

CREATING THE TONDO FORESHORE DEVELOPMENT AUTHORITY, DEFINING ITS OBJECTIVES, POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

PRESIDENTIAL DECREE NO. 570, October 30, 1974

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WHEREAS, it is the declared policy of the State to establish human settlements to provide for a healthy living community and ensure the socio-economic development of the people;

WHEREAS, cognizant of the above policy, it has become imperative to resolve the slum and squatter problems of the Tondo Foreshore area which exemplifies a social injustice incompatible with the goals of the New Society;

WHEREAS, a lasting solution to the Tondo Foreshore situation demands a comprehensive, integrated and harmonious development of the Tondo Foreshore area and its proposed resettlement site;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree the creation of the Tondo Foreshore Development Authority as follows:

SECTION 1. The Tondo Foreshore Development Authority hereinafter referred to as the Authority, shall be governed by this Decree and its by-laws, as authorized hereunder, and shall have succession for fifty years from and after the date of the approval of this Decree. The Authority shall have general jurisdiction and control over all persons, corporations, firms or utilities existing, proposed or otherwise to be established within the Tondo Foreshore area and its resettlement site and shall supervise, regulate and exercise its powers in accordance with the provisions of this Decree. The principal office of the Authority shall be in the City of Manila.

SEC. 2. Objectives and Purposes. — The Authority shall have the following purposes and objectives:

- To undertake all manner of activity, business or development projects for the establishment of a harmonious, comprehensive, integrated and healthy living community in the Tondo Foreshore and its settlement site;
- To undertake and promote the physical and socio-economic amelioration of the Tondo Foreshore residents in particular and the nation in general;
- To encourage other similar public and private organizations to adopt an integrated, comprehensive and healthy living community in dealing with slum, squatter and resettlement problems.

SEC. 3. Powers and Functions. — For the effective and proper accomplishment of its purposes and objectives, the Authority shall have the following powers and functions:

- To develop and implement comprehensive and integrated urban renewal programs for the Tondo Foreshore-land and Dagat-dagatan lagoon and/or other additional/ alternative resettlement site and to formulate and enforce general and specific policies for its development which shall ensure reasonable degree of compliance with environmental standards.
- To prescribe guidelines and standards for the reservation, conservation and utilization of public lands covering

the Tondo Foreshore land and its resettlement sites:

- To construct, own, lease, operate and maintain infrastructure facilities, housing complex, sites and services:
- To determine, regulate and supervise the establishment and operation of housing, sites, services and commercial and industrial complexes and any other enterprises to be constructed or established within the Tondo Foreshore land and its resettlement sites;
- To undertake and develop, by itself or through joint venture with other public or private entities, all or any of the different phases of development of the Tondo Foreshore land and its resettlement sites;
- To acquire and own property, property-rights and interests, and encumber or otherwise dispose of the same as it may deem appropriate;
- To invest its funds or other assets in such undertakings as it may deem wise or necessary to carry out its purposes and objectives;
- To receive donation, grants, bequests and assistance of all kinds from international and local private foundations, associations and entities and utilize the same for the attainment of its objectives;
- To establish subsidiary corporations and branch offices.
- To implement and coordinate the undertakings of selected projects and activities in the field of social and economic development within the Tondo Foreshore land and its resettlement sites;
- To sell, lease, or rent for a consideration and under such terms, arrangements and conditions it may deem reasonable and proper its properties and facilities within the Tondo Foreshore land and its resettlement sites;
- To fix, assess and collect charges and fees, including rental for the lease, use or occupancy of lands, buildings, structure, facilities and other properties owned and administered by the Authority and to fix and collect fees and charges for issuance of permits, licenses and the rendering of services not enumerated herein;
- To sue and be sued, to prepare its by-laws, and to adopt a seal which shall be judicially noticed;
- To raise and/or borrow the necessary funds from local and international financing sources or institutions and to secure the same by any guarantee, pledge, mortgage, deed of trust or assignment of the property of corporation for the purpose of financing the programs and projects deemed vital for the early attainment of its goals and objectives;
- To enter into, make and execute contracts of any kind as may be necessary or incidental to the accomplishment of its purposes and, generally, to exercise all the powers and objectives;

SEC. 4. Board of Directors. — The governing powers of the Authority shall be vested in and exercised by a Board of Directors composed of six (6) ex-officio members namely: The Executive Secretary, The Director General of the National Economic and Development Authority, the Secretary of Public Works and Communications, the Secretary of Industry, the General Manager, Government Service Insurance System, the Chairman, Board of Governors of the Development Bank of the Philippines, the Administrator of the Social Security System. The President shall appoint a Chairman from among the seven directors.

The officials next in rank to the regular members shall serve as permanent alternate members except that, in the absence of the Chairman, the Board shall elect a temporary presiding officer. The alternate members shall attend meetings of the Board and Committees assigned to their principals and receive the corresponding per diems whenever their principal is absent or the said position is vacant.

Each member of the Board shall receive a monthly commutable allowance of five hundred pesos and per diem of one hundred pesos for every meeting of the Board or Committee thereof actually attended; Provided, That the total allowable amount of per diems each month shall not exceed five hundred pesos.

SEC. 5. Functions and Duties of the Board of Directors.

- Formulate and adopt policies in accordance with the general plan of the urban development program for the Tondo Foreshore area and its resettlement site, provided, such plans are congruent with general framework plans for the country;
- The Board shall ordain and promulgate the rules and regulations governing the Authority, providing for, among other things, the organizations, regular, special or general meetings of the Board, its officers, their powers and duties, as well as other offices and their duties, in a Code of By-Laws which shall be passed by the affirmative vote of majority.
- The Board shall establish such Committees under the Authority as may be necessary for the accomplishment of its corporate purposes.
- The Board shall submit to the President of the Philippines and shall publish an annual report of the condition of the Authority before the end of June of each year.

SEC. 6. Powers to Issue Bonds. — Whenever the Board of Directors may deem it necessary for the Authority to incur an indebtedness or to issue bonds to carry out the provisions of this Decree, it shall by resolution, so declare and state the purpose for which the proposed debt is to be incurred. The resolution shall be confirmed by the affirmative vote of at least five (5) members of the Board and approved by the President of the Philippines.

SEC. 7. Sinking Fund. — A sinking fund shall be established in such manner that the total annual contribution thereto accrued at such rate of interest as may be determined by the Board of Directors, shall be sufficient to redeem at maturity the bonds issued under this Decree.

Such fund shall be under the custody of the treasurer of the Authority who shall invest the same in such manner as the Board of Directors may direct; charge all expenses of investment to said sinking fund, and credit the same with the interest on investment and other income belonging to it.

SEC. 8. Guarantee by the Government. — The Republic of the Philippines hereby guarantees the payment by the Authority of both the principal and the interest of the both the principal and the interest of the bonds, debentures, collaterals, notes or such other obligations issued by the Authority by virtue of this Decree, and shall pay such principal and interest in the event that the Authority fails to do so. In case the Authority shall be unable to pay the said principal and interest, the Secretary of Finance shall pay the amount thereof which is hereby appropriated out of any funds in the National Treasury not otherwise appropriated and thereupon, to the extent of the amounts so paid, the Government of the Republic of the Philippines shall succeed to all the rights of the holders of such bonds, debentures, collaterals, notes or other obligations, unless the sum so paid by the Republic of the Philippines shall be refunded by the Authority within a reasonable time.

SEC. 9. Appropriation. — To carry out the provisions of this Decree there is hereby appropriated the lump sum amount of Thirty Million Pesos (P30,000,000.00) for Fiscal Year 1975, out of the funds in the National Treasury not otherwise appropriated. Thereafter, the succeeding appropriations of the Authority shall be included in the Annual Appropriations Act.

SEC. 10. Eminent Domain. — For proper planning and implementation of rational land policy for proper construction of housing complexes, commercial and industrial complexes, sites and services and infrastructure,

the Authority shall have the right and power to acquire properties by purchase, by negotiations or by condemnation proceedings. In exercising the right or eminent domain, condemnation proceedings shall be maintained by and in the name of the Authority and it may proceed in the manner provided by law.

SEC. 11. The Auditor. — The Chairman of the Commission on Audit shall appoint a representative who shall be the auditor of the Authority. He shall likewise appoint the necessary personnel to assist said representative in the performance of his duties. The salaries of the auditor and his staff shall be fixed by the Commission on Audit with the advice of the Board and said salaries shall be paid by the Authority.

SEC. 12. Exemption from Civil Service Law. — The officers and employees of the Authority shall not be subject to the Civil Service Law, rules and regulations and shall likewise be exempt from the rules and regulations of the Wage and Position Classification Office.

SEC. 13. Supervision. — The Authority shall be under the direct supervision of the Office of the President for purposes of policy direction and coordination.

SEC. 14. Tax Exemption. — The Authority shall be exempt from all forms of taxation and from all duties direct or indirect, imposed by the Government or any of its political subdivisions or instrumentalities.

Any provision of existing laws to the contrary notwithstanding, any donation, contribution, bequest or financial aid which may be made to the Authority shall be exempt from taxes of any kind and shall constitute allowable deductions in full from the income of the donors or givers for income tax purposes.

SEC. 15. Transitory Provision. — The properties, rights, obligations and liabilities of the Tondo Foreshore Urban Renewal Project shall be transferred to the Authority.

SEC. 16. Repealing Clause. — All laws, executive orders, administrative issuance, rules and regulations inconsistent with the foregoing provisions are hereby repealed or accordingly modified.

SEC. 17. Separability Clause. — The provisions of this Decree are hereby declared separable, and if any provision of this Decree is held invalid or unconstitutional the remainder thereof shall not be affected.

SEC. 18. Effectivity. — This Decree shall take effect immediately.

Done in the City of Manila, this 30th day of October in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.)

FERDINAND E. MARCOS

President of the Philippines

By the President:

(Sgd.)

ALEJANDRO MELCHOR

Executive Secretary

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