

H. No. 8930

Republic of the Philippines
Congress of the Philippines
Metro Manila
Eighteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-sixth day of July, two thousand twenty-one.

[REPUBLIC ACT NO. 11708]

AN ACT CREATING THE METROPOLITAN DAVAO DEVELOPMENT AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, AND PROVIDING FUNDS THEREFOR

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

SECTION 1. *Short Title.* – This Act shall be known as the “Metropolitan Davao Development Authority Act”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to adopt a national dispersion through regional agglomeration strategy to revitalize large cities and eventually stir them to expand their physical areas for planning as well as their service areas for urban service delivery.

Considering the rapid urbanization of Davao City and the increasing population of the cities of Panabo, Tagum, and the Island Garden City of Samal (IGaCoS), in Davao del Norte; the City of Digos in Davao del Sur; and the City of Mati in Davao Oriental, and the spatial, functional, and economic interdependence of these cities with the municipalities of Sta. Cruz, Hagonoy, Padada, Malalag, and Sulop in Davao del Sur, Carmen in Davao del Norte, Maco in Davao de Oro, and Malita and Sta. Maria in Davao Occidental, it is likewise hereby declared the policy of the State to consider these local government units (LGUs) as a special development and administrative region, to be known as Metropolitan Davao.

SEC. 3. *Creation of the Metropolitan Davao Development Authority.* – There is hereby created a special body to be known as the Metropolitan Davao Development Authority, hereinafter referred to as “MDDA”, which shall be organized within thirty (30) days after the approval of this Act, to coordinate and promote socioeconomic growth and sustainable development of Metropolitan Davao.

The MDDA shall execute the powers and functions herein vested which shall, however, in no way diminish the autonomy of the LGUs of Metropolitan Davao concerning purely local matters, within the framework and subject to the mandate and limitations of the Constitution and the pertinent provisions of Republic Act No. 7160, otherwise known as the “Local Government Code of 1991”.

SEC. 4. *Jurisdiction of the Metropolitan Davao Development Authority.* – For the purposes of this Act, the MDDA shall have jurisdiction over Davao City; the cities of Panabo, Tagum, and the IGaCoS in Davao del Norte; the City of Digos in Davao del Sur; the City of Mati in Davao Oriental; and the municipalities of Sta. Cruz, Hagonoy, Padada, Malalag, and Sulop in Davao del Sur, Carmen in Davao del Norte, Maco in Davao de Oro, and Malita and Sta. Maria in Davao Occidental, and such other cities and municipalities as shall be created in the future within these LGUs as provided by law.

SEC. 5. *Scope of the Metropolitan Davao Development Authority Services.* – The services of the MDDA are delivered across boundaries to multiple and often interdependent political entities whose activities impact each other significantly, and entail huge expenditures such that it would not be viable for said services to be provided by the individual LGUs. These services shall include:

(a) Development planning, which includes preparing medium- and long-term development plans; developing, evaluating and packaging of projects; investments programming; and coordinating and monitoring plans, program and project implementations;

(b) Transport management, which includes formulating, coordinating, and monitoring policies, standards, programs, and projects to rationalize the existing transport operations, infrastructure requirements, and promotion of safe and convenient movement of persons and goods; providing a mass transport system and instituting a system to regulate road users; administering and implementing all traffic enforcement operations, traffic engineering services and traffic education programs, including instituting a single ticketing system within the MDDA jurisdiction;

(c) Solid waste disposal and management, which includes formulating and implementing policies, standards, programs, and projects for proper and sanitary waste disposal. It shall likewise include establishing and operating a sanitary landfill and related facilities, such as waste-to-energy technologies and implementing other alternative programs intended to reduce, reuse, and recycle solid waste;

(d) Flood control and sewerage management, which include formulating and implementing policies, standards, programs, and projects for an integrated flood control, drainage, and sewerage system;

(e) Urban renewal, zoning, land use planning, and shelter services, which include formulating, adopting and implementing policies, standards, rules and regulations,

programs, and projects to rationalize and optimize urban land use and provide direction to urban growth and expansion, rehabilitating and developing slums and blighted areas, developing shelter and housing facilities, and providing necessary social services thereof;

(f) Health and sanitation, urban protection, and pollution control, which include formulating and implementing policies, rules and regulations, standards, programs, and projects for promoting and safeguarding health and sanitation to enhance ecological balance and prevent, control, and abate environmental pollution; and

(g) Public safety, which includes formulating and implementing programs, policies and procedures to achieve public safety, especially preparedness for preventive or rescue operations during times of calamity and disaster such as conflagration, earthquakes, flood; and coordinating and mobilizing resources and implementing contingency plans for rehabilitation and relief operations in coordination with national agencies concerned.

SEC. 6. *Functions of the Metropolitan Davao Development Authority.* – The MDDA shall exercise the following functions:

(a) Formulate plans aligned to the Davao Regional Development Plan (DRDP), Philippine Development Plan 2017-2022 and succeeding national and regional development plans;

(b) Set policies concerning traffic, waste management, and public safety and security for Metropolitan Davao and coordinate, regulate, and enforce the implementation of these programs and projects with concerned national government agencies and LGUs;

(c) Prepare and implement or manage metropolitan-wide programs and projects for the delivery of specific services under its jurisdiction, subject to the approval of the Metropolitan Davao Development Council;

(d) Review and recommend to the Metropolitan Davao Development Council policies regarding development permits for residential, commercial, or industrial purposes and other major land development that have metropolitan-wide impact on transportation and traffic, proposed to be implemented by or in the LGUs within Metropolitan Davao;

(e) Monitor the implementation of metropolitan-wide programs and projects and identify implementation issues and appropriate solutions to address them;

(f) Install and administer a single ticketing system, fix, impose, and collect fines and penalties for all kinds of violations of traffic rules and regulations, whether moving or non-moving in nature, and confiscate and suspend or revoke driver's licenses in the enforcement of such traffic laws and regulations within the MDDA jurisdiction;

(g) Prescribe and collect services and regulatory fees, and impose and collect fines and penalties within the MDDA jurisdiction;

(h) Fix the compensation of the officers and personnel of the MDDA in accordance with the Salary Standardization Law; and

(i) Perform other functions consistent with this Act, subject to approval by the Metropolitan Davao Development Council.

SEC. 7. *Metropolitan Davao Development Council.* – The governing board and the policy-making body of the MDDA shall be the Metropolitan Davao Development Council, herein referred to as the Council, which shall be composed of the Chairperson of the Regional Development Council, Region XI; the governors of the provinces of Davao Oriental, Davao de Oro, Davao del Norte, Davao del Sur, and Davao Occidental; the city mayors of Davao, Mati, Tagum, Digos, IGaCoS, and Panabo; and the municipal mayors of Carmen, Sta Cruz, Hagonoy, Padada, Malalag, Sulop, Maco, Malita, and Sta. Maria, who shall all serve in an *ex officio* capacity. The Chairperson

of the Council shall be appointed by the President of the Philippines from a selection of nominees submitted by the Council and serve for a term of three (3) years.

The heads of the following Davao regional offices of national government agencies shall attend all meetings of the Council as non-voting members: National Economic and Development Authority (NEDA); Department of Human Settlements and Urban Development (DHSUD); Department of Public Works and Highways (DPWH), Department of the Interior and Local Government (DILG), Department of Environment and Natural Resources (DENR), Department of Health (DOH); Department of Information and Communications Technology (DICT), Department of Energy (DOE), Department of Tourism (DOT), Department of Transportation (DOTr); Land Transportation Office (LTO), and Philippine National Police (PNP).

The Chairperson and members of the Council, except *ex officio* members, are entitled to allowance and *per diems* in accordance with existing policies, rules and regulations on the matter.

SEC. 8. *Functions of the Metropolitan Davao Development Council.* – The Council, as the policy-making body of the MDDA, shall exercise the following functions:

(a) Approve development plans, investment programs, and projects after consultation and coordination with the LGUs, Regional Development Council (RDC) of Region XI, and other stakeholders operating in the Metropolitan Davao area;

(b) Formulate and issue ordinances, resolutions, rules and regulations deemed necessary by the MDDA to carry out the purposes of this Act;

(c) Subject to pertinent laws, policies, rules and regulations, increase the rate of allowances and *per diems* of the members of the Council to be effective during the term of the succeeding Council;

(d) Recommend investment programming for its plans and programs, as well as supervise the implementation of plans and programs which include the formulation and coordination of its related activities;

(e) Coordinate and work closely with the DOTr and its attached agencies on the grant of franchises to safe, reliable, and environment-friendly public utility vehicles within the MDDA jurisdiction;

(f) Approve the annual budget of the MDDA for submission to the Department of Budget and Management (DBM), and endorse the annual as well as the supplemental budgets of the MDDA; and

(g) Perform such other acts and assume such other functions as may be consistent and necessary to carry out the provisions of this Act.

SEC. 9. *Effectivity of Ordinances and Resolutions.* –

(a) An ordinance or resolution passed by the Council, in the exercise of its rule-making power as provided in Section 8 hereof, shall be posted in a bulletin board at the entrance of the MDDA building and in at least two (2) other conspicuous places in the office of the MDDA within ten (10) days from its approval and shall take effect fifteen (15) days after such posting.

(b) Ordinances with penal sanctions shall be published in a newspaper of general circulation within Metropolitan Davao and shall take effect fifteen (15) days thereafter.

SEC. 10. *Functions of the Chairperson of the Council.* – The Chairperson of the Council, herein referred to as the Chairperson, shall exercise the following functions:

(a) Appoint, subject to civil service laws, rules and regulations, all subordinate officers and employees who shall enjoy security of tenure and may be removed only for cause

in accordance with law. The Chairperson is authorized to engage the services of experts or consultants either on full-time or part-time basis, as may be required in the performance of the Chairperson's functions and duties;

(b) Execute the policies and measures approved by the Council and be responsible for the efficient and effective day-to-day management of the operations of the MDDA;

(c) Prepare the annual budget for the operations of the MDDA for submission to the Council;

(d) Submit for consideration of the Council such other duties and measures as the Chairperson may deem necessary to carry out the purposes and provisions of this Act;

(e) Subject to the guidelines and policies set by the Council, prepare the staffing pattern and fix the number of subordinate officials and employees of the MDDA in accordance with civil service laws, rules and regulations, and evaluation and approval of the DBM and exercise the power to discipline subordinate officials and employees under the provisions of law;

(f) Prepare an annual report on the accomplishment of the MDDA at the close of each calendar year for submission to the Council and to the President of the Philippines;

(g) Serve as a member of the Board of Directors of the Davao International Airport Authority (DIAA) pursuant to Republic Act No. 11457, otherwise known as the "Charter of the Davao International Airport Authority"; and

(h) Perform such other duties as may be assigned by the President of the Philippines or by the Council.

The Chairperson, as head of the implementing arm of the MDDA, shall be assisted by a General Manager, an Assistant General Manager for Finance and Administration, an Assistant General Manager for Planning, and an Assistant General

Manager for Operations, all of whom shall be appointed by the President of the Philippines upon the recommendation of majority of the Council, subject to civil service laws, rules and regulations. These officials shall enjoy security of tenure and may be removed only for cause in accordance with law.

The Assistant General Manager for Planning must have at least five (5) years extensive experience in development and planning or must hold a Master's degree in urban planning or similar disciplines.

SEC. 11. *Functions of the General Manager.* – The General Manager shall exercise the following functions:

(a) Assist the Chairperson in the administration of the MDDA and supervision of subordinate personnel;

(b) Assist the Chairperson in the supervision of the operation of the various centers and units of the MDDA;

(c) Assist the Chairperson in the review of plans and programs for the MDDA and for the cities and municipalities in the preparation of the annual report of activities and accomplishments of the MDDA; and

(d) Perform such other duties and functions as may be lawfully delegated or assigned by the Chairperson from time to time.

SEC. 12 *Institutional Linkages of the MDDA.* – The MDDA shall, in carrying out its functions, consult, coordinate and work closely with the LGUs, the Regional Development Council of Region XI, and other national government agencies, people's organizations, nongovernment organizations, and the private sector operating in Metropolitan Davao. The MDDA shall adopt a master plan that shall serve as the framework for the local development plans of the component LGUs and aligned with the DRDP.

The MDDA shall submit the Council's approved development plans and investment programs to the Regional Development Council of Region XI for integration into the plans, programs, and projects that shall be undertaken by the LGUs, concerned national government agencies, people's organizations, nongovernment organizations, private sector, and the MDDA itself where appropriate. For this purpose, the MDDA may enter into contracts or memoranda of agreement with these bodies for the delivery of the required services within Metropolitan Davao.

The MDDA shall, in coordination with the NEDA and the Department of Finance (DOF), interface with foreign assistance agencies for the purpose of obtaining financing support, grants and donations in support of its programs and projects.

SEC. 13. *Metropolitan Davao Police District.* – There is hereby established a police body to be known as the Metropolitan Davao Police District (MDPD). The MDPD shall be under the administrative control and operational supervision of the National Police Commission (NAPOLCOM) and headed by a Police Brigadier General. The MDPD shall assume and perform the following functions:

(a) Assume operational control over the local police offices in areas within the jurisdiction of the MDDA;

(b) Ensure that peace, order, and safety within the MDDA are maintained at all times;

(c) Integrate law enforcement and police operations capabilities within the MDDA and further promote efficiency in enforcing laws and ordinances therein; and

(d) Coordinate with the MDDA, the Regional Police Office, LGUs and other relevant agencies and recommend plans and programs to be implemented within the MDDA.

SEC. 14. *Sources of Funds and Operating Budget of the MDDA.* – The amount necessary for the operations of the MDDA shall be included in the annual General Appropriations Act.

The operations of the MDDA shall likewise be supported through financial contributions and technical assistance from member LGUs, national government agencies and government-owned or -controlled corporations (GOCCs) and the private sector, and other local and international organizations in the form of grants, donations, contributions, payments, penalties, fees and charges.

In case of grants, in cash or in kind, from foreign governments or their agencies and instrumentalities, or multilateral institutions or organizations, acceptance thereof shall be subject to prior clearance and approval of the Council and the President of the Philippines or the authorized representative, based on the recommendation of the Secretary of Finance. In case of donations, in cash or in kind, from foreign governments, acceptance thereof shall require prior clearance and approval by the Council and the President of the Philippines, or the authorized representative based on the recommendation of the Secretary of Foreign Affairs.

The MDDA is likewise empowered to levy fines, and impose fees and charges for various services rendered.

The Council shall undertake continuing negotiations among the member LGUs and GOCCs to commit annual financial contributions for the operations of the MDDA.

SEC. 15. *Implementing Rules and Regulations.* – Within ninety (90) days from the approval of this Act, the Council shall promulgate the necessary rules and regulations for the implementation of this Act.

SEC. 16. *Separability Clause.* – If any part or provision of this Act is held unconstitutional or invalid, the other parts or provisions not affected shall remain in full force and effect.

SEC. 17. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, parts or provisions thereof that are contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

VICENTE C. SOTTO III
President of the Senate

LORD ALLAN JAY Q. VELASCO
Speaker of the House of Representatives

This Act which originated in the House of Representatives was passed by the House of Representatives on March 25, 2021, amended by the Senate of the Philippines on January 17, 2022, and which amendments were concurred in by the House of Representatives on January 31, 2022.

MYRA MARIE D. VILLARICA
Secretary of the Senate

MARK LLANDEO L. MENDOZA
Secretary General House of Representatives

Approved: APR 13 2022

RODRIGO ROA DUTERTE
President of the Philippines

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