

AUTHORIZING OWNERS AND/OR USERS OF UNREGISTERED OR UNAUTHORIZED WATER/SEWER CONNECTIONS, DEVICES OR INSTRUMENTS TO COMPLY WITH MWSS RULES AND REGULATIONS WITHOUT PENALTY.

LETTER OF INSTRUCTION No. 1388, February 28, 1984

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TO:

THE BOARD OF TRUSTEES, METROPOLITAN WATERWORKS & SEWERAGE SYSTEM
THE GENERAL MANAGER, METROPOLITAN WATERWORKS & SEWERAGE SYSTEM
THE CHAIRMAN, COMMISSION ON AUDIT

Whereas, there are still numerous unregistered or, unauthorized water/sewer service connections, devices and instruments which adversely affect water supply, thereby resulting in loss of revenue to the MWSS and depriving others of a fair share of water supply;

Whereas, in order to account for and collect all the revenues due the MWSS, and to discourage the profligate use of water and enhance its equitable distribution for the good of the greatest number, it is imperative to encourage the registration of all unregistered or unauthorized water connections and/or the removal of unregistered or unauthorized devices and instruments;

Whereas, it is the desire of the Government to afford a last chance for owners/users of unregistered or unauthorized water/sewer service connections, devices and instruments to voluntarily come out and register their unauthorized connections, devices and instruments within the ambit of MWSS rules and regulations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and by law, do hereby instruct:

- All owners/users of unregistered or unauthorized installations of water and/or sewage service connections, or of devices which draw water without passing through MWSS-registered water meters, or of instruments which interfere with the normal and/or accurate functioning of MWSS-installed water meters and/or discharge sewage or waste water into MWSS sewer mains without having applied and paid for the service, are hereby authorized to comply with the following requirements within a period of two (2) months from the first date of publication of this Letter of Instructions:

- (a) The aforesaid owners/users shall voluntarily disclose or report to MWSS the existence and use of such unauthorized or unregistered connections, devices and instruments mentioned herein;
- (b) The aforesaid owners/users shall apply with the MWSS for the registration of the unauthorized or unregistered connections, devices and instruments, and pay the corresponding fees;
- (c) The aforesaid owners/users shall pay the unbilled water consumption for a period not to exceed one (1) year, regardless of the actual date of installation; and

(d) The aforesaid owners users shall comply with the MWSS rules and regulations.

In return, the MWSS shall guarantee in favor of the owners/user; availing of this Letter of Instructions the following :

- (a) continued use and enjoyment of the aforesaid facilities;
- (b) consumption in excess of one (1) year of the aforesaid services shall no longer be billed and paid;
- (c) confidentiality of information obtained by virtue of the availment of this Letter of Instructions; and
- (d) immunity from further investigation for acts, omission or conduct committed by the owners/users or for violation of MWSS rules and regulations.

It is expressly understood, however, that this Letter of Instructions shall cover only unregistered or unauthorized water /sewer services installed prior to the effectivity hereof. Any water/sewer service or illegal device discovered to have been installed during or after the grace period of two (2) months, shall immediately be cut-off or removed by the MWSS and the owners/users thereof shall be charged for violation of Presidential Decree No. 401-A and other applicable penal laws, in addition to payment of a penalty to be prescribed in the implementing MWSS rules and regulations.

- After the aforementioned two-month period allowing compliance with the above-stated requirements, the MWSS shall undertake a house-to-house verification of all water and sewer services, including excavation of MWSS meter mains if necessary to discover and ferret out unauthorized or unregistered water or sewer service connections, devices and instruments which were not voluntarily reported and registered during the aforesaid two-month period. The MWSS may also opt to give rewards to those who report unauthorized or unregistered connections, devices and instruments under the MWSS reward system.

- After the aforesaid two-month, period, upon discovery of any unregistered or unauthorized water and/or sewer service connection, device or instrument, including any sale or retail of MWSS water coming from either unregistered/unauthorized or registered water service connections, devices or instruments, such connections, devices and instruments utilized in violation of MWSS rules and regulations shall immediately be disconnected, removed and abated, and shall not be reopened or reconnected. The existence of any unregistered or unauthorized water and/ or sewer service connection, device or instrument in the premises of the owner/user shall be prima facie evidence that the same was installed or caused to be installed by said owner/user. The MWSS shall then charge the owner/, user involved with violation of Presidential Decree No. 401, as amended by Presidential Decree No. 401-A; Republic Act No. 6234, as amended; theft of MWSS water; and/or any other offense punishable under existing penal laws.

- Compliance by the owners/users of unregistered or unauthorized water/sewer service connections, devices or instruments, with the provisions of this Letter of Instructions or the MWSS rules and regulations to be issued in connection herewith, whether said owners and/or users be natural or juridical persons, shall not be taken against them or used in evidence before any court, board or tribunal in any criminal, civil or administrative proceeding or action. The use or disclosure by any government official or employee of any information or document obtained by virtue of or in connection with the provisions of this Letter of Instructions or MWSS rules and regulations, for any purpose prejudicial to such owners/users, shall be a ground for the institution of disciplinary action and the imposition of appropriate sanctions against the government official or employee concerned.

- The MWSS shall immediately issue and promulgate the rules and regulations implementing this Letter of Instructions.

- This Letter of Instructions shall be published in at least three (3) newspapers of general circulation in Metropolitan Manila, at least twice a week for a period of one (1) month from the issuance hereof.

- This Letter of Instructions shall take effect after the first date of publication hereof.

Done in the City of Manila, this 28th day of February in the year of Our Lord, nineteen hundred and eighty-four.

(Sgd.) FERDINAND E. MARCOS

President of the Philippines,

By the President:

(Sgd.) MANUEL M. LAZARO

Presidential Assistant for Legal Affairs

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