WITHOUT THE OWNER'S CONSENT WHETHER IN URBAN OR RURAL AREAS;

"(EE) '*NEAR-CITY RESETTLEMENT*' REFERS TO A RELOCATION SITE IN A CITY OTHER THAN THE CITY OF THE AFFECTED INFORMAL SETTLEMENTS: *PROVIDED*, HOWEVER, THAT THE RELOCATION SITE IS ADJACENT TO THE CITY WHERE THE AFFECTED ISFs HAVE THEIR SETTLEMENTS;

"(FF) '*NON-GOVERNMENTAL ORGANIZATION*' OR '*NGO*' REFERS TO A DULY REGISTERED NONSTOCK, NONPROFIT ORGANIZATION FOCUSING ON THE UPLIFTMENT OF THE BASIC OR DISADVANTAGED SECTORS OF SOCIETY BY PROVIDING ADVOCACY, TRAINING, COMMUNITY ORGANIZING, RESEARCH, ACCESS TO RESOURCES, AND OTHER SIMILAR ACTIVITIES, AS DEFINED UNDER REPUBLIC ACT NO. 8425, OTHERWISE KNOWN AS THE '*SOCIAL REFORM AND POVERTY ALLEVIATION ACT*' AND ORGANIZED AND OPERATED EXCLUSIVELY FOR SCIENTIFIC, RESEARCH, EDUCATIONAL, CHARACTER-BUILDING AND YOUTH AND

1 SPORTS DEVELOPMENT, HEALTH, SOCIAL WELFARE,
2 CULTURAL OR CHARITABLE PURPOSES, OR A COMBINATION
3 THEREOF, AND NO PART OF THE NET INCOME OF WHICH
4 INURES TO THE BENEFIT OF ANY PRIVATE INDIVIDUAL
5 PURSUANT TO SECTION 34 (H)(2)(C)(1) OF REPUBLIC ACT
6 NO. 8424, AS AMENDED, OTHERWISE KNOWN AS THE
7 'TAXREFORM ACT OF 1997';
8 "(GG) '*OFF-CITY RESETTLEMENT*' REFERS TO A RELOCATION
9 SITE DEVELOPED OUTSIDE AND NOT ADJACENT TO THE CITY
10 WHERE THE AFFECTED ISFs HAVE THEIR SETTLEMENTS;
11 "(HH) '*PEOPLE'S PLAN*' REFERS TO THE PLAN FORMULATED BY
12 THE BENEFICIARY-ASSOCIATION, IN COORDINATION WITH
13 THE PRESIDENTIAL COMMISSION FOR THE URBAN POOR AS
14 CREATED UNDER EXECUTIVE ORDER NO. 152 s. 2002, WITH
15 OR WITHOUT THE SUPPORT OF CSOs, WHICH SHALL CONTAIN
16 A SITE DEVELOPMENT PLAN, INCLUDING NONPHYSICAL
17 DEVELOPMENT COMPONENTS SUCH AS SELF-HELP HOUSING
18 COOPERATIVE, LIVELIHOOD, SELF-HELP DEVELOPMENT, AND
19 CAPABILITY BUILDING; AND
20 "(II) '*SOCIAL PREPARATION*' REFERS TO THE PROCESS OF
21 ESTABLISHING SOCIAL, ORGANIZATIONAL, AND
22 INSTITUTIONAL NORMS AND MECHANISMS. SUCH NORMS
23 AND MECHANISMS WILL:
24 1. ENABLE THE SETTLERS TO COPE WITH CHANGES; AND
25 2. IN PARTNERSHIP WITH CONCERNED INSTITUTIONS
26 AND STAKEHOLDERS, ENCOURAGE THE SETTLERS NOT
27 ONLY TO WORK AMONG THEMSELVES FOR THE
28 PURPOSE OF DRAWING UP AND UNDERTAKING THEIR
29 HOUSING RESETTLEMENT PROPOSALS BUT ALSO TO
30 ACTIVELY AND MEANINGFULLY PARTICIPATE IN
31 HOUSING RESETTLEMENT PROJECTS UNDERTAKEN IN
32 THEIR BEHALF, THUS RESOLVING COLECTIVE ACTION

1 **PROBLEMS AMONG COMMUNITY MEMBERS AND**
2 **COORDINATION PROBLEMS WITH GOVERNMENT AND**
3 **OTHER ENTITIES."**

4 **"(JJ) "UNPLANNED SETTLEMENTS" ARE AREAS WHERE**
5 **HOUSING IS NOT INCOMPLIANCE WITH EXISTING PLANNING**
6 **AND BUILDING REGULATIONS;"**

7 Sec. 3. Section 21 of the Same Act is hereby amended to read as follows:

8 **"Sec. 21. [Basic—Services] MINIMUM STANDARDS FOR**
9 **RESETTLEMENT AREAS.** — Socialized housing or resettlement areas
10 shall be provided by the local government unit, **IN COORDINATION**
11 **WITH** [~~or~~] ~~National Housing Authority~~ **DEPARTMENT OF HUMAN**
12 **SETTLEMENTS AND URBAN DEVELOPMENT AND ITS ATTACHED**
13 **AGENCIE, OTHER RELEVANT GOVERNMENT AGENCIES AND** [~~in~~
14 cooperation with the] ~~private developers~~ [~~and concerned agencies~~] with
15 the following basic services and facilities:

- 16 A) Potable **AND TREATED** water **SUPPLY, OF LEVEL III**
17 **STANDARDS AS DEFINED IN NEDA BOARD RESOLUTION**
18 **NO. 4, SERIES OF 1994, WITH ADEQUATE WATER**
19 **PRESSURE AND ATLEAST EIGHT (8) HOURS OF SERVICE**
20 **PER DAY;**
21 B) Power and electricity and an adequate power distribution system
22 **WITH SERVICE FOR 24 HOURS A DAY;**
23 C) Sewerage facilities, **MATERIAL RECOVERY FACILITIES,**
24 **GARBAGE COLLECTION** and an efficient and adequate solid
25 waste disposal system; [~~and~~]
26 D) **A PUBLIC SCHOOL WITH FACILITIES AND HUMAN**
27 **RESOURCES WHICH SHALL SATISFY THE FOLLOWING**
28 **STANDARDS:**
29 1. **A RATIO OF ONE (1) STANDARD CLASSROOM FOR**
30 **EVERY FORTY (40) STUDENTS;**
31 2. **A RATIO OF ONE (1) TEACHER FOR EVERY FORTY**
32 **(40) STUDENTS; AND**

- 1 **3. A RATIO OF ONE (1) TEXTBOOK FOR EACH STUDENT**
2 **E) A HEALTH CENTER, WITH ADEQUATE HUMAN**
3 **RESOURCES, FACILITIES AND MEDICINES TO PROVIDE**
4 **PRIMARY, MATERNAL AND EMERGENCY CARE;**
5 **F) AN OUTPOST OF THE PHILIPPINE NATIONAL POLICE;**
6 **G) ACCESS TO EMPLOYMENT AND LIVELIHOOD; AND**
7 **H) Access to primary roads and transportation facilities."**

8 "The provision of other basic services and facilities such as
9 health, education, communications, security, recreation, relief and
10 welfare shall be planned and shall be given priority for implementation
11 by the local government unit and concerned agencies in cooperation
12 with the private sector and the beneficiaries themselves. **THE**
13 **CONCERNED LOCAL GOVERNMENT UNITS AND NATIONAL**
14 **GOVERNMENT AGENCIES SHALL SIGN A MEMORANDUM OF**
15 **AGREEMENT (MOA) WHICH SHALL SPECIFY THEIR DUTIES**
16 **AND RESPONSIBILITIES AND THE TIMETABLES FOR THEIR**
17 **COMPLETION. COPIES OF THE MOA SHALL BE PUBLISHED IN**
18 **THE WEBSITE OF THE LEAD LOCAL GOVERNMENT UNIT AND**
19 **GIVEN TO THE AFFECTED ISFS AT LEAST THIRTY (30) DAYS**
20 **PRIOR TO THE START OF THE RESETTLEMENT PROCESS.**
21 **PROVIDED, THAT THE RECIPIENT LOCAL GOVERNMENT UNITS**
22 **IN CASES OF NEAR CITY OR OFF-CITY RESETTLEMENT SHALL**
23 **ALSO BE CONSULTED AND PARTICIPATE IN PROVISION OF**
24 **BASIC SERVICES AS REQUIRED IN THIS PROVISION;"**

25 "The local government unit, in coordination with the concerned
26 national agencies, shall ensure that these basic services are provided
27 at the most cost efficient rates, and shall set as mechanism to
28 coordinate operationally the thrusts, objectives and activities of other
29 government agencies concerned with providing basic services to
30 housing projects. **THE HOUSING AND URBAN DEVELOPMENT**
31 **COORDINATING COUNCIL AND THE DEPARTMENT OF**
32 **FINANCE - BUREAU OF LOCAL GOVERNMENT FINANCE SHALL**

1 **JOINTLY WORK ON THE COST-SHARING MECHANISM**
2 **NECESSARY TO FULLY IMPLEMENT THE PROVISION OF SUCH**
3 **OTHER BASIC SERVICES AND FACILITIES."**

4 **ALL LOCAL GOVERNMENT UNIT SHALL IDENTIFY**
5 **POTENTIAL RESETTLEMENT AREAS IN THEIR**
6 **COMPREHENSIVE LAND USE PLANS"**

7 Sec. 4. Section 23 of the same Act is hereby amended to read as follows:

8 *"Sec. 23. Participation of **PROGRAM** Beneficiaries **OR***
9 ***AFFECTED ISFs, FORMATION OF BENEFICIARY-ASSOCIATION,***
10 ***AND FORMULATION AND IMPLEMENTATION OF A PEOPLE'S***
11 ***PLAN.**- Local government units, in coordination with the Presidential*
12 *Commission for the Urban Poor and concerned government agencies,*
13 *shall afford Program beneficiaries **OR AFFECTED ISFs** or their duly*
14 *designated representatives an opportunity to be heard and to*
15 *participate in the decision-making process over matters involving the*
16 *protection and promotion of their legitimate collective interests which*
17 *shall include appropriate documentation and feedback mechanisms.*
18 *They shall also be encouraged to organize themselves [and undertake*
19 *self-help-cooperative housing and other livelihood activities] **INTO AN***
20 ***ASSOCIATION FOR ACCREDITATION AS BENEFICIARIES OR***
21 ***AWARDEES OF OWNERSHIP RIGHTS UNDER THE***
22 ***RESETTLEMENT PROGRAM, COMMUNITY MORTGAGE***
23 ***PROGRAM, LAND TENURE ASSISTANCE PROGRAM, AND***
24 ***OTHER SIMILAR PROGRAMS IN RELATION TO A SOCIALIZED***
25 ***HOUSING PROJECT ACTUALLY BEING IMPLEMENTED BY THE***
26 ***NATIONAL GOVERNMENT OR BY THE LOCAL GOVERNMENT***
27 ***UNITS.** They shall assist the government in preventing the incursions*
28 *of professional squatters and members of squatting syndicates into*
29 *their communities.*

30 "In instances when the affected beneficiaries have failed to
31 organize themselves or form an [alliance] **ASSOCIATION** within a
32 reasonable period prior to the implementation of the program or

1 projects affecting them, consultation between the implementing
2 agency and the affected beneficiaries shall be conducted with the
3 assistance of the Presidential Commission for the Urban Poor and the
4 concerned nongovernment organization **UNTIL AN ASSOCIATION**
5 **IS FORMED IN PLACE.**

6 "THE ASSOCIATION, IN COORDINATION WITH THE
7 PRESIDENTIAL COMMISSION FOR THE URBAN POOR WITH
8 OR WITHOUT THE SUPPORT OF CSOs, SHALL FORMULATE A
9 'PEOPLE'S PLAN' THROUGH A PROCESS OF CONSULTATION
10 WHICH SHALL CONTAIN A SITE DEVELOPMENT PLAN,
11 INCLUDING NONPHYSICAL DEVELOPMENT COMPONENTS
12 SUCH AS SELF HELP HOUSING COOPERATIVE, LIVELIHOOD,
13 SELF-HELP DEVELOPMENT, AND CAPABILITY-BUILDING
14 TRAININGS.

15 "THE ASSOCIATION, WITH THE ASSISTANCE OF CSOs
16 AND GOVERNMENT AGENCIES INCLUDING THE NATIONAL
17 ANTI-POVERTY COMMISSION (NAPC), PRESIDENTIAL
18 COMMISSION FOR THE URBAN POOR, NATIONAL HOUSING
19 AUTHORITY, CITY OR MUNICIPAL SOCIAL WELFARE AND
20 DEVELOPMENT OFFICE, SOCIAL HOUSING FINANCE
21 CORPORATION, LOCAL GOVERNMENT UNITS, AND OTHER
22 RELEVANT AGENCIES OF GOVERNMENT, SHALL AGREE ON,
23 DEVELOP, AND IMPLEMENT THE PEOPLE'S PLAN.

24 "IN ACCORDANCE WITH THE PROTECTION GUIDELINES
25 PROVIDED UNDER SECTION 28 OF THIS ACT, A RELOCATION
26 ACTION PLAN SHALL BE AN INDISPENSABLE COMPONENT OF
27 THE PEOPLE'S PLAN. THE RELOCATION ACTION PLAN SHALL
28 INCLUDE THE FOLLOWING OBJECTIVES:

- 29 1. ENSURE SAFE, AFFORDABLE, DECENT, AND HUMANE
30 CONDITION OF RELOCATION, INCORPORATING
31 THEREIN APPROPRIATE DISASTER RISK REDUCTION

1 **MANAGEMENT AND CLIMATE CHANGE ADAPTATION
2 STANDARDS;**

- 3 **2. PROVIDE ADEQUATE SOCIAL PREPARATION; AND
4 3. PREVENT FORCED EVICTION.**

5 **PROVIDED, THAT PRIMARY CONSIDERATION SHALL BE GIVEN
6 TO THE HOUSING FINANCIAL SCHEME SUGGESTED IN THE
7 PEOPLE'S PLAN."**

8 Sec. 5. Section 26 of the same Act is hereby amended to read as follows:

9 "*Sec. 26. Urban Renewal and Resettlement.* - [This] **URBAN
10 RENEWAL AND RESETTLEMENT** shall include the rehabilitation and
11 development of blighted and slum areas and resettlement of Program
12 beneficiaries in accordance with the provisions of this Act. On-site
13 development shall be implemented [whenever possible] **AFTER
14 ADEQUATE AND GENUINE CONSULTATION WITH THE
15 AFFECTED ISFs, AND IN ACCORDANCE WITH THE PEOPLE'S
16 PLAN FORMULATED PURSUANT TO SECTION 23 OF THIS ACT,**
17 in order to ensure minimum movement of occupants of blighted lands
18 and slum areas.

19 "**[The] WHERE DEMOLITION OR EVICTION IS ALLOWED
20 IN THE AREA OCCUPIED BY THE PROGRAM BENEFICIARIES
21 PURSUANT TO SECTION 28 OF THIS ACT, AND ON-SITE
22 RESETTLEMENT CANNOT BE UNDERTAKEN BY REASON
23 THEREOF, THE IN-CITY** resettlement of the beneficiaries of the
24 Program from their existing places of occupancy shall be undertaken
25 only [when on-site development is not feasible and] after compliance
26 with the procedures laid down in [Section 28 of this Act] **THE SAME
27 SECTION OF THIS ACT AND IN ACCORDANCE WITH THE
28 PREFERENCE OF THE AFFECTED ISFs AS CONTAINED IN THE
29 PEOPLE'S PLAN AND THE REQUIREMENTS UNDER SECTION 29-
30 A OF THIS ACT.**

31 "**SHOULD IN-CITY RESETTLEMENT NOT BE FEASIBLE,
32 NEAR-CITY RESETTLEMENT SHALL BE CONSIDERED. OFF-CITY**

1 **RESETTLEMENT SHALL ONLY BE RESEORTED TO WHEN**
2 **DIRECTLY REQUESTED BY THE AFFECTED ISFs THEMSELVES,**
3 **AND MUST SATISFY THE REQUIREMENTS OF ADEQUATE AND**
4 **GENUINE CONSULTATION PRIOR TO RELOCATION AND THE**
5 **REQUIREMENTS UNDER SECTION 29-A OF THIS ACT..**

6 Sec. 6. Section 28 of the same Act is hereby amended to read as follows:

7 "Section 28. *Eviction and Demolition.* - x x x

8 (a) x x x

9 (b) x x x

10 (c) x x x

11 In the execution of eviction or demolition orders involving
12 underprivileged and homeless citizens, the following shall be
13 necessary:

14 (1) x x x

15 (2) x x x

16 (3) x x x

17 (4) x x x

18 (5) x x x

19 (6) x x x

20 (7) x x x

21 (8) Adequate relocation, whether temporary or permanent, **AND IN**
22 **ACCORANCE WITH THE REQUIREMENTS UNDER SECTION**

23 **29-A OF THIS ACT:** *Provided*, however, That in cases of eviction
24 and demolition pursuant to a court order involving underprivileged
25 and homeless citizens, relocation shall be undertaken by the local
26 government unit concerned and the **HOUSING AND URBAN**
27 **DEVELOPMENT COORDINATING COUNCIL, ITS ATTACHED**
28 **AGENCIES, [THE** National Housing Authority with the assistance
29 of] **AND** other government agencies within forty-five (45) days
30 from service of notice of final judgment by the court, after which
31 period the said order shall be executed: *Provided*, further, That
32 should relocation not be possible within the said period, financial

1 assistance in the amount equivalent to the prevailing minimum daily
2 wage multiplied by sixty (60) days shall be extended to the affected
3 families by the local government unit concerned.

4 X X X"

5 Sec. 7. Section 29 of the same Act is hereby amended to read as follows:

6 "Sec. 29. Resettlement. - Within two (2) years from the
7 effectivity of this Act, the local government units, in coordination
8 with the National Housing Authority, shall implement the
9 relocation and resettlement of persons living in danger areas
10 such as esteros, railroad tracks, garbage dumps, riverbanks,
11 shorelines, waterways, and in other public places such as
12 sidewalks, roads, parks, and playgrounds. The local government
13 unit, in coordination with the **DEPARTMENT OF HUMAN**
14 **SETTLEMENTS AND URBAN DEVELOPMENT, OTHER**
15 **GOVERNMENT AGENCIES, AND OTHER AFFECTED**
16 **LOCAL GOVERNMENT UNITS IN CASES OF NEAR-CITY**
17 **AND OFF-CITY RESETTLEMENT**[National Housing Authority],
18 shall provide relocation or resettlement sites with basic services
19 and facilities and access to employment and livelihood
20 opportunities [sufficient to meet the basic needs of the affected
21 families] **PURSUANT TO THE REQUIREMENTS LISTED**
22 **UNDER SECTION 29-A OF THIS ACT.**

23 Sec. 8. Section 42 of the same Act is hereby amended to read as follows:

24 Section 42. Funding- Funds for the urban development
25 and housing program shall come from the following sources:

- 26 a) x x x
27 b) x x x
28 c) x x x
29 d) x x x
30 e) x x x
31 f) x x x

1 **G) TWENTY PERCENT (20%) OF THE INTERNAL
2 REVENUE ALLOTMENT APPROPRIATED FOR
3 DEVELOPMENT PROJECTS AS MANDATED UNDER
4 SECTION 287 OF REPUBLIC ACT NO. 7160,
5 OTHERWISE KNOWN AS THE 'LOCAL
6 GOVERNMENT CODE OF 1991'."**

7 **H) THROUGH BUILD-OPERATE-AND-TRASFER AND
8 OTHER SCHEMES, AS PROVIDED FOR UNDER
9 REPUBLIC ACT NO. 6957, AS AMENDED.**

10 Sec. 9. *Implementing Rules and Regulations.* – The Department of Human
11 Settlements and Urban Development, in consultation with the Department of Interior
12 and Local Government, other concerned government agencies, CSOs, NGOs,
13 representatives from the private sector, and ISFs, shall promulgate a new set of
14 implementing rules and regulations within sixty (60) days from the effectivity of this
15 Act.

16 The implementing rules and regulations shall be consistent with the provisions
17 of this Act particularly with the amendments, parameters, and standards introduced
18 to Sections 23, 26, and 29 of the "Urban Development and Housing Act of 1992",
19 and shall include the following:

- 20 a) A People's Plan template to guide ISFs in the development of their own
21 People's Plan: *Provided*, That such template shall be a complete pro forma
22 People's Plan: *Provided*, however, That such a template shall be used to
23 benchmark the minimum standards in a People's Plan; and
- 24 b) A guide to effective implementation of the People's Plan, including details
25 on the necessity of the issuance of internal memoranda by concerned
26 agencies.

27 The implementing rules and regulations issued pursuant to this section shall
28 take effect thirty (30) days after its publication in two (2) national newspapers of
29 general circulation.

30 Sec. 10. *Repealing Clause.* – All laws, decrees, executive orders,
31 proclamations, rules and regulations, and other issuances, or parts thereof which are

1 inconsistent with the provisions of this Act are hereby repealed, amended or
2 modified accordingly.

3 Sec. 11. *Separability Clause.* – If, for any reason, any part, section or
4 provision of this Act is held invalid or unconstitutional, the remaining provisions not
5 affected thereby shall continue to be in full force and effect.

6 Sec. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its
7 publication in the Official Gazette or in a newspaper of general circulation

Approved,