

REPUBLIC ACT No. 7924

AN ACT CREATING THE METROPOLITAN MANILA
DEVELOPMENT AUTHORITY, DEFINING ITS POWERS
AND FUNCTIONS, PROVIDING FUNDS THEREFOR AND
FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representatives of the
Philippines in Congress assembled:*

SECTION 1. *Declaration of Policy.* – It is hereby declared to be the policy of the State to treat Metropolitan Manila as a special development and administrative region and certain basic services affecting or involving Metro Manila as metro-wide services more efficiently and effectively planned, supervised and coordinated by a development authority as created herein, without prejudice to the autonomy of the affected local government units.

Pursuant to this policy, Metropolitan Manila, as a public corporation created under Presidential Decree No. 824, embracing the cities of Caloocan, Manila, Mandaluyong, Makati, Pasay, Pasig, Quezon, and Muntinlupa, and the municipalities of Las Piñas, Malabon, Marikina, Navotas, Parañaque, Pateros, San Juan, Tagig, and Valenzuela, is hereby constituted into a special development and administrative region subject to direct supervision of the President of the Philippines.

SEC. 2. *Creation of the Metropolitan Manila Development Authority.* – The affairs of Metropolitan Manila shall be administered by the Metropolitan Manila Development Authority, hereinafter referred to as the MMDA, to replace the Metro Manila Authority (MMA) organized under Executive Order No. 392, series of 1990.

The MMDA shall perform planning, monitoring and coordinative functions, and in the process exercise regulatory and

supervisory authority over the delivery of metro-wide services within Metro Manila without diminution of the autonomy of the local government units concerning purely local matters.

SEC. 3. *Scope of MMDA Services.* – Metro-wide services under the jurisdiction of the MMDA are those services which have metro-wide impact and transcend local political boundaries or entail huge expenditures such that it would not be viable for said services to be provided by the individual local government units (LGUs) comprising Metropolitan Manila. These services shall include:

(a) Development planning which includes the preparation of medium and long-term development plans; the development, evaluation and packaging of projects; investments programming; and coordination and monitoring of plan, program and project implementation.

(b) Transport and tariff management which include the formulation, coordination, and monitoring of policies, standards, programs and projects to rationalize the existing transport operations, infrastructure requirements, the use of thoroughfares, and promotions of safe and convenient movement of persons and goods; provision for the mass transport system and the institution of a system to regulate road users; administration and implementation of all traffic enforcement operations, traffic engineering services and traffic education programs, including the institution of a single ticketing system in Metropolitan Manila.

(c) Solid waste disposal and management which include formulation and implementation of policies, standards, programs and projects for proper and sanitary waste disposal. It shall likewise include the establishment and operation of sanitary land fill and related facilities and the implementation of other alternative programs intended to reduce, reuse and recycle solid waste.

(d) Flood control and sewerage management which include the formulation and implementation of policies, standards, programs and projects for an integrated flood control, drainage and sewerage system.

(e) Urban renewal, zoning, and land use planning, and shelter services which include the formulation, adoption and implementation of policies, standards, rules and regulations, programs and projects to rationalize and optimize urban land use and provide direction to urban growth and expansion, the rehabilitation and development of slum and blighted areas, the development of shelter and housing facilities and the provision of necessary social services thereof.

(f) Health and sanitation, urban protection and pollution control which include the formulation and implementation of policies, rules and regulations, standards, programs and projects for the promotion and safeguarding of the health and sanitation of the region and for the enhancement of ecological balance and the prevention, control and abatement of environmental pollution.

(g) Public safety which includes the formulation and implementation of programs and policies and procedures to achieve public safety, especially preparedness for preventive or rescue operations during times of calamities and disasters such as conflagrations, earthquakes, flood and tidal waves, and coordination and mobilization of resources and the implementation of contingency plans for the rehabilitation and relief operations in coordination with national agencies concerned.

SEC. 4. *Metro Manila Council.* – The governing board and policy making body of the MMDA shall be the Metro Manila Council, composed of the mayors of the eight (8) cities and nine (9) municipalities enumerated in Section 1 hereof, the president of the Metro Manila Vice Mayors League and the president of the Metro Manila Councilors League.

The heads of the Department of Transportation and Communications (DOTC), Department of Public Works and Highways (DPWH), Department of Tourism (DOT), Department of Budget and Management (DBM), Housing and Urban Development Coordinating Committee (HUDCC), and Philippine National Police (PNP) or their duly authorized representatives, shall attend meetings of the council as non-voting members.

The Council shall be headed by a chairman, who shall be appointed by the President and who shall continue to hold office at the discretion of the appointing authority. He shall be vested with the rank, rights, privileges, disqualifications, and prohibitions of a cabinet member.

The chairman shall be assisted by a general manager, an assistant general manager for finance and administration, an assistant general manager for planning and assistant general manager for operations, all of whom shall be appointed by the President with the consent and concurrence of the majority of the Council, subject to civil service laws, rules and regulations. They shall enjoy security of tenure and may be removed for cause in accordance with law.

The assistant general manager for planning must have not less than five (5) years extensive experience in development and planning or must hold a master's degree in urban planning or similar disciplines.

The chairman and members of the Council shall be entitled to allowance and *per diems* in accordance with existing policies, rules and regulations on the matter.

SEC. 5. Functions and Powers of the Metro Manila Development Authority. – The MMDA shall:

(a) Formulate, coordinate and regulate the implementation of medium and long-term plans and programs for the delivery of metro-wide services, land use and physical development within Metropolitan Manila, consistent with national development objectives and priorities;

(b) Prepare, coordinate and regulate the implementation of medium-term investment programs of metro-wide services which shall indicate sources and uses of funds for priority programs and projects, and which shall include the packaging of projects and presentation to funding institutions;

(c) Undertake and manage on its own metro-wide programs and projects for the delivery of specific services under its

jurisdiction, subject to the approval of the Council. For this purpose, MMDA can create appropriate project management offices;

(d) Coordinate and monitor the implementation of such plans, programs and projects in Metro Manila; identify bottlenecks and adopt solutions to problems of implementation;

(e) The MMDA shall set the policies concerning traffic in Metro Manila, and shall coordinate and regulate the implementation of all programs and projects concerning traffic management, specifically pertaining to enforcement, engineering and education. Upon request, it shall be extended assistance and cooperation, including but not limited to, assignment of personnel, by all other government agencies and offices concerned;

(f) Install and administer a single ticketing system, fix, impose and collect fines and penalties for all kinds of violations of traffic rules and regulations, whether moving or non-moving in nature, and confiscate and suspend or revoke drivers' licenses in the enforcement of such traffic laws and regulations, the provisions of RA 4136 and PD 1605 to the contrary notwithstanding. For this purpose, the Authority shall enforce all traffic laws and regulations in Metro Manila, through its traffic operation center, and may deputize members of the PNP, traffic enforcers of local government units, duly licensed security guards, or members of non-governmental organizations to whom may be delegated certain authority, subject to such conditions and requirements as the Authority may impose; and

(g) Perform other related functions required to achieve the objectives of the MMDA, including the undertaking of delivery of basic services to the local government units, when deemed necessary subject to prior coordination with and consent of the local government unit concerned.

SEC. 6. *Functions of the Metro Manila Council.* –

(a) The Council shall be the policy-making body of the MMDA.

(b) It shall approve metro-wide plans, programs and projects and issue rules and regulations and resolutions deemed necessary by the MMDA to carry out the purposes of this Act.

(c) It may increase the rate of allowances and *per diems* of the members of the Council to be effective during the term of the succeeding Council. It shall fix the compensation of the officers and personnel of the MMDA, and approve the annual budget thereof for submission to the Department of Budget and Management (DBM).

(d) It shall promulgate rules and regulations and set policies and standards for metro-wide application governing the delivery of basic services, prescribe and collect service and regulatory fees, and impose and collect fines and penalties.

SEC. 7. *Functions of the Chairman.* – The chairman shall:

(a) Appoint, subject to civil service laws, rules and regulations, all subordinate officers and employees, who shall enjoy security of tenure and may be removed only for cause in accordance with law. The chairman is hereby authorized to engage the services of experts/consultants either on full time or part-time basis, as may be required in the performance of his functions and duties as may be determined by him;

(b) Execute the policies and measures approved by the Metro Manila Council and be responsible for the efficient and effective day-to-day management of the operations of the MMDA;

(c) Prepare the annual budget for the operations of the MMDA for submission to the Council;

(d) Submit for consideration of the Council such other policies and measures as he may deem necessary to carry out the purposes and provisions of this Act;

(e) Subject to the guidelines and policies set by the Council, prepare the staffing pattern and fix the number of subordinate officials and employees of the MMDA; and exercise the power to discipline subordinate officials and employees under the provisions of law;

(f) Prepare an annual report on the accomplishments of the MMDA at the close of each calendar year for submission to the Council and to the President of the Philippines; and

(g) Perform such other duties as may be assigned to him by the President or by the Council.

SEC. 8. *Functions of the General Manager.* – The general manager shall:

(a) Assist the chairman in the administration of the MMDA and supervision of subordinate personnel;

(b) Assist the chairman in the supervision of the operation of the various operating centers and units of MMDA;

(c) Assist the chairman in the review of plans and programs for the MMDA and for Metro Manila in the preparation of the annual report of activities and accomplishments of the MMDA; and

(d) Perform such other duties and functions as may be lawfully delegated or assigned by the chairman from time to time.

SEC. 9. *Institutional Linkages of the MMDA.* – The MMDA shall, in carrying out its functions, consult, coordinate and work closely with the LGUs, the National Economic and Development Authority (NEDA) and other national government agencies mentioned in Section 4 hereof, and accredited people's organizations (POs), nongovernmental organizations (NGOs), and the private sector operating in Metro Manila. The MMDA chairman or his authorized representative from among the Council members, shall be *ex officio* member of the boards of government corporations and committees of the departments and offices of government whose activities are relevant to the objectives and responsibilities of the MMDA which shall include but not limited to Metropolitan Waterworks and Sewerage System (MWSS), DOTC, DPWH, HUDCC and Department of the Interior and Local Government (DILG).

The MMDA shall have a master plan that shall serve as the framework for the local development plans of the component LGUs.

The MMDA shall submit its development plans and investment programs to the NEDA for integration into the Medium-Term Philippine Development Plan (MTPDD) and public investment program.

The implementation of the MMDA's plans, programs, and projects shall be undertaken by the LGU's, the concerned national government agencies, the POs, NGOs and the private sector and the MMDA itself where appropriate. For this purpose, the MMDA may enter into contracts, memoranda of agreement and other cooperative arrangements with these bodies for the delivery of the required services within Metropolitan Manila.

The MMDA shall, in coordination with the NEDA and the Department of Finance, interface with the foreign assistance agencies for purposes of obtaining financing support, grants and donations in support of its programs and projects.

SEC. 10. Sources of Funds and the Operating Budget of MMDA:

(a) To carry out the purposes of this Act, the amount of One billion pesos (₱1,000,000,000) is hereby authorized to be appropriated for the initial operation of the MMDA. Thereafter, the annual expenditures including capital outlays of the MMDA shall be provided in the General Appropriations Act.

(b) The MMDA shall continue to receive the Internal Revenue Allotment (IRA) currently allocated to the present MMA.

(c) The MMDA is likewise empowered to levy fines, and impose fees and charges for various services rendered.

(d) Five percent (5%) of the total annual gross revenue of the preceding year, net of the internal revenue allotment, or each local government unit mentioned in Section 2 hereof, shall accrue

and become payable monthly to the MMDA by each city or municipality. In case of failure to remit the said fixed contribution, the DBM shall cause the disbursement of the same to MMDA chargeable against the IRA allotment of the city or municipality concerned, the provisions of Section 286 of RA 7160 to the contrary notwithstanding.

SEC. 11. *Transitory Provisions.* – To prevent disruption in the delivery of basic urban services pending the full implementation of the MMDA's organizational structure and staffing pattern, all officials and employees of the interim MMA shall continue to exercise their duties and functions and receive their salaries and allowances until they shall have been given notice of change of duties and functions, and of being transferred to another office or position.

All assets and properties presently in use or under the accountability of the interim MMA and all its obligations, indebtedness, or liabilities shall be transferred to and assumed by the MMDA created under this Act, subject to the conditions that may be established by the Department of Budget and Management, Office of the President, and Commission on Audit.

The civil service laws, rules and regulations pertinent to the displacement of personnel affected by this Act shall be strictly enforced. The national government shall provide such amounts as may be necessary to pay the benefits accruing to displaced employees at the rate of one and one-fourth (1 1/4) month's salary for every year of service: *Provided, That*, if qualified for retirement under existing retirement laws, said employees may opt to receive the benefits thereunder.

SEC. 12. *Repealing Clause.* – Executive Order No. 392 dated January 9, 1990 is hereby repealed. All other laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with or contrary to the provisions of this Act are hereby repealed or modified accordingly.

SEC. 13. *Separability Clause.* – If any part or provision of this Act is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days following completion of its publication in at least two (2) newspapers of general circulation.

Approved, March 1, 1995.