

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



19TH CONGRESS
First Regular Session

HOUSE BILL NO. 858

Introduced by Honorable Michael L. Romero

EXPLANATORY NOTE

The **National Water Resources Board** (NWRB) is an agency of the Government of the Philippines working on water resources and potable water. It has policy-making, regulatory and quasi-judicial functions.

The NWRB is responsible for ensuring the exploitation, utilization, development, conservation and protection of the country's water resource, consistent with the principles of "Integrated Water Resource Management".

It is now high time for the government to prioritize water works and services in the national program, and consider water as an integral factor in nation building.

This House Bill seeks to create the Department of Water Resources and Services, the government entity that shall lead the implementation of policies on the promotion and development of water works and water services programs in the country.

A handwritten signature in black ink, appearing to read "Michael L. Romero Ph.D."

MICHAEL L. ROMERO Ph.D.

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AN ACT

**CREATING THE DEPARTMENT OF WATER
RESOURCES AND SERVICES, APPROPRIATING
FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

SECTION 1: SHORT TITLE – This Ac shall be known as the “**Department
of Water Resources and Services Act of 2022**”.

SECTION 2: DECLARATION OF POLICY – It is the policy of the State to ensure the utilization, development, conservation and protection of the country's water resources, consistent with the principles of "*Integrated Water Resource Management*".

The State recognizes the importance of water resources and services to foster social progress, and promote total human development.

The State recognizes the need to promote water resources and services for the welfare of all Filipinos and the entire country.

Toward this end, it is imperative to establish a single, integrated and unified department for the promotion and development of our national water resources and services.

SECTION 3: CREATION OF THE DEPARTMENT OF WATER RESOURCES AND SERVICES – There shall hereby be created the *Department of Water Resources and Services*, hereinafter referred to as the Department.

SECTION 4: MANDATE – The Department shall be the primary policy, planning, coordinating, implementing, and administrative entity of the Executive Branch of the government that will plan, develop, and promote the national water resources and services development program.

SECTION 5: POWERS AND FUNCTIONS – The Department shall exercise the following powers and functions:

I. Policy and Planning

- (a) Formulate, recommend and implement national policies, plans, programs and guidelines that will promote the development and harness the potential of our water resources and services with due consideration for the country's welfare and success;
- (b) Formulate policies and initiatives, in regards with the *Integrated Water Resource Management Program*, in collaboration with the Department of Environment and Natural Resources;
- (c) Provide an integrated framework and programs in order to optimize the potential of our water resources and services;
- (d) Prescribe rules and regulations for the establishment, operation and maintenance of Philippine water resources and services Infrastructures; and
- (e) Establish water resources, services and facilities that will be accessible to the general public;

II. Resource-Sharing and Capacity-Building

- (f) Harmonize and coordinate all water works programs, plans and initiatives to ensure opportunities and maximum development of our water resources and services;
- (g) Assist and provide technical expertise to government agencies in the development of guidelines in the enforcement and administration of laws, standards, rules, and regulations governing the Department;
- (h) Assess, review and support water works related research and development programs of the government in coordination with the appropriate government agencies and other institutions concerned;
- (i) Prescribe the personnel qualifications and other qualification standards essential to the effective development and operation of Department;
- (j) Develop programs that would enhance the career advancement opportunities of Department and other water works personnel in government;
- (k) Assist in the dissemination of vital information essential to disaster risk reduction and preparedness through its activities;
- (l) Represent and negotiate for Philippine interest on matters pertaining to water works in international bodies, in coordination with the appropriate government agencies and other institutions concerned;
- (l) Establish guidelines for public-private partnerships in the implementation of water resources projects for development; and
- (m) Promote strategic partnerships and alliances between and among local and international water resources body and/or competitor, for the research and development, educational and training institutions, to enhance competitiveness of all personnel and workers.

SECTION 6: COMPOSITION – The Department shall be headed by the Secretary.

The Department proper shall be composed of the Office of the Secretary, the Offices of the Undersecretary and the Assistant Secretaries.

SECTION 7: SECRETARY OF THE DEPARTMENT – The Secretary shall be appointed by the President, subject to confirmation by the Commission on Appointments.

The Secretary shall have the following functions:

- (a) Provide executive direction and supervision over the entire operations of the Department and its attached agencies;
- (b) Establish policies and standards for the effective, efficient and economical operation of the Department, in accordance with the programs of government;
- (c) Review and approve requests for financial and manpower resources of all operating offices of the Department;
- (d) Designate and appoint officers and employees of the Department, excluding the undersecretaries, assistant secretaries, and regional and assistant regional directors, in accordance with the civil service laws, rules, and regulations;
- (e) Exercise disciplinary powers over officers and employees of the Department in accordance with law, including their investigation and the designation of a committee or officer to conduct such investigations;
- (f) Coordinate with other agencies and public and private interest groups, including nongovernment organizations (NGOs) and people's organizations on Department policies and initiatives;
- (g) Prepare and submit to the President through the Department of Budget and Management (DBM) an estimate of the necessary expenditures of the Department during the next fiscal year, on the basis of the reports submitted by bureaus and offices under him/her;
- (h) Serve as a member of the Government Procurement Policy Board (GPPB) as established by Republic Act No. 9184;
- (i) Advise the President on the promulgation of executive and administrative orders and formulation of regulatory and legislative proposals on matters pertaining to water resources and services development;
- (j) Formulate such rules and regulations and exercise such other powers as may be required to implement the objectives of this Act: and
- (k) Perform such other tasks as may be provided by law or assigned by the President.

SECTION 8: UNDERSECRETARIES – The Secretary shall be assisted by three (3) undersecretaries, who shall be appointed by the President upon the recommendation of the Secretary:

Provided, that two (2) of the Undersecretaries shall be career officers.

SECTION 9: ASSISTANT SECRETARIES – the Secretary shall be assisted by four (4) assistant secretaries who shall be appointed by the President upon the recommendation of the Secretary of the Department:

Provided, that two (2) of the Assistant Secretaries shall be career officers:

Provided, further, that at least one (1) of the Assistant Secretaries shall be a person publicly recognized in the field of Water Resources.

SECTION 10: QUALIFICATIONS – No person shall be appointed Secretary, Undersecretary, or Assistant Secretary of the Department unless he or she is a citizen and resident of the Philippines, of good moral character, of proven integrity and with at least seven (7) years of competence and expertise in the field of Water Works and at least thirty (30) years of age.

SECTION 11: REGIONAL OFFICES – The department may establish, operate, and maintain a regional office in the different administrative regions of the country as the need arises.

Each regional office shall be headed by a Regional Director who may be assisted by one (1) Assistant Regional Director.

The Regional Director and Assistant Regional Director shall be appointed by the President.

The regional offices shall have, within their respective administrative regions, the following functions:

- (a) Implement laws, policies, plans, programs, projects, rules and regulations of the Department;
- (b) Provide efficient and effective service to the people;
- (c) Coordinate with regional offices of other departments, offices, and agencies;
- (d) Coordinate with the LGUs; and
- (e) Perform such other functions as may be provided by law or assigned by Secretary.

SECTION 12: SECTORAL AND INDUSTRY TASK FORCES – The Department may create sectoral and industry, task forces, technical working groups, advisory bodies or committees for the furtherance of its objectives.

Additional private sector representatives, such as from the academe, civil society organizations (CSOs), and federation of private industries directly involved in water works, as well as representatives of other National Government Agencies (NGAs).

Local Government Units (LGUs) and Government Owned and Controlled Corporations (GOCCs) may be appointed to these working groups.

Government sports professionals may also be tapped to partake work in the Department through, these working groups.

SECTION 13: TRANSFER OF AGENCIES AND PERSONNEL – The *National Water Resources Board (NWRB)* is hereby abolished, and its powers and functions, applicable funds and appropriations, records, equipment, property, and personnel transferred to the Department.

SECTION 14: SEPARATION AND RETIREMENT OF SERVICE – Employees who are separated from service within six (6) months from the effectivity of this Act as a result of the consolidation and/or reorganization under the provisions of this Act shall receive separation benefits to which they may be entitled under Executive Order No. 366, s. 2004:

Provided, that those who are qualified to retire under existing requirement laws shall be allowed to retire and receive retirement benefits to which they may be entitled under applicable laws and issuances.

SECTION 15: STRUCTURE AND STAFFING PATTERN – Subject to the approval of the *Department of Budget and Management (DBM)*, the Department shall determine its organizational structure and create new divisions or units as it may deem necessary, and shall appoint officers and employees of the Department in accordance with the civil service law, rules, and regulations.

SECTION 16: TRANSITION PERIOD – The transfer of functions, assets, funds, equipment, properties, transactions, and personnel of the affected agencies, and the formulation of the internal organic structure, staffing pattern, operating system, and revised budget of the Department, shall be completed within six **(6)** months from the effectivity of the Act, during which time, the existing personnel shall continue to assume their posts in holdover capacities until new positions and appointments are issued:

Provided, that after the abolition of tie agencies as specified in section 14 of this Act, the Department, in coordination with the DBM, shall determine and create new positions, the funding requirements of which shall not exceed the equivalent cost of positions abolished.

SECTION 17: APPROPRIATION – The amount needed for the initial implementation of this Act shall be One Billion Pesos **(1,000,000,000.00)** taken from the National Treasury.

Thereafter, the amount needed for the operation and maintenance of the Department shall be included in the General Appropriations Act (GAA), the year after the enactment of this act, and thereafter.

SECTION 18: IMPLEMENTING RULES AND REGULATIONS. – The Department shall issue within sixty (60) days from the effectivity of this

Act the necessary rules and regulations for the effective implementation of this Act.

SECTION 19: SEPARABILITY CLAUSE. — If any provision or part hereof is declared unconstitutional, the remainder of this Act or any provision not affected shall remain in full force and effect.

SECTION 20: REPEALING CLAUSE. – All laws, presidential decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 21: EFFECTIVITY CLAUSE. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.