

REMINDER OF THE SUBMISSION OF LWUA REPORTORIAL REQUIREMENTS

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Pursuant to Section 62 of Presidential Decree No. 1981, as amended, the Local Water Utilities Administration (LWUA) has the power and duty to regulate all local water districts (LWDs) including the power and duty to compel LWDs to regularly submit to it reportorial requirements such as:

- a. Monthly Data Sheet;
- b. Financial Statements;
- c. Water Quality Data;
- d. Business Plan;
- e. Water Safety Plan;
- f. Corporate Operating Budget;
- g. Gender and Development Plan and Budget & Accomplishment Report;
- h. Performance Targets.

The Office of the Government Corporate Counsel (OGCC) in its Opinion No. 058, series of 2018, dated 27 March 2018 opined as follows:

“Accordingly, it is our considered view that LWUA can compel LWDs which have existing JVAs with private entities to regularly submit their reportorial requirements as mandated by PD 198, as amended(,) without violating the confidentiality provisions in their respective JVAs.”

In this regard, LWDs are reminded of their obligation to regularly submit all the LWUA reportorial requirements regardless of the existence of confidentiality provisions in their respective Joint Venture Agreements (JVAs) with private partners. Further, reports submitted by the private partners to LWDs shall not be accepted by the LWUA.

Strict compliance is enjoined.

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