

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Cotabato City

SECOND PARLIAMENT
Second Regular Session

Parliament Bill No. 238

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION
RECEIVED
Name: Abdul Al-Barry H. Dipatuan Signature: 
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Introduced by
MP AMILBAHAR S. MAWALLIL,
Co-authored by
**MPs LAISA M. ALAMIA, BAIN TAN A. AMPATUAN, RASOL Y. MITMUG, JR.,
DON MUSTAPHA A. LOONG, SUHARTO M. AMBOLOD TO, RASUL E. ISMAEL
HASHEMI N. DILANGALEN, HAMID U. MALIK**

AN ACT
**MANDATING THE ESTABLISHMENT OF RAINWATER HARVESTING
FACILITIES IN ALL INDUSTRIAL, COMMERCIAL, AND
AGRICULTURAL INFRASTRUCTURE DEVELOPMENT PROJECTS IN
THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE


The Bangsamoro Autonomous Region, known for its rich natural resources and agricultural productivity, has been facing significant challenges related to water scarcity and accessibility. The region's reliance on rain-fed agriculture, coupled with erratic rainfall patterns and climate change impacts, has led to water stress, affecting livelihoods and economic activities. Additionally, the rapid growth of industrial and commercial sectors has further exacerbated the demand for water resources.

Rainwater harvesting is a sustainable and cost-effective solution that can help mitigate water scarcity issues by capturing and storing rainwater for later use. By mandating the incorporation of rainwater harvesting facilities in infrastructure development projects, we can harness the region's abundant rainfall and make better use of this valuable resource.

This measure aims to enhance water security by diversifying the water supply sources. The captured rainwater can supplement the existing water sources, reducing dependence on groundwater and surface water, especially during dry periods.

Rainwater harvesting promotes sustainable water management practices by reducing the strain on existing water resources. It contributes to water conservation, minimizes runoff and erosion, and protects natural ecosystems.

Bangsamoro Transition Authority
OFFICE OF MP AMIR S. MAWALLIL
RELEASED

Date: 8/3/23
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Signature: 

Aside from this, rainwater harvesting facilities can be integrated into irrigation systems, cooling processes, and other water-intensive activities in industrial, commercial, and agricultural projects. Thus, this measure encourages efficient water use, thereby reducing overall water demand and improving water-use efficiency.

By implementing this measure, we can foster a culture of responsible water management, harnessing the abundance of rainwater in the BARMM and ensuring a more resilient and sustainable future for generations to come.

In view of the foregoing, the passage of this bill is earnestly sought.

AMILBAHAR S. MAWALLIL
Member of the Parliament

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BE IT ENACTED by the Bangsamoro Transition Authority in Parliament assembled:

Section 1. Title. This act shall be known as the "*Bangsamoro Rainwater Harvesting Facility Act of 2023.*"

Section 2. Declaration of Policy. It hereby declared the policy of the Bangsamoro Government to explore, develop, and utilize the natural resources found within the Bangsamoro Autonomous Region, including its renewable and nonrenewable resources. Pursuant thereto, it shall promote and support water conservation technologies and approaches through the development, promotion, and implementation of water conservation measures and practices, including rainwater harvesting.

Towards this end, it shall mandate the construction of reservoirs in all infrastructure development projects in the region that will harvest and store rainfall and runoff for irrigation, the prevention of land degradation and protection of the environment, and to protect the livelihood of farmers.

Section 3. Definition of Terms. – As used in this Act:

- a. Rainwater Harvesting Facility – refers to a flood control structure and multi-use water catchment area used to prevent or delay the release of rainwater into the public drainage system.
- b. Small Water Impounding Project (SWIP) – an earth-filled structure with a height of 5-15 meters constructed across narrow valleys or depressions to create a reservoir that will harvest and store rainfall and runoff for immediate or future use.
- c. Small Farm Reservoir (SFR) – impounding and storage facility with concrete or plastic as lining and protection of embankment. These are used to collect rainfall and run-off for immediate and future agricultural use.
- d. Return period – refers to the average length of time in years for a rain-related natural disaster of a given magnitude to be equaled or exceeded by the length of time that a rainwater-related disaster may probably occur.

Section 4. Coverage. – This Act shall cover the implementation of rainwater harvesting facilities, including a) new construction, b) improvement, and c) rehabilitation of existing and future systems for all industrial and commercial infrastructure projects, and agricultural commodities within the Bangsamoro Autonomous Region in Muslim Mindanao.

Section 5. Rainwater Harvesting Facility Requirement. - An owner or developer of an industrial or commercial infrastructure development project with an area of at least one thousand five hundred (1,500) square meters shall reserve, develop, and maintain a Small Water Impounding Project (SWIP) as rainwater harvesting facility.

The owner or developer of an ongoing industrial or commercial infrastructure development project that has no existing provision for rainwater harvesting facility shall build the facility within a period of three (3) years from the effectivity of this Act.

Individual farmers with a minimum of 0.5 hectare production area, or a group of farmers with a minimum of 2.5 ha production area and have a common site for a Small Farm Reservoir shall be provided with SFR.

Section 6. Responsibilities of Farmer-Beneficiaries. – The projects' recipients shall have the following responsibilities:

- A. Learn the basic troubleshooting and maintenance of their rainwater harvesting facility and continuously capacitate themselves through trainings to be provided by the MAFAR and other agencies; and
- B. Shoulder the costs for operation and maintenance and repair, except in the event of force majeure.

Section 7. Design Approval. – The provision for a rainwater harvesting facility shall be required and/or provided by the Ministry of Agriculture, Fisheries, and Agrarian Reform (MAFAR) to be incorporated in the design of all new industrial, commercial, and agricultural development projects, and no project design shall be approved for construction unless it includes such facility. The MAFAR, in close coordination with concerned constituent LGUs, shall ensure that these facilities are built during the construction phase of the projects.

Section 8. Design Requirements. – The rainwater harvesting facility must be designed to cope with a rain return period and must have a storage capacity prescribed by the MAFAR, in consultation with the Ministry of Public Works (MPW). The design of the rainwater harvesting facility shall include the following:

- a. Size, shape, and physical characteristics of available space;
- b. Construction plans with specified material types, including lining and coating requirements; and
- c. Detailed drawing on how the installation will drain into an outfall structure such as drywell or percolation chamber, storm drain system, drainage, channel, or natural wash.

Section 9. Building Permits. – If the design of a new industrial and commercial infrastructure project with an area of at least one thousand five hundred (1,500) square meters does not provide for a rainwater harvesting facility, the LGU concerned shall deny the request for the issuance of a building permit for such project.

Section 10. Implementing Rules and Regulations. Within ninety (90) days upon approval of this Act, the Ministry of Agriculture, Fisheries, and Agrarian Reform, in coordination with relevant agencies and stakeholders, shall promulgate the necessary rules and regulations for the effective implementation of the provisions of this Act.


Section 11. Separability Clause. If any section or part of this Act is held unconstitutional or invalid, all other sections or provisions not otherwise affected shall remain in full force and effect.

Section 12. Repealing Clause. All ordinances, executive orders, administrative orders, or other rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Section 13. Effectivity. This Act shall take effect fifteen (15) days after publication in a newspaper of general circulation in the region.

Approved,

Author/s:


AMILBAHAR S. MAWALLIL
Member of the Parliament

Certified correct:

PROF. RABY B. ANGKAL
Secretary-General

Attested by:

ATTY. PANGALIAN M. BALINDONG
Speaker