COMMITTEE REPORT NO. 691

Submitted by the Committee on Housing and Urban Development on
Re: House Bill No. 8248
Recommending its approval in substitution of House Bills Numbered 42, 156, 236, 2861, 3041, 3227, 4245, and 4869
Sponsors: Representatives Revilla, Benitez, Belmonte, Vargas, Salo, Nograles (JF), Bainto Aguinaldo, Nieto, Abaya, and Rodriguez

Mr. Speaker:

The Committee on Housing and Urban Development to which were referred House Bill No. 42 introduced by Rep. Jose Francisco “Kiko” Benitez, , entitled:

“AN ACT ESTABLISHING A LOCAL GOVERNMENT RESETTLEMENT PROGRAM THAT IMPLEMENTS AN ON-SITE, IN-CITY OR NEAR-CITY STRATEGY 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”;

House Bill No. 156 introduced by Rep. Jose Christopher “Kit” Belmonte, entitled:

“AN ACT ESTABLISHING A LOCAL GOVERNMENT RESETTLEMENT PROGRAM THAT IMPLEMENTS AN ON-SITE, IN-CITY OR NEAR-CITY STRATEGY FOR INFORMAL SETTLER FAMILIES IN ACCORDANCE WITH A PEOPLE’S PLAN AND MANDATING THE RELOCATING LOCAL GOVERNMENT UNIT TO PROVIDE OTHER BASIC SERVICES AND LIVELIHOOD COMPONENTS IN FAVOR OF 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”;

House Bill No. 236 introduced by Rep. Alfred D. Vargas, entitled:

“AN ACT ESTABLISHING AN ON-SITE, IN-CITY OR NEAR-CITY RESETTLEMENT PROGRAM FOR INFORMAL SETTLER FAMILIES AND, IN CONNECTION THEREWITH, MANDATING THAT LOCAL
GOVERNMENT UNITS PROVIDE LIVELIHOOD ASSISTANCE AND OTHER BASIC SERVICES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7279, AS AMENDED, OTHERWISE KNOWN AS THE "URBAN DEVELOPMENT AND HOUSING ACT OF 1992";

House Bill No. 2861 introduced by Reps. Ron Salo and Juan Fidel Felipe Nograles, entitled:

"AN ACT ESTABLISHING A LOCAL GOVERNMENT RESETTLEMENT PROGRAM THAT IMPLEMENTS AN ON-SITE, IN-CITY OR NEAR-CITY STRATEGY FOR INFORMAL SETTLER FAMILIES IN ACCORDANCE WITH A PEOPLE’S PLAN AND MANDATING THE RELOCATING LOCAL GOVERNMENT UNIT 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";

House Bill No. 3041 introduced by Rep. Naeala Rose B. Bainto-Aguinaldo, entitled:

"AN ACT ESTABLISHING A COMPREHENSIVE RESETTLEMENT PROGRAM FOR THE UNDERPRIVILEGED AND HOMELESS CITIZENS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7279, AS AMENDED, OTHERWISE KNOWN AS ‘URBAN DEVELOPMENT AND HOUSING ACT OF 1992’;

House Bill No. 3227 introduced by Rep. John Marvin “Yul Servo” C. Nieto, entitled:

"AN ACT ESTABLISHING A LOCAL GOVERNMENT RESETTLEMENT PROGRAM THAT IMPLEMENTS AN ON-SITE, IN-CITY OR NEAR-CITY STRATEGY FOR INFORMAL SETTLER FAMILIES IN ACCORDANCE WITH A PEOPLE’S PLAN AND MANDATING THE RELOCATING LOCAL GOVERNMENT UNIT TO PROVIDE OTHER BASIC SERVICES AND LIVELIHOOD COMPONENTS IN FAVOR OF 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”;

House Bill No. 4245 introduced by Rep. Francis Gerald Aguinaldo Abaya, entitled:

"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”; and

House Bill No. 4869 introduced by Rep. Rufus Rodriguez, entitled:

"AN ACT ESTABLISHING A LOCAL GOVERNMENT RESETTLEMENT PROGRAM THAT IMPLEMENTS AN ON-SITE, IN-CITY OR NEAR-CITY STRATEGY 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”;
has considered the same and recommends that the attached House Bill No. 8248, entitled:

"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 approved in substitution of House Bills Numbered 42, 156, 236, 2861, 3041, 3227, 4245, and 4869 and with Reps. Benitez, Belmonte, Vargas, Salo, Nogales (JF), Bainto-Aguinaldo, Nieto, Abaya, Rodriguez, Revilla, Tiangco, Barba, Marcoleta, Tambunting, Ong (J), Umali (A), Vergara, Daza, Quimbo, Cullamat, Robes, Paduano, Ocampo-Dizon, Bascug, and Lopez as authors thereof.

Respectfully submitted:

[Signature]

STRIKE B. REVILLA
Chairman
Committee on Housing and Urban Development

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY
Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City  

EIGHTEENTH CONGRESS  
Second Regular Session  

HOUSE BILL NO. 8248  
(In substitution of House Bills Numbered 42, 156, 236, 2861, 3041, 3227, 4245, and 4869)  


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:  

SECTION 1. Amendatory Provisions. — For purposes of this Act, the following provisions of Republic Act No. 7279, otherwise known as the “Urban Development and Housing Act of 1992”, are hereby amended as follows:
Section 3 is hereby amended to read as follows:

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

"x x x"

(w) x x x; [and]

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

“(Y) ‘ADEQUATE AND RESPONSIVE CONSULTATION’ refers to the standard of dialogue to be conducted by the implementing local government unit or the project proponent agency with the affected informal settler families which shall require the following:

Effective dissemination of relevant information and documents including land records, the proposed plan or project, alternative housing options, and comprehensive resettlement plans;

(2) Provision by the government or non-government organizations of legal, technical, and other advice to affected informal settler families on their rights and options;

(3) The conduct of public hearings that shall provide affected informal settler families, advocates, and the public, with opportunities to
COMMENT ON THE PROPOSED RESETTLEMENT ACTION PLAN, OR PRESENT ALTERNATIVE PROPOSALS AND ARTICULATE THEIR DEMANDS AND RESETTLEMENT PRIORITIES; AND

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

"(Z) ‘CIVIL SOCIETY ORGANIZATION OR CSO’ REFER TO A NON-GOVERNMENT ORGANIZATION, PEOPLE’S ORGANIZATION, COOPERATIVE, TRADE UNION, PROFESSIONAL ASSOCIATION, FAITH-BASED ORGANIZATION, MEDIA GROUP, INDIGENOUS PEOPLES MOVEMENT, FOUNDATION AND ANY OTHER CITIZEN’S GROUP FORMED PRIMARILY FOR SOCIAL AND ECONOMIC DEVELOPMENT CONCERNS TO PLAN PROGRAMS AND PROJECTS AND MONITOR THEIR IMPLEMENTATION, ENGAGE IN POLICY DISCUSSIONS, AND ACTIVELY PARTICIPATE IN COLLABORATIVE ACTIVITIES WITH THE GOVERNMENT”;

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

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

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

“(DD) ‘INFORMAL SETTLEMENT’ REFERS TO:

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

(2) AN UNPLANNED SETTLEMENT AND AREA WHERE HOUSING IS NOT IN COMPLIANCE WITH EXISTING PLANNING AND BUILDING REGULATIONS”;
“(EE) ‘INFORMAL SETTLER FAMILIES OR ISFS’ REFERS TO HOUSEHOLDS LIVING IN A LOT, WHETHER PRIVATE OR PUBLIC, WITHOUT THE CONSENT OF THE PROPERTY OWNER; OR THOSE WITHOUT LEGAL CLAIM OVER THE PROPERTY THEY ARE OCCUPYING; OR THOSE LIVING IN DANGER AREAS SUCH AS ESTEROS, RAILROAD TRACKS, GARBAGE DUMPS, RIVERBANKS, SHORELINES, AND WATERWAYS, AS DEFINED IN SECTION 3(E) OF REPUBLIC ACT NO. 11201”;

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

“(GG) ‘NEAR-CITY RESETTLEMENT’ REFERS TO A RELOCATION SITE CLOSE TO THE ORIGINAL SETTLEMENT OF THE AFFECTED ISFS, BUT WITHIN THE JURISDICTION OF ANOTHER LOCAL GOVERNMENT UNIT THAT IS ADJACENT TO THE IMPLEMENTING LOCAL GOVERNMENT UNIT”;

“(HH) ‘NON-GOVERNMENT ORGANIZATION OR NGO’ REFERS TO A DULY REGISTERED NON-STOCK, NON-PROFIT ORGANIZATION FOCUSING ON THE UPLIFTMENT OF THE BASIC OR DISADVANTAGED SECTORS OF SOCIETY BY PROVIDING

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

“(JJ) ‘PEOPLE’S PLAN’ REFERS TO THE PLAN FORMULATED BY THE BENEFICIARY-ASSOCIATION IN COORDINATION WITH THE IMPLEMENTING LOCAL GOVERNMENT UNIT WHICH SHALL CONTAIN A SITE DEVELOPMENT PLAN THAT CONFORMS TO THE CLUP OF THE LOCAL GOVERNMENT UNIT UNDER WHOSE JURISDICTION THE PROJECT SITE IS PROPOSED TO BE LOCATED, INCLUDING: COMMUNITY HEALTH, SANITATION, AND SECURITY PLANS; NON-PHYSICAL DEVELOPMENT COMPONENTS SUCH AS SELF-HELP HOUSING COOPERATIVE, LIVELIHOOD, SELF-HELP
DEVELOPMENT, CAPABILITY BUILDING; AND A SYSTEM OF ALLOCATION OF SOCIALIZED HOUSING UNITS THAT SHALL PROMOTE AND PROTECT THE WELFARE OF THE ELDERLY, PERSONS WITH DISABILITY, AND CHILDREN AS DEFINED IN SECTION 3(F) OF REPUBLIC ACT NO. 11201”;

“(KK) ‘RECEIVING LOCAL GOVERNMENT UNIT’ REFERS TO THE CITY OR MUNICIPALITY, OTHER THAN THE IMPLEMENTING LOCAL GOVERNMENT UNIT, THAT HAS JURISDICTION OVER THE AREA WHERE THE QUALIFIED ISFS ARE RELOCATING OR RESETTLING”;

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

1) SPECIFY DETAILS ON THE IMPLEMENTATION OF RELOCATION;

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

3) INCLUDE THE BASIC SERVICES AND FACILITIES RELATIVE TO THE HEALTH, EDUCATION, COMMUNICATION, SECURITY, RECREATION, RELIEF AND
WELFARE, LIVELIHOOD, AND TRANSPORTATION NEEDS OF THE RELOCATEES”; AND

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

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

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

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

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

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

"SEC. 23. Participation of PROGRAM Beneficiaries OR AFFECTED ISFS, FORMATION OF BENEFICIARY-ASSOCIATION, MAINSTREAMING SOCIAL PREPARATION, AND FORMULATION AND IMPLEMENTATION OF A PEOPLE’S PLAN. — The local government units, in coordination with the Presidential Commission for the Urban Poor and concerned government agencies, shall afford Program beneficiaries OR AFFECTED ISFS or their duly designated representatives an opportunity to be heard and to participate in the decision-making process over matters involving the protection and promotion of their legitimate collective interests which shall include appropriate documentation and feedback mechanisms. They shall also be encouraged to organize themselves [and undertake self-help cooperative housing and other livelihood activities] INTO AN ASSOCIATION FOR ACCREDITATION AS BENEFICIARIES OR Awardees of Ownership Rights UNDER The RESETTLEMENT PROGRAM, COMMUNITY MORTGAGE PROGRAM, LAND TENURE ASSISTANCE PROGRAM, AND OTHER SIMILAR PROGRAMS IN RELATION TO A SOCIALIZED HOUSING PROJECT ACTUALLY BEING IMPLEMENTED BY THE NATIONAL GOVERNMENT OR BY THE LOCAL GOVERNMENT UNITS. They shall assist the government in preventing the incursions of professional squatters and members of squatting syndicates into their communities."
"In instances when the affected beneficiaries OR ISFS have failed to organize themselves or form an [alliance] ASSOCIATION within a reasonable period prior to the implementation of the program or projects affecting them, consultation between the implementing LOCAL GOVERNMENT UNIT OR agency and the affected [beneficiaries] ISFs shall be conducted with the assistance of the Presidential Commission for the Urban Poor and the concerned [nongovernment organization] CSOS UNTIL AN ASSOCIATION IS FORMED.


"THE ASSOCIATION, WITH THE ASSISTANCE OF CSOS AND CONCERNED GOVERNMENT AGENCIES, INCLUDING THE NATIONAL ANTI-POVERTY COMMISSION, PRESIDENTIAL COMMISSION FOR THE URBAN POOR, NATIONAL HOUSING AUTHORITY, CITY OR MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE, SOCIAL HOUSING FINANCE CORPORATION, AND LOCAL GOVERNMENT UNITS SHALL AGREE ON, DEVELOP, AND IMPLEMENT THE PEOPLE’S PLAN.

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

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

"(B) PROVISION OF ADEQUATE SOCIAL PREPARATION; AND

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

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

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

"[The] WHERE DEMOLITION OR EVICTION IS ALLOWED IN THE AREA OCCUPIED BY THE PROGRAM BENEFICIARIES OR AFFECTED ISFS AND ON-SITE RESETTLEMENT CANNOT BE UNDERTAKEN BY REASON THEREOF, THE IN-CITY resettlement of the beneficiaries of the Program OR OF AFFECTED ISFS from their existing places of occupancy shall be undertaken only [when on-site development is not feasible and] after compliance with the procedures [laid down in] PURSUANT TO Section 28 of this Act AND IN ACCORDANCE
WITH THE PREFERENCE OF THE AFFECTED ISFS AS CONTAINED IN THE
PEOPLE’S PLAN.

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

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

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

IMPLEMENTING THE RESETTLEMENT OF AFFECTED ISFS IN THEIR RESPECTIVE
LOCALITIES [Within two (2) years from the effectivity of this Act, the local government
units LGUs, in coordination with the National Housing Authority shall implement] AND the
relocation and resettlement of [persons] ISFS living in danger areas such as esteros, railroad
tracks, garbage dumps, riverbanks, shorelines, waterways, and in other public places such as
sidewalks, roads, parks, and playgrounds[. The local government unit, in coordination with
the National Housing Authority, shall provide]; AND

PROVIDING relocation or resettlement sites with basic services and facilities and access to
employment and livelihood opportunities sufficient to meet the basic needs of the affected
[families] ISFS. FOR THIS PURPOSE, THE LOCAL GOVERNMENT UNIT MAY
PURCHASE LANDS OUTSIDE ITS JURISDICTION TAKING INTO CONSIDERATION
ITS FEASIBILITY, VIABILITY, BUDGETARY CONCERNS, ZONING ORDINANCES, AND OTHER RELEVANT LAWS."

"WHERE THE LAND OCCUPIED BY THE ISFS IS PRIVATELY-OWNED, THE LOCAL GOVERNMENT UNIT SHALL, IN COORDINATION WITH THE APPROPRIATE KEY SHELTER AGENCIES, NEGOTIATE WITH THE OWNER FOR THE PURCHASE OF THE OCCUPIED PROPERTY. SHOULD THE NEGOTIATION FAIL, THE LOCAL GOVERNMENT UNIT MAY RESORT TO EXPROPRIATION; PROVIDED, THAT ITS EXERCISE SHOULD BE IN ACCORDANCE WITH EXPROPRIATION LAWS, RULES, REGULATIONS, AND PROCEDURES AND IN CONFORMITY TO EXISTING PROGRAMS, AND POLICIES OF THE NATIONAL GOVERNMENT AND LOCAL GOVERNMENT UNITS TAKING INTO CONSIDERATION ITS FEASIBILITY, VIABILITY, BUDGETARY CONCERNS, ZONING ORDINANCES, AND OTHER RELEVANT LAWS."

"IN INSTANCES WHEN THE RELOCATION OR RESETTLEMENT SITE IS LOCATED IN ANOTHER LOCAL GOVERNMENT UNIT, THE IMPLEMENTING LOCAL GOVERNMENT UNIT AND THE CONCERNED NATIONAL GOVERNMENT AGENCIES SHALL, THROUGH A MEMORANDUM OF AGREEMENT, PROVIDE THE RECEIVING LOCAL GOVERNMENT UNIT WHERE THE RELOCATION OR RESETTLEMENT SITE IS LOCATED THE OTHER BASIC SERVICES AND FACILITIES ENUMERATED UNDER SECTION 21 OF THIS ACT, INCLUDING A LIVELIHOOD COMPONENT FOR THE BENEFICIARIES BEING RELOCATED.

LOCAL GOVERNMENT FINANCE SHALL FORMULATE THE IMPLEMENTING RULES AND REGULATIONS ON THE COST-SHARING MECHANISM NECESSARY TO FULLY IMPLEMENT THE PROVISION OF SUCH OTHER BASIC SERVICES AND FACILITIES.


SEC. 2. Implementing Rules and Regulations. – The Department of Human Settlements and Urban Development and the Department of the Interior and Local Government, in consultation with appropriate government agencies, CSOs, NGOs, representatives from the private sector, and ISFs, shall promulgate a new set of implementing rules and regulations (IRR) within sixty (60) days from the effectivity of this Act. The IRR shall include the following:

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

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

SEC. 3. Separability Clause. – If, for any reason, any part, section or provision of this Act is held invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in full force and effect.
SEC. 4. Repealing Clause. — All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances, or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

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

Approved.
FACT SHEET

House Bill No 8248
In Substitution of House Bills Numbered 42, 156, 236, 2861, 3041, 3227, 4245, and 4869
Approved on October 28, 2020

“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’’

Introduced by: REPS. BENITEZ, BELMONTE, VARGAS, SALO, NOGRALEZ (J.F.), BAINTO-AQUINALDO, NIETO, AQUINALDO ABAYA, RODRIGUEZ, REVILLA, TIANGCO, BARBA, MARCOLETA, TAMBUNTING, ONG (J), UMALI (A), VERGARA, DAZA, QUIMBO, CULLAMAT, ROBES, PADUANO, OUANO-DIZON, BASCUG, AND LOPEZ

Committee Referral: COMMITTEE ON HOUSING AND URBAN DEVELOPMENT
Committee Chairperson: REP. STRIKE B. REVILLA

OBJECTIVES:

• To improve informal settlements from being areas of abject poverty, social exclusion, unsafe housing, and underdevelopment into communities with enhanced physical living conditions and improved quality of life and which are fully integrated into a local government unit’s physical and socioeconomic fabric and urban governance systems

• To ensure the sustainability and viability of resettlement projects for informal settler families (ISFs) by providing access to basic services and employment and livelihood opportunities in case on-site resettlement cannot be undertaken

• To empower ISFs by making them active partners of the government in the planning and management of their own resettlement to ensure that the plans thereon reflect and uphold their shelter needs and aspirations

KEY PROVISIONS:

• Establishes an On-Site, In-City, Near-City, or Off-City Resettlement Program for ISFs which is primarily led by the pertinent local government unit but implemented jointly with the Department of Human Settlements and Urban Development
• Identifies the government agencies dealing with the provision of skills and livelihood training, development of livelihood program, and grant of livelihood loans that shall give priority to the beneficiaries of the Program.

• Provides for the formation of the affected ISFs into a beneficiary association that will formulate a 'People's Plan' in consultation with the Presidential Commission for the Urban Poor and in coordination with the implementing local government unit (LGU).

• Authorizes the ISF association to develop and implement the 'People's Plan' which shall include a Relocation Action Plan, with the assistance of civil society organizations and concerned government agencies.

• Stipulates the circumstances when in-city, near-city, or off-city resettlement will be considered in case on-site resettlement cannot be undertaken.

• Charges the LGU together with the Department of Human Settlements and Urban Development and concerned key shelter agencies with the primary responsibility of implementing resettlement in its respective locality.

• Allows the LGU to purchase land outside its jurisdiction for resettlement purposes.

• Directs the LGU to negotiate with private landowners for the purchase of the land being occupied by the ISFs and to resort to expropriation should negotiations fail.

• Mandates the implementing LGU and the concerned government agencies to provide, through a memorandum of agreement with the recipient local government unit where the resettlement site is located, such other basic services and facilities that are necessary to ensure the well-being of the beneficiaries being relocated, including a livelihood program.

• Defines the following terms: adequate and responsive consultation, civil society organizations, comprehensive land use plan, implementing local government unit, in-city resettlement, informal settlements, informal settler families (ISFs), key shelter agencies, near-city resettlement, non-governmental organizations, off-city resettlement, people's plan, receiving local government unit, resettlement action plan, and social preparation.

RELATED LAW:

• Republic Act No. 7279 – Urban Development and Housing Act
• Republic Act No. 7160 – The Local Government Code