COMMITTEE REPORT NO. 825

Submitted by the Committee on Government Enterprises and Privatization and 
Committee on Local Government on MAR 09 2021; 
Re: House Bill No. 8930:
Recommending its approval, in substitution of House Bill No. 7181;
Sponsors: Representatives Eric L. Olivarez, Noel L. Villanueva, Eric Go Yap, and 
Isidro T. Ungab

Mr. Speaker:

The Committee on Government Enterprises and Privatization and the Committee 
on Local Government to which was referred House Bill No. 7181, introduced by 
Representative Isidro T. Ungab, entitled:

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

have considered the same and hereby recommend that House Bill No. 8930, 
entitled:

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

be approved, in substitution of House Bill No. 7181, with Representatives Isidro T. 
Ungab, Ruwel Peter S. Gonzaga, Manuel "Way Kurat" E. Zamora, Claudine Diana 
D. Bautista, Vincent J. Garcia, Paolo Z. Duterte, Sandro L. Gonzalez, Alan "Aldu" 
Dujali, Joy Myra S. Tambunting, Joel Mayo Z. Almario, Eric L. Olivarez, Noel L. 
Villanueva, Eric Go Yap, Datu Roonie Q. Sinsuat Sr., Jose Enrique "Joel" S. 
Garcia III, Geraldine B. Roman, Lorna P. Bautista-Bandigan, Sergio C. Dagooc,
Teodorico T. Haresco Jr., Rowena Niña O. Taduran, and Greg G. Gasataya as authors thereof.

Respectfully Submitted,

NOEL L. VILLANUEVA
Chairperson
Committee on Local Government

ERIC GO YAP
Chairperson
Committee on Appropriations

ERIC L. OLIVAREZ
Chairperson
Committee on Government Enterprises and Privatization

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City

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 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 in Davao del Sur, Carmen in Davao del Norte,
Maco in Davao de Oro, and Malita 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 socio-
economic 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 Island Garden City of Samal (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 in Davao del Sur, Carmen in Davao del
Norte, Maco in Davao de Oro, and Malita 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 MDDA 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;

(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 land fill and related facilities 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 procedure 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 Region Development Plan (DRDP) and Philippines Development Plan 2017-2022;
(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 to 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;

(g) Prescribe and collect services and regulatory fees, and impose and collect fines and penalties; and

(h) Perform other functions, subject to approval by the Metropolitan Davao Development Council.

SEC. 7. Metropolitan Davao Development Council. - The governing board and 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, Maco, and Malita, who shall all serve in an ex officio capacity. The Chairperson of the Council shall be elected from among its members to 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 Transaction 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 plans, programs, and projects, and issue rules and regulations deemed necessary by the MDDA to carry out the purposes of this Act;

(b) 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; fix the compensation of the officers and personnel of the MDDA in accordance with the Salary Standardization Law; and approve the annual budget of the MDDA for submission to the Department of Budget and Management (DBM);

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

(d) Promulgate rules and regulations and set policies and standards for application governing the delivery of basic services, prescribe and collect service and regulatory fees, and impose and collect fines and penalties;

(e) Endorse the annual as well as the supplemental budgets of the MDDA; and

(f) Perform such other acts and assume such other functions as may be 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) 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 expert 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 the 
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, 
amd 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; and
(g) 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 regulation. 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
       center and units of MDDA;

   (c) Assist the Chairperson in the review of plans and program 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. Institution 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, non-government 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 Davao Regional Development Plan (DRDP).

   The MDDA shall submit the Council’s approved development plans and
   investment programs to the Regional Development Council Region XI for integration
   into the plans, programs, and projects that shall be undertaken by the LGUs,
   concerned national government agencies, people’s organizations, non-government
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. Sources of Funds and Operating Budget of 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. 14. 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. 15. 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. 16. 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. 17. 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. 8930
(In substitution of House Bill No. 7181)

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


Committee Referral: COMMITTEE ON GOVERNMENT ENTERPRISES AND PRIVATIZATION
(Primary)
Committee Chairperson: REP. ERIC O. OLIVAREZ
Committee Referral: COMMITTEE ON LOCAL GOVERNMENT (Secondary)
Committee Chairperson: REP. NOEL L. VILLANUEVA

OBJECTIVE:
To ensure the rational development and efficient delivery of basic services in Davao City and its adjoining cities through the creation of the Metropolitan Davao Development Authority (MDDA)

KEY PROVISIONS:

- Constitutes Davao City; the cities of Panabo, Tagum, and Island Garden City of Samal (IGaCoS), in Davao del Norte; City of Digos in Davao del Sur; and City of Mati in Davao Oriental; the municipality of Sta. Cruz in Davao del Sur; Municipality of Carmen in Davao del Norte; Municipality of Maco in Davao de Oro; and the Municipality of Malita in Davao Occidental, as a special development and administrative area, to be administered by the Metropolitan Davao Development Authority (MDDA);

- Mandates the MDDA to exercise planning, implementation, monitoring, and coordinative functions over policies, programs, projects, activities, and the delivery of common services, such as development planning, transport management including mass transport, solid waste disposal, flood control, urban renewal, zoning and land use, health and sanitation, public safety, and related infrastructure and standards that results in economies of scale or which entail
expenditure beyond the capacity of single local government units, without diminution of the autonomy of the LGUs;

- Creates a governing council as the policy-making body of the MDDA, composed of the Regional Development Council of Region XI; the provincial governors of Davao Oriental, Davao de Oro, Davao del Norte, Davao del Sur, and Davao Occidental; and the mayors of Davao City, Mati City, Tagum City, Digos City, IGACoS, Panabo City, and municipalities of Carmen, Sta. Cruz, Maco, and Malita, as ex officio members. The Region XI heads of national government agencies: NEDA, DHSUD, DPWH, DILG, DENR, DOH, DICT, DOE, DOT, DOTr, LTO, and PNP, shall attend meetings of the Council as non-voting members;

- Provides that the Chairperson of the Council, who shall be elected by the members of the Council from among themselves, shall be responsible in ensuring the effective implementation of policies and overseeing the day to day operations of the MDDA, with the assistance of a General Manager, Assistant General Managers, and other officers and personnel;

- Authorizes the allocation of funds for the operations of MDDA through the annual General Appropriations Act.

**RELATED LAW:**