



Republic of the Philippines
Department of Environment and Natural Resources
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MEMORANDUM

FOR : **The Bureau Directors**
Environmental Management Bureau
Land Management Bureau

The Directors
Legal Affairs Service
Policy and Planning Service
Climate Change Service

FROM : **The Director**
Legislative Liaison Office

SUBJECT : **REQUEST FOR COMMENTS FOR THE COMMITTEE ON HOUSING AND URBAN DEVELOPMENT OF THE HOUSE OF REPRESENTATIVES**

DATE : 17 November 2022

In reference to the Virtual Meeting of the Committee on Housing and Urban Development on November 16, 2022 (Wednesday), 9:30 AM via Zoom, they are requesting the Department's position for the following bills:

1. **House Bill No. 954**, AN ACT STRENGTHENING THE NATIONAL HOUSING AUTHORITY, EXTENDING ITS CORPORATE TERM, AND AMENDING FOR THIS PURPOSE PRESIDENTIAL DECREE NO. 757 (P.D. 757), "CREATING THE NATIONAL HOUSING AUTHORITY AND DISSOLVING THE EXISTING HOUSING AGENCIES, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES by Rep. Sandro L. Gonzales
2. **House Bill No. 1429**, AN ACT STRENGTHENING THE NATIONAL HOUSING AUTHORITY, EXTENDING ITS CORPORATE TERM, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 757 by Rep. Ms. Victoria Co-Pilar
3. **House Bill No. 2300**, AN ACT STRENGTHENING THE NATIONAL HOUSING AUTHORITY, EXTENDING ITS CORPORATE TERM, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 757 by Rep. Khymer Adan T. Olaso
4. **House Bill No. 2994**, AN ACT STRENGTHENING THE NATIONAL HOUSING AUTHORITY, EXTENDING ITS CORPORATE TERM, AND AMENDING FOR THIS PURPOSE PRESIDENTIAL DECREE NO. 757 (PD 757), "CREATING THE NATIONAL HOUSING AUTHORITY AND DISSOLVING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES" by Rep. Ivan Howard A. Guintu

In this regard, may we **request your comments and recommendations** on the House Bills on or before **November 22, 2022, 5 PM** through email at denrlegislative@yahoo.com, for the transmittal to the Committee.

Attached herewith are the invitation letter, agenda and copies of the bills for your reference.

ROMIROSE B. PADIN

cc: Undersecretary for Legal, Administration, Human Resources, and Legislative Affairs
Undersecretary for Policy, Planning, and International Affairs
Assistant Secretary for Administration and Legislative Affairs



Undersecretary for Policy, Planning and International Affairs <ouppia@denr.gov.ph>

Fwd: Follow-up on Submission of Position Paper for 16 November 2022 Meeting

Carina Labastilla <cllabastilla@denr.gov.ph> Tue, Nov 15, 2022 at 4:43 PM
To: legis lative <denrlegislative@yahoo.com>, "Undersecretary for Policy, Planning and International Affairs" <ouppia@denr.gov.ph>
Cc: "Ma. Victoria Somera" <mvtosomera@denr.gov.ph>, jeremyrola@yahoo.com

----- Forwarded message -----

From: **Office of the DENR Secretary** <osec@denr.gov.ph>
Date: Tue, Nov 15, 2022 at 4:37 PM
Subject: Fwd: Follow-up on Submission of Position Paper for 16 November 2022 Meeting
To: Carina Labastilla <cllabastilla@denr.gov.ph>

----- Forwarded message -----

From: **House Committee on Housing And Urban Development** <committee.housing@house.gov.ph>
Date: Thu, Nov 10, 2022 at 5:41 PM
Subject: Follow-up on Submission of Position Paper for 16 November 2022 Meeting
To: Imarcellana@denr.gov.ph <Imarcellana@denr.gov.ph>, bgalura@denr.gov.ph <bgalura@denr.gov.ph>, <osec@denr.gov.ph>

Madam,

10/11/22, 11:05

This is to reiterate our request for the following:

10/11/22, 11:05

1. List of Confirmed Attendees (Name and Designation)
2. Position Paper / Comment on the measures on House Bills Numbered 954, 1429, 2300, and 2994 (National Housing Authority Act)

We would appreciate the above request on or before 11 November 2022 (Friday).

Kindly acknowledge receipt of this email.

Thank you very much.

Pauline Boaquina
Committee Staff

-



NELSON F. RENDON
Committee Secretary
Committee on Housing and Urban Development
Direct Line: (+632) 89514328
Trunk Line: (+632) 89315001 local 7151

CHAIR: TIMOR-LESTE			
6.1	2:20 – 2:25 p.m.	Greetings from the Chair of the Session	TL
6.2	2:25 – 3:00 p.m.	FRWG Chair's Recommendation	Chair of FRWG/RS
6.3	3:00 – 3:15 p.m.	Endorsement of FRWG Chair's Recommendation	CT6
	3:15 – 3:20 p.m.	Bio Break	
SESSION 7			
GOVERNANCE WORKING GROUP: MONITORING AND EVALUATION WORKING GROUP			
CHAIR: INDONESIA			
7.1	3:20 – 3:25 p.m.	Greetings from the Chair of the Session	ID
7.2	3:25 – 4:25 p.m.	MEWG Chair's Recommendation	Chair of MEWG/RS
7.3	4:25 – 4:40 p.m.	Endorsement of MEWG Chair's Recommendation	CT6
END OF DAY 1			
DAY 2: FRIDAY, 25 NOVEMBER 2022 9:00 AM – 3:45 PM (GMT+8/MANADO)			
SESSION 8			
TECHNICAL WORKING GROUP: WORKPLAN AND BUDGET			
CHAIR: MALAYSIA			
NO.	TIME	ACTIVITY	PIC
8.1	9:00 – 9:05 a.m.	Greetings from the Chair of the Session	MY
8.2	9:05 – 9:20 a.m.	Seascope Working Group	Chair of SWG
8.3	9:20 – 9:35 a.m.	EAFM Working Group	Chair of EAFM WG
8.4	9:35 – 9:50 a.m.	MPA Working Group	Chair of MPA WG
8.5	9:50 – 10:05 a.m.	CCA Working Group	Chair of CCA WG
8.6	10:05 – 10:20 a.m.	TS Working Group	Chair of TS WG
8.7	10:20 – 10:35 a.m.	Acknowledgement and Acceptance of TWG Report	CT6
	10:35 – 10:40 a.m.	Bio Break	
SESSION 9			
CROSS-CUTTING INITIATIVES			
CHAIR: PAPUA NEW GUINEA			
9.1	10:40 – 10:45 a.m.	Greetings from the Chair of the Session	PG
9.2	10:45 – 11:00 a.m.	Women Leaders Forum	Chair of WLF
9.3	11:00 – 11:15 a.m.	University Partnership/Scientific Advisory Group	UP Coordinator/RS
9.4	11:15 – 11:30 a.m.	Regional Business Forum	RS
9.5	11:30 – 11:45 a.m.	Acknowledgement and Acceptance of CCI Report	CT6
	11:45 a.m. – 1:30 p.m.	Break and Friday Prayer	
SESSION 10			
CTI PARTNERS PRESENTATION			
CHAIR: PHILIPPINES			
10.1	1:30 – 1:35 p.m.	Greetings from the Chair of the Session	PH
10.2	1:35 – 2:00 p.m.	Presentation from CTI Partners	CTI Partners Representative
10.3	2:00 – 2:05 p.m.	Acknowledgement of CTI Partners Presentation	CT6
SESSION 11			
MINISTERIAL MEETING AGENDA AND JOINT MINISTERIAL STATEMENT			
CHAIR: TIMOR-LESTE			
11.1	2:05 – 2:10 p.m.	Greetings from the Chair of the Session	TL
11.2	2:10 – 2:25 p.m.	Presentation of the 8 th Ministerial Meeting Agenda and review of draft Joint Ministerial Statement	Chair of Session/RS
11.3	2:25 – 2:30 p.m.	Endorsement of MM-8 Agenda and Joint Ministerial Statement	CT6
SESSION 12			
REVIEW OF CHAIR'S SUMMARY OF SOM-17 AND CLOSING			
CHAIR: SOLOMON ISLANDS			
12.1	2:30 – 2:45 p.m.	Break: Preparation of Chair's Summary	

16/11/2022, 09:21

Department of Environment and Natural Resources Mail - Fwd: Follow-up on Submission of Position Paper for 16 November 202...

Email Address: committee.housing@house.gov.ph

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 **DENR Invitation-16 Nov2022.pdf**
192K



**17th SENIOR OFFICIALS MEETING (SOM-17)
24-25 NOVEMBER 2022
ZOOM**

PROVISIONAL AGENDA

DAY 1: THURSDAY, 24 NOVEMBER 2022 9:00 AM – 4:40 PM (GMT +8/MANADO)			
SESSION 1 OPENING OF THE MEETING CHAIR: SOLOMON ISLANDS			
NO.	TIME	ACTIVITY	PIC
1.1	9:00 – 9:10 a.m.	Welcome and Opening Remarks from Chair of CSO	Chair of CSO
1.2	9:10 – 9:15 a.m.	Round of Introduction and Photo Op	Chair of CSO
1.3	9:15 – 9:20 a.m.	Adoption of Agenda	Chair of CSO
SESSION 2 CHAIR'S REPORT CHAIR: INDONESIA			
2.1	9:20 – 9:35 a.m.	Report of Chair of CSO	Chair of CSO
2.2	9:35 – 9:45 a.m.	Acknowledgement and Acceptance of Chair's Report	CT6
SESSION 3 COUNTRY REPORTS CHAIR: MALAYSIA			
3.1	9:45 – 10:00 a.m.	Presentation from Indonesia	ID CSO/HOD
3.2	10:00 – 10:15 a.m.	Presentation from Malaysia	MY CSO/HOD
3.3	10:15 – 10:30 a.m.	Presentation from Papua New Guinea	PG CSO/HOD
	10:30 – 10:40 a.m.	Bio Break	
3.4	10:40 – 10:55 a.m.	Presentation from the Philippines	PH CSO/HOD
3.4	10:55 – 11:10 a.m.	Presentation from Solomon Islands	SB CSO/HOD
3.5	11:10 – 11:15 a.m.	Presentation from Timor-Leste	TL CSO/HOD
3.6	11:15 – 11:20 a.m.	Acknowledgement and Acceptance of Country Reports	CT6 CSO
SESSION 4 ADDRESS BY THE EXECUTIVE DIRECTOR OF REGIONAL SECRETARIAT CHAIR: PAPUA NEW GUINEA			
4.1	11:20 a.m. – 12:05 p.m.	Address by ED : Governing RS and the way forward for CTI-CFF <ul style="list-style-type: none"> - FRWG, IRC and the way forward - Technical Working Group - Representation for Country's Delegation for the meetings - Institutional Framework 	ED
4.2	12:05 – 12:15 p.m.	Acknowledgment of ED's address	CT6
	12:15 – 1:00 p.m.	Break	
SESSION 5 GOVERNANCE WORKING GROUP: INTERNAL RESOURCE COMMITTEE CHAIR: PHILIPPINES			
5.1	1:00 – 1:05 p.m.	Greetings from the Chair of the Session	PH
5.2	1:05 – 2:05 p.m.	IRC Chair's Recommendation	Chair of IRC/RS
5.3	2:05 – 2:20 p.m.	Endorsement of IRC Chair's Recommendation	CT6
SESSION 6 GOVERNANCE WORKING GROUP: FINANCIAL RESOURCES WORKING GROUP			



Republic of the Philippines
House of Representatives
Quezon City

Committee on Housing and Urban Development

FRANCISCO "KIKO" B. BENITEZ
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SENIOR VICE-CHAIRPERSON
Lone District - San Jose Del Monte City

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VICE-CHAIRPERSON
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JONATHAN KEITH T. FLORES
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IVAN HOWARD A. GUINTU
VICE-CHAIRPERSON
PINUNO Party List

RALPH WENDEL P. TULFO
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NELSON F. RENDON
Legislative Committee Secretary

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27 October 2022

HON. MA. ANTONIA YULO-LOYZAGA

Secretary
Department of Environment and Natural Resources
DENR Bldg., Visayas Avenue,
Diliman, Quezon City

Dear Madam:

The Committee on Housing and Urban Development will hold a virtual meeting via Zoom video conferencing on 16 November 2022 (Wednesday) at 9:30 AM for the deliberation of the following proposed measures: //

House Bills Numbered **954, 1429, 2300, and 2994** (NATIONAL HOUSING AUTHORITY ACT), authored by Representatives Sandro L. Gonzalez, Ma. Victoria Co-Pilar, Khymer Adan T. Olaso, and Ivan Howard A. Guintu, respectively.

In this regard, we would like to invite you to participate in the meeting and share your views, comments, and recommendations on the proposed measures. May we also request for your written comments on the bills, a copy each is hereby attached for your ready reference.

We would appreciate receiving a confirmation of your intent to attend the meeting, the list of persons accompanying you to the meeting, and the submission of your written comments through this email address: committee.housing@house.gov.ph on or before 11 November 2022. We will be sending the Zoom link around noon on 15 November 2022. //

For inquiries, you may contact Ms. Pauline Anne S. Boaquina or Ms. Lorraine F. Castro, committee secretariat, through mobile numbers 09065397168 or 099999760579, respectively.

Thank you and we look forward to your participation in the meeting.

Very truly yours,

JOSE FRANCISCO "KIKO" B. BENITEZ

For the Chairperson:

NELSON F. RENDON
Committee Secretary

4.1	4:00 – 4:30 p.m.	Update of SOM-16 Decisions	Chair of MEWG
4.2	4:30 – 5:00 p.m.	RPOA 2.0	Chair of MEWG/RS
4.3	5:00 – 5:20 p.m.	CT Atlas development	Chair of MEWG/RS
4.4	5:20 – 6:00 p.m.	Chair's Recommendation and Acceptance for Endorsement to SOM-17	CT6
END OF DAY 1			
DAY 2: WEDNESDAY, 23 NOVEMBER 2022 8:30 AM – 6:00 PM (GMT+8/MANADO)			
SESSION 5 TECHNICAL WORKING GROUP CHAIR: REGIONAL SECRETARIAT (PS)			
NO.	TIME	ACTIVITY	PIC
5.1	8:30 – 8:35 a.m.	Welcome Greetings from the Chair of the Session	RS
5.2	8:35 – 9:35 a.m.	Seascope Working Group	Chair of SWG/RS
5.3	9:35 – 10:35 a.m.	EAFM Working Group	Chair of EAFM WG/RS
5.4	10:35 – 11:40 a.m.	MPA Working Group	Chair of MPA WG/RS
	11:40 a.m. – 12:40 p.m.	Break	
5.5	12:40 – 1:40 p.m.	CCA Working Group	Chair of CCA WG/RS
5.6	1:40 – 2:40 p.m.	TS Working Group	Chair of TS WG/RS
SESSION 6 CTI-CFF PARTNERS CHAIR: EXECUTIVE DIRECTOR OF RS			
6.1	2:40 – 3:40 p.m.	Update of CTI Partners engagement: - External financial assistance - Development of CTI Regional Conservation Trust Fund - Regional and international involvement and visibility of CTI-CFF	CTI Partners Representative
6.2	3:40 – 4:00 p.m.	Acknowledgment of CTI Partners presentation to SOM-17	CT6
	4:00 – 4:05 p.m.	Bio Break	
SESSION 7 CROSS-CUTTING INITIATIVES CHAIR: REGIONAL SECRETARIAT (CS AND PS)			
7.1	4:05 – 5:05 p.m.	Women Leaders' Forum	Chair of WLF/RS
7.2	5:05 – 5:30 p.m.	Regional Business Forum (Sustainable Business Forum)	RS
7.3	5:30 – 6:00 p.m.	Scientific Advisory Group/University Partnership	UP Coordinator/RS
END OF PRE-SENIOR OFFICIALS MEETING			

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 954



Introduced by MARINO Party-list Representative
SANDRO L. GONZALEZ

AN ACT
STRENGTHENING THE NATIONAL HOUSING AUTHORITY,
EXTENDING ITS CORPORATE TERM, AND AMENDING FOR THIS
PURPOSE PRESIDENTIAL DECREE NO. 757 (P.D. 757), "CREATING THE
NATIONAL HOUSING AUTHORITY AND DISSOLVING THE EXISTING
HOUSING AGENCIES, DEFINING ITS POWERS AND FUNCTIONS,
PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

EXPLANATORY NOTE

Under Section 9, Article XIII of the 1987 Constitution, "The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost, decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of such program the State shall respect the rights of small property owners."

By virtue of Presidential Decree No. 757 dated 31 July 1975, the National Housing Authority was created to develop and implement a comprehensive and integrated housing program, with a corporate term of fifty (50) years but may be extended.

On 17 December 1986, Executive Order No. 90 was issued placing the National Housing Authority as the sole government agency engaged in direct shelter production, with focus in providing housing, assistance to the lowest 30% of urban income-earners through slum upgrading, squatter relocation, development of sites and services and construction of core-housing units.

On 23 July 2018, Republic Act No. 11201, otherwise known as the Department of Human Settlements and Urban Development Act, was enacted creating the Department of Human Settlements and Urban Development (DHSUD) which functions as the sole and main planning and policy-making, regulatory, program coordination, and performance monitoring entity for all housing, human settlement and urban development concerns. Said law repealed EO 96, series of 1986, and attached the NHA to the DHSUD for purposes of policy and

program coordination, monitoring and evaluation. NHA retained its function as a production and financing arm in housing but its corporate term was not extended.

According to the Philippine Statistics Authority, the First Semester 2021 poverty incidence among population, or the proportion of poor Filipinos whose per capita income is not sufficient to meet their basic food and non-food needs, was estimated at 23.7 percent. This translates to 26.14 million Filipinos who lived below the poverty threshold out of 109,035,343 total population of the Philippines. The agency also estimated that around 4.5 million Filipinos are homeless.¹

To address this long subsisting problem and to alleviate the quality of life of homeless Filipino families in general, this bill seeks to renew the corporate term and strengthen the role of the National Housing Authority in developing and implementing an integrated and comprehensive housing program.

The strengthening of the NHA is long overdue. Its corporate powers, board composition, as well as existing organizational structure and personnel complement were formulated way back in 1975 and has not been amended and improved operationally since then despite the increasing work performed in discharging its mandate. To ensure that the NHA shall be able to adopt to the changing conditions, the expansion of its corporate powers and its corporate term, restructuring of its board as well as increase in the number of its organic personnel with the corresponding adjustment in their compensation and benefits are inevitable.

In view of the foregoing, the early passage of this proposed measure is earnestly sought.



SANDRO L. GONZALEZ
Representative
MARINO Party-list

¹ *Proportion of Poor Filipinos Registered at 23.7 Percent in the First Semester of 2021*. Philippine Statistics Authority. (2021, December 17). Retrieved July 1, 2022, from <https://psa.gov.ph/content/proportion-poor-filipinos-registered-237-percent-first-semester-2021>

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 954

Introduced by MARINO Party-list Representative
SANDRO L. GONZALEZ

AN ACT
STRENGTHENING THE NATIONAL HOUSING AUTHORITY,
EXTENDING ITS CORPORATE TERM, AND AMENDING FOR THIS
PURPOSE PRESIDENTIAL DECREE NO. 757 (P.D. 757), "CREATING THE
NATIONAL HOUSING AUTHORITY AND DISSOLVING THE EXISTING
HOUSING AGENCIES, DEFINING ITS POWERS AND FUNCTIONS,
PROVIDING 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 Act shall be known as the "National Housing Authority Act of 2021."

Section 2. *Declaration of Policies.* – It is the policy of the State to ensure a continuing program of urban land reform and housing, which will make available at affordable cost, decent housing and basic services to underprivileged and homeless citizens, in order to guarantee freedom from poverty, rising standard of living, and improved quality of life for all.

The State, in partnership with the private sector, and its stakeholders shall also:

- (a) Expand people's access to affordable, adequate, safe, and secure shelter in well-planned communities;
- (b) Enable informal settler families to live in resilient, vibrant, and connected urban communities;
- (c) Promote inclusive and integrated housing that are culturally sensitive, responsive to local context and/or special needs, and in accordance with appropriate standards and designs;

- (d) Encourage and sustain investments in the housing and urban development sector by, among others, promoting partnerships, improving market linkages, simplifying government procedures and facilitating access to finance;
- (e) Improve affordability of housing programs and projects;
- (f) Promote climate change resilient housing and basic infrastructure; and,
- (g) Make land available and accessible for housing.

Section 3. *Statement of Objective.* – Towards this end, the State shall integrate all laws relating to the National Housing Authority to effectively achieve the following objectives:

- (a) Develop integrated, sustainable, safe, affordable and resilient communities, particularly for the underprivileged and homeless as well as low-income households;
- (b) Implement innovative and alternative solutions in addressing the housing needs of informal settler families, the lower-income classes and the vulnerable sector;
- (c) As a government-owned and -controlled corporation, to generate income through the efficient utilization of existing and future assets to support the programs of the Authority;
- (d) Adopt viable land acquisition and management approaches; and,
- (e) Strengthen housing as a platform to reduce poverty, promote climate resilience and improve social outcomes.

Section 4. *Extension of Corporate Term; Effect.* – The corporate term of the government corporation known as the National Housing Authority, hereinafter, the "Authority", created by virtue of Presidential Decree No. 757 (P.D. 757), is hereby extended for a period of Fifty (50) years, upon the approval of this Act.

As such, the Authority shall continue to perform its mandates, exercise its powers and functions, and enjoy its incentives, as contained in P.D. 757, and subsequent laws and issuances, unless expressly repealed herein. Likewise, it shall continue to enjoy all rights and assume all of the liabilities that pertain thereto.

The Authority shall continue to be under the administration supervision of the Department of Human Settlement and Urban Development.

Section 5. *Office.* – The Authority shall retain its principal office at the NHA Main Office, Elliptical Road, Diliman, Quezon City 1101, but may have such regional and district offices, agencies, or subsidiaries in other areas all over the country, as it may deem proper and necessary.

Section 6. *Power and Function of the Authority.* – The Authority, in line with its role as the sole government agency engaged in direct shelter production, and in pursuit of the foregoing policies and objectives, shall also exercise the following powers and functions:

I. Housing Operations and Support Services

- (a) Develop and implement comprehensive and integrated housing and urban and rural development programs for citizens including, but not limited to:
 - i. programs for the improvement of blighted urban areas;
 - ii. direct shelter production and disposition primarily for informal settler families and the underprivileged and homeless;
 - iii. relocation of families subject of court-ordered eviction; and,
 - iv. housing programs for government employees and armed personnel, such as: members of the Armed Forces of the Philippines (AFP), Philippine National Police (PNP), Bureau of Jail Management and Penology (BJMP), Bureau of Fire Protection (BFP), and Bureau of Corrections (BuCor).
- (b) Prescribe guidelines and standards for the preservation, conservation and utilization of public lands identified for housing and resettlement;
- (c) Design and implement sustainable livelihood programs, fully funded by the national government, which are responsive to the needs of its housing community, in coordination with the concerned local and national government agencies and, whenever practicable, with participation of civil society organizations and the private sector;
- (d) Develop and undertake other urban and rural development projects including basic community facilities, by itself or through joint ventures or other arrangements with public and private entities;
- (e) Improve, redevelop, or revitalize completed but not yet turned-over NHA housing projects by constructing therein additional community structures, or whenever necessary, demolishing previously erected structures similar in nature, subject to existing laws and regulations;
- (f) Provide technical and other forms of assistance to local government units in the implementation of their own housing programs, or private developers undertaking low-cost housing projects, subject to the policies of the Authority;

- (g) Undertake financing of housing programs initiated by local government units or local communities; and,
- (h) Extend shelter services to victims of calamities, natural or man-made, as declared by the President; for this purpose, the Authority shall be given priority and utmost assistance by pertinent government agencies in order to expedite the process.

II. Asset Management and Business Development

- (a) Exercise the right of eminent domain, purchase, sell, lease and/or exchange lands for purposes of housing development, resettlement and other related services and facilities;
- (b) Issue bonds or contract loans, credits, or indebtedness, including suppliers credit or any deferred payment arrangements with any person or entity, domestic or foreign, for the implementation of its housing programs;
- (c) Invest its funds, as it may deem proper, in bonds and securities issued and guaranteed by the government or by the Bangko Sentral ng Filipinas, and to invest, own or otherwise participate in equity in any establishment, firm or entity;
- (d) Subject to the GOCC Governance Act of 2011, form, organize, invest in or establish and maintain a subsidiary or subsidiaries in relation to any of its purposes;
- (e) Ensure the collection and recovery of all indebtedness, liabilities and/or accountabilities, due from all obligors, whether public or private; to demand payment of the obligations referred to herein, and in the event of failure or refusal of the obligor or debtor to comply with the demand, to initiate and institute the necessary or proper actions or suits, criminal, civil administrative or otherwise, before the courts, tribunals, commissions, boards or bodies of proper jurisdiction: Provided, however, that the Authority may compromise or release , in whole or in part, any interest, penalty or civil liability to the Authority in connection with the collection or amortizations, under such terms and conditions as prescribed by the Board of Directors: Provided, further, That the Board may, upon recommendation of the General Manager, deputize any member of the Authority's legal staff to act as special sheriff in foreclosure cases, in the sale or attachment of the debtor's properties,

and in the enforcement of court writs and processes in case involving the Authority. The special sheriff of the Authority shall make a report to the proper court after any action taken by him, which shall treat such action as if it were an act of its own sheriffs in all respects; and,

- (f) Generate sources and formulate schemes for financing, with due delineation of government and private sector participation.

III. Management Services

- (a) Formulate and enforce general and specific policies for housing and resettlement;
- (b) Monitor and/or discharge all responsibilities of the government as may arise from treaties, agreements, and other commitments on housing and resettlement to which it is a signatory, including the determination of forms of assistance for housing development to be extended through multilateral or bilateral assistance programs;
- (c) Serve as central repository of database and census list of households/families along waterways, danger areas, government infrastructure project site and government-owned lands in Metro Manila and all regions nationwide, which shall be used for subsequent government interventions with housing and resettlement component; and
- (d) Approve restructuring proposal for the payment of unpaid amortizations under such terms and conditions as the Board of Directors may prescribe.

IV. General Powers

- (a) Have the power of succession; to sue and be sued; to adopt and use a seal which shall be judicially noticed;
- (b) Enter into contracts whenever necessary under such terms and conditions as it may deem proper and reasonable;
- (c) Acquire property rights and interests, and encumber or otherwise dispose the same as it may deem appropriate;
- (d) Borrow funds from any source, private or government, foreign or domestic;
- (e) Receive donations, grants, bequests and fund transfers from other branches of the government, and utilize the same for the attainment of its objectives. Such donations, grants and bequests shall be exempt from the payment of transfer

taxes and be fully deductible from the gross income of the donor or grantor for income tax purposes;

- (f) Create, if not yet established, and maintain a provident fund, which shall consist of contributions made by both the Authority and its officers and employees and their earning, for the payment of benefits to such officials and employees or their heirs under such terms and conditions as it may prescribe; and,
- (g) Perform such other acts not inconsistent with this Act, as may be necessary to effect the policies and objectives herein declared.

Section 7. *The Board of Director; Its Composition.* – The Board of Directors, hereinafter referred to as the Board, is hereby reconstituted to have thirteen (13) seats, consisting of the following:

- (a) Eleven (11) ex officio members, namely:
 1. Secretary of Department of Human Settlements and Urban Development;
 2. Secretary of the Department of Public Works and Highways;
 3. Secretary of the Department of Finance;
 4. Secretary of the Department of Trade and Industry;
 5. Secretary of the Department of Labor and Employment;
 6. Secretary of the Department of Environment and Natural Resources;
 7. Secretary of the Department of Interior and Local Government;
 8. Secretary of the Department of Budget and Management;
 9. Director-General of the National Economic and Development Authority;
 10. Executive Secretary; and,
 11. General Manager of the Authority.
- (b) Two (2) expert panel members with expertise in housing, urban planning and development.

The expert panel members must be: (i) Filipino citizens and of good moral character; (ii) be of recognized probity and independence and must have distinguished themselves professionally in public, civic or academic service; (iii) be in the active practice of their professions for at least seven (7) years; and (iv) not be appointed within one (1) year after losing in the immediately preceding elections, whether regular or special.

The Secretary of the Department of Human Settlements and Urban Development shall be the *ex officio* Chairperson of the Board.

All appointive directors must have qualified under the Fit and Proper Rule, as defined by Republic Act 10149 or the GOCC Governance Act of 2011. An appointive director shall be for one (1) year, unless sooner removed for cause, however, the appointive director shall continue to hold office until the successor is appointed.

The Board shall meet regularly at least once a month but special meetings may be called either by the Chairperson or by at least seven (7) members of the Board as and when necessary. Seven (7) members of the Board shall constitute a quorum and all decisions of the Board shall require the concurrence of at least seven (7) members.

Section 8. Powers and Duties of the Board. – The Board shall have the powers and functions specified in this Act and the usual corporate powers:

- (a) Formulate, prescribe, and promulgate the implementing rules and regulations required by this Act;
- (b) Promulgate such rules and regulations as may be necessary or proper for the effective exercise of the powers and functions, as well as the discharge of the duties and responsibilities of the Board, its officers and employees;
- (c) Act upon the annual budget and such supplemental budgets of the Authority submitted by the General Manager: Provided, that the Board may reduce but may not increase any item proposed by the General Manager;
- (d) Subject to the Governance Commission for GOCCs (GCG) review and approval, recommend the Authority's organizational and administrative structures and staffing pattern; and to establish, fix, review, revise and adjust the appropriate compensation package of its officers and employees as submitted by the General Manager;
- (e) Design, formulate, negotiate, and implement financial or investment schemes;
- (f) Enter into such contract or agreement as may be necessary for the attainment of the purposes and objectives of this Act;
- (g) Enter into and execute memoranda of agreements, joint ventures, long-term leases and management contracts with private sector entities, to include real estate developers or construction companies with dependable reputation and proven track record in developing and managing real estate ventures;

- (h) Condone or compromise, in whole or in part, penalties, interests or civil liabilities imposed on beneficiaries with delinquent accounts who, for justifiable reasons prescribed by the Board, failed to pay on time any obligation due to the Authority;
- (i) Render annual reports to the President of the Philippines and such special reports as may be requested; and,
- (j) Exercise all the powers necessary or incidental to the attainment of the purposes of this Act.

Section 9. Duties of the General Manager. – The General Manager shall have the following powers and duties:

- (a) Execute and administer the policies and resolutions approved by the Board of Directors and prepare its agenda;
- (b) Direct and supervise the operations, management and internal affairs of the Authority. The General Manager may delegate certain of his administrative responsibilities to other officers of the Authority, subject to the rules and regulations promulgated by the Board;
- (c) Endorse for the Board's approval the number and salaries of as well as appoint, the subordinate officers and personnel of the Authority and to remove, or otherwise discipline, for cause, any such officer or employee pursuant to the provisions of the Civil Service Commission on discipline;
- (d) Represent the Authority in all dealings with other officers, agencies, and instrumentalities of the Government and with all persons and entities, public or private, domestic or foreign;
- (e) Act, in the conduct of the business of the Authority, on all matters that are not by this Act specifically reserved to the Board;
- (f) Solely confer lot awards to the eligible beneficiaries;
- (g) Decide, to the exclusion of courts and any other government agencies, cases filed questioning the propriety of lot awards granted to the Authority's beneficiaries; for this purpose, the General Manager may create a body for the investigation and adjudication of such cases;
- (h) Report and submit to the Board as soon as possible after the close of each fiscal year, if applicable, a complete report of the operations of the Authority for the preceding year, and the state of its affairs; and,
- (i) Exercise such other powers and duties as may be vested in him by the Board.

Section 10. *Assistant General Managers.* – The General Manager shall be assisted by three (3) Assistant General Managers, who shall be appointed by the President of the Philippines, upon the recommendation of the General Manager: Provided, that at least one (1) Assistant General Manager shall be a career officer. The General Manager is further authorized to delineate and assign other functional areas or responsibilities of the Assistant General Managers.

Section 11. *Qualifications and Appointment.* – No person shall be appointed General Manager and Assistant General Manager of the Authority unless he or she is a citizen and resident of the Philippines, of good moral character, of proven integrity, competence and expertise in housing, urban planning and development.

Section 12. *Organizational Structure and Staffing Pattern.* – Subject to the evaluation and approval of the GCG, the Board shall recommend the Authority's organizational structure, and create new divisions or units, as it may deem necessary in accordance with civil service laws, rules and regulations.

Subject to the GCG's evaluation and approval, the General Manager shall likewise determine and endorse to the Board the rates of allowances, honoraria and such other additional compensation which the Authority is hereby authorized to grant to its officers, technical staff and consultants, including the necessary detailed personnel.

Section 13. *Exemption from Taxes and Regulatory Fees.* – All laws to the contrary notwithstanding, the Authority, its assets and properties, and all accruals thereto and income or investment earnings therefrom, as well as supplies, equipment, papers or documents shall be exempt from any tax, assessment, fee, charge, or customs or import duty, of any kind, whether imposed by local or national entities.

The exemption includes, but is not limited to the following: income tax, real property tax, capital gains tax, transfer tax, value added tax, donor's tax and similar taxes; and building permit fee, fire inspection permit fee, ECC fees and other regulatory fees. Similarly, the Authority shall be exempt from the payment of documentary stamp tax and registration fees, including fees required for the issuance of transfer certificates of titles.

Furthermore, to promote the policy of improving housing affordability, projects of the National Housing Authority, in cooperation with local government units, the private sector and other entities, shall also enjoy the exemptions enumerated above.

Section 14. *Lands for Authority Projects; Management, Conversion and Classification.* – Lands identified and designated for Housing and Urban and Rural Development, pursuant to Section 24 of Republic Act No. 11201, shall be assessed by the

Authority for program or project feasibility. Should the site evaluation be in the affirmative, said lots shall forthwith be transferred to the Authority.

This shall not, however, preclude the Authority from pursuing its continuing mandate of identifying, acquiring and managing lands for the immediate and future needs of its beneficiaries. In pursuit thereof, the Authority must consider, among others, the degree of availability of basic services and utilities, access to modes of transport, proximity to economic opportunities and the preservation of the social capital of beneficiaries.

Furthermore, all lands acquired by the Authority, for any of its programs and projects, shall be automatically converted and/or re-classified, in order to facilitate its immediate development. The Authority, in coordination with the Department of Human Settlements and Urban Development, the Department of the Interior and Local Government, the Department of Agriculture and the Department of Agrarian Reform shall craft the rules and regulations necessary to implement this provision.

Section 15. *Designation of the National Housing Authority (NHA) as Lead Agency in the Disposition Program.* – The Authority, under the supervision of the DHSUD, shall take the lead in the disposition activities of the lands in the preceding section: Provided, that disposition activities shall include the preliminary stages of identification and evaluation of lands suitable for disposition under this Act.

The Department of Human Settlements and Urban Development is hereby directed to submit immediately an updated list of government-owned lands suitable for socialized housing purposes.

The Department of Human Settlements and Urban Development shall make recommendation to the President of the Philippines relative to the disposition of the lands subject hereof.

Section 16. *Completed Projects: Management or Disposition.* – The Authority shall determine, establish and maintain the most feasible and effective program for the management or disposition of specific housing or resettlement projects. Unless otherwise decided by the Board, completed housing or resettlement projects shall be managed and administered by the Authority until it has been turned over to the local government unit concerned or other public or private entity concerned, as the case may be.

Section 17. *Issuances of Bonds.* – Subject to the approval of the Secretary of Finance, after consultation with the Monetary Board of the Bangko Sentral ng Pilipinas, the Authority is hereby authorized to issue bonds and other securities to finance the implementation of its housing programs: Provided, That only so much of such bonds or securities shall be issued and

sold as the annual project implementation would require: Provided, further, That no bonds or securities shall be issued unless eighty per cent (80%) of those already issued had been sold: Provided, finally, That the total amount of the bonds or securities issued shall in no case exceed ten times its paid up capital and surplus.

The Authority, in consultation with the Secretary of Finance and the Monetary Board, shall prescribe the form, the rate of interest, and denominations, maturities, negotiability, call or redemption features and all other terms and conditions of the bonds and securities to be issued.

In the promotion of the sale bonds or securities, the Authority is authorized to adopt the lottery scheme enunciated under Republic Act Numbered One Thousand as amended.

The bonds and securities issued under this Act including the income thereof shall be exempt from all kinds of taxes and from attachment, execution and seizure which facts shall be stated on the face thereof.

A sinking fund shall be established by the Authority in such manner that the total annual contribution thereto, accrued at such rate of interest as may be determined by the Secretary of Finance in consultation with the Monetary Board, shall be sufficient to redeem at maturity the bonds or securities issued pursuant to this Act. The sinking fund shall be under the custody and administration of the *Bangko Sentral rag Pilipinas* which may invest the same in *Bangko Sentral* Certificates of Indebtedness and similar financing schemes subject to the approval of the Authority in consultation with the Secretary of Finance: Provided, that the proceeds from such scheme shall accrue to the Authority.

Section 18. *Guarantee by the Government.* – The Republic of the Philippines hereby guarantees the payment of both the principal and the interest of the bonds, debentures, collaterals, notes or such other obligations issued or incurred by the Authority by virtue of this Act, and shall pay such principal and interest in case the Authority fails to do so. In such event, the Republic of the Philippines shall succeed to all the rights of the holders of such bonds, debentures, collaterals, notes or other instruments to the extent of the payment made, unless the sum so paid by the Republic of the Philippines shall be refunded by the Authority within a reasonable time.

Section 19. *SSS and GSIS Participation.* – Notwithstanding any provision of the respective charters to the contrary, the Social Security System (SSS) and the Government Service Insurance System (GSIS) shall absorb all or part of the bonds or securities issued by the Authority in such proportion as may be determined by the National Economic and Development Authority (VEDA) and approved by the President of the Philippines.

Section 20. Reports. – The Authority shall submit an annual report to the Office of the President of the Philippines, copy furnished to the Department of Human Settlements and Urban Development, indicating, among others, the housing program being implemented, the stage of implementation, and the financial position of the Authority. It shall likewise submit such periodic or other reports as may be required from time to time.

Section 21. Audit. – The Chairperson of the Commission on Audit (COA) shall act as the *ex-officio* auditor of the Authority, and accordingly, is empowered to appoint a representative and other subordinate personnel to perform and report on such audit duties, responsible to and removable only by the COA Chairperson, without prejudice, however, to the power of the Board of Directors to contract for another mode of independent audit service, in addition to that provided by COA as provided for under Presidential Decree No. 1445, otherwise known as the Government Auditing Code of the Philippines.

Section 22. Implementing Rules and Regulations. – The implementing rules and regulations to effectively carry out the provisions of this Act shall be adopted by and promulgated by the Board of Directors of the Authority, not later than ninety (90) days after the approval of this Act.

The Departments, charged with crafting the implementing rules and regulations to effectively carry out Section 14 hereof, are given thirty (30) days after the approval of the Act to enact the same.

Section 23. Applicability of the Revised Corporation Code. – The provisions of the Revised Corporation Code, in so far as they are not inconsistent with the provisions and policies provided in this Act, shall be applicable to the Authority.

Section 24. Separability Clause. – If for any reason any provision of this Act is declared to be unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

Section 25. Repealing Clause. – Section 2 of Presidential Decree No. 757 is hereby amended accordingly. All others laws, decrees, executive orders, or rules and regulations or parts thereof inconsistent with or contrary to the provisions of this Act or its purposes are hereby amended or modified accordingly.

Section 26. Effectivity Clause. – This Act shall take effect fifteen (15) days after the completion of its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

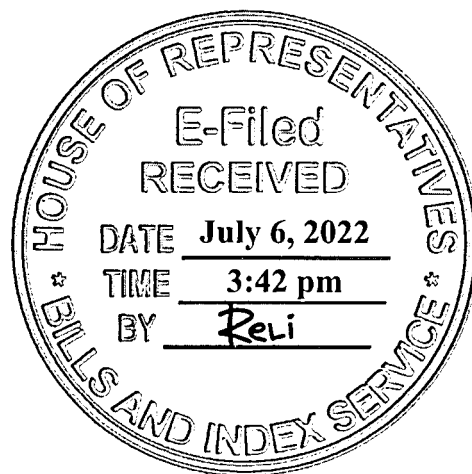
Approved,



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH (19th) CONGRESS
First Regular Session

House Bill No. 1429



Introduced by: Hon. Ma. Victoria Co - Pillar

EXPLANATORY NOTE

Home settlement is a vital element of our survival. The housing settlement policy and program of the Government reflects its efforts in providing a basic human need. It echoes the personal values we hold on how we act to survive together. The 1987 Constitution acknowledged our obligation to each other when it declared that the State shall value the dignity of every human person, and guarantee full respect of human rights. The declaration mandates us to act on an ancient right.

The Covid-19 pandemic has slowed down all kinds of Government initiative for more than 2 years. We are now faced with the task of accomplishing economic recovery despite the obstacles at hand. Most of our citizens are living through the pandemic with undesirable living standards, worst they are facing the effects of this unprecedented onslaught without a home. The implementation of our programs and policies on human settlements must be implemented swiftly if we seek to stimulate economic activity towards recovery. Hence it is upon us to aid our Executive agencies within the bounds of law and of our mandate. The corporate term of the National Housing Authority is about to expire on October 15, 2025, it is wise that we move swiftly for the extension of its corporate term.

In light of this, this Bill seeks to extend the corporate term of the National Housing Authority for a period of 50 years. This extension will allow the National Housing Authority to formulate long term policies and implement its ongoing projects. Further, the Bill will enable the institutionalization of adopting

new and cost-effective construction technologies for future housing programs. Lastly, the strengthening and extension of its corporate term, is an expression of our commitment to reduce homelessness and effort in providing a dignified home to our fellow Filipinos.

In view of the foregoing, approval of this bill is earnestly sought.

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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH (19th) CONGRESS
First Regular Session

House Bill No. 1429

Introduced by: Hon. Ma. Victoria Co - Pilar

1

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AN ACT

3

**STRENGTHENING THE NATIONAL HOUSING AUTHORITY, EXTENDING
ITS CORPORATE TERM, AMENDING FOR THE PURPOSE PRESIDENTIAL**

4

DECREE NO. 757

5

6

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

7

8

SECTION 1. Title. - This Act shall be known as the "National Housing Authority
Act."

9

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SECTION 2. Declaration of Policy. - It is the policy of the State to ensure a
continuing program of urban land reform and housing, which will make available at
affordable cost, decent adequate housing and basic services particularly for
underprivileged and homeless citizens, in order to alleviate poverty, to address the rising
cost of living, and promote improved quality of life for all.

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The State, in partnership with the private sector, and its stakeholders shall also:

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(a) Expand the people's access to affordable, adequate, safe, and secure housing in
well-planned communities;

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(b) Enable informal settler families (ISF's) as defined under Section 3(e) of Republic
Act (RA) No. 11201 otherwise known as the Department of Human Settlements and
Urban Development Act, to live in resilient, vibrant, and connected urban
communities;

1 (c) Promote inclusive and integrated housing that are culturally sensitive, responsive
2 to local context and special needs, and in accordance with appropriate standards and
3 designs;

4

5 (d) Encourage and sustain investments in the housing and urban development sector
6 by, among others, promoting partnerships, improving market linkages, simplifying
7 government procedures and facilitating access to finance;

8 (e) Improve affordability of housing projects;

9 (f) Promote adaptability of housing development projects to climate change,
10 including nature-based solutions that integrate mechanisms for flood absorption and
11 rainwater harvesting;

12 (g) Make land available and accessible for housing; and

13 (h) Promote and support community-led housing through people's planning and
14 participation.

15 **SECTION 3. *Statement of Objectives.*** - Toward this end, the State shall integrate all
16 laws relating to the National Housing Authority to effectively achieve the following
17 objectives:

18 (a) Develop integrated, sustainable, safe, affordable and resilient
19 communities, particularly for the underprivileged and homeless, as well as low-
20 income households;

21

22 (b) Implement innovative, alternative, and people-led solutions in addressing the
23 housing needs of ISFs, the low-income families and the vulnerable sectors;

24 (c) Generate income through the efficient utilization of assets to support the
25 programs of the Authority;

26 (d) Adopt viable land acquisition and management approaches; and

27 (e) Enhance housing programs in consonance with current climate resiliency
28 standards and policies, to fully promote stability, adaptability, and better socio-
29 economic outcomes.

30 **SECTION 4. *Extension of Corporate Term and Its Effect.*** - The corporate term
31 of the government corporation known as the National Housing Authority, referred to in
32 this Act as the "Authority", created by virtue of Presidential Decree (PD) No. 757, is
33 hereby extended for a period of Fifty (50) years, upon the approval of this Act.

1 The Authority shall continue to perform its mandates, exercise its powers and functions,
2 enjoy its rights and incentives, and assume its liabilities, as contained in PD 757, and as
3 provided in this Act, unless expressly repealed herein.

4 **SECTION 5. *Principal Office.*** – The Authority shall retain its principal office at
5 the Authority’s Main Office on Elliptical Road, Diliman, Quezon City 1101, but may
6 have such regional and district offices, agencies, or subsidiaries in other areas all over the
7 country, as it may deem proper and necessary.

8 **SECTION 6. *Powers and Functions of the Authority.*** The Authority, in line with
9 its role as the primary national government agency engaged in direct housing production,
10 and in pursuit of the foregoing policies and objectives, shall also exercise the following
11 powers and functions:

12 **I. Housing Operations and Support Services**

13 (a) Develop and implement comprehensive and integrated housing programs in
14 coordination with the appropriate government agencies:

15 i. programs for the improvement of blighted urban areas;

16 ii. direct housing production and disposition primarily for ISFs and the
17 underprivileged and homeless;

18 iii. relocation of families subject of court-ordered eviction;

20 iv. housing programs for low-income and homeless government employees and
21 uniformed personnel; and
22

23 v. any other housing program or project for the underprivileged, underserved,
24 homeless, as well as low income households that the Authority may deem proper
25 and appropriate.

26 (b) Prescribe guidelines and standards for the preservation, conservation and
27 utilization of public lands identified for housing and resettlement;

28 (c) Design and implement, in coordination with the concerned local and national
29 government agencies, sustainable livelihood programs and, which are fully funded
30 by the national government, responsive to the needs of NHA’s housing
31 communities, and, whenever practicable, with the participation of civil society
32 organizations and the private sector;
33

1 (d) Develop and undertake other urban and rural development projects including
2 basic community facilities, by itself or through joint ventures or other
3 arrangements with public and private entities, including private developers, and in
4 coordination with other government agencies;

5 (e) Improve, redevelop, or revitalize completed but not yet turned-over housing
6 projects of the Authority by constructing additional community structures or,
7 whenever necessary, by demolishing previously erected structures similar in
8 nature, subject to law and regulations;

9 (f) Provide technical and other forms of assistance to local government units
10 implementing housing programs, or to private developers undertaking low-cost
11 housing projects, subject to the policies of the Authority;

12
13 (g) Undertake financing of housing programs initiated by local government units
14 or local communities and local housing cooperatives;

15 (h) Extend housing assistance and shelter services to victims of calamities, natural
16 or man-made, as declared by the President or any competent authority; for this
17 purpose, the Authority is given sufficient leeway by the other government
18 agencies to expedite the process;

19 (i) Support national government agencies and local government units requiring
20 assistance in the implementation of their programs and projects for socialized
21 housing by producing housing units for ISFs and low-income families identified
22 for priority relocation, including those residing in areas earmarked for national
23 infrastructure projects of the Department of Public Works and Highways and the
24 Department of Transportation;

25 (j) Ensure that the housing requirements of beneficiaries of presidential
26 proclamations are met. Such housing projects shall be compliant with the
27 standards set by the Department of Human Settlements and Urban Development
28 (DHSUD) for climate resiliency; and

29
30 (k) Provide technical assistance to the concerned condominium corporation, on
31 the maintenance of structures and facilities and collection of payments.

32 **II. Asset Management and Business Development**

33 (a) Exercise the right of eminent domain, purchase, sell, lease or exchange lands
34 for purposes of housing development, resettlement, and other related services and
35 facilities;

1 (b) Issue bonds or contract loans, credits, or indebtedness, including suppliers
2 credit or any deferred payment arrangements with any person or entity, domestic
3 or foreign, for the implementation of its housing programs;

4
5 (c) Invest its funds, as it may deem proper, in bonds and securities issued and
6 guaranteed by the government, and to invest, own or otherwise participate in
7 equity in any establishment, firm or entity; to form, organize, invest in or establish
8 and maintain subsidiary or subsidiaries in relation to any of its purposes;

9 (d) Subject to RA 10149, otherwise known as the GOCC Governance Act of
10 2011, form, organize, invest in or establish and maintain a subsidiary or
11 subsidiaries, in relation to any of its purposes;

12
13 (e) Ensure the collection and recovery of all indebtedness, liabilities or
14 accountabilities, due from all obligors, whether public or private; to demand
15 payment of the obligations referred to herein, and in the event of failure or refusal
16 of the obligor or debtor to comply with the demand, to initiate and institute the
17 necessary or proper actions or suits, criminal, civil administrative or otherwise,
18 before the courts, tribunals, commissions, boards or bodies of proper jurisdiction:
19 *Provided, however,* that the Authority may compromise or release, in whole or in
20 part, any interest, penalty or civil liability to the Authority in connection with the
21 collection or amortizations, under such terms and conditions as prescribed by the
22 Board of Directors and such compromise or release shall be with the approval of
23 the Board: *Provided, further,* That the Board may, upon recommendation of the
24 General Manager, deputize any member of the authority's legal staff to act as
25 special sheriff in foreclosure cases, in the sale or attachment of the debtor's
26 properties, and in the enforcement of court writs and processes in cases involving
27 the Authority. The special sheriff of the Authority shall make a report to the
28 proper court after any action taken by him which shall treat such action as if it
29 were an act of its own sheriffs in all respects; and

30 (f) Generate sources and formulate schemes for financing, with due delineation of
31 government and private sector participation.

32
33 (g) Engage in landbanking by acquiring and investing in lands in or near planned
34 areas for development such as urban hubs, commuter rails, toll highways, and
35 airports for purposes of socialized housing development.

36 **III. Management Services**

37 (a) Formulate and enforce general and specific policies for housing and
38 resettlement;

1 (b) Monitor and discharge all responsibilities of the government as may arise
2 from treaties, agreements, and other commitments on housing and resettlement to
3 which the Philippine government is a signatory, including the determination of
4 forms of assistance for housing development to be extended through multilateral
5 or bilateral assistance programs;

6 (c) Contribute to the database of the DHSUD which includes the census of
7 households and families along danger areas, government infrastructure project site
8 and government owned lands, which shall be used for subsequent government
9 interventions with housing and resettlement component; and,

10 (d) Approve restructuring plan for the payment of unpaid amortizations under
11 such terms and conditions as the Board of Directors may prescribe.

12 **IV. General Powers**

13 (a) Have the power of succession; to sue and be sued; to adopt and use a seal
14 which shall be judicially noticed;

15 (b) Enter into contracts whenever necessary under such terms and conditions as it
16 may deem proper and reasonable;

17 (c) Acquire property rights and interests, and encumber or otherwise dispose the
18 same as it may deem appropriate;

19 (d) Borrow funds from any source, private or government, foreign or domestic;

20 (e) Receive donations, grants, bequests and fund transfers from other branches of
21 the government, and utilize the same for the attainment of its objectives. Such
22 donations, grants and bequests shall be exempt from the payment of transfer taxes
23 and be fully deductible from the gross income of the donor or grantor for income
24 tax purposes;

25 (f) Maintain a provident fund, which shall consist of contributions made by both
26 the Authority and its officers and employees and their earning, for the payment of
27 benefits to such officials and employees or their heirs under such terms and
28 conditions as it may prescribe subject to the provisions of RA 10149 and other
29 executive issuances; and

30 (g) Perform such other acts not inconsistent with this Act, as may be necessary to
31 effect the policies and objectives herein declared.

32 **SECTION 7. The Board of Directors.** —The powers of the Authority shall be
33 exercised through the Board of Directors, referred to in this Act as the "Board", which
34 shall be composed of 10 members in an ex-officio capacity, namely:

- 1 1. Secretary of Human Settlements and Urban Development;
- 2 2. Secretary of Public Works and Highways;
- 3 3. Secretary of Finance;
- 4 4. Secretary of Trade and Industry;
- 5 5. Secretary of Labor and Employment;
- 6 6. Secretary of Environment and Natural Resources;
- 7 7. Secretary of Interior and Local Government;
- 8 8. Secretary of Budget and Management;
- 9 9. Director-General of the National Economic and Development Authority; and
- 10 10. Executive Secretary.

11 Three (3) panel members with expertise in housing, urban planning, and urban
12 development shall be appointed by the President from a shortlist submitted by the
13 Governance Commission for GOCCs (GCG): *Provided*, That, all appointive directors
14 must have qualified under the Fit and Proper Rule, in accordance with RA 10149 and
15 shall serve for one (1) year, unless sooner removed for cause; *Provided, however*, that the
16 appointive director shall continue to hold office until the successor is appointed.

17 The expert panel members must be: (i) Filipino citizens and of good moral
18 character; (ii) be of recognized probity and independence and must have distinguished
19 themselves professionally in public, civic or academic service; (iii) be in the active
20 practice of their professions which are integrally related to housing, urban planning, and
21 urban development, for at least seven (7) years; and (iv) not be appointed within one (1)
22 year after losing in the immediately preceding elections.

23 The Secretary of the DHSUD shall be the *ex officio* Chairperson of the Board. The
24 General Manager shall be elected by the members of the Board from among the three
25 expert panel members. The Board shall meet regularly at least once a month but special
26 meetings may be called either by the Chairperson or by seven (7) members of the Board,
27 as may be necessary. *Provided*, That, seven (7) members of the Board shall constitute a
28 quorum and all decisions of the Board shall require the concurrence of at least seven (7)
29 members.

30 **SECTION 8. Powers and Duties of the Board.** - The Board shall have the
31 following powers and functions:

32 (a) Formulate, prescribe, and promulgate the implementing rules and regulations
33 required by this Act;

34
35 (b) Promulgate such rules and regulations as may be necessary for the effective
36 exercise of the powers and functions, as well as the discharge of the duties and
37 responsibilities of the Board, its officers and employees;

38 (c) Act upon the annual budget and such supplemental budgets of the Authority
39 submitted by the General Manager: *Provided*, that the Board may reduce but may

1 not increase any item proposed by the General Manager;
2

3 (d) Approve the Authority's organizational and administrative structures and
4 staffing pattern, and establish, fix, review, revise, and adjust the appropriate
5 compensation package of its officers and employees as submitted by the General
6 Manager, in accordance with RA 10149 and other executive issuances;

7 (e) Enter into and approve financial or investment schemes;

8 (f) Enter into contracts or agreements as may be necessary for the attainment of
9 the objectives of this Act;
10

11 (g) Enter into and execute memoranda of agreements, joint ventures, long-term
12 leases and management contracts with private sector entities, to include real estate
13 developers or construction companies with proven track record in developing and
14 managing real estate ventures;
15

16 (h) Condone or compromise, in whole or in part, penalties, interests, or civil
17 liabilities imposed on beneficiaries with delinquent account who, for justifiable
18 reasons prescribed by the Board, failed to pay on time any obligation due to the
19 Authority; and
20

21 (i) Exercise all the powers necessary or incidental to the attainment of the
22 purposes of this Act.

23 **SECTION 9. Duties of the General Manager.** The General Manager shall have
24 the following powers and duties:

25 (a) Execute and administer the policies and resolutions approved by the Board of
26 Directors and prepare its agenda;

27 (b) Direct and supervise the operations, management and internal affairs of the
28 Authority: *Provided*, That the General Manager may delegate certain
29 administrative responsibilities to other officers of the Authority, subject to the
30 rules and regulations promulgated by the Board;

31 (c) Subject to the approval of the Board, fix the number and salaries of, and
32 appoint, the subordinate officers and personnel of the Authority and discipline for
33 cause any such officer or employee pursuant to the provisions of the Civil Service
34 Commission on discipline;

- 1 (d) Represent the Authority in all dealings with other offices, agencies, and
2 instrumentalities of the Government and with all persons and entities, public or
3 private, domestic or foreign;
- 4 (e) Act on all matters not specifically reserved to the Board, in the conduct of the
5 business of the Authority;
- 6
- 7 (f) Solely confer lot awards to the eligible beneficiaries: *Provided, That*, questions
8 on the propriety of lot awards granted to the Authority's beneficiaries may be
9 elevated on appeal to the Secretary of the DHSUD;
- 10 (g) Submit to the Board within 90 days after the close of each fiscal year, a
11 complete report on the operations of the Authority for the preceding year; and
- 12
- 13 (h) Exercise such other powers and duties as may be vested by the Board.

14 **SECTION 10. Assistant General Managers.** - The General Manager shall be
15 assisted by three (3) Assistant General Managers, who shall be appointed by the
16 President, upon the recommendation of the General Manager. *Provided, That* at least one
17 (1) Assistant General Manager shall be a career officer. The General Manager is further
18 authorized to delineate and assign other functional areas or responsibilities of the
19 Assistant General Managers.

20 **SECTION 11. Qualifications and Appointment.** - No person shall be appointed
21 Assistant General Manager of the Authority unless he or she is a citizen and resident of
22 the Philippines, of good moral character, of proven integrity, competence and expertise in
23 housing, urban planning, and urban development.

24 **SECTION 12. Organizational Structure and Staffing Pattern.** Subject to the
25 approval of the GCG, the Board shall determine the Authority's organizational structure,
26 and create new divisions or units, as it may deem necessary in accordance with civil
27 service laws, rules and regulations.

28 Subject to the approval of the Board, the General Manager shall likewise
29 determine the rates of allowances, honoraria, and such other additional compensation
30 which the Authority is hereby authorized to grant to its officers, technical staff, and
31 consultants, including necessary detailed personnel.

32 **SECTION 13. Exemption From Taxes and Regulatory Fees.** - All laws to the
33 contrary notwithstanding, the Authority, its projects, assets and properties, and all
34 accruals thereto and income or investment earnings therefrom, as well as supplies,
35 equipment, papers, or documents shall be exempt from any tax, assessment, fee, charge,
36 or customs or import duty, of any kind, whether imposed by local or national entities.

1 The exemption includes exemption from income tax, real property tax, capital
2 gains tax, transfer tax, value added tax, donor's tax and similar taxes; and building permit
3 fee, fire inspection permit fee, Environmental Compliance Certificate fees, and other
4 regulatory fees. Similarly, the Authority shall be exempt from the payment of
5 documentary stamp tax and registration fees, including fees required for the issuance of
6 transfer certificates of title.

7 Furthermore, to promote the policy of improving housing affordability, projects of
8 the Authority, in cooperation with local government units, the private sector and other
9 entities, shall also enjoy the exemptions enumerated above.

10 **SECTION 14. Lands for Authority Projects; Management, Conversion and**
11 **Classification.** - Lands identified and designated for housing and urban and rural
12 development, pursuant to Section 24 of Republic Act No. 11201, shall be assessed by the
13 Authority for program or project feasibility. Should the site evaluation be in the
14 affirmative, said lots shall forthwith be transferred to the Authority.

15 This shall not, however, preclude the Authority from pursuing its continuing
16 mandate of identifying, acquiring and managing lands for the immediate and future needs
17 of its beneficiaries. In pursuit thereof, the Authority must consider, among others, the
18 degree of availability of basic services and utilities, access to modes of transport,
19 proximity to economic opportunities and the preservation of the social capital of
20 beneficiaries.

21 Lands identified and approved by the Authority for rehabilitation projects to be
22 developed within areas that have been declared under a state of calamity by the President
23 or any competent authority, upon the recommendation of the National Disaster Risk
24 Reduction and Management Council or any local disaster risk reduction and management
25 council shall be automatically converted or reclassified, in order to facilitate its
26 immediate development. For purposes of site selection under this modality, the Authority
27 shall be guided by the hierarchy of priorities in the acquisition of land, under Section 9 of
28 RA 7279, and ensure that protected lands, under special laws, such as RA 8371, RA 8435,
29 RA 6657, and other agrarian reform laws, shall be preserved for equally important land
30 uses: *Provided*, That, in cases of housing projects under this section that subsequently
31 suffered extensive damage due to substandard construction materials or negligence in
32 project planning and construction, the Authority shall compensate the affected households
33 for all material damage, injury, and loss to or diminution in the value of the housing units
34 which may include repairs of damaged units free of charge, provision of indemnity
35 insurance, and transfer of ownership of these units to the beneficiaries.

36 The Authority, in coordination with the DHSUD, the Department of Interior and
37 Local Government (DILG), the Department of Agriculture (DA), the Department of
38 Agrarian Reform (DAR), the Department of Environment and Natural Resources
39 (DENR), the National Commission on Indigenous Peoples (NCIP) to craft the rules and
40 regulations necessary to implement this provision within 180 days after the approval of
41 the Act.

1

2 **SECTION 15. *Designation of the National Housing Authority as Lead Agency***
3 ***in the Disposition Program.*** – The Authority, under the supervision of the DHSUD, and
4 in close coordination with the DILG, DA, DAR, DENR, NCIP, and the Land Registration
5 Authority, shall take the lead in the disposition activities of the lands in the preceding
6 section: *Provided*, that disposition activities shall include the preliminary stages of
7 identification and evaluation of lands suitable for disposition under this Act.

8 The DHSUD is hereby directed to immediately submit an updated list of
9 government- owned lands suitable for socialized housing purposes. It shall make
10 recommendation to the President relative to the disposition of the lands subject hereof;
11 *Provided*, That, lands owned by government-owned and –controlled corporations and
12 government financial institutions engaged in housing finance as part of their fiduciary
13 obligation to their members or are taken possession of in their ordinary conduct of
14 business, are excluded.

15 **SECTION 16. *Management or Disposition of Completed Projects.*** - The
16 Authority shall determine, establish, and maintain the most feasible and effective program
17 for the management or disposition of specific housing or resettlement projects. Unless
18 otherwise decided by the Board, completed housing or resettlement projects shall be
19 managed and administered by the Authority until they have been turned over to the local
20 government unit concerned or other public or private entity concerned, as the case may
21 be: *Provided*, That, in the case of housing projects that were completed or started prior to
22 the extension of its corporate life, the Authority shall co-manage the same with the
23 concerned local government units, homeowners' associations or residential condominium
24 association until they are properly turned over to any of the latter. The responsibility of
25 the Authority as co-manager shall include the collection of payments, maintenance of
26 structures and facilities, and estate management. The Authority shall also provide
27 technical assistance to homeowners' associations and local government units in the
28 formulation and enforcement of rules and regulations for the project beneficiaries.

29 **SECTION 17. *Reports.*** - The Authority shall submit an annual report to the
30 Office of the President, the Senate and the House of Representatives, copy furnished the
31 DHSUD, indicating, among others, the housing program being implemented, the stage of
32 implementation, and the financial position of the Authority. It shall likewise submit such
33 periodic or other reports as may be required from time to time.

34 **SECTION 18. *Audit.*** - The Chairperson of the Commission on Audit (COA) shall
35 act as the *ex-officio* auditor of the Authority. The COA Chairperson is empowered to
36 appoint a representative and other subordinate personnel to perform and report on such
37 audit duties, responsible to and removable only by the COA Chairperson, without
38 prejudice however, to the power of the Board to contract another mode of independent
39 audit service, in addition to that provided by COA pursuant to PD 1445, otherwise known
40 as the *Government Auditing Code of the Philippines*.

1 **SECTION 19. *Implementing Rules and Regulations.*** - The implementing rules
2 and regulations to effectively carry out the provisions of this Act shall be adopted by and
3 promulgated by the Board, in coordination with the DHSUD and the GCG, not later than
4 one hundred eighty (180) days after the approval of this Act.

5 **SECTION 20. *Applicability of the Revised Corporation Law.*** - The provisions of
6 RA 11232 otherwise known as the Revised Corporation Code of the Philippines, in so far
7 as they are not inconsistent with the provisions and policies provided in this Act, shall be
8 applicable to the Authority.

9 **SECTION 21. *Separability Clause.*** - If for any reason any provision of this Act is
10 declared to be unconstitutional or invalid, the remaining provisions not affected thereby
11 shall continue to be in full force and effect.

12 **SECTION 22. *Repealing Clause.*** - Section 2 of PD 757 is hereby amended
13 accordingly. All other laws, decrees, executive orders, or rules and regulations or parts
14 thereof inconsistent with or contrary to the provisions of this Act or its purposes are
15 hereby amended or modified accordingly.

16 **SECTION 23. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days
17 after the completion of its publication in the Official Gazette or in at least one newspaper
18 of general circulation.

19 *Approved,*

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2300



Introduced by:

HONORABLE KHYMER ADAN T. OLASO
Representative, 1st District, Zamboanga City

**AN ACT STRENGTHENING THE NATIONAL HOUSING AUTHORITY, EXTENDING
ITS CORPORATE TERM, AMENDING FOR THE PURPOSE PRESIDENTIAL
DECREE NO. 757**

EXPLANATORY NOTE

As societies develop, economies grow to be more complex. But when one strips away all of the niceties, and really get down to it, sustainability is simply long-term survival. Early economies were based on these simple survival essentials – oxygen, water, food, shelter and sleep.¹

Shelter is a necessity as this is an adjunct to the thermoregulatory process of the human body. When a person is exposed to the elements, water loss is increased. Cold temperatures and high winds can strip away valuable moisture as quickly as high temperatures can cause sweat-related loss. A shelter should consist of a place to make fire to create heat as well as protection from the wind and rain. Without the ability to keep a constant temperature, a person runs the risk of hypothermia or heat stroke. Extreme temperature fluctuations can cause hallucinations and illogical behavior, which can cause a person to fail to take the proper steps to keep himself alive.²

At first glance, it might seem unusual that a subject such as housing would constitute an issue of human right. However, a closer look at international and national laws, as well as at the significance of a secure place to live for human dignity, physical and mental health and overall quality of life, begins to reveal some of the human rights implications of housing. Adequate housing is universally viewed as one of the most basic human needs.

With the adoption of the Universal Declaration of Human Rights in 1948, the right to adequate housing joined the body of international, universally-applicable and universally-accepted human rights law. Since that time, this right has been reaffirmed in a wide range of additional human rights instruments, each of which is relevant to distinct groups within society. No less than 12 different texts adopted and proclaimed by the United Nations explicitly recognize the right to adequate housing.³ The International Covenant on Economic, Social and Cultural Rights has been ratified or acceded to by 108 States. This text contains perhaps the most significant foundation of the right to housing found in the entire body of legal principles which comprise international human rights law. Article 11.1 of the Covenant declares that:

“The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization

¹ <https://economicdemocracyadvocates.org/2017/08/11/five-basic-survival-needs-of-human-beings/>

² <https://economicdemocracyadvocates.org/2017/08/11/five-basic-survival-needs-of-human-beings/>

³ <https://www.un.org/ruleoflaw/files/FactSheet21en.pdf>

of this right, recognizing to this effect the essential importance of international co-operation based on free consent.”

In addition to these two sources, both the United Nations Declaration on Social Progress and Development (1969) and the United Nations Vancouver Declaration on Human Settlements (1976) recognize the rights of everyone to adequate housing.⁴

Fully cognizant of housing as a basic human right even prior to the adoption of the Universal Declaration of Human Rights in 1948, the International Covenant on Economic, Social and Cultural Rights in 1966 and the International Covenant on Civil and Political Rights in 1966, the National Housing Authority (NHA) as it is now called today is the sole national agency mandated to engage in housing production for low income families in the Philippines. It traces its roots to the People’s Homesite Corporation (PHC), the first government housing agency established on 14 October 1938 and to the National Housing Commission (NHC) which was created seven years later, on 17 September 1945. These two agencies, the PHC and NHC, were eventually merged on 4 October 1947 into the People’s Homesite and Housing Corporation (PHHC).⁵ In the years that followed, six (6) more housing agencies were created to respond to separate and distinct shelter requirements, namely: the Presidential Assistant on Housing and Resettlement Agency (PAHRA); the Tondo Foreshore Development Authority (TFDA); the Central Institute for the Training and Relocation of Urban Squatters (CITRUS); the Presidential Committee for Housing and Urban Resettlement (PRECHUR); the Sapang Palay Development Committee (SPDC); the Inter-Agency task Force to Undertake the Relocation of Families in Barrio Nabacaan, Villanueva, Misamis Oriental.⁶

Eventually, on 15 October 1975, the National Housing Authority was organized as a government-owned and controlled corporation, by virtue of Presidential Decree No. 757 dated 31 July 1975. All other housing agencies were abolished by the said decree. The NHA took over and integrated the functions of the abolished agencies- the PHHC and the six (6) other housing agencies. The creation of the NHA is the second attempt of the government to integrate all housing efforts under a single agency, twenty-eight years after the merger under the PHHC.⁷ Three years later, the Ministry of Human Settlements (MHS) was created in 1978. The Ministry adopted the holistic approach to housing. The NHA was placed as an attached agency to the MHS.⁸

On 26 March 1986, Executive Order NO. 10 was issued placing the NHA as well as the other agencies attached to the abolished MSH, under the administrative supervision of the office of the President. Subsequently, Executive Order No. 90 was issued on 17 December 1986, rationalizing the housing structure in the government along lines of specialization and concentration. EO 90 identified the key housing agencies to implement the National Shelter Program and defined their respective mandates. The NHA was mandated to be the sole government agency to engage in housing production. Under the said Executive Order, NHA was placed under the policy and program supervision of the Housing and Urban Development Coordinating Council (HUDCC), the umbrella agency for shelter charged with the main function of coordination the activities of various government housing agencies engaged in production, finance and regulation.⁹

Executive Order No. 20 on 28 May 2001 reaffirmed mass housing as a centerpiece program in the poverty alleviation efforts of government. Said EO likewise reaffirmed HUDCC’s administrative supervision over the housing agencies including the NHA.¹⁰ On 14 February 2019, Republic Act (RA) 11201 was issued creating the Department of Human Settlement and Urban Development (DHSUD), under section 50 of said RA 11201 Executive Order (EO) 90 was released

⁴ <https://www.un.org/ruleoflaw/files/FactSheet21en.pdf>

⁵ <https://nha.gov.ph/about/history/>

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

placing NHA and other attached agencies and corporation under the administrative supervision for purposes of policy and program coordination, monitoring and evaluation.”¹¹

Today, housing remains a perennial problem of the country. Its demand continues to increase due to the growing population and the frequent onslaught of natural disasters and calamities. The housing backlog is now recorded at 3.9 million. The housing gap would persist and hit 6.5 million by 2030 even if housing production would average 200,000 per year until 2030. This is short of the housing sector’s commitment to construct at least 250,000 housing units every year to which NHA shares the construction of 50,000 units per year.¹²

The NHA has implemented 35 resettlement projects in San Jose del Monte alone that benefitted more than 70,000 families from both formal and informal sectors, and under the Duterte Administration, the Authority has provided housing to more than 260,000 families. The projects are intended not only to address the increasing demand for housing but more importantly, to uplift the lives of the homeless Filipinos, saying, “*what we build are not just houses, what we build is liveable and sustainable communities*”.¹³

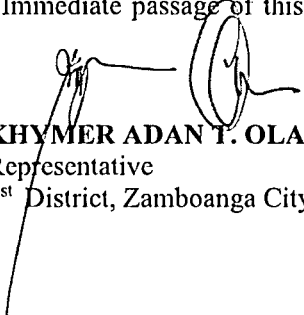
It must be remembered that Article 2.1 of the International Covenant on Economic, Social and Cultural Rights is of central importance in determining what governments must do and what they should refrain from doing in the process leading to the society-wide enjoyment of the rights found in the Covenant including the right to a livable and decent housing. This article reads as follows:

“Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.”

Three phrases in this article are particularly important in understanding the obligations of governments to realize fully the rights recognized in the Covenant, including the right to adequate housing: (a) “**undertakes to take steps . . . by all appropriate means**”; (b) “**to the maximum of its available resources**”; and (c) “**to achieve progressively**”.¹⁴

Anchored on these, NHA shall continue to function as a production and financing arm in housing and shall exercise all other functions based on its existing laws. However, this can only be possible if its corporate existence is allowed to continue by another law that will extended its corporate existence for another fifty years.

It is in this light that this bill is being filed. Immediate passage of this bill is earnestly sought.


KHYMER ADAN T. OLASO
Representative
1st District, Zamboanga City

¹¹ <https://nha.gov.ph/about/history/>

¹² <https://nha.gov.ph/gm-escalada-seeks-congressional-support-for-budget-increase-of-the-housing-agencies/>

¹³ Ibid.

¹⁴ <https://www.un.org/rulcoflaw/files/FactSheet21en.pdf>

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2300

Introduced by:
HONORABLE KHYMER ADAN T. OLASO
Representative, 1st District, Zamboanga City

**AN ACT STRENGTHENING THE NATIONAL HOUSING AUTHORITY, EXTENDING
ITS CORPORATE TERM, AMENDING FOR THE PURPOSE PRESIDENTIAL
DECREE NO. 757**

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

SECTION 1. Title. - This Act shall be known as the “National Housing Authority Act.”

SECTION 2. Declaration of Policy. – It is the policy of the State to ensure a continuing program of urban land reform and housing, which will make available at affordable cost, decent adequate housing and basic services particularly for underprivileged and homeless citizens, in order to alleviate poverty, to address the rising cost of living, and promote improved quality of life for all.

The State, in partnership with the private sector, and its stakeholders shall also:

- (a) Expand the people’s access to affordable, adequate, safe, and secure housing in well-planned communities;
- (b) Enable informal settler families (ISFs) as defined under Section 3(e) of Republic Act (RA) No. 11201 otherwise known as the Department of Human Settlements and Urban Development Act, to live in resilient, vibrant, and connected urban communities;
- (c) Promote inclusive and integrated housing that are culturally sensitive, responsive to local context and special needs, and in accordance with appropriate standards and designs;
- (d) Encourage and sustain investments in the housing and urban development sector by, among others, promoting partnerships, improving market linkages, simplifying government procedures and facilitating access to finance;
- (e) Improve affordability of housing projects;
- (f) Promote adaptability of housing development projects to climate change, including nature-based solutions that integrate mechanisms for flood absorption and rainwater harvesting;
- (g) Make land available and accessible for housing; and
- (h) Promote and support community-led housing through people’s planning and participation.

SECTION 3. *Statement of Objectives.* - Toward this end, the State shall integrate all laws relating to the National Housing Authority to effectively achieve the following objectives:

- (a) Develop integrated, sustainable, safe, affordable and resilient communities, particularly for the underprivileged and homeless, as well as low-income households;
- (b) Implement innovative, alternative, and people-led solutions in addressing the housing needs of ISFs, the low-income families and the vulnerable sectors;
- (c) Generate income through the efficient utilization of assets to support the programs of the Authority;
- (d) Adopt viable land acquisition and management approaches; and
- (e) Enhance housing programs in consonance with current climate resiliency standards and policies, to fully promote stability, adaptability, and better socio-economic outcomes.

SECTION 4. *Extension of Corporate Term and Its Effect.* – The corporate term of the government corporation known as the National Housing Authority, referred to in this Act as the “Authority”, created by virtue of Presidential Decree (PD) No. 757, is hereby extended for a period of Fifty (50) years, upon the approval of this Act.

The Authority shall continue to perform its mandates, exercise its powers and functions, enjoy its rights and incentives, and assume its liabilities, as contained in PD 757, and as provided in this Act, unless expressly repealed herein.

SECTION 5. *Principal Office.* – The Authority shall retain its principal office at the Authority’s Main Office on Elliptical Road, Diliman, Quezon City 1101, but may have such regional and district offices, agencies, or subsidiaries in other areas all over the country, as it may deem proper and necessary.

SECTION 6. *Powers and Functions of the Authority.* The Authority, in line with its role as the primary national government agency engaged in direct housing production, and in pursuit of the foregoing policies and objectives, shall also exercise the following powers and functions:

I. Housing Operations and Support Services

- (a) Develop and implement comprehensive and integrated housing programs in coordination with the appropriate government agencies:
 - i. programs for the improvement of blighted urban areas;
 - ii. direct housing production and disposition primarily for ISFs and the underprivileged and homeless;
 - iii. relocation of families subject of court-ordered eviction;
 - iv. housing programs for low-income and homeless government employees and uniformed personnel; and
 - v. any other housing program or project for the underprivileged, underserved, homeless, as well as low income households that the Authority may deem proper and appropriate.
- (b) Prescribe guidelines and standards for the preservation, conservation and utilization of public lands identified for housing and resettlement;

(c) Design and implement, in coordination with the concerned local and national government agencies, sustainable livelihood programs and, which are fully funded by the national government, responsive to the needs of NHA's housing communities, and, whenever practicable, with the participation of civil society organizations and the private sector;

(d) Develop and undertake other urban and rural development projects including basic community facilities, by itself or through joint ventures or other arrangements with public and private entities, including private developers, and in coordination with other government agencies;

(e) Improve, redevelop, or revitalize completed but not yet turned-over housing projects of the Authority by constructing additional community structures or, whenever necessary, by demolishing previously erected structures similar in nature, subject to law and regulations;

(f) Provide technical and other forms of assistance to local government units implementing housing programs, or to private developers undertaking low-cost housing projects, subject to the policies of the Authority;

(g) Undertake financing of housing programs initiated by local government units or local communities and local housing cooperatives;

(h) Extend housing assistance and shelter services to victims of calamities, natural or man-made, as declared by the President or any competent authority; for this purpose, the Authority is given sufficient leeway by the other government agencies to expedite the process;

(i) Support national government agencies and local government units requiring assistance in the implementation of their programs and projects for socialized housing by producing housing units for ISFs and low-income families identified for priority relocation, including those residing in areas earmarked for national infrastructure projects of the Department of Public Works and Highways and the Department of Transportation;

(j) Ensure that the housing requirements of beneficiaries of presidential proclamations are met. Such housing projects shall be compliant with the standards set by the Department of Human Settlements and Urban Development (DHSUD) for climate resiliency; and

(k) Provide technical assistance to the concerned condominium corporation, on the maintenance of structures and facilities and collection of payments.

II. Asset Management and Business Development

(a) Exercise the right of eminent domain, purchase, sell, lease or exchange lands for purposes of housing development, resettlement, and other related services and facilities;

(b) Issue bonds or contract loans, credits, or indebtedness, including suppliers credit or any deferred payment arrangements with any person or entity, domestic or foreign, for the implementation of its housing programs;

(c) Invest its funds, as it may deem proper, in bonds and securities issued and guaranteed by the government, and to invest, own or otherwise participate in equity in any establishment, firm or entity; to form, organize, invest in or establish and maintain subsidiary or subsidiaries in relation to any of its purposes;

(d) Subject to RA 10149, otherwise known as the GOCC Governance Act of 2011, form, organize, invest in or establish and maintain a subsidiary or subsidiaries, in relation to any of its purposes;

(e) Ensure the collection and recovery of all indebtedness, liabilities or accountabilities, due from all obligors, whether public or private; to demand payment of the obligations referred to herein, and in the event of failure or refusal of the obligor or debtor to comply with the demand, to initiate and institute the necessary or proper actions or suits, criminal, civil administrative or otherwise, before the courts, tribunals, commissions, boards or bodies of proper jurisdiction: *Provided, however,* that the Authority may compromise or release, in whole or in part, any interest, penalty or civil liability to the Authority in connection with the collection or amortizations, under such terms and conditions as prescribed by the Board of Directors and such compromise or release shall be with the approval of the Board: *Provided, further,* That the Board may, upon recommendation of the General Manager, deputize any member of the authority's legal staff to act as special sheriff in foreclosure cases, in the sale or attachment of the debtor's properties, and in the enforcement of court writs and processes in cases involving the Authority. The special sheriff of the Authority shall make a report to the proper court after any action taken by him which shall treat such action as if it were an act of its own sheriffs in all respects;

(f) Generate sources and formulate schemes for financing, with due delineation of government and private sector participation; and

(g) Engage in landbanking by acquiring and investing in lands in or near planned areas for development such as urban hubs, commuter rails, toll highways, and airports for purposes of socialized housing development.

III. Management Services

(a) Formulate and enforce general and specific policies for housing and resettlement;

(b) Monitor and discharge all responsibilities of the government as may arise from treaties, agreements, and other commitments on housing and resettlement to which the Philippine government is a signatory, including the determination of forms of assistance for housing development to be extended through multilateral or bilateral assistance programs;

(c) Contribute to the database of the DHSUD which includes the census of households and families along danger areas, government infrastructure project site and government owned lands, which shall be used for subsequent government interventions with housing and resettlement component; and,

(d) Approve restructuring plan for the payment of unpaid amortizations under such terms and conditions as the Board of Directors may prescribe.

IV. General Powers

(a) Have the power of succession; to sue and be sued; to adopt and use a seal which shall be judicially noticed;

(b) Enter into contracts whenever necessary under such terms and conditions as it may deem proper and reasonable;

(c) Acquire property rights and interests, and encumber or otherwise dispose the same as it may deem appropriate;

(d) Borrow funds from any source, private or government, foreign or domestic;

(e) Receive donations, grants, bequests and fund transfers from other branches of the government, and utilize the same for the attainment of its objectives. Such donations, grants and bequests shall be exempt from the payment of transfer taxes and be fully deductible from the gross income of the donor or grantor for income tax purposes;

(f) Maintain a provident fund, which shall consist of contributions made by both the Authority and its officers and employees and their earning, for the payment of benefits to such officials and employees or their heirs under such terms and conditions as it may prescribe subject to the provisions of RA 10149 and other executive issuances; and

(g) Perform such other acts not inconsistent with this Act, as may be necessary to effect the policies and objectives herein declared.

SECTION 7. *The Board of Directors.* —The powers of the Authority shall be exercised through the Board of Directors, referred to in this Act as the “Board”, which shall be composed of 10 members in an ex-officio capacity, namely:

1. Secretary of Human Settlements and Urban Development;
2. Secretary of Public Works and Highways;
3. Secretary of Finance;
4. Secretary of Trade and Industry;
5. Secretary of Labor and Employment;
6. Secretary of Environment and Natural Resources;
7. Secretary of Interior and Local Government;
8. Secretary of Budget and Management;
9. Director-General of the National Economic and Development Authority; and
10. Executive Secretary.

Three (3) panel members with expertise in housing, urban planning, and urban development shall be appointed by the President from a shortlist submitted by the Governance Commission for GOCCs (GCG): *Provided*, That, all appointive directors must have qualified under the Fit and Proper Rule, in accordance with RA 10149 and shall serve for one (1) year, unless sooner removed for cause; *Provided, however*, that the appointive director shall continue to hold office until the successor is appointed.

The expert panel members must be: (i) Filipino citizens and of good moral character; (ii) be of recognized probity and independence and must have distinguished themselves professionally in public, civic or academic service; (iii) be in the active practice of their professions which are integrally related to housing, urban planning, and urban development, for at least seven (7) years; and (iv) not be appointed within one (1) year after losing in the immediately preceding elections.

The Secretary of the DHSUD shall be the *ex officio* Chairperson of the Board. The General Manager shall be elected by the members of the Board from among the three expert panel members. The Board shall meet regularly at least once a month but special meetings may be called either by the Chairperson or by seven (7) members of the Board, as may be necessary. *Provided*, That, seven (7) members of the Board shall constitute a quorum and all decisions of the Board shall require the concurrence of at least seven (7) members.

SECTION 8. *Powers and Duties of the Board.* - The Board shall have the following powers and functions:

(a) Formulate, prescribe, and promulgate the implementing rules and regulations required by this Act;

(b) Promulgate such rules and regulations as may be necessary for the effective exercise of the powers and functions, as well as the discharge of the duties and responsibilities of the Board, its officers and employees;

(c) Act upon the annual budget and such supplemental budgets of the Authority submitted by the General Manager: Provided, that the Board may reduce but may not increase any item proposed by the General Manager;

(d) Approve the Authority's organizational and administrative structures and staffing pattern, and establish, fix, review, revise, and adjust the appropriate compensation package of its officers and employees as submitted by the General Manager, in accordance with RA 10149 and other executive issuances;

(e) Enter into and approve financial or investment schemes;

(f) Enter into contracts or agreements as may be necessary for the attainment of the objectives of this Act;

(g) Enter into and execute memoranda of agreements, joint ventures, long-term leases and management contracts with private sector entities, to include real estate developers or construction companies with proven track record in developing and managing real estate ventures;

(h) Condone or compromise, in whole or in part, penalties, interests, or civil liabilities imposed on beneficiaries with delinquent account who, for justifiable reasons prescribed by the Board, failed to pay on time any obligation due to the Authority; and

(i) Exercise all the powers necessary or incidental to the attainment of the purposes of this Act.

SECTION 9. Duties of the General Manager. The General Manager shall have the following powers and duties:

(a) Execute and administer the policies and resolutions approved by the Board of Directors and prepare its agenda;

(b) Direct and supervise the operations, management and internal affairs of the Authority: *Provided*, That the General Manager may delegate certain administrative responsibilities to other officers of the Authority, subject to the rules and regulations promulgated by the Board;

(c) Subject to the approval of the Board, fix the number and salaries of, and appoint, the subordinate officers and personnel of the Authority and discipline for cause any such officer or employee pursuant to the provisions of the Civil Service Commission on discipline;

(d) Represent the Authority in all dealings with other offices, agencies, and instrumentalities of the Government and with all persons and entities, public or private, domestic or foreign;

(e) Act on all matters not specifically reserved to the Board, in the conduct of the business of the Authority;

(f) Solely confer lot awards to the eligible beneficiaries: *Provided*, That, questions on the propriety of lot awards granted to the Authority's beneficiaries may be elevated on appeal to the Secretary of the DHSUD;

(g) Submit to the Board within 90 days after the close of each fiscal year, a complete report on the operations of the Authority for the preceding year; and

(h) Exercise such other powers and duties as may be vested by the Board.

SECTION 10. *Assistant General Managers.* - The General Manager shall be assisted by three (3) Assistant General Managers, who shall be appointed by the President, upon the recommendation of the General Manager: *Provided*, That at least one (1) Assistant General Manager shall be a career officer. The General Manager is further authorized to delineate and assign other functional areas or responsibilities of the Assistant General Managers.

SECTION 11. *Qualifications and Appointment.* - No person shall be appointed Assistant General Manager of the Authority unless he or she is a citizen and resident of the Philippines, of good moral character, of proven integrity, competence and expertise in housing, urban planning, and urban development.

SECTION 12. *Organizational Structure and Staffing Pattern.* - Subject to the approval of the GCG, the Board shall determine the Authority's organizational structure, and create new divisions or units, as it may deem necessary in accordance with civil service laws, rules and regulations. Subject to the approval of the Board, the General Manager shall likewise determine the rates of allowances, honoraria, and such other additional compensation which the Authority is hereby authorized to grant to its officers, technical staff, and consultants, including necessary detailed personnel.

SECTION 13. *Exemption From Taxes and Regulatory Fees.* - All laws to the contrary notwithstanding, the Authority, its projects, assets and properties, and all accruals thereto and income or investment earnings therefrom, as well as supplies, equipment, papers, or documents shall be exempt from any tax, assessment, fee, charge, or customs or import duty, of any kind, whether imposed by local or national entities.

The exemption includes exemption from income tax, real property tax, capital gains tax, transfer tax, value added tax, donor's tax and similar taxes; and building permit fee, fire inspection permit fee, Environmental Compliance Certificate fees, and other regulatory fees. Similarly, the Authority shall be exempt from the payment of documentary stamp tax and registration fees, including fees required for the issuance of transfer certificates of title.

Furthermore, to promote the policy of improving housing affordability, projects of the Authority, in cooperation with local government units, the private sector and other entities, shall also enjoy the exemptions enumerated above.

SECTION 14. *Lands for Authority Projects; Management, Conversion and Classification.* - Lands identified and designated for housing and urban and rural development, pursuant to Section 24 of Republic Act No. 11201, shall be assessed by the Authority for program or project feasibility. Should the site evaluation be in the affirmative, said lots shall forthwith be transferred to the Authority.

This shall not, however, preclude the Authority from pursuing its continuing mandate of identifying, acquiring and managing lands for the immediate and future needs of its beneficiaries. In pursuit thereof, the Authority must consider, among others, the degree of availability of basic services and utilities, access to modes of transport, proximity to economic opportunities and the preservation of the social capital of beneficiaries.

Lands identified and approved by the Authority for rehabilitation projects to be developed within areas that have been declared under a state of calamity by the President or any competent authority, upon the recommendation of the National Disaster Risk Reduction and Management Council or any local disaster risk reduction and management council shall be automatically converted or reclassified, in order to facilitate its immediate development. For purposes of site selection under this modality, the Authority shall be guided by the hierarchy of priorities in the acquisition of land, under Section 9 of RA 7279, and ensure that protected lands, under special laws, such as RA 8371, RA 8435, RA 6657, and other agrarian reform laws, shall be preserved for equally important land uses: *Provided*, That, in cases of housing projects under this section that

subsequently suffered extensive damage due to substandard construction materials or negligence in project planning and construction, the Authority shall compensate the affected households for all material damage, injury, and loss to or diminution in the value of the housing units which may include repairs of damaged units free of charge, provision of indemnity insurance, and transfer of ownership of these units to the beneficiaries.

The Authority, in coordination with the DHSUD, the Department of Interior and Local Government (DILG), the Department of Agriculture (DA), the Department of Agrarian Reform (DAR), the Department of Environment and Natural Resources (DENR), the National Commission on Indigenous Peoples (NCIP) to craft the rules and regulations necessary to implement this provision within 180 days after the approval of the Act.

SECTION 15. *Designation of the National Housing Authority as Lead Agency in the Disposition Program.* – The Authority, under the supervision of the DHSUD, and in close coordination with the DILG, DA, DAR, DENR, NCIP, and the Land Registration Authority, shall take the lead in the disposition activities of the lands in the preceding section: *Provided*, That disposition activities shall include the preliminary stages of identification and evaluation of lands suitable for disposition under this Act.

The DHSUD is hereby directed to immediately submit an updated list of government-owned lands suitable for socialized housing purposes. It shall make recommendation to the President relative to the disposition of the lands subject hereof; *Provided*, That, lands owned by government-owned and –controlled corporations and government financial institutions engaged in housing finance as part of their fiduciary obligation to their members or are taken possession of in their ordinary conduct of business, are excluded.

SECTION 16. *Management or Disposition of Completed Projects.* - The Authority shall determine, establish, and maintain the most feasible and effective program for the management or disposition of specific housing or resettlement projects. Unless otherwise decided by the Board, completed housing or resettlement projects shall be managed and administered by the Authority until they have been turned over to the local government unit concerned or other public or private entity concerned, as the case may be: *Provided*, That, in the case of housing projects that were completed or started prior to the extension of its corporate life, the Authority shall co-manage the same with the concerned local government units, homeowners' associations or residential condominium association until they are properly turned over to any of the latter. The responsibility of the Authority as co-manager shall include the collection of payments, maintenance of structures and facilities, and estate management. The Authority shall also provide technical assistance to homeowners' associations and local government units in the formulation and enforcement of rules and regulations for the project beneficiaries.

SECTION 17. *Reports.* - The Authority shall submit an annual report to the Office of the President, the Senate and the House of Representatives, copy furnished the DHSUD, indicating, among others, the housing program being implemented, the stage of implementation, and the financial position of the Authority. It shall likewise submit such periodic or other reports as may be required from time to time.

SECTION 18. *Audit.* - The Chairperson of the Commission on Audit (COA) shall act as the ex-officio auditor of the Authority. The COA Chairperson is empowered to appoint a representative and other subordinate personnel to perform and report on such audit duties, responsible to and removable only by the COA Chairperson, without prejudice however, to the power of the Board to contract another mode of independent audit service, in addition to that provided by COA pursuant to PD 1445, otherwise known as the Government Auditing Code of the Philippines.

SECTION 19. *Implementing Rules and Regulations.* – The implementing rules and regulations to effectively carry out the provisions of this Act shall be adopted by and promulgated

by the Board, in coordination with the DHSUD and the GCG, not later than one hundred eighty (180) days after the approval of this Act.

SECTION 20. *Applicability of the Revised Corporation Law.* - The provisions of RA 11232 otherwise known as the Revised Corporation Code of the Philippines, in so far as they are not inconsistent with the provisions and policies provided in this Act, shall be applicable to the Authority.

SECTION 21. *Separability Clause.* - If for any reason any provision of this Act is declared to be unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SECTION 22. *Repealing Clause.* - Section 2 of PD 757 is hereby amended accordingly. All other laws, decrees, executive orders, or rules and regulations or parts thereof inconsistent with or contrary to the provisions of this Act or its purposes are hereby amended or modified accordingly.

SECTION 23. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after the completion of its publication in the Official Gazette or in at least one newspaper of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2994



Introduced by Representative Ivan Howard A. Guintu

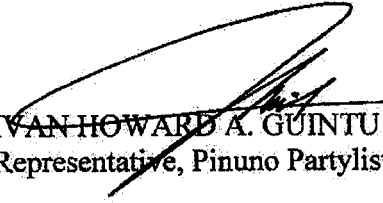
EXPLANATORY NOTE

Section 9, Article XIII of the 1987 Constitution provides that “[the] State shall, by law, and for the common good, undertake, in cooperation with the public sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlements areas.”

In 1975, Presidential Decree No. 757 was enacted into law. It provided for the creation of the National Housing Authority (NHA) with a corporate term of fifty (50) years and with the objective of providing and maintaining “adequate housing for the greatest possible number of people,” undertaking “housing, development, resettlement or other activities as would enhance the provision of housing to every Filipino,” and harnessing and promoting “private participation in housing ventures in terms of capital expenditures, land, expertise, financing and other facilities for the sustained growth of the housing industry.” In 2019, NHA became an attached corporation of the Department of Human Settlements and Urban Development (DHSUD) by virtue of Republic Act No. 11201 or the DSHUD Act.

Nearing the end of its corporate life, the NHA and its objectives remain relevant and important in providing housing to low-income families. With our growing population, there is a continued demand for low-cost and socialized housing. To meet this and in order to achieve and fulfill its mandate, NHA’s corporate life needs to be extended and its powers and functions expanded.

Thus, this bill seeks to extended the corporate life of NHA, exempt it from certain taxes and regulatory fees, increase its powers and duties and authorize it to issue bonds and other securities to finance the implementation of its housing program and to guarantee absorption of all or part of the bonds or securities it issued as determined by the National Economic Development Authority.



IVAN HOWARD A. GUINTU
Representative, Pinuno Partylist

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2994

Introduced by Representative Ivan Howard A. Guintu

AN ACT
STRENGTHENING THE NATIONAL HOUSING AUTHORITY, EXTENDING ITS
CORPORATE TERM, AND AMENDING FOR THIS PURPOSE PRESIDENTIAL
DECREE NO. 757 (PD 757), "CREATING THE NATIONAL HOUSING
AUTHORITY AND DISSOLVING ITS POWERS AND FUNCTIONS, PROVIDING
FUNDS THEREFOR, AND FOR OTHER PURPOSES"

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

SECTION 1. *Short Title.* – This Act shall be known as the “National Housing Authority Act of 2022.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to ensure a continuing program of urban land reform and housing, which will make available at affordable cost, decent housing and basic services to underprivileged and homeless citizens, in order to guarantee freedom from poverty, rising standard of living, and improved quality of life for all.

The State, in partnership with the private sector, and its stakeholders shall also:

- a. Extend people's access to affordable, adequate, safe and secure shelter in well-planned communities;
- b. Enable informal settler families to live in resilient, vibrant and connected urban communities;
- c. Promote inclusive and integrated housing that are culturally sensitive, responsive to local context and/or special needs, and in accordance with appropriate standards and designs;

- d. Encourage and sustain investments in the housing and urban development sector by, among others, promoting partnerships, improving market linkages, simplifying government procedures and facilitating access to finance;
- e. Improve affordability of housing programs and projects;
- f. Promote climate change resilient housing and basic infrastructure; and
- g. Make land available and accessible for housing.

SEC. 3. *Statement of Objectives.* – Towards this end, the State shall integrate all laws relating to the National Housing Authority to effectively achieve the following objectives:

- a. Develop Integrated, sustainable, safe, affordable and resilient communities, particularly for the underprivileged and homeless as well as low-income households;
- b. Implement innovative and alternative solutions in addressing the housing needs of informal settler families, the lower-income classes and the vulnerable sector;
- c. As a government-owned and -controlled corporation, to generate income through the efficient utilization of existing and future assets to support the programs of the Authority;
- d. Adopt viable land acquisition and management approaches; and
- e. Strengthen housing as a platform to reduce poverty, promote climate resilience and improve social outcomes.

SEC. 4. *Extension of Corporate Term; Effect.* – The corporate term of the government corporation known as the National Housing Authority, hereinafter, the “Authority”, created by virtue of Presidential Decree No. 757 (PD 757), is hereby extended for a period of fifty (50) years, upon the approval of this Act.

As such, the Authority shall continue to perform its mandates, exercise its powers and functions, and enjoy its incentives, as contained in PD 757, and subsequent laws and issuances, unless expressly repealed herein. Likewise, it shall continue to enjoy all rights and assume all of the liabilities that pertain thereto.

SEC. 5. *Office.* – The Authority shall retain its principal office at the NHA Main Office, Elliptical Road, Diliman, Quezon City 1101, but may have such regional and district offices, agencies, or subsidiaries in other areas all over the country, as it may deem proper and necessary.

SEC. 6. Powers and Functions of the Authority. – The Authority, in line with its role as the sole government agency engaged in direct shelter production, and in pursuit of the foregoing policies and objectives, shall also exercise the following powers and functions:

I. Housing Operations and Support Services

- a. Develop and Implement comprehensive and integrated housing and urban and rural development programs for citizens including, but not limited to:
 - i. programs for the improvement of blighted urban areas;
 - ii. direct shelter production and disposition primarily for informal settler families and the underprivileged and homeless;
 - iii. relocation of families subject of court-ordered eviction; and
 - iv. housing programs for government employees and uniformed personnel, such as: members of the Armed Forces of the Philippines (AFP), Philippine National Police (PNP), Bureau of Jail Management and Penology (BJMP), Bureau of Fire Protection (BFP), and Bureau of Corrections (BuCor).
- b. Prescribe guidelines and standards for the reservation, conservation and utilization of public lands identified for housing and resettlement;
- c. Design and implement sustainable livelihood programs, fully funded by the national government, which are responsive to the needs of its housing community, in coordination with the concerned local and national government agencies and, whenever practicable, with participation of civil society organizations and the private sector;
- d. Develop and undertake other urban and rural development projects including basic community facilities, by itself or through joint ventures or other arrangements with public and private entities;
- e. Improve, redevelop, or revitalize completed but not yet turned-over NHA housing projects by constructing therein additional community structures, or whenever necessary, demolishing previously erected structures similar in nature, subject to law and regulations;
- f. Provide technical and other forms of assistance to local government units in the implementation of their own housing programs, or private developers undertaking low-cost housing projects, subject to the policies of the Authority;

- g. Undertake financing of housing programs initiated by local government units or local communities; and,
- h. Extend shelter services to victims of calamities, natural or man-made, as declared by the President; for this purpose, the Authority is given sufficient leeway by the other government agencies to expedite the process.

II. Asset Management and Business Development

- a. Exercise the right of eminent domain, purchase, sell, lease and/or exchange lands for purposes of housing development, resettlement and other related services and facilities;
- b. Issue bonds or contract loans, credits, or Indebtedness, including suppliers credit or any deferred payment arrangements with any person or entity, domestic or foreign, for the Implementation of its housing programs;
- c. Invest its funds, as it may deem proper, in bonds and securities issued and guaranteed by the government or by the Bangko Sentral ng Pilipinas, and to invest, own or otherwise participate in equity in any establishment, firm or entity; to form, organize, invest in or establish and maintain a subsidiary or subsidiaries in relation to any of its purposes;
- d. Ensure the collection and recovery of all indebtedness, liabilities and/or accountabilities, due from all obligors, whether public or private; to demand payment of the obligations referred to herein, and in the event of failure or refusal of the obligor or debtor to comply with the demand, to Initiate and Institute the necessary or proper actions or suits, criminal, civil administrative or otherwise, before the courts, tribunals, commissions, boards or bodies of proper jurisdiction: *Provided, however,* that the Authority may compromise or release, in whole or in part, any interest, penalty or civil liability to the Authority in connection with the collection or amortizations, under such terms and conditions as prescribed by the Board of Directors: *Provided, further,* That the Board may, upon recommendation of the General Manager, depute any member of the Authority's legal staff to act as special sheriff in foreclosure cases, in the sale or attachment of the debtor's properties, and in the enforcement of court writs and processes in cases involving the Authority. The special sheriff of the Authority shall make a report to the proper court after any action taken by him, which shall treat such action as if it were an act of its own sheriffs in all respects; and
- e. Generate sources and formulate schemes for financing, with due delineation of government and private sector participation.

III. Management Services

- a. Formulate and enforce general and specific policies for housing and resettlement;
- b. Monitor and/or discharge of all responsibilities of the government as may arise from *treaties, agreements, and other commitments on housing and resettlement* to which it is a signatory, including the determination of forms of assistance for housing development to be extended through multilateral or bilateral assistance programs;
- c. Serve as central repository of database and census list of households/families along waterways, danger areas, government infrastructure project site and government owned lands in Metro Manila and all regions nationwide, which shall be used for subsequent government interventions with housing and resettlement component; and
- d. Approve restructuring proposal for the payment of unpaid amortizations under such terms and conditions as the Board of Directors may prescribe.

IV. General Powers

- a. Have the power of succession; to sue and be sued; to adopt and use a seal which shall be judicially noticed;
- b. Enter into contracts whenever necessary under such terms and conditions as it may deem proper and reasonable;
- c. Acquire property rights and interests, and encumber or otherwise dispose the same as it may deem appropriate;
- d. Borrow funds from any source, private or government, foreign or domestic;
- e. Receive donations, grants, bequests and fund transfers from other branches of government, and utilize the same for the attainment of objectives. Such donations, grants and bequests shall be exempt from the payment of transfer taxes and be fully deductible from the gross income of the donor or grantor for income tax purposes;
- f. Maintain a provident fund, which shall consist of contributions made by both the Authority and its officers and employees and their earning, for the payment of benefits to such officials and employees or their heirs under such terms and conditions as it may prescribe;

- g. Perform such other acts not inconsistent with this Act, as may be necessary to effect the policies and objectives herein declared.

SEC. 7. *The Board of Directors; Its Composition.* – The Board of Directors, hereinafter referred to as the Board, is hereby reconstituted to have a minimum of thirteen (13) members, consisting of the following:

- a. Eleven (11) *ex officio* members, namely:
 1. Secretary of the Department of Human Settlements and Urban Development;
 2. Secretary of the Department of Public Works and Highways;
 3. Secretary of the Department of Finance;
 4. Secretary of the Department of Trade and Industry;
 5. Secretary of the Department of Labor and Employment;
 6. Secretary of the Department of Environment and Natural Resources;
 7. Secretary of the Department of Interior and Local Government;
 8. Secretary of the Department of Budget and Management;
 9. Director-General of the National Economic and Development Authority;
 10. Executive Secretary; and
 11. General Manager of the Authority.

- b. Two (2) expert panel members with expertise in housing, urban planning and development.

The expert panel members must be: (i) Filipino citizens and of good moral character; (ii) be of recognized probity and independence and must have distinguished themselves professionally in public, civic or academic service; (iii) be in the active practice of their professions for at least seven (7) years; and (iv) not be appointed within one (1) year after losing in the immediately preceding elections, whether regular or special.

The Secretary of the Department of Human Settlements and Urban Development shall be the *ex officio* Chairperson of the Board.

All appointive directors must have qualified under the Fit and Proper Rule, as defined by Republic Act 10149 or the Governance Commission for GOCCs (GCG) Law.

An appointive director shall have a term of one (1) year, unless sooner removed for cause, however, the appointive director shall continue to hold office until his/her successor is appointed.

The Board shall meet regularly at least once a month but special meetings may be called either by the Chairperson or by seven (7) members of the Board as and when necessary. Seven (7) members of the Board shall constitute a quorum and all decisions of the Board shall require the concurrence of at least seven (7) members.

SEC. 8. Powers and Duties of the Board. – The Board shall have the powers and functions specified in this Act and the usual corporate powers:

- a. Formulate, prescribe, and promulgate the implementing rules and regulations required by this Act;
- b. Promulgate such rules and regulations as may be necessary for proper for the effective exercise of the powers and functions, as well as the discharge of the duties and responsibilities of the Board, its officers and employees;
- c. Act upon the annual budget and such supplemental budgets of the Authority submitted by the General Manager: *Provided*, that the Board may reduce but may not increase any item proposed by the General Manager;
- d. Approve the Authority's organizational and administrative structures and staffing pattern, and to establish, fix, review, revise and adjust the appropriate compensation package of its officers and employees as submitted by the General Manager;
- e. Design, formulate, negotiate, and implement financial or investment schemes;
- f. Enter into such contract or agreement as may be necessary for the attainment of the purposes and objectives of this Act;
- g. Enter Into and execute memoranda of agreements, joint ventures, long-term leases and management contracts with private sector entities, to include real estate development or construction companies with dependable repute and proven track record in developing and managing real estate ventures;
- h. Condone or compromise, in whole or in part, penalties, Interests or civil liabilities imposed on beneficiaries with delinquent accounts who, for justifiable reasons prescribed by the Board, failed to pay on time any obligation due to the Authority;
- i. Render annual reports to the President and such special reports as may be requested; and,
- j. Exercise all the powers necessary or incidental to the attainment of the purposes of this Act.

SEC. 9. Powers and Duties of the General Manager. – The General Manager shall have the following powers and duties:

- a. Execute and administer the policies and resolutions approved by the Board of Directors and prepare its agenda;

- b. Direct and supervise the operations, management and Internal affairs of the Authority. The General Manager may delegate certain of his administrative responsibilities to other officers of the Authority, subject to the rules and regulations promulgated by the Board;
- c. Subject to the approval of the Board, to fix the number and salaries of and appoint, the subordinate officers and personnel of the Authority and to remove, or otherwise discipline, for cause, any such officer or employee pursuant to the provisions of the Civil Service Commission on discipline;
- d. Represent the Authority in all dealings with other officers, agencies, and instrumentalities of the Government and with all persons and entities, public or private, domestic or foreign;
- e. Act, in the conduct of the business of the Authority, on all matters that are not specifically reserved to the Board by this Act;
- f. Solely confer lot awards to the eligible beneficiaries;
- g. Decide, to the exclusion of courts and any other government agencies, cases filed questioning the property of lot awards granted to the Authority's beneficiaries; for this purpose, the General Manager may create a body for the investigation and adjudication of such cases;
- h. Report and submit to the Board as soon as possible after the close of each fiscal year, if applicable, a complete report of the operations of the Authority for the preceding year, and the state of its affairs; and,
- i. Exercise such other powers and duties as may be vested in him by the Board.

SEC. 10. Assistant General Managers. – The General Manager shall be assisted by three (3) Assistant General Managers, who shall be appointed by the President, upon the recommendation of the General Manager: *Provided*, That at least one (1) Assistant General Manager shall be a career officer. The General Manager is further authorized to delineate and assign other functional areas or responsibilities of the Assistant General Managers.

SEC. 11. Qualifications and Appointment. – No person shall be appointed General Manager and Assistant General Manager of the Authority unless he or she is a citizen and resident of the Philippines, of good moral character, of proven integrity, competence and expertise in housing, urban planning and development.

SEC. 12. Organizational Structure and Staffing Pattern. – Subject to the approval of the Governance Commission for GOCCs (GCG), the Board shall determine the Authority's

organizational structure, and create new divisions or units, as it may deem necessary in accordance with civil service laws, rules and regulations.

Subject to the approval of the Board, the General Manager shall likewise determine the rates of allowances, honoraria and such other additional compensation which the Authority is hereby authorized to grant to its officers, technical staff and consultants, including the necessary detailed personnel.

SEC. 13. *Exemption from Taxes and Regulatory Fees.* – All laws to the contrary notwithstanding, the Authority, its assets and properties, and all accruals thereto and income or investment earnings therefrom, as well as supplies, equipment, papers or documents shall be exempt from any tax, assessment fee, charge, or customs or Import duty, of any kind, whether imposed by local or national entities.

The exemption includes, but is not limited to the following: income tax, real property tax, capital gains tax, transfer tax, value added tax, donor's tax and similar taxes; and building permit fee, fire inspection permit fee, ECC fees and other regulatory fees. Similarly, the Authority shall be exempt from the payment of documentary stamp tax and registration fees, including fees required for the issuance of transfer certificates of titles.

Furthermore, to promote the policy of improving housing affordability, projects of the National Housing Authority, in cooperation with local government units, the private sector and other entities, shall also enjoy the exemptions enumerated above.

SEC. 14. *Lands for Authority Projects; Management, Conversion and Classification.* – Lands identified and designated for Housing and Urban and Rural Development, pursuant to Section 24 of Republic Act No. 11201, shall be assessed by the Authority for program or project feasibility. Should the site evaluation be in the affirmative, said lots shall forthwith be transferred to the Authority.

This shall not, however, preclude the Authority from pursuing its continuing mandate of identifying, acquiring and managing lands for the Immediate and future needs of its beneficiaries. In pursuit thereof, the Authority must consider, among others, the degree of availability of basic services and utilities, access to modes of transport, proximity to economic opportunities, and the social capital of beneficiaries.

Furthermore, all lands acquired by the Authority, for any of its programs and projects, shall be automatically converted and/or reclassified, in order to facilitate its immediate development. The Authority, in coordination with the Department of Human Settlements and Urban Development, the Department of Interior and Local Government, the Department of Agriculture, and the Department of Agrarian Reform, shall craft the rules and regulations necessary to implement this provision.

SEC. 15. Designation of the National Housing Authority (NHA) as Lead Agency in the Disposition Program. – The Authority, under the supervision of the DHSUD, shall take the lead in the disposition activities of the lands in the preceding section: *Provided*, that disposition activities shall include the preliminary stages of identification and evaluation of lands suitable for disposition under this Act.

The Department of Human Settlements and Urban Development is hereby directed to submit immediately an updated list of government-owned lands suitable for socialized housing purposes.

The Department of Human Settlements and Urban Development shall make recommendations for the President relative to the disposition of the lands subject hereof.

SEC. 16. Issuance of Bonds. – Subject to the approval of the Secretary of Finance, after consultation with the Monetary Board of the Bangko Sentral ng Pilipinas, the Authority is hereby authorized to issue bonds and other securities to finance the implementation of its housing programs: *Provided*, That only so much of such bonds or securities shall be Issued and sold as the annual project Implementation would require: *Provided, further*, That no bonds or securities shall be issued unless eighty per cent (80%) of those already issued had been sold: *Provided, finally*, That the total amount of the bonds or securities issued shall in no case exceed ten times its paid up capital and surplus.

The Authority, in consultation with the Secretary of Finance and Monetary Board, shall prescribe the form, the rate of interest, and denominations, maturities, negotiability, call or redemption features and all other terms and conditions of the bonds and securities to be issued.

In the promotion of the sale of bonds or securities, the Authority is authorized to adopt the lottery scheme enunciated under Republic Act No. 1000 as amended.

The bonds and securities issued under this Act including the income thereof shall be exempt from all kinds of taxes and from attachment, execution and seizure which facts shall be stated on the face thereof.

A sinking fund shall be established by the Authority in such manner that the total annual contribution thereto, accrued at such rate of Interest as may be determined by the Secretary of Finance in consultation with the Monetary Board, shall be sufficient to redeem at maturity the bonds or securities issued pursuant to this Act. The sinking fund shall be under the custody and administration of the Bangko Sentral ng Pilipinas which may invest the same in Bangko Sentral Certificates of Indebtedness and similar financing schemes subject to the approval of the Authority In consultation with the Secretary of Finance: *Provided*, that the proceeds from such scheme shall accrue to the Authority.

SEC. 17. *Guarantee by the Government.* – The Republic of the Philippines hereby guarantees the payment of both the principal and the Interest of the bonds, debentures, collaterals, notes or such other obligations issued or incurred by the Authority by virtue of this Act, and shall pay such principal and Interest in case the Authority fails to do so. In such event, the Republic of the Philippines shall succeed to all the rights of the holders of such bonds, debentures, collaterals, notes or other Instruments to the extent of the payment made, unless the sum so paid by the Republic of the Philippines shall be refunded by the Authority within a reasonable time.

SEC. 18. *SSS and GSIS Participation.* – Notwithstanding any provision of the respective charters to the contrary, the Social Security System (SSS) and the Government Service Insurance System (GSIS) shall absorb all or part of the bonds or securities issued by the Authority in such proportion as may be determined by the National Economic and Development Authority (NEDA) and approved by the President.

SEC. 19. *Reports.* – The Authority shall submit an annual report to the Office of the President, copy furnished to the Department of Human Settlements and Urban Development, indicating, among others, the housing program being implemented, the stage of implementation, and the financial position of the Authority. It shall likewise submit such periodic or other reports as may be required from time to time.

SEC. 20. *Audit.* – The Chairperson of the Commission on Audit (COA) shall act as the *ex officio* auditor of the Authority, and accordingly, Is empowered to appoint a representative and other subordinate personnel to perform and report on such audit duties, responsible to and removable only by the COA Chairperson, without prejudice, s however, to the power of the Board of Directors to contract for another mode of independent audit service, in addition to that provided by COA as provided for under Presidential Decree No. 1445, otherwise known as the Government Auditing Code of the Philippines.

SEC. 21. *Implementing Rules and Regulations (IRR).* – The implementing rules and regulations to effectively carry out the provisions of this Act shall be adopted by and promulgated by the Board of Directors of the Authority, not later than ninety (90) days after the approval of this Act.

The Departments, charged with crafting the implementing rules and regulations to effectively carry out Section 14 hereof, are given thirty (30) days after the approval of the Act to enact the same.

SEC. 22. *Applicability of the Revised Corporation Law.* – The provisions of the Revised Corporation Code, insofar as they are not inconsistent with the provisions and policies provided in this Act, shall be applicable to the Authority.

SEC. 23. *Separability Clause.* – If, for any reason, any section, subsection, clause or term of this Act is held invalid or unconstitutional, such parts not affected by such declaration shall remain in full force and effect.

SEC. 24. *Repealing Clause.* – Section 2 of Presidential Decree No. 757 is hereby amended accordingly. All existing laws, orders, decrees, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby amended, modified or repealed accordingly.

SEC. 25. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,