

REPUBLIC OF THE PHILIPPINES

CONGRESS OF THE PHILIPPINES

METRO MANILA THIRD REGULAR SESSION

Begun and held in Metro Manila, on Monday, the twenty-fifth day of July, nineteen hundred and ninety four.

[REPUBLIC ACT NO. 7924]

**AN ACT CREATING THE METROPOLITAN MANILA DEVELOPMENT
AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS,
PROVIDING FUNDING THEREFOR AND FOR OTHER PURPOSES**

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

Sec. 1 Declaration of Policy - It is hereby declared to be the policy of the State to treat Metropolitan Manila as a special development and administrative region and certain basic services affecting or involving Metro Manila as metro-wide services more efficiently and effectively planned, supervised and coordinated by a development authority as created therein, without prejudice to the autonomy of the affected local government units.

Pursuant to this policy, Metropolitan Manila, as a public corporation created under Presidential Decree No. 824, embracing the Cities of Caloocan, Manila, Mandaluyong, Pasay, and Quezon and the Municipalities of Las Piñas, Makati, Malabon, Marikina, Muntinlupa Navotas, Parañaque, Pasig, Pateros, San Juan, Tagig, and Valenzuela, is hereby constituted into a special development and administered region.

Sec. 2 Creation of Metropolitan Manila Development Authority. - The affairs of Metropolitan Manila shall be administered by the Metropolitan Manila Development Authority, hereinafter referred to as the MMDA, to replace the Metro Manila Authority (MMA) organized under Executive Order No. 392, Series of 1990.

The MMDA shall perform planning, monitoring and coordinative functions, and in the process exercise regulatory and supervisory authority over the delivery of metro-wide services within Metro Manila without diminution of the autonomy of the local government units concerning purely local matters.

Sec. 3 Scope of MMDA Services. - Metro-wide services under the jurisdiction of the MMDA are those services which have metro-wide impact and transcend legal political boundaries or entail huge expenditures such that it would not be viable for said services to be provided by the individual local government units (LGUs) comprising Metropolitan Manila. These services shall include:

Development planning which includes the preparation of medium and long-term development plans; the development evaluation and packaging of projects; investment programming and coordination and monitoring of plan, program and project implementation.

Transport and traffic management which includes the formulation, coordination and monitoring of policies, standards, programs and projects to rationalize the existing transport operations, infrastructure requirements, the use of thoroughfares, and promotions of safe and convenient movement of persons and goods; provision for the mass transport system and the institution of a system to regulate road users; administration and implementation of all irerhe enforcement operations, traffic engineering services and traffic education programs, including the institution of a single ticketing system in Metropolitan Manila.

Solid waste disposal and management which include formulation, and implementation of policies, standards, programs and projects for proper and sanitary waste disposal. It shall likewise include the establishment and operation of sanitary landfill and related facilities and the implementation of other alternative programs intended to reduce, reuse and recycle solid waste.

Flood control and sewerage management which includes the formulation and implementation of policies, standards, programs and projects for an integrated flood control, drainage and sewerage system.

Urban renewal, zoning and land use planning, and shelter services which includes the formulation, adoption and implementation of policies, standards, rules and regulations, programs and projects to rationalize and optimize urban land use and provide direction to urban growth and expansion, the

rehabilitation and development of slum and blighted areas, the development of shelter and housing facilities and the provision of necessary social services thereof.

Health and sanitation, urban protection and pollution control which includes the formulation and implementation of policies, rules and regulations, standards, programs and projects for the promotion and safeguarding of the health and sanitation of the region and for the enhancement of ecological balance and the prevention, control and abatement of environmental pollution.

Public safety which includes the formulation and implementation of programs and policies and procedures to , achieve public safety, especially preparedness for preventive or rescue operations during times of calamities and disasters such as conflagrations, earthquake,-flood and tidal waves; and coordination and mobilization of resources and the implementation for rehabilitation and relief operations in coordination with national agencies concerned.

Sec. 4 Metro Manila Council. The governing board and policy making body of the MMDA shall be the Metro Manila Council, composed Of the majors of the eight (8) cities and nine (9) municipalities enumerated in Section 1 hereof and the president of the Metro Manila Vice Mayors League and the president of the Metro Manila Councilors League.

The heads of the Department of Transportation and Communications (DOTC), Department of Public Works and Highways (DPWH), Department of Tourism (DOT), Department of Budget and Management Office, Housing Urban and Development Coordinating Committee (HUDCC) and the Philippine National Police (PNP) or their duly authorized representatives, shall attend meetings of the Council as non-voting members.

The Council shall be headed by a Chairman, who shall be appointed by the President and who shall continue to hold office at the discretion of the appointing authority. He shall be vested with the rank, rights, privileges, disqualifications, and prohibitions of a Cabinet member.

The Chairman shall be assisted by a General Manager, an Assistant General Manager for Finance and Administration, an Assistant General Manager for Planning and an Assistant General Manager for Operations, all of whom shall be appointed by the President with the consent and concurrence of the majority of the Council, subject to civil service laws and regulations. They shall enjoy security of tenure and may be removed for cause in accordance with law.

The Assistant General Manager for Planning must have not less than five (5) years of extensive experience in development and planning or must hold a master's degree in urban planning or similar discipline.

The Chairman and the members of the Council shall be entitled to allowances and per diems in accordance with existing policies, rules and regulations on the matter.

Sec. 5. Functions and powers of the Metro Manila Development Authority. - The MMDA shall:

Formulate, coordinate and regulate the implementation of medium and long term plans and programs for the delivery of metro-wide services, land use and physical development within Metropolitan Manila, consistent with national development objectives and priorities.

Prepare, coordinate and regulate the implementation of medium term investment programs tor metro-wide services which shall indicate sources and uses of funds for priority programs and projects, which shall include the packaging of projects and presentation to funding institutions;

Undertake and manage on its own metro-wide programs and projects for the delivery of specific services under its jurisdiction subject to the approval of the Council. For this purpose, MMDA can create appropriate project management offices;

Coordinate and monitor the implementation of such plans, programs and projects in Metro Manila; identify bottlenecks and adopt solutions to problems of implementation; and

The MMDA shall set the policies concerning traffic in Metropolitan Manila, and coordinate and regulate the implementation of all programs and projects concerning traffic management specifically pertaining to enforcement, engineering and education. Upon request, it shall be extended assistance and cooperation, including but not limited to, assignment of personnel, by all other government agencies and offices concerned.

Install and administer a single ticketing system, fix, impose and collect fines and penalties for all kinds of violations of traffic rules and regulations, whether moving or non-moving in nature, and confiscate and suspend or revoke driver's licenses in the enforcement of such traffic laws and regulations, the provisions of RA 4136 and PD 1605 to the contrary notwithstanding. For this purpose, the Authority shall enforce all traffic laws and regulations in Metro Manila, through its traffic

operation center, and may deputized members of the PNP, traffic enforcers of local government units, duly licensed security guards or members of non-governmental organizations to whom may be delegated certain authority, subject to such conditions and requirements as the Authority may impose.

Perform other related functions required to achieve the objectives of the MMDA, including the undertaking of delivery of basic services to the local government units when deemed necessary, subject to prior coordination with and consent of the local government unit concerned.

Sec. 6 Functions of the Metro Manila Council. –

The Council shall be the policy making body of the MMDA.

It shall approve metro-wide plans, programs and projects and issue rules and regulations and resolutions deemed necessary by the MMDA to carry out the purposes of this Act.

It may increase the rate of allowances and per diems of the members of the Council to take effect during the term of the succeeding Council; it shall fix the compensation of the officers and personnel of the MMDA, and approve the annual budget thereof for submission to the DBM.

It shall promulgate rules and regulations and set policies and standards for metro-wide application governing the delivery of basic services, prescribe and collect service and regulatory fees, and impose and collect fines and penalties.

Sec. 7 Functions of the Chairman. -The Chairman shall:

Appoint, subject to civil service laws, rules and regulations. all subordinate officers and employees, who shall enjoy security of tenure and may be removed only for cause in accordance with law. The Chairman is hereby authorized to engage the services of experts/consultants either on full time or part-time basis, as may be required in the performance of his functions and duties as may be determined by him:

Execute the policies and measures approved by the Metro Manila Council and be responsible for the efficient and effective day-to-day management of the operations of the MMDA;

Prepare the annual budget for the operations of the MMDA for submission to the Council;

Submit for consideration of the Council such other policies and measures as may be deemed necessary to carry out the purposes and provisions of this Act;

Subject to the guidelines and policies set by the Council, prepare the staffing pattern and fix the number of subordinate officials and employees of the MMDA; and exercise the power to discipline subordinate officials and employees under the provision of law;

Prepare an annual report on the accomplishments of the MMDA at the close of each calendar year for submission to the Council and to the President of the Philippines; and

Perform such other duties as may be assigned to him by the President or by the Council.

Sec. 8 Functions of the General Manager. The General Manager shall:

Assist the Chairman in the administration of the MMDA and supervision of subordinate personnel;

Assist the Chairman in the supervision of the operation of various operating centers and units of MMDA;

Assist the Chairman in the review of plans and programs for the MMDA and for Metro Manila, in the preparation of the annual report of the activities and accomplishments of the MMDA; and

Perform such other duties and functions as maybe lawfully delegated or assigned by the Chairman from time to time.

Sec. 9 Institutional Linkages of the MMDA. - The MMDA shall, in carrying out its functions, consult, coordinate and work closely with the LGUs, the National Economic Development Authority (NEDA) and other national government agencies mentioned in Section 4 hereof and accredited people's organizations (POs); non-governmental organizations - (NGOs), and the private sector operating in Metro Manila. The MMDA Chairman or his authorized representative from among the Council members, shall be ex-officio member of the boards of government corporations and corporations and committees of the department and offices of government whose activities are relevant to the objectives and responsibilities of the MMDA which shall include but not limited to Metropolitan

Waterworks and Sewerage (MWSS), DOTC, DPWH, HUDCC and Department of Interior and Local Government (DILG).

The MMDA shall have a master plan that shall serve as the framework for the local development plans of the component LGUs.

The MMDA shall submit its development plans and investment programs to the NEDA for integration into the Medium-Term Philippine Development Plan (MTPDD) and public investment program.

The implementation of the MMDA's plans, programs and projects shall be undertaken by the LGUs, the concerned national government agencies, the POs, NGOs and the private sector and MMDA itself where appropriate. For this purpose, the MMDA may enter into contracts, memoranda of agreement and other cooperative arrangements with these bodies for the delivery of the required services within Metropolitan Manila.

The MMDA shall, in coordination with the NEDA and the Department of Finance, interface with the foreign assistance agencies for purposes of obtaining financing support, grants and donations in support of its programs and projects.

Sec. 10 Sources of Funds and the Operating Budget of MMDA –

To carry out the purposes of this Act, the amount of One billion pesos (P1,000,000,000) is hereby authorized to be appropriated for the initial operation of the MMDA. Thereafter, the annual expenditures including capital outlays of the MMDA shall be provided in the general Appropriations Act.

The MMDA shall continue to receive the Internal Revenue Allotment (IRA) currently allocated to the present MMA.

The MMDA is likewise empowered to levy fines and impose fees and charges for various services rendered.

Five percent (5%) of the total annual gross revenue of the preceding year, net of the internal revenue allotment, of each local government unit mentioned in Section 2 hereof, shall accrue and become payable monthly to the MMDA by each city or municipality. In case of failure to remit the said fixed contribution, the DBM shall cause the disbursement of the same to MMDA chargeable against the IRA allotment of the city or municipality concerned, the provisions of Section 286 of RA 7160 to the contrary notwithstanding.

Sec. 11 Transitory Provisions. - To prevent disruption in the delivery of basic urban services pending the full implementation of the MMDA's organizational structure and staffing pattern, all officials and employees of the interim MMA shall continue to exercise their duties and functions and receive their salaries and allowances until they shall have been given notice of change of duties and functions, and of being transferred to another office or position.

All assets and properties presently in use or under the accountability of the interim MMA and all its obligations, indebtedness or liabilities shall be transferred to and assumed by the MMDA created under this Act, subject to the condition that may be established by the Department of Budget and Management, Office of the President and Commission on Audit.

The Civil Service Rules and Regulations pertinent to the displacement of personnel affected by this Act shall be strictly enforced. The national government shall provide such amount as may be necessary to pay the benefits accruing to displaced employees at the rate of one and one-fourth (1-1/4) month's salary for every year of service: provided if qualified for retirement under existing retirement laws, said employees may receive the benefits thereunder.

Sec. 12 Repealing Clause. - Executive Order No. 392 dated January 9, 1990 is hereby repealed. All other laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with or contrary to the provisions of this Act are hereby repealed or modified accordingly.

Sec. 13 Separability Clause. - In any part or provision of this Act is held unconstitutional or invalid, other parts of provisions thereof which are not affected shall continue to remain in full force and effect.

Sec. 14 Effectivity. - This Act shall take effect fifteen (15) days following completion of its publication in at least two (2) newspapers of general circulation.

EDGARDO J. ANGARA
President of the Senate

JOSE DE VENECIA, JR.
Speaker of the House of Representatives

This Act which originated in the House of Representatives was finally passed by the House of Representatives and the Senate on February 21, 1995 and February 14, 1995, respectively

EDGARDO E. TUMANGAN
Secretary of the Senate

CAMILIO F. SABIO
Secretary General of the
House of Representatives

FIDEL V. RAMOS
President of the Philippines

Effectivity: March 1, 1995