



HOUSE OF REPRESENTATIVES

H. No. 8930

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BY REPRESENTATIVES UNGAB, GONZAGA, ZAMORA (W.K.), BAUTISTA, GARCIA (V.), DUTERTE, GONZALEZ, DUJALI, TAMBUNTING, ALMARIO, OLIVAREZ, VILLANUEVA (N.), YAP (E.), SINSUAT, GARCIA (J.E.), ROMAN, BAUTISTA-BANDIGAN, DAGOOC, HARESCO, TADURAN, GASATAYA AND CAGAS, PER COMMITTEE REPORT NO. 825

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**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:*

1           **SECTION 1. Short Title.** This Act shall be known as the "Metropolitan Davao  
2 Development Authority Act".

3           **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State  
4 to adopt a national dispersion through regional agglomeration strategy to revitalize  
5 large cities and eventually stir them to expand their physical areas for planning as  
6 well as their service areas for urban service delivery.

7           Considering the rapid urbanization of Davao City and increasing population of  
8 the cities of Panabo, Tagum, and the Island Garden City of Samal (IGaCoS), in  
9 Davao del Norte; the City of Digos in Davao del Sur; and the City of Mati in Davao  
10 Oriental, and the spatial, functional, and economic interdependence of these cities  
11 with the municipalities of Sta. Cruz in Davao del Sur, Carmen in Davao del Norte,  
12 Maco in Davao de Oro, and Malita in Davao Occidental, it is likewise hereby  
13 declared the policy of the State to consider these local government units (LGUs) as



1 a special development and administrative region, to be known as Metropolitan  
2 Davao.

3 **SEC. 3. *Creation of the Metropolitan Davao Development Authority.***

4 – There is hereby created a special body to be known as the Metropolitan Davao  
5 Development Authority, hereinafter referred to as “MDDA”, which shall be organized  
6 within thirty (30) days after the approval of this Act, to coordinate and promote socio-  
7 economic growth and sustainable development of Metropolitan Davao.

8 The MDDA shall execute the powers and functions herein vested which shall,  
9 however, in no way diminish the autonomy of the LGUs of Metropolitan Davao  
10 concerning purely local matters, within the framework and subject to the mandate  
11 and limitations of the Constitution and the pertinent provisions of Republic Act No.  
12 7160, otherwise known as the “Local Government Code of 1991.”

13 **SEC. 4. *Jurisdiction of the Metropolitan Davao Development Authority.***

14 – For the purposes of this Act, the MDDA shall have jurisdiction over Davao City;  
15 the cities of Panabo, Tagum, and the Island Garden City of Samal (IGaCoS), in  
16 Davao del Norte; the City of Digos in Davao del Sur; the City of Mati in Davao  
17 Oriental; and the municipalities of Sta. Cruz in Davao del Sur, Carmen in Davao del  
18 Norte, Maco in Davao de Oro, and Malita in Davao Occidental, and such other cities  
19 and municipalities as shall be created in the future within these LGUs as provided  
20 by law.

21 **SEC. 5. *Scope of MDDA Services.*** - The services of the MDDA are delivered  
22 across boundaries to multiple and often interdependent political entities whose  
23 activities impact each other significantly, and entail huge expenditures such that it  
24 would not be viable for said services to be provided by the individual LGUs. These  
25 services shall include:

- 26 (a) Development planning, which includes preparing medium- and long-term  
27 development plans; developing, evaluating and packaging of projects;  
28 investments programming; and coordinating and monitoring plans,  
29 program and project implementations;
- 30 (b) Transport management, which includes formulating, coordinating, and  
31 monitoring policies, standards, programs, and projects to rationalize the  
32 existing transport operations, infrastructure requirements, and promotion

1 of safe and convenient movement of persons and goods; providing a mass  
2 transport system and instituting a system to regulate road users;  
3 administering and implementing all traffic enforcement operations, traffic  
4 engineering services and traffic education programs, including instituting  
5 a single ticketing system;

6 (c) Solid waste disposal and management, which includes formulating and  
7 implementing policies, standards, programs, and projects for proper and  
8 sanitary waste disposal. It shall likewise include establishing and operating  
9 a sanitary land fill and related facilities and implementing other alternative  
10 programs intended to reduce, reuse, and recycle solid waste;

11 (d) Flood control and sewerage management, which include formulating and  
12 implementing policies, standards, programs, and projects for an integrated  
13 flood control, drainage, and sewerage system;

14 (e) Urban renewal, zoning, land use planning, and shelter services, which  
15 include formulating, adopting and implementing policies, standards, rules,  
16 and regulations, programs, and projects to rationalize and optimize urban  
17 land use and provide direction to urban growth and expansion,  
18 rehabilitating and developing slums and blighted areas, developing shelter  
19 and housing facilities, and providing necessary social services thereof;

20 (f) Health and sanitation, urban protection, and pollution control, which  
21 include formulating and implementing policies, rules and regulations,  
22 standards, programs, and projects for promoting and safeguarding health  
23 and sanitation to enhance ecological balance and prevent, control, and  
24 abate environmental pollution; and

25 (g) Public safety, which includes formulating and implementing programs,  
26 policies and procedure to achieve public safety, especially preparedness  
27 for preventive or rescue operations during times of calamity and disaster  
28 such as conflagration, earthquakes, flood, and coordinating and mobilizing  
29 resources and implementing contingency plans for rehabilitation and relief  
30 operations in coordination with national agencies concerned.

31 **SEC. 6. *Functions of the Metropolitan Davao Development Authority.* -**

32 The MDDA shall exercise the following functions:

33 (a) Formulate plans aligned to the Davao Region Development Plan (DRDP)  
34 and Philippines Development Plan 2017-2022;

- 1 (b) Set policies concerning traffic, waste management, and public safety and  
2 security for Metropolitan Davao and coordinate, regulate, and enforce the  
3 implementation of these programs and projects with concerned national  
4 government agencies and LGUs;
- 5 (c) Prepare and implement or manage metropolitan-wide programs and  
6 projects for the delivery of specific services under its jurisdiction, subject  
7 to the approval to the Metropolitan Davao Development Council;
- 8 (d) Review and recommend to the Metropolitan Davao Development Council  
9 policies regarding development permits for residential, commercial, or  
10 industrial purposes and other major land development that have  
11 metropolitan-wide impact on transportation and traffic, proposed to be  
12 implemented by or in the LGUs within Metropolitan Davao;
- 13 (e) Monitor the implementation of metropolitan-wide programs and projects  
14 and identify implementation issues and appropriate solutions to address  
15 them;
- 16 (f) Install and administer a single ticketing system, fix, impose, and collect  
17 fines and penalties for all kinds of violations of traffic rules and regulations,  
18 whether moving or non-moving in nature, and confiscate and suspend or  
19 revoke driver's licenses in the enforcement of such traffic laws and  
20 regulations;
- 21 (g) Prescribe and collect services and regulatory fees, and impose and collect  
22 fines and penalties; and
- 23 (h) Perform other functions, subject to approval by the Metropolitan Davao  
24 Development Council.

25 **SEC. 7. Metropolitan Davao Development Council.** - The governing board  
26 and policy making body of the MDDA shall be the Metropolitan Davao Development  
27 Council, herein referred to as the Council, which shall be composed of the  
28 Chairperson of the Regional Development Council, Region XI; the governors of the  
29 provinces of Davao Oriental, Davao de Oro, Davao del Norte, Davao del Sur, and  
30 Davao Occidental; the city mayors of Davao, Mati, Tagum, Digos, IGACoS, and  
31 Panabo; and the municipal mayors of Carmen, Sta Cruz, Maco, and Malita, who  
32 shall all serve in an *ex officio* capacity. The Chairperson of the Council shall be  
33 elected from among its members to serve for a term of three (3) years.

1 The heads of the following Davao regional offices of national government  
2 agencies shall attend all meetings of the Council as non-voting members: National  
3 Economic and Development Authority (NEDA); Department of Human Settlements  
4 and Urban Development (DHSUD); Department of Public Works and Highways  
5 (DPWH), Department of the Interior and Local Government (DILG), Department of  
6 Environment and Natural Resources (DENR), Department of Health (DOH);  
7 Department of Information and Communications Technology (DICT), Department of  
8 Energy (DoE), Department of Tourism (DoT), Department of Transportation (DoTr);  
9 Land Transaction Office (LTO), and Philippine National Police (PNP)..

10 The Chairperson and members of the Council, except *ex officio* members, are  
11 entitled to allowance and per diems in accordance with existing policies, rules, and  
12 regulations on the matter.

13 **SEC. 8. Functions of the Metropolitan Davao Development Council.** - The  
14 Council, as the policy-making body of the MDDA, shall exercise the following  
15 functions:

- 16 (a) Approve plans, programs, and projects, and issue rules and regulations  
17 deemed necessary by the MDDA to carry out the purposes of this Act;
- 18 (b) Subject to pertinent laws, policies, rules and regulations, increase the rate  
19 of allowances and per diems of the members of the Council to be effective  
20 during the term of the succeeding Council; fix the compensation of the  
21 officers and personnel of the MDDA in accordance with the Salary  
22 Standardization Law; and approve the annual budget of the MDDA for  
23 submission to the Department of Budget and Management (DBM);
- 24 (c) Recommend investment programming for its plans and programs, as well  
25 as supervise the implementation of plans and programs which includes  
26 the formulation and coordination of its related activities;
- 27 (d) Promulgate rules and regulations and set policies and standards for  
28 application governing the delivery of basic services, prescribe and collect  
29 service and regulatory fees, and impose and collect fines and penalties;
- 30 (e) Endorse the annual as well as the supplemental budgets of the MDDA;  
31 and
- 32 (f) Perform such other acts and assume such other functions as may be  
33 necessary to carry out the provisions of this Act.

34 **SEC. 9. Effectivity of Ordinances and Resolutions.** -

1 (a) An ordinance or resolution passed by the Council, in the exercise of its  
2 rule-making power as provided in Section 8 hereof, shall be posted in a  
3 bulletin board at the entrance of the MDDA building and in at least two (2)  
4 other conspicuous places in the office of the MDDA within ten (10) days  
5 from its approval and shall take effect fifteen (15) after such posting.

6 (b) Ordinances with penal sanctions shall be published in a newspaper of  
7 general circulation within Metropolitan Davao and shall take effect fifteen  
8 (15) days thereafter.

9 **SEC. 10. Functions of the Chairperson of the Council.** - The Chairperson  
10 of the Council, herein referred to as the Chairperson, shall exercise the following  
11 functions:

12 (a) Appoint, subject to civil service laws, rules and regulations, all subordinate  
13 officers and employees, who shall enjoy security of tenure and may be  
14 removed only for cause in accordance with law. The Chairperson is  
15 authorized to engage the services of expert or consultants either on full  
16 time or part-time basis, as may be required in the performance of the  
17 Chairperson's functions and duties;

18 (b) Execute the policies and measures approved by the Council and be  
19 responsible for the efficient and effective day-to-day management of the  
20 operations of the MDDA;

21 (c) Prepare the annual budget for the operations of the MDDA for the  
22 submission to the Council;

23 (d) Submit for consideration of the Council such other duties and measures  
24 as the chairperson may deem necessary to carry out the purposes and  
25 provisions of this Act;

26 (e) Subject to the guidelines and policies set by the Council, prepare the  
27 staffing pattern and fix the number of subordinate officials and employees  
28 of the MDDA in accordance with Civil Service laws, rules and regulations,  
29 and evaluation and approval of the DBM and exercise the power to  
30 discipline subordinate officials and employees under the provisions of law;

31 (f) Prepare an annual report on the accomplishment of the MDDA at the close  
32 of each calendar year for submission to the Council and to the President  
33 of the Philippines; and

1 (g) Perform such other duties as may be assigned by the President of the  
2 Philippines or by the Council.

3 The Chairperson, as head of the implementing arm of the MDDA, shall be  
4 assisted by a General Manager, an Assistant General Manager for Finance and  
5 Administration, an Assistant General Manager for Planning, and an Assistant  
6 General Manager for Operations, all of whom shall be appointed by the President  
7 of the Philippines upon the recommendation of majority of the Council, subject to  
8 civil service laws, rules and regulation. These officials shall enjoy security of tenure  
9 and may be removed only for cause in accordance with law.

10 The Assistant General Manager for Planning must have at least five (5) years  
11 extensive experience in development and planning or must hold a Master's degree  
12 in urban planning or similar disciplines.

13 **SEC. 11. Functions of the General Manager.** - The General Manager shall  
14 exercise the following functions:

- 15 (a) Assist the Chairperson in the administration of the MDDA and supervision  
16 of subordinate personnel;
- 17 (b) Assist the Chairperson in the supervision of the operation of the various  
18 center and units of MDDA;
- 19 (c) Assist the Chairperson in the review of plans and program for the MDDA  
20 and for the cities and municipalities in the preparation of the annual report  
21 of activities and accomplishments of the MDDA; and
- 22 (d) Perform such other duties and functions as may be lawfully delegated or  
23 assigned by the Chairperson from time to time.

24 **SEC. 12. Institution Linkages of the MDDA.** - The MDDA shall, in carrying  
25 out its functions, consult, coordinate and work closely with the LGUs, the Regional  
26 Development Council of Region XI, and other national government agencies,  
27 people's organizations, non-government organizations, and the private sector  
28 operating in Metropolitan Davao. The MDDA shall adopt a master plan that shall  
29 serve as the framework for the local development plans of the component LGUs  
30 and aligned with the Davao Regional Development Plan (DRDP).

31 The MDDA shall submit the Council's approved development plans and  
32 investment programs to the Regional Development Council Region XI for integration  
33 into the plans, programs, and projects that shall be undertaken by the LGUs,  
34 concerned national government agencies, people's organizations, non-government



1 organizations, private sector, and the MDDA itself where appropriate. For this  
2 purpose, the MDDA may enter into contracts or memoranda of agreement with  
3 these bodies for the delivery of the required services within Metropolitan Davao.

4 The MDDA shall, in coordination with the NEDA and the Department of  
5 Finance (DoF), interface with foreign assistance agencies for the purpose of  
6 obtaining financing support, grants and donations in support of its programs and  
7 projects.

8 **SEC. 13. Sources of Funds and Operating Budget of MDDA.** – The  
9 amount necessary for the operations of the MDDA shall be included in the annual  
10 General Appropriations Act.

11 The operations of the MDDA shall likewise be supported through financial  
12 contributions and technical assistance from member LGUs, national government  
13 agencies and government-owned or controlled corporations (GOCCs) and the  
14 private sector, and other local and international organizations in the form of grants,  
15 donations, contributions, payments, penalties, fees and charges.

16 In case of grants, in cash or in kind, from foreign governments or their  
17 agencies and instrumentalities, or multilateral institutions or organizations,  
18 acceptance thereof shall be subject to prior clearance and approval of the Council  
19 and the President of the Philippines or the authorized representative, based on the  
20 recommendation of the Secretary of Finance. In case of donations, in cash or in  
21 kind, from foreign governments, acceptance thereof shall require prior clearance  
22 and approval by the Council and the President of the Philippines, or the authorized  
23 representative based on the recommendation of the Secretary of Foreign Affairs.

24 The MDDA is likewise empowered to levy fines, and impose fees and  
25 charges for various services rendered.

26 The Council shall undertake continuing negotiations among the member  
27 LGUs and GOCCs to commit annual financial contributions for the operations of the  
28 MDDA.

29 **SEC. 14. Implementing Rules and Regulations.** – Within ninety (90) days  
30 from the approval of this Act, the Council shall promulgate the necessary rules and  
31 regulations for the implementation of this Act.

1           **SEC. 15. Separability Clause.** - If any part or provision of this Act is held  
2 unconstitutional or invalid, the other parts or provisions not affected shall remain in  
3 full force and effect.

4           **SEC. 16. Repealing Clause.** - All laws, decrees, executive orders, rules and  
5 regulations, parts or provisions thereof that are contrary to or inconsistent with the  
6 provisions of this Act are hereby repealed, amended, or modified accordingly.

7           **SEC. 17. Effectivity.** - This Act shall take effect fifteen (15) days after its  
8 publication in the Official Gazette or in a newspaper of general circulation.

9           *Approved,*