

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

'22 JUL -7 P2:15

SENATE

RECEIVED BY

Senate Bill No. 87

Introduced by Senator Juan Miguel F. Zubiri

**AN ACT
CREATING THE DEPARTMENT OF WATER RESOURCES, DEFINING ITS
POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR
OTHER PURPOSES**

EXPLANATORY NOTE

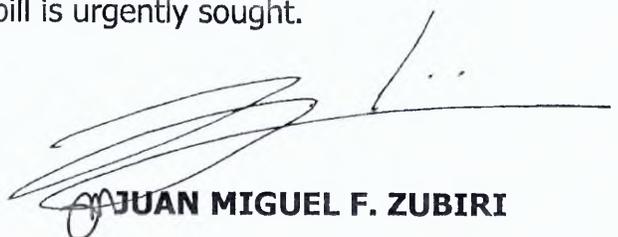
According to Water.org, a global nonprofit organization working to bring water and sanitation to the world, out of 109 million Filipinos, 3 million rely on unsafe and unsustainable water sources and 7 million lack access to improved sanitation. On top of that, our water sources are constantly on tremendous pressure due to the ever-increasing demand of our population and a burgeoning economy. This is more pronounced during the dry season when many of our dams and water sources reach critical levels.

Aside from water sources problems, another issue that we face is the quality of water from our sources. The quality of water from many areas continue to deteriorate due to several factors, among them is pollution.

These problems and issues are difficult to resolve when the government has more than 30 different agencies or units that have water-related functions or deal with water issues. To effectively implement the Philippines' roadmap to achieve universal water and sanitation services coverage by 2028 and achieve synergy and close coordination among agencies with water-related functions, it is imperative to have a department that will house all these agencies with water-related functions.

This bill seeks to create the Department of Water Resources. This Department once created, will be the lead agency to implement the country's policies and programs on water. It will have the whole-of-government approach in dealing with water issues. It will provide synergy, close coordination among government agencies and synchronize all the government's policies and programs on water.

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


JUAN MIGUEL F. ZUBIRI



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

1 **SEC. 1. *Short Title.*** – This Act shall be known as the “Department of Water
2 Resources Act.”

3
4 **SEC. 2. *Declaration of Policy.*** – It is the policy of the State to recognize,
5 protect, realize and enhance the right of all Filipinos to safe, clean, affordable, and
6 accessible drinking water, sanitation and irrigation as essential to the full enjoyment of
7 life and the protection and sustainability of the environment.

8
9 **SEC. 3. *The Department of Water Resources.*** – There is hereby created and
10 established a Department of Water Resources, herein referred to as the “Department”
11 which shall be organized within one hundred twenty (120) days after the effectivity of
12 this Act.

13
14 **SEC. 4. *Objectives, Duties and Powers of the Department of Water***
15 ***Resources.*** –

16 (a) Formulate, recommend, and implement national policies, plans, programs, that
17 will establish systematic and efficient water management and ensure the
18 availability of water for specific purposes in the country;

19 (b) Integrate the different agencies of the government that have water-related
20 functions into the Department of Water Resources;

- 1 (c) Create and update a road map of river and water sources;
- 2 (d) Conduct continuing surveys and studies of the country's renewable water
3 supply with a view towards formulating long-term policies to balance the
4 sustainability and optimal use of water resources, defining the hydrologic
5 boundaries of basis of the existing water supply sources, and create and
6 implement countrywide master plans for water resources management and
7 development;
- 8 (e) Regulate and control the utilization, exploitation, abstraction, diversion, and
9 development of water resources, taking into account is equitable distribution,
10 and determine the standards of beneficial and priority uses of water in times
11 of crisis and national emergencies;
- 12 (f) Assist and provide the National Economic and Development Authority (NEDA)
13 with required data and inputs from and for the water sector in the formulation
14 of the country's short-term and long-term strategic development plans and
15 actions;
- 16 (g) Require all private individuals, corporations and government agencies affecting
17 water resources and the construction of hydraulic facilities in watershed or
18 basin areas of water supply sources to obtain a permit to construct such
19 facilities from the Department;
- 20 (h) Conduct and continue studies pertaining to water use, exploitation,
21 development, conservation or protection of waters, water resources, and
22 watershed or basin areas;
- 23 (i) Enter any property of public dominion or any private land or building for the
24 purpose of conducting hydrologic surveys and investigations and to determine
25 compliance with water laws and standards;
- 26 (j) Issue and promulgate rules, regulations, and guidelines as may be necessary
27 to implement and enforce its powers and functions under this Act;
- 28 (k) Ensure and protect the rights and welfare of consumers;
- 29 (l) Exercise such other acts as are incident to or appropriate and necessary in
30 connection with the creation of the Department.

31

32 **SEC. 5. Secretary of the Department of Water Resources.** – The authority
33 and responsibility for the exercise of the mandate of the Department and for the
34 discharge of its powers and functions shall be vested in the Secretary of Water Resources.

35

1 **SEC. 6. Office of the Secretary.** – The Office of the Secretary shall be composed
2 of the Secretary and his/her immediate staff.

3
4 **SEC. 7. Undersecretaries.** – The Secretary shall be assisted by not more than
5 five (5) Undersecretaries, who shall be appointed by the President upon the
6 recommendation of the Secretary, as follows:

- 7 a. One for Finance Service;
8 b. One for Administrative Service;
9 c. One for Planning and Engineering Services;
10 d. One for Regulatory and Financial Assistance Services; and
11 e. One for Operations

12 Within her/his functional area of responsibility, an Undersecretary shall have the following
13 functions:

- 14 (a) Advise and assist the Secretary in the formulation and implementation of
15 Department policies, plans, programs, and projects;
16 (b) Supervise all the operational activities of the units assigned to her/him, for
17 which she/he is responsible to the Secretary.

18
19 **SEC. 8. Regional Director.** Each Regional Office shall be headed by a Regional
20 Director who shall be responsible for efficiently and effectively carrying out the duties and
21 responsibilities of the Regional Office. She/he shall also perform such other related duties
22 and responsibilities as may be assigned or delegated by the Secretary or as may be
23 required by law. The Regional Director shall be assisted by two (2) Assistant Regional
24 Directors who shall exercise supervision respectively over (1) the planning, project design,
25 evaluation, and technical assistance functions of the Regional Office, and (2) the
26 construction, maintenance and works supervision functions in the region.

27
28 **SEC. 9. Interface with Other Sector Regulators.** – The Department is
29 mandated to coordinate with the different sector regulators as follows:

- 30 (a) The Department of Environment and Natural Resources (DENR) shall continue
31 to have the primary authority and responsibility for protecting the environment
32 and for the conservation of water and related natural resources, including
33 protecting water bodies from waste and pollution and shall promulgate rules,
34 regulations and standards in this regard. The Department shall coordinate with
35 the DENR with respect to the conservation of water resources, protection from
36 sewage and septage waste, and restoration from environment damage;

1 (b) The Department of Health (DOH) shall have primary authority and
2 responsibility for determining and enforcing drinking water quality and
3 sanitation standards. The Department shall coordinate with the DOH to achieve
4 an integrated approach for sanitation, including toilets, collection, treatment,
5 and evaluation of wastewater.

6 (c) The Department shall subsume responsibility from the Department of Public
7 Works and Highways (DPWH) for wholly or primarily water-related public works
8 projects including flood control, water resources development, sewerage,
9 sanitation, and the harnessing and impounding of water. The Secretaries of
10 each department shall coordinate on the development of evaluation criteria as
11 necessary, to determine proper allocation of public works projects between the
12 two departments.

13 (d) The Department shall absorb the responsibility from the Department of Interior
14 and Local Government (DILG) on the management and operation of water
15 supply systems of local government units.

16
17 **SEC. 10. *Implementing Rules and Regulations.*** – Within one hundred eighty
18 (180) days from the effectivity of this Act, the Department, in consultation with the
19 concerned government agencies, shall promulgate the necessary implementing rules and
20 regulations for the implementation of this Act: *Provided*, That such implementing rules
21 and regulations shall only take effect fifteen (15) days following its publication in two (2)
22 newspapers of general circulation.

23
24 **SEC. 11. *Appropriations.*** – The amount necessary to carry out the initial
25 implementation of this Act shall be sourced from any available funds of the National
26 Treasury, and is hereby appropriated and authorized to be released for the organization
27 of the Department and its initial operations.

28
29 Thereafter, funds sufficient to fully carry out the objectives, powers, and functions
30 of the Department shall be appropriated every fiscal year in the General Appropriations
31 Act.

32 The Department shall submit its annual budget, which shall include, among others,
33 detailed information on the compensation and benefits received by their employees to
34 the Office of the President for approval.

35

1 **SEC. 12. *Separability Clause.*** – If any part or provision of this Act is held invalid
2 or unconstitutional, other provisions not affected thereby shall remain in force and effect.

3
4 **SEC. 13. *Repealing Clause.*** – The provisions of any law, whether general or
5 special, rules and regulations and other issuances or parts thereof which are inconsistent
6 with this Act are hereby repealed, amended or modified accordingly.

7
8 **SEC. 14. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after
9 its publication in the Official Gazette or in at least two (2) national newspapers of general
10 circulation.

11
12 *Approved,*