AMENDMENT TO AO 82-01 SERIES OF 1982 TO INCLUDE DEFINITION FOR PARTIAL DEVELOPMENT OR PARTIAL COMPLETION

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WHEREAS, Resolution No. 389, Series of 1987 amending AO 82-01, Series of 1982 allows a liberal interpretation of the Rules and Regulations of the Board on Donation of Roads, Parks, Playgrounds, Open Space, Street Lightings and Other Facilities or Service of Subdivision Projects;

WHEREAS, the same resolution failed to define the meaning of partial development or partial completion and this has caused the failure of Local Government Units (LGUs) Private Developers and HLRB Regional Officers to resolve issues related to the same in view of the absence of a clear definition;

NOW, THEREFORE, be it RESOLVED as it is hereby RESOLVED to have a uniform basis for actions and decisions by the Board related to partial development or partial completion, that Sec. 5, Rule II, "Definition of Terms", of HSRC AO 82-01, Series of 1982 be amended to include the following definition:

"Partial Development/Partial Completion" shall mean the full completion of a particular or specified subdivision facility as indicated in the approved subdivision plan or as represented by the developer in its advertisements which is made operational and usable apart from or ahead of other facilities.

It shall also mean the full completion of a segment or portion of a facility in accordance with the approved plans and specifications provided that the said segment/s is made operational and usable. Provided, further, that in all cases the operation and use of a partially completed or partially developed facility is not impaired, hindered, or made unsafe by the uncompleted portions of that facility. Roads however, shall connect to a public road or right-of-way and drainage to the appropriate existing drainage system as indicated in the approved plans.

A particular subdivision facility may be issued a certificate of partial development/partial completion and be donated in accordance with Sec. 31 of PD 957 (Donation of Roads and Open Spaces to Local Governments) as amended by PD 1216.

The following subdivision facilities may be issued partial development/partial completion certificate:

a. roads including drainage system

b. water supply system

c. electrical/power facilities and street lights

d. parks and playgrounds facilities

e. other similar/analogous facilities identified in approved plans, brochures and other advertisements.

Adopted: 11 Apr. 1994

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