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**SENATE**

**P.S. Resolution No. 758**

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Introduced by Senator Cynthia A. Villar

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**RESOLUTION**

**DIRECTING THE SENATE COMMITTEE ON GOVERNMENT CORPORATIONS AND PUBLIC ENTERPRISES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE MANDATE, POWERS, AND RESPONSIBILITIES OF THE PHILIPPINE RECLAMATION AUTHORITY (PRA) UNDER ITS CHARTER, RULES AND REGULATIONS, AND OTHER ISSUANCES, WITH THE END IN VIEW OF INTRODUCING REFORMS, REVISIONS, AND AMENDMENTS, IF NECESSARY, TO ENSURE THAT THE REAL PROPERTIES HELD BY PRA FOR THE STATE ARE BEING ADMINISTERED OR OPERATED EFFICIENTLY, ECONOMICALLY AND TO THE BEST INTEREST OF THE PUBLIC**

1       **WHEREAS**, the Public Estates Authority (PEA), a government-owned or  
2 -controlled corporation (GOCC), was created on February 4, 1977 by virtue of  
3 Presidential Decree (PD) No. 1084;

4       **WHEREAS**, PEA was then created to provide a coordinated, economical and  
5 efficient administration of lands, especially reclaimed lands, belonging to, managed  
6 and/or operated by the government, with the object of maximizing their utilization  
7 and hastening their development consistent with the public interest;

8       **WHEREAS**, among the purposes for the creation of the PEA, aside from  
9 reclaiming land, is to "develop, improve, acquire, administer, deal in, sub-divide,  
10 dispose, lease and sell any and all kinds of lands, buildings, estates, and other forms

1 of real property, owned, managed, controlled and/or as may be necessary for the  
2 efficient, economical and beneficial utilization of the above properties"<sup>1</sup>;

3 **WHEREAS**, PD No. 1085 declared that the "land reclaimed in the foreshore  
4 and offshore areas of Manila Bay pursuant to the contract for the reclamation and  
5 construction of the Manila-Cavite Coastal Road Project between the Republic of the  
6 Philippines and the Construction and Development Corporation of the Philippines  
7 dated November 20, 1973 and/or any other contract or reclamation covering the  
8 same area is hereby transferred, conveyed and assigned to the ownership and  
9 administration of the Public Estates Authority established pursuant to P.D. No. 1084";

10 **WHEREAS**, on October 26, 2004, Executive Order No. 380 was issued  
11 transforming PEA into the Philippine Reclamation Authority (PRA) and mandating  
12 PRA to "perform all the powers and functions of the PEA relating to reclamation  
13 activities";

14 **WHEREAS**, Executive Order No. 380, as clarified by Executive Order No. 380-  
15 A, directed that all of the assets and liabilities of the PEA will be transferred to the  
16 Department of Finance, except "the assets and liabilities of the PEA on its  
17 reclamation functions which shall be retained with the PRA";

18 **WHEREAS**, by virtue of Republic Act No. 10149 enacted on June 6, 2011, the  
19 Governance Commission on Government-Owned or -Controlled Corporations (GCG)  
20 was created in order to ensure that the operations of government-owned or -  
21 controlled corporations (GOCCs) "are rationalized and monitored centrally in order  
22 that government assets and resources are used efficiently and the government  
23 exposure to all forms of liabilities including subsidies is warranted and incurred  
24 through prudent means and that the "governance of GOCCs is carried out in a  
25 transparent, responsible and accountable manner and with the utmost degree of  
26 professionalism and effectiveness"<sup>2</sup>;

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<sup>1</sup> Section 4, PD No. 1084

<sup>2</sup> Section 2 (b) and (c), RA No. 10149.

1           **WHEREAS**, among the tasks given to the GCG by RA No. 10149 is to  
2 evaluate whether or not the "functions or purposes for which the GOCC was created  
3 are no longer relevant to the State or no longer consistent with the national  
4 development policy of the State" and whether or not the "GOCC is not producing the  
5 desired outcomes, or no longer achieving the objectives and purposes for which it  
6 was originally designed and implemented, and/or not cost efficient and does not  
7 generate the level of social, physical and economic returns vis-a-vis the resource  
8 inputs"; and to "[p]repare a semi-annual progress report to be submitted to the  
9 President and the Congress . . . [that] will provide its [GCG's] performance  
10 assessment of the GOCCs and recommend clear and specific actions. Within one  
11 hundred twenty (120) days from the close of the year, the GCG shall prepare an  
12 annual report on the performance of the GOCCs and submit it to the President and  
13 the Congress."<sup>3</sup>;

14           **WHEREAS**, while essentially just mentioning the financial net worth of the  
15 PRA, as well as of the other GOCCS, in its annual reports<sup>4</sup>, it appears that the GCG  
16 has not given a thorough evaluation of the activities and performance of the PRA vis-  
17 à-vis the objectives and purposes for which it was created;

18           **WHEREAS**, there are portions of the real properties being administered by  
19 PRA, particularly those situated between the Manila-Cavite Coastal Road and certain  
20 private properties in the Cities of Parañaque and Las Piñas and near the vicinity of  
21 what used to be a garbage transfer station, that are left idle, derelict and full of  
22 uncollected garbage and thus do not provide any benefit to the general public and to  
23 the constituents of the Cities of Parañaque and Las Piñas in particular;

24           **WHEREAS**, while it is apparent that the aforementioned properties are not  
25 being efficiently administered or being left to go to waste by PRA, the latter has  
26 even hampered efforts of the residents and advocates, and even of relevant national  
27 government agencies and the local government units, to clean up (such as the  
28 simple removal of garbage) and rehabilitate the area, including the waterway known

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<sup>3</sup> Section 5, RA No. 10149.

<sup>4</sup> See <http://gcg.gov.ph/site/annualreports>

1 as the "*Ilog ng Bayan*" at the vicinity, to the detriment of the public interest;

2       **WHEREAS**, there is a need to determine if the PRA has an existing plan,  
3 project or program for the continuing development, improvements and  
4 administration of the aforementioned properties being administered by PRA,  
5 particularly those between the Manila-Cavite Coastal Road and the properties in the  
6 Cities of Parañaque and Las Piñas and near the vicinity of what used to be a garbage  
7 transfer station, as well as to determine the extent of the properties belonging to  
8 PRA in the area, including the waterway "*Ilog ng Bayan*", for the purpose of  
9 formulating legislative measures that will make the mandate, powers and  
10 responsibilities of the PRA with respect to the administration and operation of its  
11 properties more responsive to the best interest of the public;

12       **NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, to  
13 direct the Senate Committee on Government Corporations and Public Enterprises to  
14 conduct an inquiry, in aid of legislation, on the mandate, powers, and  
15 responsibilities of the Philippine Reclamation Authority (PRA) under its charter, rules  
16 and regulations, and other issuances, with the end in view of introducing reforms,  
17 revisions, or amendments, in order to ensure that the real properties held by PRA for  
18 the State are being administered or operated efficiently, economically and to the  
19 best interest of the public.

20       Adopted,

  
**CYNTHIA A. VILLAR**