DIRECTING THE HOUSING AND URBAN DEVELOPMENT COORDINATING COUNCIL (HUDCC) TO FORMULATE AND ADOPT CERTAIN GUIDELINES AND IMPLEMENT POST-PROCLAMATION ACTIVITIES IN THE AREAS PROCLA...

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WHEREAS, one of the Administration's priority concerns is to provide land to deserving landless and homeless Filipinos;

WHEREAS, pursuant to this priority concern, the Administration has launched a program that regularizes the tenurial status of informal settlers or occupants in certain socialized housing sites;

WHEREAS, there is a need to orchestrate the various activities in the proclaimed sites, particularly the complementary roles of the National Government Agencies (NGAs) and the Local Government Units (LGUs) concerned, in order to expedite the implementation of Republic Act No. 7279, otherwise known as the Urban Development and Housing Act (UDHA), and the National Shelter Plan;

WHEREAS, the magnitude and extent of the program in terms of area, location, and number of families affected require the active participation and support of the heads of the key agencies for the implementation of projects in these proclaimed sites;

WHEREAS, it is desirable that the Non-Governmental Organizations (NGOs), People's Organizations (POs) and Private Sector (PS) representatives on the proclaimed sites be given maximum participation in the planning and development of their housing community in order to demonstrate a new and effective alternative method of implementing a social housing project within a proclaimed area;

WHEREAS, there is a need to ensure that lands proclaimed by the President are disposed of to the intended beneficiaries in the most expeditious, equitable and participatory manner;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, do hereby and direct the following:

SECTION 1. The Housing and Urban Development Coordinating Council (HUDCC) shall confer with the Local Government Unit (LGU), within fifteen (15) days from the issuance of the Presidential Proclamation, for the purpose of facilitating and expediting the conduct of post-proclamation activities necessary to dispose of the proclaimed site to their actual bona fide occupants, to the end that these informal settlers are finally granted the titles to the lands they are occupying at the earliest possible time and in order that these lands are developed as a viable community through participatory planning and utilization of appropriate development schemes.

SECTION 2. The HUDCC, in coordination with the concerned LGU within whose territorial jurisdiction the proclaimed site is situated, shall primarily exercise the following powers and functions:

1. Formulate and adopt the necessary rules and policy guidelines to implement the provisions of the pertinent Presidential Proclamation and this Order, pursuant to the policies and guidelines set forth herein.

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2. Come up with a schematic work-flow plan that shall embody the most expeditious manner of disposition of the land to the beneficiaries;

3. Formulate systems and procedures as well as identify and mobilize fund resources for project implementation;

4. Approve the master list of qualified beneficiaries, in coordination with the LGU concerned;

5. Coordinate the participation and inputs of the various participating offices and agencies of the national government, as well as the NGOs, POs, and Private Sector groups based in or operating within the proclaimed area;

6. Supervise and monitor the progress of the implementation of projects in the proclamation area and prescribe corrective measures to the agencies and LGU concerned, if necessary;

7. Provide general policies to aid the LGU in the exercise of its mandate set forth herein;

8. Formulate measures to contain and maintain the peaceful possession of existing occupants and their structures relative to Section 7 hereof;

9. Make final decisions on all cases and issues affecting project implementation which cannot be resolved at the operations level; and

10. Call on any government department or agency for assistance whenever necessary.

SECTION 3. Within ten (10) days from such meeting, the HUDCC shall execute with the LGU concerned the necessary memorandum of agreement or understanding detailing their respective roles and functions relative to the conduct of post-Proclamation activities, with complementarity, coordination, and efficient project implementation as principal considerations.

SECTION 4. The HUDCC may call on government departments or agencies, such as the Department of Environment and Natural Resources (DENR), the National Housing Authority (NHA), the Presidential Commission for the Urban Poor (PCUP), and the National Anti-Poverty Commission (NAPC), which are hereby enjoined to provide the necessary assistance in facilitating and implementing the activities in the proclaimed site.

SECTION 5. The HUDCC shall ensure that the LGU concerned, through its local housing board, if any has been constituted, or its equivalent, shall function as the local post-Proclamation secretariat and shall implement the policies and work plans drawn up pursuant to the provisions of the pertinent Presidential Proclamation and this Order.

The LGUs without local housing boards shall create their respective housing boards, or their equivalent, within thirty (30) days from the effectivity of this Order.

SECTION 6. The funds necessary to carry out the requisite activities in the proclaimed sites shall be incorporated in the annual budget of HUDCC and the other participating agencies under the General Appropriations Act.

The LGU concerned shall likewise provide the necessary funds to carry out its role and tasks relative to the proclaimed site and this Order. Additional funding requirements for operations shall be incorporated in the LGU's regular budgets as part of its socialized or mass housing programs as mandated by pertinent laws.

SECTION 7. In order to ensure that only qualified occupants shall be awarded the lots for disposition, the HUDCC, through the local housing board concerned, shall institute the following containment measures:

1. Prevention and prohibition of the entry of new settlers or occupants as well as the construction of new structures within the proclamation site; and

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2. Ensuring the peaceful possession of existing occupants and their structures in the proclaimed site.

For purposes of this Order, "new settlers or occupants" shall mean individuals who enter or occupy portions of the proclaimed area after the conduct of initial survey and tagging by the concerned agencies in the pre-proclamation phase. The HUDCC shall ensure compliance with this provision and may institute the proper actions and remedies for this purpose.

SECTION 8. In order to facilitate the early development of the areas for disposition, the DENR shall, upon written request by the HUDCC, immediately undertake the necessary boundary, topographic, structural and subdivision surveys of the proclaimed areas and shall, upon approval thereof, issue the corresponding special patents on similar documents.

SECTION 9. The HUDCC shall submit periodic reports to the Office of the President, through the Office of the Executive Secretary, relative to the status of post-proclamation activities in each of the proclaimed sites pursuant to its mandates under the pertinent Proclamation and this Order.

SECTION 10. All previous issuances inconsistent with the provisions of this Memorandum Order shall be deemed revoked or amended accordingly.

SECTION 11. This Memorandum Order shall take effect immediately.

Adopted: 13 Sept. 2002

BY THE PRESIDENT:

(SGD.) ALBERTO G. ROMULO
Executive Secretary

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