



HOUSE OF REPRESENTATIVES

H. No. 8248

BY REPRESENTATIVES BENITEZ, BELMONTE, VARGAS, SALO, NOGRALES (J.F.F.), AGUINALDO, NIETO, ABAYA, RODRIGUEZ, REVILLA, TIANGCO, BARBA, MARCOLETA, TAMBUNTING, ONG (J.), UMALI (A.), VERGARA, DAZA, QUIMBO, CULLAMAT, ROBES, PADUANO, OUANO-DIZON, BASCUG, LOPEZ, VELASCO, OLIVAREZ, MACEDA, SY-ALVARADO, PANCHO, SAVELLANO, TAN (S.A.), TAN (A.), SANGCOPAN, MARIANO-HERNANDEZ AND PANOTES, PER COMMITTEE REPORT NO. 691

AN ACT

ESTABLISHING AN ON-SITE, IN-CITY, NEAR-CITY, OR OFF-CITY LOCAL GOVERNMENT RESETTLEMENT PROGRAM FOR INFORMAL SETTLER FAMILIES IN ACCORDANCE WITH A PEOPLE'S PLAN AND MANDATING THE IMPLEMENTING LOCAL GOVERNMENT UNIT, JOINTLY WITH THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, IN CASES OF NEAR-CITY OR OFF-CITY RESETTLEMENT, 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"

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

- 1 SECTION 1. *Amendatory Provisions.* – For purposes of this Act, the following
2 provisions of Republic Act No. 7279, otherwise known as the "Urban Development and
3 Housing Act of 1992", are hereby amended as follows:

1 (a) Section 3 is hereby amended to read as follows:

2
3 "SEC. 3. Definition of Terms. – For purposes of this Act:

4 "x x x "

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

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

10 "(Y) 'ADEQUATE AND RESPONSIVE CONSULTATION'
11 REFERS TO THE STANDARD OF DIALOGUE TO BE CONDUCTED BY
12 THE IMPLEMENTING LOCAL GOVERNMENT UNIT OR THE PROJECT
13 PROPONENT AGENCY WITH THE AFFECTED INFORMAL SETTLER
14 FAMILIES WHICH SHALL REQUIRE THE FOLLOWING:

15 "(1) EFFECTIVE DISSEMINATION OF RELEVANT
16 INFORMATION AND DOCUMENTS INCLUDING LAND RECORDS,
17 THE PROPOSED PLAN OR PROJECT, ALTERNATIVE HOUSING
18 OPTIONS, AND COMPREHENSIVE RESETTLEMENT PLANS;

19 "(2) PROVISION BY THE GOVERNMENT OR
20 NONGOVERNMENT ORGANIZATIONS OF LEGAL, TECHNICAL,
21 AND OTHER ADVICE TO AFFECTED INFORMAL SETTLER FAMILIES
22 ON THEIR RIGHTS AND OPTIONS;

23 "(3) THE CONDUCT OF PUBLIC HEARINGS THAT SHALL
24 PROVIDE AFFECTED INFORMAL SETTLER FAMILIES,
25 ADVOCATES, AND THE PUBLIC, WITH OPPORTUNITIES TO

1 COMMENT ON THE PROPOSED RESETTLEMENT ACTION
2 PLAN, OR PRESENT ALTERNATIVE PROPOSALS AND
3 ARTICULATE THEIR DEMANDS AND RESETTLEMENT PRIORITIES;

4 “(4) PARTICIPATION IN LOCAL OR PROJECT INTER-AGENCY
5 COMMITTEES, OR ANY OTHER MULTI-SECTORAL MECHANISMS,
6 FORMED BY IMPLEMENTING AGENCIES FOR THE PURPOSE OF
7 COORDINATION REGARDING RESETTLEMENT OF AFFECTED ISFs;
8 AND

9 “(5) MEDIATION, ARBITRATION, OR ADJUDICATION BY
10 AN INDEPENDENT BODY VESTED WITH CONSTITUTIONAL
11 AUTHORITY SUCH AS A COURT OF LAW, AS MAY BE
12 APPROPRIATE, IN CASE NO AGREEMENT IS REACHED ON
13 THE PROPOSALS OF THE CONCERNED PARTIES, EXCEPT
14 WHEN THE RESETTLEMENT IS DUE TO EVICTION OR
15 DEMOLITION IN AREAS COVERED UNDER SECTION 28 (A) AND (B);

16 “(Z) ‘CIVIL SOCIETY ORGANIZATION OR CSO’ REFERS TO A
17 NONGOVERNMENT ORGANIZATION, PEOPLE’S ORGANIZATION,
18 COOPERATIVE, TRADE UNION, PROFESSIONAL ASSOCIATION,
19 FAITH-BASED ORGANIZATION, MEDIA GROUP, INDIGENOUS
20 PEOPLES MOVEMENT, FOUNDATION AND ANY OTHER CITIZEN’S
21 GROUP FORMED PRIMARILY FOR SOCIAL AND ECONOMIC
22 DEVELOPMENT CONCERNS TO PLAN PROGRAMS AND PROJECTS
23 AND MONITOR THEIR IMPLEMENTATION, ENGAGE IN POLICY
24 DISCUSSIONS, AND ACTIVELY PARTICIPATE IN COLLABORATIVE
25 ACTIVITIES WITH THE GOVERNMENT;

1 “(AA) ‘COMPREHENSIVE LAND USE PLAN OR CLUP’ REFERS
2 TO THE DOCUMENT, FORMULATED BY THE LOCAL GOVERNMENT
3 UNIT IN CONSULTATION WITH ITS STAKEHOLDERS, THAT
4 DEFINES OR PROVIDES GUIDELINES ON THE ALLOCATION,
5 UTILIZATION, DEVELOPMENT, AND MANAGEMENT OF ALL
6 LANDS WITHIN A GIVEN TERRITORY OR JURISDICTION
7 ACCORDING TO THE INHERENT QUALITIES OF THE LAND ITSELF
8 AND SUPPORTIVE ECONOMIC, DEMOGRAPHIC, SOCIO-CULTURAL,
9 AND ENVIRONMENTAL OBJECTIVES AS DEFINED IN SECTION 3(B)
10 OF REPUBLIC ACT NO. 11201, OTHERWISE KNOWN AS THE
11 ‘DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN
12 DEVELOPMENT ACT’;

13 “(BB) ‘IMPLEMENTING LOCAL GOVERNMENT UNIT’ REFERS
14 TO THE CITY OR MUNICIPALITY THAT CARRIES OUT THE
15 RESETTLEMENT PROGRAM AND HAS JURISDICTION OVER THE
16 AREA WHERE THE INFORMAL SETTLER FAMILIES ARE
17 SITUATED;

18 “(CC) ‘IN-CITY RESETTLEMENT’ REFERS TO A RELOCATION
19 SITE WITHIN THE JURISDICTION OF A LOCAL GOVERNMENT UNIT
20 WHERE THE AFFECTED INFORMAL SETTLER FAMILIES ARE
21 LIVING;

1 “(DD) ‘INFORMAL SETTLEMENT’ REFERS TO:

2 (1) AN AREA WHERE HOUSING UNITS HAVE BEEN
3 CONSTRUCTED BY SETTLERS ON THE LAND WHICH THEY
4 OCCUPY WITHOUT THE CONSENT OF THE OWNER; OR

5 (2) AN UNPLANNED SETTLEMENT AND AREA WHERE
6 HOUSING IS NOT IN COMPLIANCE WITH EXISTING
7 PLANNING AND BUILDING REGULATIONS;

8 “(EE) ‘INFORMAL SETTLER FAMILIES OR ISFs’ REFERS TO
9 HOUSEHOLDS LIVING IN A LOT, WHETHER PRIVATE OR PUBLIC,
10 WITHOUT THE CONSENT OF THE PROPERTY OWNER; OR THOSE
11 WITHOUT LEGAL CLAIM OVER THE PROPERTY THEY ARE
12 OCCUPYING; OR THOSE LIVING IN DANGER AREAS SUCH AS
13 ESTEROS, RAILROAD TRACKS, GARBAGE DUMPS, RIVERBANKS,
14 SHORELINES, AND WATERWAYS, AS DEFINED IN SECTION 3(E) OF
15 REPUBLIC ACT NO. 11201;

16 “(FF) ‘KEY SHELTER AGENCIES’ REFERS TO THE
17 CORPORATIONS ATTACHED TO THE DEPARTMENT OF HUMAN
18 SETTLEMENTS AND URBAN DEVELOPMENT, NAMELY: NATIONAL
19 HOUSING AUTHORITY, NATIONAL HOME MORTGAGE FINANCE
20 CORPORATION, HOME DEVELOPMENT MUTUAL FUND, AND
21 SOCIAL HOUSING FINANCE CORPORATION AND OVER WHICH IT
22 EXERCISES ADMINISTRATIVE SUPERVISION IN ACCORDANCE
23 WITH SECTION 22 OF REPUBLIC ACT NO. 11201;

24 “(GG) ‘NEAR-CITY RESETTLEMENT’ REFERS TO A
25 RELOCATION SITE CLOSE TO THE ORIGINAL SETTLEMENT OF THE

1 AFFECTED ISFs, BUT WITHIN THE JURISDICTION OF ANOTHER
2 LOCAL GOVERNMENT UNIT THAT IS ADJACENT TO THE
3 IMPLEMENTING LOCAL GOVERNMENT UNIT;

4 “(HH) ‘NONGOVERNMENT ORGANIZATION OR NGO’
5 REFERS TO A DULY REGISTERED NON-STOCK, NON-PROFIT
6 ORGANIZATION FOCUSING ON THE UPLIFTMENT OF THE BASIC
7 OR DISADVANTAGED SECTORS OF SOCIETY BY PROVIDING
8 ADVOCACY, TRAINING, COMMUNITY ORGANIZING, RESEARCH,
9 ACCESS TO RESOURCES, AND OTHER SIMILAR ACTIVITIES, AS
10 DEFINED UNDER REPUBLIC ACT NO. 8425, OTHERWISE KNOWN AS
11 THE ‘SOCIAL REFORM AND POVERTY ALLEVIATION ACT’, AND
12 ORGANIZED AND OPERATED EXCLUSIVELY FOR SCIENTIFIC,
13 RESEARCH, EDUCATIONAL, CHARACTER-BUILDING AND YOUTH
14 AND SPORTS DEVELOPMENT, HEALTH, SOCIAL WELFARE,
15 CULTURAL OR CHARITABLE PURPOSES, OR A COMBINATION
16 THEREOF, AND NO PART OF THE NET INCOME OF WHICH INURES
17 TO THE BENEFIT OF ANY PRIVATE INDIVIDUAL PURSUANT TO
18 SECTION 34(H)(2)(c)(1) OF REPUBLIC ACT NO. 8424, AS AMENDED,
19 OTHERWISE KNOWN AS THE ‘TAX REFORM ACT OF 1997’;

20 “(II) ‘OFF-CITY RESETTLEMENT’ REFERS TO A RELOCATION
21 SITE DEVELOPED OUTSIDE AND NOT ADJACENT TO THE LOCAL
22 GOVERNMENT UNIT WHERE THE AFFECTED ISFs HAVE THEIR
23 SETTLEMENT;

24 “(JJ) ‘PEOPLE’S PLAN’ REFERS TO THE PLAN FORMULATED
25 BY THE BENEFICIARY-ASSOCIATION IN COORDINATION WITH

1 THE IMPLEMENTING LOCAL GOVERNMENT UNIT WHICH SHALL
2 CONTAIN A SITE DEVELOPMENT PLAN THAT CONFORMS TO THE
3 CLUP OF THE LOCAL GOVERNMENT UNIT UNDER WHOSE
4 JURISDICTION THE PROJECT SITE IS PROPOSED TO BE LOCATED,
5 INCLUDING: COMMUNITY HEALTH, SANITATION, AND SECURITY
6 PLANS; NON-PHYSICAL DEVELOPMENT COMPONENTS SUCH AS
7 SELF-HELP HOUSING COOPERATIVE, LIVELIHOOD, SELF-HELP
8 DEVELOPMENT, CAPABILITY BUILDING; AND A SYSTEM OF
9 ALLOCATION OF SOCIALIZED HOUSING UNITS THAT SHALL
10 PROMOTE AND PROTECT THE WELFARE OF THE ELDERLY,
11 PERSONS WITH DISABILITY, AND CHILDREN AS DEFINED IN
12 SECTION 3(F) OF REPUBLIC ACT NO. 11201;

13 “(KK) ‘RECEIVING LOCAL GOVERNMENT UNIT’ REFERS TO
14 THE CITY OR MUNICIPALITY, OTHER THAN THE IMPLEMENTING
15 LOCAL GOVERNMENT UNIT, THAT HAS JURISDICTION OVER THE
16 AREA WHERE THE QUALIFIED ISFs ARE RELOCATING OR
17 RESETTLING;

18 “(LL) ‘RESETTLEMENT ACTION PLAN OR RAP’ REFERS TO
19 THE PLAN PREPARED BY THE IMPLEMENTING LOCAL
20 GOVERNMENT UNIT OR THE PROJECT PROPONENT AGENCY, IN
21 CONSULTATION WITH THE AFFECTED ISFs WHICH SHALL, IN THE
22 CASE OF NEAR-CITY OR OFF-CITY RELOCATION, BE CONCURRED
23 WITH BY THE RECEIVING LOCAL GOVERNMENT UNIT, AND IN
24 ALL CASES SHALL:

1 “(1) SPECIFY DETAILS ON THE IMPLEMENTATION
2 OF RELOCATION;

3 “(2) INCLUDE OR PRIORITIZE, TO THE EXTENT
4 FEASIBLE, AND IN DESCENDING ORDER, ON-SITE, IN-CITY,
5 NEAR-CITY, AND OFF-CITY OPTIONS; AND

6 “(3) INCLUDE THE BASIC SERVICES AND
7 FACILITIES RELATIVE TO THE HEALTH, EDUCATION,
8 COMMUNICATION, SECURITY, RECREATION, RELIEF AND
9 WELFARE, LIVELIHOOD, AND TRANSPORTATION NEEDS OF
10 THE RELOCATEES; AND

11 “(MM) ‘SOCIAL PREPARATION’ REFERS TO THE PROCESS OF
12 ESTABLISHING SOCIAL, ORGANIZATIONAL, AND INSTITUTIONAL
13 NORMS AND MECHANISMS THAT SHALL:

14 “(1) ENABLE THE BENEFICIARIES TO COPE WITH
15 CHANGES; AND

16 “(2) IN PARTNERSHIP WITH CONCERNED
17 INSTITUTIONS AND STAKEHOLDERS, ENCOURAGE THEM
18 NOT ONLY TO WORK AMONG THEMSELVES FOR THE
19 PURPOSE OF DRAWING UP AND UNDERTAKING THEIR
20 HOUSING PROJECT PROPOSALS, BUT ALSO TO ACTIVELY
21 AND MEANINGFULLY PARTICIPATE IN HOUSING PROJECTS
22 UNDERTAKEN IN THEIR BEHALF, RESOLVING PROBLEMS
23 AMONG COMMUNITY MEMBERS AND COORDINATION
24 ISSUES WITH GOVERNMENT AND OTHER ENTITIES.”
25

1 (b) Section 22 is hereby amended to read as follows:

2 "SEC. 22. Livelihood Component. - To the extent feasible, socialized housing
3 and resettlement projects shall be located near areas where employment opportunities
4 are accessible. The government agencies dealing with the PROVISION OF SKILLS
5 AND LIVELIHOOD TRAINING, development of livelihood programs, and grant of
6 livelihood loans, NAMELY: THE DEPARTMENT OF LABOR AND
7 EMPLOYMENT, THE DEPARTMENT OF SOCIAL WELFARE AND
8 DEVELOPMENT, THE DEPARTMENT OF SCIENCE AND TECHNOLOGY,
9 THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY,
10 AND THE PHILIPPINE TRADE AND TRAINING CENTER shall give priority to
11 the beneficiaries of the Program."

12
13 (c) Section 23 is hereby amended to read as follows:

14 "SEC. 23. Participation of PROGRAM Beneficiaries OR AFFECTED ISFs,
15 FORMATION OF BENEFICIARY-ASSOCIATION, MAINSTREAMING SOCIAL
16 PREPARATION, AND FORMULATION AND IMPLEMENTATION OF A
17 PEOPLE'S PLAN. - The local government units, in coordination with the
18 Presidential Commission for the Urban Poor and concerned government agencies,
19 shall afford Program beneficiaries OR AFFECTED ISFs or their duly designated
20 representatives an opportunity to be heard and to participate in the decision-making
21 process over matters involving the protection and promotion of their legitimate
22 collective interests which shall include appropriate documentation and feedback
23 mechanisms. They shall also be encouraged to organize themselves [and undertake
24 self-help cooperative housing and other livelihood activities] INTO AN
25 ASSOCIATION FOR ACCREDITATION AS BENEFICIARIES OR AWARDEES

1 OF OWNERSHIP RIGHTS UNDER THE RESETTLEMENT PROGRAM,
2 COMMUNITY MORTGAGE PROGRAM, LAND TENURE ASSISTANCE
3 PROGRAM, AND OTHER SIMILAR PROGRAMS IN RELATION TO A
4 SOCIALIZED HOUSING PROJECT ACTUALLY BEING IMPLEMENTED BY
5 THE NATIONAL GOVERNMENT OR BY THE LOCAL GOVERNMENT UNITS.

6 They shall assist the government in preventing the incursions of professional squatters
7 and members of squatting syndicates into their communities.

8 "In instances when the affected beneficiaries OR ISFS have failed to organize
9 themselves or form an [alliance] ASSOCIATION within a reasonable period prior to
10 the implementation of the program or projects affecting them, consultation between
11 the implementing LOCAL GOVERNMENT UNIT OR agency and the affected
12 [beneficiaries] ISFS shall be conducted with the assistance of the Presidential
13 Commission for the Urban Poor and the concerned [nongovernment organization]
14 CSOs UNTIL AN ASSOCIATION IS FORMED.

15 "THE ASSOCIATION, IN CONSULTATION WITH THE PRESIDENTIAL
16 COMMISSION FOR THE URBAN POOR AND IN COORDINATION WITH THE
17 IMPLEMENTING LOCAL GOVERNMENT UNIT SHALL, WITH OR WITHOUT
18 THE SUPPORT OF CSOs, FORMULATE A 'PEOPLE'S PLAN'.

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

1 “IN ACCORDANCE WITH THE PROTECTION GUIDELINES
2 PROVIDED UNDER SECTION 28 OF THIS ACT, A RAP SHALL BE AN
3 INDISPENSABLE COMPONENT OF THE PEOPLE’S PLAN. THE RAP SHALL
4 ENUNCIATE THE FOLLOWING:

5 “(A) A SAFE, AFFORDABLE, DECENT, AND HUMANE CONDITION
6 OF RELOCATION, INCORPORATING THEREIN APPROPRIATE DISASTER
7 RISK REDUCTION MANAGEMENT AND CLIMATE CHANGE ADAPTATION
8 STANDARDS;

9 “(B) PROVISION OF ADEQUATE SOCIAL PREPARATION; AND

10 “(C) PREVENTION OF FORCED EVICTION: *PROVIDED*, THAT
11 PRIMARY CONSIDERATION SHALL BE GIVEN TO THE HOUSING
12 FINANCIAL SCHEME SUGGESTED IN THE PEOPLE’S PLAN.”

13
14 (d) Section 26 is hereby amended to read as follows:

15 “SEC. 26. Urban Renewal and Resettlement. – [This] URBAN RENEWAL
16 AND RESETTLEMENT shall include the rehabilitation and development of blighted
17 and slum areas and the resettlement of Program beneficiaries OR AFFECTED ISFs
18 in accordance with the provisions of this Act. On-site development shall be
19 implemented [whenever possible] AFTER THE CONDUCT OF ADEQUATE AND
20 GENUINE CONSULTATION WITH THE AFFECTED ISFs, AND IN
21 ACCORDANCE WITH THE PEOPLE’S PLAN FORMULATED PURSUANT TO
22 SECTION 23 OF THIS ACT, in order to ensure minimum movement of occupants of
23 blighted lands and slum areas.

24 “[The] WHERE DEMOLITION OR EVICTION IS ALLOWED IN THE
25 AREA OCCUPIED BY THE PROGRAM BENEFICIARIES OR AFFECTED ISFs

1 AND ON-SITE RESETTLEMENT CANNOT BE UNDERTAKEN BY REASON
2 THEREOF, THE IN-CITY resettlement of the beneficiaries of the Program OR OF
3 AFFECTED ISFs from their existing places of occupancy shall be undertaken only
4 [when on-site development is not feasible and] after compliance with the procedures
5 [laid down in] PURSUANT TO Section 28 of this Act AND IN ACCORDANCE
6 WITH THE PREFERENCE OF THE AFFECTED ISFs AS CONTAINED IN THE
7 PEOPLE'S PLAN.

8 "SHOULD IN-CITY RESETTLEMENT NOT BE FEASIBLE, NEAR-CITY
9 RESETTLEMENT SHALL BE CONSIDERED. OFF-CITY RESETTLEMENT
10 SHALL ONLY BE RESORTED TO WHEN NEAR-CITY RESETTLEMENT IS
11 NOT FEASIBLE, AND MUST SATISFY THE REQUIREMENTS OF ADEQUATE
12 AND RESPONSIVE CONSULTATION PRIOR TO RELOCATION."; and

13 (e) Section 29 is hereby amended to read as follows:

14 "SEC. 29. Resettlement. – THE IMPLEMENTING LOCAL GOVERNMENT
15 UNITS, JOINTLY WITH THE DEPARTMENT OF HUMAN SETTLEMENTS
16 AND URBAN DEVELOPMENT AND THE APPROPRIATE KEY SHELTER
17 AGENCIES, SHALL BE CHARGED WITH THE PRIMARY RESPONSIBILITY
18 OF:

19 "(1) IMPLEMENTING THE RESETTLEMENT OF AFFECTED ISFs IN THEIR
20 RESPECTIVE LOCALITIES [Within two (2) years from the effectivity of
21 this Act, the local government units, in coordination with the National
22 Housing Authority shall implement] AND the relocation and resettlement of
23 [persons] ISFs living in danger areas such as esteros, railroad tracks, garbage
24 dumps, riverbanks, shorelines, waterways, and in other public places such as

1 sidewalks, roads, parks, and playgrounds[. The local government unit, in
2 coordination with the National Housing Authority, shall provide]; AND

3 “(2) PROVIDING relocation or resettlement sites with basic services and
4 facilities and access to employment and livelihood opportunities sufficient
5 to meet the basic needs of the affected [families] ISFs. FOR THIS
6 PURPOSE, THE LOCAL GOVERNMENT UNIT MAY PURCHASE
7 LANDS OUTSIDE ITS JURISDICTION TAKING INTO
8 CONSIDERATION ITS FEASIBILITY, VIABILITY, BUDGETARY
9 CONCERNS, ZONING ORDINANCES, AND OTHER RELEVANT
10 LAWS.

11 “WHERE THE LAND OCCUPIED BY THE ISFs IS PRIVATELY-
12 OWNED, THE LOCAL GOVERNMENT UNIT SHALL, IN COORDINATION
13 WITH THE APPROPRIATE KEY SHELTER AGENCIES, NEGOTIATE WITH
14 THE OWNER FOR THE PURCHASE OF THE OCCUPIED PROPERTY.
15 SHOULD THE NEGOTIATION FAIL, THE LOCAL GOVERNMENT UNIT MAY
16 RESORT TO EXPROPRIATION: *PROVIDED*, THAT ITS EXERCISE SHOULD
17 BE IN ACCORDANCE WITH EXPROPRIATION LAWS, RULES,
18 REGULATIONS, AND PROCEDURES AND IN CONFORMITY TO EXISTING
19 PROGRAMS, AND POLICIES OF THE NATIONAL GOVERNMENT AND
20 LOCAL GOVERNMENT UNITS TAKING INTO CONSIDERATION ITS
21 FEASIBILITY, VIABILITY, BUDGETARY CONCERNS, ZONING
22 ORDINANCES, AND OTHER RELEVANT LAWS.

23 “IN INSTANCES WHEN THE RELOCATION OR RESETTLEMENT SITE
24 IS LOCATED IN ANOTHER LOCAL GOVERNMENT UNIT, THE
25 IMPLEMENTING LOCAL GOVERNMENT UNIT AND THE CONCERNED

1 NATIONAL GOVERNMENT AGENCIES SHALL, THROUGH A
2 MEMORANDUM OF AGREEMENT, PROVIDE THE RECEIVING LOCAL
3 GOVERNMENT UNIT WHERE THE RELOCATION OR RESETTLEMENT SITE
4 IS LOCATED THE OTHER BASIC SERVICES AND FACILITIES
5 ENUMERATED UNDER SECTION 21 OF THIS ACT, INCLUDING A
6 LIVELIHOOD COMPONENT FOR THE BENEFICIARIES BEING RELOCATED.

7 "THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN
8 DEVELOPMENT AND THE DEPARTMENT OF FINANCE – BUREAU OF
9 LOCAL GOVERNMENT FINANCE SHALL FORMULATE THE
10 IMPLEMENTING RULES AND REGULATIONS ON THE COST-SHARING
11 MECHANISM NECESSARY TO FULLY IMPLEMENT THE PROVISION OF
12 SUCH OTHER BASIC SERVICES AND FACILITIES.

13 "IN ADDITION TO THE FUNDING SOURCES PROVIDED UNDER
14 SECTION 42 OF THIS ACT, THE ALLOCATION FOR THE BASIC SERVICES
15 AND FACILITIES MAY BE SOURCED BY THE LOCAL GOVERNMENT UNIT
16 IMPLEMENTING THE RELOCATION OR RESETTLEMENT FROM THE
17 TWENTY PERCENT (20%) OF THE INTERNAL REVENUE ALLOTMENT
18 APPROPRIATED FOR DEVELOPMENT PROJECTS AS MANDATED UNDER
19 SECTION 287 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE
20 'LOCAL GOVERNMENT CODE OF 1991'."

21 SEC. 2. *Implementing Rules and Regulations.* – The Department of Human
22 Settlements and Urban Development and the Department of the Interior and Local
23 Government, in consultation with appropriate government agencies, CSOs, NGOs,
24 representatives from the private sector, and ISFs, shall promulgate a new set of implementing

1 rules and regulations (IRR) within sixty (60) days from the effectivity of this Act. The IRR
2 shall include the following:

3 (a) A template of a People's Plan that shall set the minimum standards and guide ISFs
4 in the preparation of their own People's Plan; and

5 (b) A guide to the effective implementation of the People's Plan, including details on
6 the necessity of the issuance of internal memoranda by concerned agencies.

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

10 SEC. 4. *Repealing Clause.* – All laws, decrees, executive orders, proclamations, rules
11 and regulations, and other issuances, or parts thereof which are inconsistent with the
12 provisions of this Act are hereby repealed, amended or modified accordingly.

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

15 *Approved.*