This bill seeks to create the Catanduanes Urban Development Authority.

The Province of Catanduanes is an island province in the Bicol region and lies to the east of Camarines Sur. It is the twelfth largest island in the country. It boasts of many nicknames like “The Happy Island,” “Land of the Howling Winds,” “Isle of the Eastern Seas,” but it is best known as the “Abaca Capital of the Philippines,” being the number one exporter of high-grade abaca product in the world. It comprises eleven (11) municipalities, namely, Bagamanoc, Baras, Bato, Caramoran, Gigmoto, Pandan, Panganiban, San Andres, San Miguel, Viga, and its capital, Virac.

The Province of Catanduanes, though within the typhoon belt, is blessed with significant land forms and rich forests. The forest areas which have been declared as the Catanduanes Watershed Forest Reserve cover the municipalities of Baras, Bato, Caramoran, Gigmoto, San Miguel, San Andres, Virac, and Viga. The forest reserve, along with tourism development and infrastructure preservation, has opened the gate of opportunities to accelerate the economic growth of the province.

The creation of an urban development authority will coordinate, plan, manage, and implement development programs and resource utilizations in the Province of Catanduanes. An urban development plan will also be established.
to promote the socio-economic development of the province. A development framework will be formulated and implemented to enhance the capabilities of the people and they will be given equitable access to local resources, basic social services, and economic opportunities, while ensuring the protection and preservation of the province.

This proposed measure guarantees the economic progress of the province, reduces government expenditures and ensures asset preservation. Further, it will keep the people from migrating to urban areas and help the Province of Catanduanes reach its ultimate goal for a safe, progressive, prosperous, and sustainable province.

In view of the foregoing, passage of this bill is earnestly recommended.

HECTOR S. SANCHEZ
Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Eighteenth Congress
Second Regular Session

HOUSE BILL NO. 9195

Introduced by Representative Hector S. Sanchez

AN ACT
CREATING THE CATANDUANES URBAN DEVELOPMENT AUTHORITY, PRESCRIBING ITS POWERS AND FUNCTIONS AND APPROPRIATING 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 “Catanduanes Urban Development Authority Act.”

SEC. 2. Declaration of Policy. – It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Towards this end, the State shall formulate and implement a framework to enhance the capabilities of the people where they are given equitable access to local resources, basic social services and economic opportunities while ensuring the protection and preservation of the Province of Catanduanes. The State shall likewise establish a
SEC. 3. **Catanduanes Urban Development Authority.** – There shall be created under the Office of the President, an independent regulatory body to be known as the Catanduanes Urban Development Authority, hereinafter referred to as the Authority. The Authority shall be organized within one hundred twenty (120) days after the approval of this Act. It shall be the primary government agency that shall coordinate, plan, manage and implement the development programs and resource utilization in the Province of Catanduanes. It shall be responsible in close cooperation with the local government units (LGUs) and line agencies for the overall policy direction and coordination of the efforts of the authority, execute the powers and functions vested and conferred by this Act. It shall have its principal office in the Municipality of Virac, Catanduanes and, if necessary, may establish area management offices (AMOs) to achieve the objectives of this Act.

SEC. 4. **Coverage.** – The Authority covers all the municipalities in the Province of Catanduanes, namely: Bagamanoc, Baras, Bato, Caramoran, Gigmoto, Pandan, Panganiban, San Andres, San Miguel, Viga, and Virac.

SEC. 5. **General Policies.** – In the exercise of its powers and duties, the Authority is guided by the following policies:
a) Sustainable development and preservation of the Province of Catanduanes is given due importance to protect and develop the ecological balance within the area;

b) Preparation, development and implementation of the Catanduanes Comprehensive Urban and Master Development Plan based on the framework of sustainable management of watersheds, protected areas, fish sanctuaries and rainforest shall be prioritized in consultation and coordination with the LGUs, Department of Environment and Natural Resources (DENR), Department of the Interior and Local Government (DILG), Department of Public Works and Highways (DPWH), National Economic Development Authority (NEDA) and other appropriate government agencies and stakeholders;

c) Implementation of short and medium-term programs, activities and projects consistent with the Catanduanes Comprehensive Urban and Master Development Plan to attain the objectives of this Act;

d) Implementation of environmental laws and regulations, including Republic Act (RA) No. 11038, otherwise known as the “Expanded National Integrated Protected Areas System Act of 2018” and RA 8435, otherwise known as the “Agriculture and Fisheries Modernization Act of 1997,” to regulate commercial, industrial and similar activities within the Province of Catanduanes;
e) Active participation of the LGUs, specifically the barangays is encouraged in the implementation and enforcement of existing environmental laws;

f) Participation of the private sector and civil society organizations to transform the Province of Catanduanes into a conducive environment for recreation, business and other productive uses through private sector-driven and cleaner technology-based investments in ecosystem development;

g) Planning, programming, social preparation and adjustment, relocation or resettlement of the population within the protected areas of the Province of Catanduanes in coordination with appropriate government agencies and LGUs to ensure that relocation and resettlement areas have permanent access to adequate basic social services and livelihood opportunities;

h) Management and implementation of information and education campaign to amplify stakeholder awareness and voluntary participation on the importance of protection and conservation of the Province of Catanduanes in close coordination with LGUs and other government agencies; and

i) Formulation and implementation of programs, policies and procedures to achieve public safety, especially preparedness for preventive or rescue operations during times of calamities and
disasters such as earthquakes, floods and mudslides, as well as coordination and mobilization of resources and the implementation of contingency plans for the rehabilitation and relief operations in coordination with the appropriate national agencies.

SEC. 6. **Powers and Functions.** – The Authority shall exercise the following powers and functions:

a) Formulate and implement the Catanduanes Comprehensive Urban and Master Development Plan with the help of the NEDA and other agencies or entities;

b) Review all plans, projects and programs in the Province of Catanduanes and the expansions thereto including those submitted by LGUs, public corporations, public utility franchisees, concessionaires, private persons or corporations that relate to the development of the Province of Catanduanes to ensure that they conform to environmental standards prescribed by the Authority and other environmental laws;

c) Through coordination with the DPWH and other appropriate government agencies, implement infrastructure projects for water supply, among others, post-harvest irrigation, food processing, flood control, solid waste management, wastewater and sewerage works, water supply facilities, access roads;

d) Access ports, housing, leisure parks and related works within the context of its master plan including the readjustment, relocation or
resettlement of population within the Province of Catanduanes that may be deemed necessary and beneficial in pursuit of its mandate. In case any of these projects is financed wholly or in part by the Authority, it shall collect fees and tolls from users or beneficiaries to recover costs of construction and maintenance of the projects;

e) Periodically conduct comprehensive scientific surveys, studies, field sampling and laboratory testing, and Geographic Information System (GIS)-mapping of the Province of Catanduanes, in coordination with the Department of Science and Technology (DOST), DENR-Environmental Management Bureau (EMB), and National Mapping and Resource Information Authority (NAMRIA) to monitor, evaluate, update and analyze among others, the physical, biological, chemical, geological characteristics including the socio-economic profile of stakeholders, trade, industrial and commercial profile of business entities, status of the national government agency and LGU programs and projects, biometric tagging and identification of settlers, parcellary land use and zoning aspects, mapping of critical effluent discharge areas, transportation and navigation attributes, and historical and tourism elements;

f) Engage the services of the private sector through the Public-Private Partnership (PPP) process or through the build operate and transfer (BOT) scheme under RA 6957, entitled “An Act Authorizing the
Financing, Construction, Operation and Maintenance of Infrastructure Project by the Private Sector, and For Other Purposes,” as amended, or other acceptable forms of partnership and agreements in establishing an environmental, biological or microbiological laboratory, GIS-mapping system, surveillance, monitoring and enforcement system through high-definition closed circuit televisions or other surveillance and monitoring technologies and new technologies on highly-specialized fields;

g) Engage in land swapping in securing relocation and resettlement areas, whether by itself or in cooperation with private persons or entities, enter into other acceptable exchange agreements related to social and ecological development projects;

h) Identify, secure and possess near-site or on-site development areas for low-cost and socialized mass housing of qualified informal settler families;

i) Engage in experimental community-based integrated waste management technologies and strategies including the collection and disposal system, sewage and septage treatment, collection and disposal of floating garbage, solid waste, wastewater by-products, sludge or contaminated sediments;

j) Clear and dismantle all illegal structures, in coordination with the local government units, DILG and Philippine National Police (PNP),
and ensure that the easements provided for in this Act and other related laws are enforced;

k) Conduct, in close coordination with the DENR, DOST, the academe and other private and public research institutions, continuing research and development programs on environmental management technologies, integrated agricultural management models and techniques, and appropriate aquaculture technologies, with the end view of promoting sustainable development;

l) Without prejudice to existing environmental laws, establish and enforce anti-pollution standards on domestic, municipal, commercial and industrial waste being discharged into the Province of Catanduanes watershed and river system;

m) Require all projects or activities affecting the Province of Catanduanes to secure environmental compliance certificates (ECCs) required under Presidential Decree (PD) No. 1586, entitled “Establishing An Environmental Impact Statement System, Including Other Environmental Management Related Measures and for Other Purposes,” and grant clearances and permits for projects and activities within or affecting the province including industrial and commercial activities, recreation and tourism, navigation, housing and other forms of land developments, construction and operation and impose
necessary safeguards, management and control of waste and collect
necessary fees for such activities and projects;
n) Issue, renew or cancel permits, subject to reasonable guidelines, for
the discharge of sewage, septage, industrial waste and installation or
operation of sewerage works and industrial disposal systems or parts
thereof, for the prevention and abatement of pollution;
o) Issue, after due notice and hearing, orders or decisions to compel
compliance with the provisions of this Act and its implementing rules
and regulations;
p) Issue, alter or modify, after due notice and hearing, orders or decisions
requiring the discontinuance of pollution specifying the conditions and
the time within which such discontinuance must be accomplished;
q) Revoke, suspend or modify, after due notice and hearing, any
clearance or instrumentalities for the purpose of enforcing the
provisions of this Act and its implementing rules and regulations;
r) Deputize or request the assistance of appropriate government agencies
or instrumentalities for the purpose of enforcing the provisions of this
Act and its implementing rules and regulations and the orders and
decisions of the Authority;
s) Enter, inspect or investigate at all reasonable times any public and
private property devoted to commercial and industrial use within the
Province of Catanduanes, on any matter relating to pollution and
existing or imminent environmental hazard and danger;
t) Fix, impose, collect, periodically review and adjust reasonable fees
and other related charges for services rendered in the performance of
its mandate; and
u) Exercise powers and perform other functions as may be necessary to
carry out its duties and responsibilities under this Act.

SEC. 7. Corporate Powers. – The Authority shall exercise the following
corporate powers:

a) Succeed in its corporate name;
b) Sue and be sued in its corporate name;
c) Adopt, alter and use a corporate seal;
d) Adopt, amend or repeal its bylaws;
e) Enter into, make, perform and carry out contracts of any class, kind
and description with any person, firm or corporation, private or public
and with foreign government entities which are necessary or incidental
to the realization of its purpose;
f) Receive and utilize donations, grants, bequeaths and assistance of all
kinds from local and foreign governments and private sectors;
g) Exercise the right of eminent domain whenever the Authority deems it
necessary to carry out the objectives under this Act;
h) Borrow funds from any local or foreign sources independent of the bonds it may issue to carry out the purposes of this Act;

i) Purchase, hold, alienate, mortgage, pledge or otherwise dispose of the shares of the capital stock or any bond, securities or other evidence of indebtedness created by any other corporation, co-partnership or government agencies or instrumentalities. The Authority shall not invest its funds in any high-risk instruments or in any highly speculative stocks issued without recourse to commercial banks or investment houses;

j) Provide incentives to encourage the private sector to fully subscribe to its shares of stock;

k) Perform any acts which a corporation or a juridical person is authorized to perform under the existing laws; and

l) Issue such other rules and regulations as may be deemed necessary to carry out the purposes of this Act.

SEC. 8. **Board of Directors.** – The corporate powers of the Authority shall be vested in and exercised by a Board of Directors, hereinafter referred to as the Board, which is composed of the following:

a) General manager of the Authority, as chairperson;

b) Secretary of the DENR, as *ex-officio* vice-chairperson;

c) Secretary of the DPWH, as *ex-officio* member;

d) Secretary of the DILG, as *ex-officio* member;
e) A representative from the Office of the Governor of the Province of Catanduanes; and

f) Two (2) representatives from the private sector who are shareholders or stakeholders in the Province of Catanduanes, as members.

The ex-officio members of the Board may designate the officer next in rank as a permanent alternate representative to the Board.

The appointment and qualification of the members of the Board shall be in accordance with the provisions of RA 10149, otherwise known as the “GOCC Governance Act of 2011.” The Governance Commission for GOCCs shall give utmost consideration to the nominees recommended by the general manager. The general manager shall recommend at least three (3) names for every vacant position.

SEC. 9. Powers and Functions. – The Board shall exercise the following powers and functions:

a) Provide a comprehensive policy guidance for the sustainable development and preservation of the Province of Catanduanes;

b) Prescribe and promulgate policies, rules and regulations to govern the conduct of business of the Authority and ensure that the Authority performs its functions in a proper, efficient and effective manner;

c) Decide the objectives, strategies and policies of the Authority in accordance with the provisions of this Act;

d) Exercise appellate powers on the decision of the general manager;
e) Issue subpoena ad testificandum or subpoena duces tecum requiring the attendance and testimony of witnesses in any matter or inquiry pending before the Board and requiring the production of books, papers, contracts, agreements and all other documents;

f) Exercise appellate powers to order the taking of depositions at any stage of any proceeding or investigation pending before the Board;

g) Approve the organizational and administrative structures and the corresponding staffing pattern of the Authority; fix their reasonable compensation, allowances and other benefits in accordance with the Salary Standardization Law; prescribe their duties and establish such methods and procedures as may be necessary to ensure the efficient, honest and economical administration of the provisions and purposes of this Act. All personnel of the Authority shall be appointed by the general manager. Those personnel with the rank of assistant manager down to department heads, and others of comparable rank, shall be subject to the confirmation of the Board: Provided, That the personnel of the Authority shall be selected only from those with civil service eligibility and shall be subject to civil service laws, rules and regulations;

h) Approve the annual and supplemental budgets of the Authority and authorize each operating and capital expenditure and disbursement as
may be necessary for the effective management, operation and administration of the Authority;

i) Create and organize ad-hoc technical working groups composed of representatives from the government and other stakeholders to assist the Board; and

j) Perform such other functions as may be necessary to carry out the provisions of this Act.

SEC. 10. Quorum. – The presence of at least five (5) members of the Board shall constitute a quorum and the majority vote of at least four (4) members in a meeting where a quorum is present shall be necessary for the adoption of any ruling, order, resolution, decision or act of the Board in the exercise of its functions.

SEC. 11. Board Meetings. – The Board shall meet regularly once a month and may hold special meetings to consider urgent matters upon the call of the chairperson or upon the initiative of five (5) members. The rules and procedures in the conduct of Board meetings shall be prescribed by the Board.

SEC. 12. Per Diems. – The members of the Board shall receive a per diem for each meeting actually attended. The per diems of the members of the Board shall be determined by the Board in accordance with the existing rules and regulations.
SEC. 13. **General Manager.** – A general manager who is the chief executive officer of the Authority shall exercise the following powers and functions:

a) Submit for consideration of the Board, the policies and measures that are necessary to carry out the purposes and objectives of this Act;

b) Head and administer the Province of Catanduanes Adjudication Panel as the implementing arm for the quasi-judicial powers of the Authority;

c) Execute, administer and implement the policies, plans, programs and projects approved by the Board;

d) Manage and supervise the operation and administration of the Authority;

e) Appoint all officials and employees of the Authority and remove, suspend or otherwise discipline the same for cause, in accordance with existing civil service laws, rules and regulations;

f) Submit quarterly reports to the Board on personnel selection, placement and training;

g) Render an annual report to the Board and various stakeholders regarding the operation of the Authority including its latest financial statements;
h) Represent the Authority in all its dealings with offices, agencies, and instrumentalities of the government and with all persons and other entities, public or private, domestic and foreign; and

i) Perform such other functions as may be provided in the bylaws and as may be vested by the Board.

The general manager shall be vested with the rights, privileges, disqualifications and prohibitions of a general manager as prescribed by existing Position Classification and Compensation Scheme, laws, issuances and pertinent civil service rules and regulations.

SEC. 14. **Qualifications.** – The general manager must be:

a) A citizen and resident of the Philippines;

b) At least thirty-five (35) years of age;

c) With good moral character, unquestionable integrity and recognized competence; and

d) A degree holder with at least five (5) years supervisory or management experience in the field of public administration, economic planning, environmental planning and natural resource management, or in the establishment and management of large agricultural, commercial or industrial enterprises or other related fields.

SEC. 15. **Term of Office.** – The general manager shall be appointed by the President of the Philippines and shall have a term of six (6) years which may
be extended for another non-extendible term of two (2) years. The general manager may only be removed for cause in accordance with the rules and regulations prescribed by the Civil Service Commission.

SEC. 16. Management Structure. – In carrying out the activities of the Authority, the general manager shall be assisted by an assistant general manager and four (4) department heads: one (1) for legal services, one (1) for administration and finance services, one (1) for technical services, and one (1) for agricultural development, who shall have such powers, duties and functions as the general manager may prescribe or delegate. The assistant general manager shall act as the general manager in the absence or during the temporary incapacity of the general manager or until such time that a new general manager has been duly appointed.

The Authority shall have the following departments under the direct supervision and control of the general manager:

a) Enforcement and Legal Service Department which shall provide legal advice and support to all the corporate units on legal implications of the various undertakings of the Authority. It shall also provide professional assistance in the implementation of the quasi-judicial and regulatory functions of the Authority, which includes enforcement of environmental protection, proper procedures on investigation, litigation, adjudication and voluntary arbitration. It shall oversee and manage the operations of the watershed, forestry zones, rainforest and
fish sanctuary surveillance, monitoring and enforcement units within
the Province of Catanduanes;

b) Administrative and Finance Department which shall be responsible
for providing services related to administrative support services such
as consolidation of major financial output, preparation of personnel
evaluation system, human resource management, revenue planning,
generation and enhancement, budget and financial matters, records
management, safekeeping of financial assets, and general services;

c) Technical and Environmental Management Services Department
which shall serve as the main regulatory and technical arm of the
authority and shall oversee the integration of the functions on
environmental management and development, including the
management and operations of the GIS-mapping unit and laboratories.
It shall also be responsible for providing scientific studies, technical
policy planning, research and development, and technology
management services; and

d) Agricultural Development Department which shall be responsible for
the promotion and management of agricultural activities in the area,
including dissemination of information and educational campaign to
residents, particularly the farmers, to help them maximize their
earning potential while maintaining ecological balance.
SEC. 17. **Power to Administer Oaths.** – The members of the Board, the general manager and other duly designated officers of the Authority, shall have the authority to administer oaths in the transaction and performance of their official duties.

SEC. 18. **Consultative Assembly.** – There shall be established a consultative assembly which shall serve as venue for public consultations and participation by stakeholders and presentation of the Authority’s plans and programs or modification, amendment or revision of rules and regulations prior to its adoption or implementation within its jurisdiction. The consultative assembly is composed of the following:

a) Mayors of the municipalities comprising the Province of Catanduanes;
b) The president of the association of barangay captains in municipalities comprising the Province of Catanduanes;
c) A representative of owners, proprietors and authorized operators of all major private, commercial or industrial business establishments located in all barangays comprising the Province of Catanduanes; and
d) One (1) representative each for the homeowners associations, civil society organizations and peoples’ organizations in the Province of Catanduanes.

The Authority shall convene an annual year-end general assembly to report and present its financial and fiscal status and updates on its plans, programs and projects to its stakeholders and to the public. The required
logistical support, such as food and transportation allowances shall be provided to the members of the Board and the consultative assembly during the meeting at the expense of the Authority subject to government accounting and auditing procedures.

SEC. 19. **Organizational Structure.** – The Chairperson shall determine the organizational structure, staffing pattern and pay scales of the Authority personnel subject to existing civil service and compensation laws. The Chairperson may reorganize the Authority and may create or abolish divisions, units or branches therein as the exigencies of the affairs of the Authority may require.

SEC. 20. **Merit System.** – All officials and employees of the Authority shall be selected and appointed on the basis of merit and fitness in accordance with civil service law, rules and regulations. The recruitment, transfer, promotion, and dismissal of all its personnel including temporary workers shall be governed by a merit system that is established by the Authority in compliance with existing laws, rules and regulations.

SEC. 21. **Catanduanes Comprehensive Urban and Master Development Plan.** – Upon its organization, the Authority shall formulate the Catanduanes Comprehensive Urban and Master Development Plan which shall serve as the basis for the identification, formulation and development of programs, projects and activities of the province. The plan shall include social services; infrastructure, transport and utilities; environment; tourism; and land use, to
support the long-term framework for planning, development and asset
preservation of the Province of Catanduanes.

SEC. 22. Appropriations. – The amount necessary for the initial
implementation of this Act shall be charged against the current year’s
appropriations of the Province of Catanduanes. Thereafter, the amount
necessary for its continued operation shall be included in the annual General
Appropriations Act.

SEC. 23. Implementing Rules and Regulations. – Within ninety (90)
days from the approval of this Act, the Board shall issue the necessary rules and
regulations for the effective implementation of this Act. The implementing rules
and regulations shall be published in the Official Gazette or in a newspaper of
general circulation.

SEC. 24. Repealing Clause. – All laws, decrees, executive orders, rules
and regulations and issuances, or parts thereof, inconsistent with the provisions
of this Act are hereby repealed accordingly.

SEC. 25. Separability Clause. – If any provision of this Act is declared
unconstitutional or invalid, the other provisions not otherwise affected shall
remain in full force and effect.

SEC. 26. Effectivity. – This Act shall take effect fifteen (15) days after
its publication in the Official Gazette or in a newspaper of general circulation.

Approved,