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Third Regular Session)

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9 SEP -3 P2:01

SENATE

Senate Bill No. 3426

RECEIVED BY

Introduced by **SENATOR PIA S. CAYETANO**

The proposed National Land Use Act (NLUA) seeks to bring to fruition the full implementation and strict compliance of the country's national land use policy. It aims to institutionalize land use and physical planning for the promotion of responsible allocation and proper administration of land resources and our environment, in general.

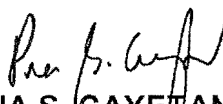
There are already many existing laws and statutes with regard to the proper use of land including the utilization of natural resources. However, there are still many violations committed by many people due to the lack of strict national policy of land use resulting in the devastation of our environment and natural resources.

Many disastrous accidents and tragedies happened in the last few years which cost many lives. Most of these were brought about by the improper use of our environment and natural resources. It should be noted that if we will continue to do this, our children and the succeeding generations will be affected, or worse, become the unwitting victims.

With this measure, national and local Comprehensive Land Use Plans will be formulated following a combined bottom-up and top-down approach. A Land Use Policy Council (LUPC) will be created as a committee under the National Economic Development Authority (NEDA) Board. The committee is responsible, among others, to prepare, periodically review, and update the national framework for physical planning to provide the general framework for the spatial development directions and policy guidelines on settlement development, production land use, protection land use and infrastructure development for the entire country and sub-national levels.

A national land use policy is needed to harmonize the reasonable claims of all those who hold interest on land, and to safeguard and promote the general welfare of both present and future generations through the proper management of land resources.

In view of the foregoing, the passage of this measure is earnestly urged.


PIA S. CAYETANO
Senator

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Senate Bill No. 3426

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Introduced by **SENATOR PIA S. CAYETANO**

**AN ACT
INSTITUTING A NATIONAL LAND USE POLICY, PROVIDING THE
IMPLEMENTING MECHANISMS THEREFOR, AND FOR OTHER PURPOSES**

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

**CHAPTER I
INTRODUCTORY PROVISIONS**

SECTION 1. Title.- This Act shall be known and cited as the "National Land Use Act of the Philippines."

SEC. 2. Declaration of Policies and Principles.- It is the policy of the State to provide for a rational, holistic, and just allocation, utilization, management, and development of the country's land resources to ensure their optimum use is consistent with the principle of sustainable development.

The state recognizes the need for rational, optimal, and sustainable settlements development and shall allocate lands for urban uses and new town development, consistent with the principles of environmental management and equitable access to land and security.

Toward this end, the State shall institutionalize land use and physical planning as a mechanism for identifying, determining, and evaluating alternative land use and allocation patterns that promote and ensure:

- a) Sustainable and just management and utilization of natural resources;
- b) Maintenance and preservation of environmental integrity and stability;
- c) Food and energy security in basic food commodities with emphasis on self-sufficiency in rice and corn production through efficient and sustainable use of land resources consistent with the principles of sound agricultural development, natural resources development, and agrarian reform;
- d) Protection of prime agricultural lands for food production activities and highest priority to the completion of the Comprehensive Agrarian Reform Program (CARP);
- e) Sustainable development and management of water resources towards water security;
- f) Rational population distribution and settlements development that will ensure adequate land allocation for government mass housing programs;
- g) Spatial integration that links consumption and production areas to achieve physical and economic integration through appropriate infrastructure systems;

- 1 h) Equitable and sustainable economic growth and balanced and dispersed
2 industrial and tourism development guided by the principles of agrarian
3 reform, urban land reform, and rural development;
4 i) Private-public partnership where government provides the appropriate policy,
5 legal and institutional framework to guide the private sector's management of
6 resources;
7 j) Harmony between the rights and the varied interests of every Filipino within
8 the framework of people empowerment, decentralization, social justice, and
9 equity;
10 k) Respect for and protection of the sustainable traditional resource rights of the
11 Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their
12 ancestral domains to ensure their economic, social, and cultural well-being as
13 well as recognition of the applicability of customary laws and sustainable
14 traditional resource use and management, knowledge, and practices in
15 ancestral domains;
16 l) Protection of the rights of basic sectors to equitable access to the country's
17 land and other resources through State regulation of land valuation to prevent
18 uncontrolled land speculation resulting in tremendous increase in land pricing;
19 m) Protection, conservation, and preservation of the Filipino historical, cultural,
20 and built heritage and resources for the deeper understanding of our history
21 and culture as a people;
22 n) Attainment of energy security or energy self-sufficiency through sustainable
23 and priority development of indigenous energy resources;
24 o) Market orientation where the interplay of market forces within the framework
25 of ecological and intergenerational factors is encouraged and adopted as the
26 basic parameter in achieving efficiency in land use and allocation.
27

28 It is also the policy of the State to ensure that local government units (LGUs)
29 share with the national government the responsibility of managing and maintaining
30 ecological balance within their territorial jurisdiction as stated in the Constitution and the
31 1991 Local Government Code or RA 7160.
32

33 Guided by the principle that the use of land bears a social function and that all
34 economic agents shall contribute to the common good, landowners, land tenure
35 holders, in the case of forestlands, be it an individual, communal, corporate or group
36 shall be held responsible for developing and conserving their lands thereby making their
37 lands productive and supportive of environmental stability.
38

39 **SEC. 3. Scope.-** This Act shall apply to all lands whether public, private,
40 government-owned, and/or in the possession of individuals, communities, indigenous
41 peoples, or groups of people, to guide and govern the use, allocation, development and
42 management of land resources including such activities that bear impact on said
43 resources.
44

45 CHAPTER II 46 DEFINITIONS

47
48 **SEC. 4. Definitions.** As used in and for purposes of this Act, the following
49 terms shall mean:
50

51 a) **"Agricultural Land"** shall refer to lands devoted to or suitable for the
52 cultivation of the soil, planting of crops, growing of fruit trees, raising of livestock,
53 poultry, fish or aqua-culture production, including the harvesting of such farm products,
54 and other farm activities and practices performed in conjunction with such farming
55 operations done by persons whether natural or juridical and not classified by law as
56 mineral land, forest land, residential land, commercial land, or industrial land;

57 b) **"Agricultural Land Use Conversion"** shall refer to the undertaking of

1 any development activity which modifies or alters the physical characteristics of
2 agricultural lands to render them suitable for non-agricultural purposes with an
3 approved order of conversion issued exclusively by the Department of Agrarian Reform
4 (DAR);

5 c) **“Alienable and Disposable (A&D) lands”** shall refer to lands of the
6 public domain which have been delineated, classified, and certified as open and
7 available for disposition under the provisions of Commonwealth Act No.141, otherwise
8 known as the "Public Land Act," as amended;

9 d) **“Ancestral Domains”** shall refer to all areas generally belonging to
10 ICCs/IPs as defined in Republic Act No. 8371, otherwise known as the "Indigenous
11 Peoples Rights Act (IPRA) of 1998;"

12 e) **“Coastal Area/Zone”** shall refer to a band of dry land and the adjacent
13 ocean space (water and submerged land) in which terrestrial processes and uses
14 directly affect oceanic processes and uses, and vice versa. Its geographic extent may
15 include areas within a landmark limit of one (1) kilometer from the shoreline at high tide
16 to include mangrove swamps, brackish water ponds, *nipa* swamps, estuarine rivers,
17 sandy beaches and other areas within a seaward limit of 200 meters isobath to include
18 coral reefs, algal flats, seagrass beds, and other soft-bottom areas. For purposes of
19 initiating and implementing sustainable coastal resources protection and management,
20 it shall include foreshore lands;

21 f) **“Comprehensive Land Use Plan or CLUP”** shall refer to a document
22 embodying a set of policies, accompanied by maps and similar illustrations, that serves
23 as principal basis for determining the future land use of lands and natural resources for
24 production and protection purposes within the territorial jurisdiction of the city or
25 municipality. It represents the community-desired pattern of population distribution and
26 proposes future allocation of land resources to various land-using activities. It identifies
27 the allocation, character, and extent of the areas of land resources to be used for
28 different purposes and includes the processes and the criteria employed in the
29 determination of the land use. It has a long-term perspective, encompassing a
30 minimum of three (3) terms of local elective officials.

31 g) **“Critical Habitats”** shall refer to areas outside protected areas under the
32 National Integrated Protected Areas System (NIPAS) Act of 1992 or RA 7586 that are
33 known habitats of threatened species and designated as such based on scientific data
34 taking into consideration species endemicity and/or richness, presence of human-made
35 pressures/threats to the survival of wildlife living in the area, among others;

36 h) **“Critical Watershed”** shall refer to a drainage area of a river system
37 supporting existing and proposed hydro-electric power, irrigation works or existing water
38 facilities needing immediate protection and rehabilitation as it is being subjected to fast
39 denudation causing accelerated erosion, destructive floods and polluted water;

40 i) **“Cultural Heritage”** shall refer to the totality of cultural properties
41 preserved and developed through time and passed on for posterity;

42 j) **“Customary Laws”** shall refer to a body of written and/ or unwritten
43 rules, usages, customs and practices traditionally and continually recognized, accepted,
44 and observed by respective ICCs/IPs consistent with the IPRA;

45 k) **“Development Plan”** shall refer to a document that defines the activities
46 or measures that the national government or local government units (LGUs) intend to
47 implement in order to achieve a defined set of development goals. It integrates the
48 socio-economic and sectoral plans of the national government or its instrumentality or a
49 particular LGU with spatial plans such as land use or physical framework plans. It may
50 include an analysis of problems and resources, definition of goals and objectives, policy
51 guidelines, project and target achievements, and an implementation mechanism which
52 defines the roles and contributions expected from the government and the private
53 sector;

54 l) **“Ecologically-fragile Lands”** shall refer to lands within the critical
55 watershed, brackish and freshwater wetlands, pasture lands, and croplands which
56 require rehabilitation and whose continued unsustainable use would adversely affect
57 the productivity of lowland agricultural areas and the stability of the upland ecosystem;

1
2 m) **"Ecotourism"** shall refer to sustainable tourism or travel to a given
3 natural area with exotic or threatened ecosystems or a heritage area to observe wildlife
4 or to help preserve nature, in the process providing for community participation;
5 protection and management of natural resources, culture and indigenous knowledge
6 systems and practices; environmental education and ethics; as well as economic
7 benefits fostered and pursued for the enrichment of host communities and the
8 satisfaction of visitors;

9 n) **"Energy Resource Lands"** shall refer to lands where naturally occurring
10 or indigenous energy resources exist in sufficient quantity or quality as to be
11 economically viable for exploration, development, production, utilization, and distribution
12 process;

13 o) **"Energy Resources"** shall refer to surface or subsurface substances that
14 serve as energy sources. These are traditionally mineral fuel deposits such as coal,
15 petroleum, natural gas or renewable resources from geothermal, hydro reservoirs, or
16 non-conventional sources such as ocean waves, solar, wind, biomass, and other similar
17 resources which serve the same purpose;

18 p) **"Environmentally Critical Areas"** shall refer to areas declared by law as:
19 (a) areas for natural parks, watershed reserves, wildlife preserves, and sanctuaries; (b)
20 areas set aside as aesthetic potential tourist spots; (c) areas which constitute the
21 habitat of any endangered or threatened species or indigenous Philippine wildlife (flora
22 and fauna); (d) areas of unique historic, archaeological, or scientific interests; (e) areas
23 which are traditionally occupied by ICCs/IPs; (f) areas with critical slopes; (g) areas
24 frequently visited and/or hard hit by natural calamities (geologic hazards, floods,
25 typhoons and volcanic activities); (h) prime agricultural lands; (i) recharge areas of
26 aquifers; (j) water bodies; (k) mangrove areas; (l) coral reefs; (m) mossy and virgin
27 forests; (n) rivers and river banks; (o) swamp forest and marshlands; and (p) foreshore
28 lands. This term shall also include other terrestrial, aquatic and marine areas that need
29 special protection and conservation measures because they are ecologically fragile or
30 they are needed for food security and food self sufficiency as determined by concerned
31 agencies and LGUs in consultation with the concerned sectors;

32 q) **"Estuary"** shall refer to a wetland type where the river mouth widens into
33 a marine ecosystem, the salinity of which is intermediate between salt and freshwater
34 where tidal action is an important biophysical regulator;

35 r) **"Exhausted Mineral Resources"** shall refer to a situation where the
36 mineral resources in specific sites are no longer in sufficient quantity or quality to justify
37 additional expenditure for extraction or utilization;

38 s) **"Food Security"** shall refer to the policy objective of meeting the food
39 availability, accessibility, quality and affordability requirements of the present and future
40 generations of Filipinos in a sustainable manner, through local production or
41 importation, only when there is shortage established based on a micro level situation, or
42 both, based on the country's existing and potential resource endowments and related
43 production advantages, and consistent with the overall national development objectives
44 and policies;

45 t) **"Food Self-sufficiency"** shall refer to the policy objective of meeting the
46 food requirements through intensive local food production in a sustainable manner
47 based on the country's existing and potential resource endowments and related
48 production advantages;

49 u) **"Forestlands"** shall refer to lands of the public domain which have been
50 classified or declared as such and all unclassified lands of the public domain. They
51 include the public forest, the permanent forest or forest reserves, and forest
52 reservations;

53 v) **"Foreshore Land"** shall refer to a string of land margining a body of
54 water, the part of a seashore between the low-water line usually at the seaward margin
55 of a low tide terrace and the upper limit of wave wash at high tide usually marked by a
56 beach scarp or berm;

57 w) **"Framework for Physical Planning"** shall refer to an indicative plan

1 promoting the most appropriate and rational use of land and other physical resources. It
2 provides policy guidelines for all decisions relating to land use and environmental
3 management to prevent or mitigate the adverse effects of inappropriate resource
4 utilization on food security, the people's welfare and their environment. It embodies both
5 policies and strategies necessary to carry out goals and objectives;

6 x) **"Geo-hazards"** shall refer to natural and human-induced geological
7 processes that have potential to cause destruction and pose a threat or risk to human's
8 life and property;

9 y) **"Geo-hazard Areas"** shall refer to areas frequently visited and/or
10 vulnerable or prone to experience weather/climatic, hydrologic, geologic, and other
11 natural calamities;

12 z) **"Illegal Conversion"** shall refer to any activity that modifies or alters the
13 physical characteristics of agricultural lands to render them suitable for non-agricultural
14 purposes without an approved order of conversion from the DAR Secretary;

15 aa) **"Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)"**
16 shall refer to groups of people or homogenous societies identified under the Indigenous
17 Peoples Rights Act or RA 8371;

18 bb) **"Indigenous Energy Resources"** shall refer to energy resources which
19 originate or occur naturally in the Philippines;

20 cc) **"Inland Waters"** shall refer to waters which are not coastal and marine
21 waters and not subject to acquisitive prescription consistent with the provisions of
22 Presidential Decree No. 1067, otherwise known as the "Water Code of the Philippines";

23 dd) **"Inter-tidal Sandflat"** shall refer to a juvenile fish-feeding area and
24 habitat for crustaceans. The littoral gravel and sand biotopes are also used by important
25 wintering ground and roosting/feeding grounds of indigenous migratory birds.

26 ee) **"Integrated Watershed Management"** shall refer to a planning strategy
27 or program for watershed areas that complement environmentally-sound soil and water
28 management practices with mechanisms for ensuring greater responsibility,
29 involvement, or participation of individuals, groups, communities and other stakeholders
30 benefiting from these areas and water-related infrastructure;

31 ff) **"Key Biodiversity Areas"** shall refer to sites that are globally significant for
32 biodiversity conservation primarily containing species that require site-scale
33 conservation to prevent extinction in the short-term and medium-term. Such species
34 may be globally threatened, restricted-range and/or globally significant congregations of
35 species;

36 gg) **"Lagoon"** shall refer to a semi-enclosed coastal basin with limited
37 freshwater input, high salinity and restricted circulation which often lies behind sand
38 dunes. It is often highly productive, being a habitat for a variety of plants and animals,
39 serving as nurseries of prawns and shrimps and also a site for harbor, aquaculture,
40 industry and recreation;

41 hh) **"Land"** shall refer to resources, both human-made and natural, found on
42 the surface, below, and above the ground including inland waters and the air therein. In
43 its broadest sense, it shall include all uses, improvements and developments of such
44 resources and may be viewed as a resource, as space, as location, as property and as
45 factor or production or capital;

46 ii) **"Land Use"** shall refer to the manner of utilization of land, including its
47 allocation, development, and management;

48 jj) **"Land Use Classification"** shall refer to the act of delineating or allocating
49 lands according to protection land use, production land use, settlements development,
50 and infrastructure development as defined and provided for in this Act;

51 kk) **"Land Use Sub-classification"** shall refer to the act of determining and
52 assigning specific uses of classified lands of the public domain;

53 ll) **"Land Use Plan"** shall refer to a document embodying a set of policies
54 accompanied by maps and similar illustrations which represent the community-desired
55 pattern of population distribution and a proposal for the future allocation of land to the
56 various land using activities. It identifies the allocation, character and extent of the areas
57 of land resources to be used for different purposes and includes the process and the

1 criteria employed in the determination of the land use;

2
3 mm) **"Land Use Planning"** shall refer to the act of defining the allocation,
4 utilization, development, and management of all land within a given territory or
5 jurisdiction according to the inherent qualities of the land itself and supportive of
6 sustainable economic, demographic, socio-cultural and environmental objectives as an
7 aid to decision-making and legislation;

8 nn) **"Land Use Policy Council"** shall refer to the highest land use policy-
9 making body created under this Act;

10 oo) **"Mandatory Public Consultations"** shall refer to the mechanism to
11 ensure the involvement of affected sectors in land use planning from the local to the
12 national level. It involves giving notice of hearing/consultation to affected sectors
13 through publication or posting in conspicuous places, conduct of a reasonable number
14 of hearings, and solicitation of positions and the public presentation and validation of
15 the planning results before the final adoption of the plans;

16 pp) **"Mass Housing"** shall refer to residential subdivision and condominium
17 projects covered by development permits and licenses to sell, catering to the homeless
18 population to include socialized, economic/low-cost and medium-cost housing
19 beneficiaries with affordabilities as defined from time to time by the Housing and Urban
20 Development Coordinating Council (HUDCC);

21 qq) **"Minerals"** shall refer to all naturally occurring inorganic substance in
22 solid, gas, liquid or intermediate state excluding energy materials such as coal,
23 petroleum, natural gas, radioactive materials and geothermal energy;

24 rr) **"Mineral Exploration"** shall refer to the systematic searching or
25 prospecting for mineral resources;

26 ss) **"Mineral Lands"** shall refer to lands in which minerals exist in sufficient
27 quantity or quality to justify the investment necessary for their extraction and/or
28 development;

29 tt) **"Mudflat"** shall refer to a wetland type that is usually an unvegetated
30 area, dominated by muddy substrate which provides rich feeding grounds for
31 vertebrates such as fish and water birds and also important in preventing soil erosion;

32 uu) **"Multiple Use of Land Resources"** shall refer to the utilization or
33 management strategy for public lands, which allows any activity thereat, involving one
34 or more of its resources, depending on the result of prior evaluation on its numerous
35 beneficial uses, that will produce the optimum benefits to the development and progress
36 of the country and the public welfare without impairment or with the least injury to its
37 other resources;

38 vv) **"National Integrated Protected Areas System or "NIPAS"** shall refer to
39 the classification and administration of all designated protected areas to maintain
40 essential ecological processes and life-support systems, to preserve genetics diversity,
41 to ensure sustainable use of resources found therein, and to maintain their natural
42 conditions to the greatest extent possible;

43 ww) **"National Parks"** shall refer to land of the public domain classified as
44 such in the 1987 Philippine Constitution which include all areas under the National
45 Integrated Protected Areas System pursuant to Republic Act no. 7586 or the "NIPAS"
46 Act of 1992;

47 xx) **"Network of Protected Areas for Agriculture and Agro-industrial
48 Development or "NPAAAD"** shall refer to agricultural areas identified by the
49 Department of Agriculture through the Bureau of Soils and Water Management (BSWM)
50 in coordination with the National Mapping and Resource Information Authority
51 (NAMRIA) in order to ensure the efficient utilization of land for agriculture and agro-
52 industrial development and promote sustainable growth. The NPAAAD covers all
53 irrigated areas; all irrigable lands already covered by irrigation projects with firm funding
54 commitments; all alluvial plains; land highly suitable for agriculture whether irrigated or
55 not; agro-industrial croplands or lands planted to industrial crops that support the
56 validity of existing agricultural infrastructure and agro-based enterprises; highlands or
57 areas located at an elevation of five hundred (500) meters or above and have the

1 potential for growing semi-temperate and high value crops; all agricultural lands that are
2 ecologically fragile the conversion of which will result in serious environmental
3 degradation; and all mangrove areas and fish sanctuaries;

4 yy) "**Non-Government Organization**" shall refer to a private, nonprofit
5 voluntary organization that is committed to the task of political, socio-economic,
6 physical, cultural and environmental development and established primarily to provide
7 service to marginalized sectors in these areas;

8 zz) "**People's Organization**" shall refer to a private, non-profit, voluntary
9 and community-based organization established primarily to provide service to its
10 members and the community in general;

11 aaa) "**Physical Framework Plans**" shall refer to the national, regional or
12 provincial indicative plans embodying both policies and strategies that are prepared by
13 the national, regional and provincial land use policy councils, respectively, to guide the
14 desired direction and growth and to promote and advance appropriate resource
15 utilization as a way of sustaining food security, promoting people's welfare and
16 protection of the environment;

17 bbb) "**Prime Agricultural Land**" shall refer to all irrigated areas, all irrigable
18 lands already covered by irrigation projects with firm funding commitments; all alluvial
19 plain land highly suitable for agriculture whether irrigated or not; agro-industrial
20 croplands or lands presently planted to industrial crops that support the viability of
21 existing agricultural infrastructure and agro-based enterprises, highlands, or areas
22 located at elevation of 500 meters or above and have the potential for growing semi-
23 temperature and high value crops; all agricultural lands that are ecologically fragile, the
24 conversion of which will result in serious environmental degradation; and mangrove
25 areas and fish sanctuaries;

26 ccc) "**Production Land Use**" shall refer to the direct and indirect utilization of
27 land to generate outputs resulting from the following activities: agricultural, fish
28 farming or aquaculture, timber or agro-forestry, grazing and pasture, mining,
29 indigenous energy resource development, industry, and tourism;

30 ddd) "**Protected Areas**" shall refer to portions of land set aside by reason of
31 their unique physical and biological significance, managed to enhance biological
32 diversity, and protected against destructive human exploitation. For purposes of this
33 Act, it shall include agricultural lands identified and delineated under Section 29
34 hereof;

35 eee) "**Protection Land Use**" shall refer to the use of land
36 primarily for rehabilitation, conservation, and protection purposes and the promotion of
37 the country's ecological and life-support systems;

38 fff) "**Public Domain**" shall refer to lands that belong to the State which may be
39 any of the following: agricultural, forest or timber, mineral, or national park as provided
40 for in the Constitution;

41 ggg) "**Public Lands**" shall refer to lands which have not been subject to private
42 property rights or subject to sale or other modes of acquisition or concession under
43 the general laws, and are devoted to public use;

44 hhh) "**Reclassification/Sub-classification of Agricultural Lands**" shall refer
45 to the act of specifying how agricultural lands shall be utilized for non-agricultural uses
46 such as residential, industrial, or commercial purposes through the local planning and
47 zoning processes pursuant to Republic Act No. 7160 or the Local Government Code
48 (LGC) of 1991 and subject to the requirements and procedure for conversion;

49 iii) "**Resettlement Sites**" shall refer to areas identified by the appropriate
50 national agency or by the local government unit, with respect to areas within its
51 jurisdiction, which shall be used for the relocation of the underprivileged and
52 homeless, as defined under Republic Act No. 7279 or the Urban Development and
53 Housing Act (UDHA);

54 jjj) "**Settlements**" shall refer to formal and informal communities or built-up
55 residential areas where people prefer to live in and land areas classified, zoned, or
56 converted for current or future residential or housing development purposes, including
57 socialized housing zones for the homeless and underprivileged;

1 kkk) "**Settlements Development**" shall refer to any improvement on existing
2 formal or informal residential or housing settlements or any proposed development of
3 certain areas for residential or mass housing settlement purposes. It also involves the
4 spatial distribution of population, identification of the roles and functions of key urban
5 centers, determination of relationships among settlement areas, and the provision of
6 basic services and facilities of identified major residential or housing settlement areas
7 or growth centers;

8 lll) "**Shoreline**" shall refer to a strip of land covering at least one (1) kilometer
9 from the point where sea water reaches during the highest high tide;

10 mmm) "**Significant Caves**" shall refer to caves which contain materials or
11 possess features that have archaeological, cultural, ecological, historical or scientific
12 value as determined by the Department of Natural Resources (DENR) in coordination
13 with the scientific community and the academe;

14 nnn) "**Socialized Housing**" shall refer to housing programs and projects
15 undertaken by the government or the private sector for the underprivileged and
16 homeless citizens which shall include sites and services development, long-term
17 financing, liberalized terms on interest payments, and such other benefits in
18 accordance with the UDHA;

19 ooo) "**Socialized Housing Zones**" shall refer to lands identified and
20 designated by local government units as sites for socialized housing pursuant to
21 Article IV of Republic Act No. 7279 and its implementing guidelines; these lands to be
22 identified and designated shall include areas that are presently occupied by the urban
23 poor, as well as those identified as resettlement areas as defined herein;

24 ppp) "**Sustainable Development**" shall refer to the development objective of
25 meeting the needs of the present generation without compromising the ability of future
26 generations to meet their own needs consistent with the principles of social equity,
27 efficiency, and environmental integrity;

28 qqq) "**Stakeholder**" shall refer to an individual, social group or institution that
29 has a direct or indirect interest in activity, project, resources, or decision;

30 rrr) "**Tourism Development Areas**" shall refer to specific sites for tourism
31 development located in areas identified as priorities in the national, regional and inter-
32 regional area specific tourism master plans and other sector plans such as eco-
33 tourism and agri-tourism sites, including those designated through legislative and
34 executive issuances i.e., tourist spots, tourist zones and tourism ecozones which can
35 be developed into tourism estates or integrated resort, leisure, and recreation
36 complexes, and other tourism related facilities;

37 sss) "**Tourism Estates**" shall refer to large tracts of land with well-defined
38 boundaries in any area identified in the Philippine tourism master plan and regional
39 tourism master plan, by proclamation of the President and/or by an act of Congress
40 including local legislation. Such land shall be suitable for the development of an
41 integrated tourism and resort complex including but not limited to accommodation
42 facilities, food and beverage outlets, convention and meeting areas, sports,
43 recreational and leisure centers and commercial outlets among others. It shall be
44 provided with roads, water supply facilities, power and utilities like potable water,
45 drainage sewerage disposal, solid waste disposal system and other necessary
46 infrastructure. The estate shall be under one unified and continuous management;

47 tt) "**Tourism Ecozone**" shall refer to tourism development areas which have
48 been granted Special Economic Zone status, through Philippine Economic Zone
49 Authority (PEZA) registration and issuance of the required Presidential Proclamation,
50 with its metes and bounds delineated by said Proclamation, pursuant to the Special
51 Economic Zone Act of 1995 or RA 7916, as amended;

52 uuu) "**Tourist Spot**" shall refer to a particular area/site/spot, human-made or
53 natural, known for its unique tourist/visitor-drawing attributes and activities. It may be
54 classified according to its social, cultural, natural, historical, scientific, religious, and
55 recreational significance;

56 vvv) "**Tourist Zone**" shall refer to a geographic area with well-defined
57 boundaries proclaimed as such by the President of the Philippines and/or by acts of

1 Congress. No development projects for any purpose shall be initiated and introduced
2 within the zone prior to the formulation of a tourism master development plan which
3 shall be undertaken in coordination with the Department of Tourism and the Philippine
4 Tourism Authority. A tourist zone is established for the enhancement and/or the
5 conservation of cultural and historical heritage and for the appreciation and enjoyment
6 of the local population and its visitors;

7 www) **"Urban Areas"** shall refer to all cities regardless of their population
8 density and to municipalities with population density of at least five hundred (500)
9 persons per square kilometer;

10 xxx) **"Urbanizable Areas"** shall refer to sites and lands which, considering
11 present characteristics and prevailing conditions, display marked and great potential
12 of becoming urban areas within a period of five (5) years;

13 yyy) **"Urban Forestry or Green Space"** shall refer to the establishment or
14 setting-up of areas for mini-forest or small nature parks, lining roads and highways
15 with trees, shrubs, or ornamental plants, and ground landscaping of schools,
16 hospitals, and other government agencies in order to improve the environment in
17 urban areas;

18 zzz) **"Water Security"** shall refer to the sufficient access throughout the year
19 to the minimum daily requirement of clean water to maintain a healthy life;

20 aaaa) **"Water Use"** shall refer to the appropriation of water for domestic,
21 municipal, irrigation, power generation, inland fisheries, poultry and livestock,
22 industrial and commercial, environmental, and recreational use;

23 bbbb) **"Watershed"** shall refer to a topographically delineated area of land
24 from which rainwater can drain as surface run-off *vis-a-vis* a specific stream or river
25 system to a common outlet point which may be a dam, irrigation system or urban
26 water supply take-off point, or where the stream discharges into a river, lake, or the
27 sea;

28 cccc) **"Zoning"** shall refer to the regulatory tool for delineating the specific
29 uses of lands in accordance with the approved CLUP within the territorial jurisdiction
30 of a city/municipality and specifying the conditions for their regulation; subject to the
31 limitations imposed by law and competent authority; and,

32 dddd) **"Zoning ordinance or "ZO"** shall refer to a local law passed by the
33 *sangguniang pambayan* or *panglunsod* approving the development control/zoning
34 plan in accordance with an approved or adopted CLUP for the city/municipality, and
35 providing for the regulations and other conditions on the uses of land including the
36 limitation on the infrastructure that may be placed thereon within the territorial
37 jurisdiction of a city or municipality. It incorporates the protected areas under Section
38 13(a) and the protected agricultural lands under Section 29 hereof.

39 40 CHAPTER III 41 PHYSICAL FRAMEWORK AND LAND USE PLANS 42

43 **SEC. 5. National Land Use Planning Process.-** The land use and physical
44 planning process shall be formulated following a combined bottom-up and top-down
45 approach. The national framework for physical planning, which guides the planning and
46 management of the country's land and other physical resources at the national and sub-
47 national levels, shall indicate broad spatial directions and policy guidelines on
48 settlement development, production land use, protection land use and infrastructure
49 development. The regional and provincial framework plans and Comprehensive Land
50 Use Plans (CLUPs), which cover the physical development of their respective
51 territories, shall be consistent with the national framework for physical planning:
52 *Provided*, That the integration and harmonization of physical framework plans at all
53 levels shall be imperative to ensure that the concerns of both top and bottom levels of
54 government are considered in the national, regional and physical framework plans and
55 CLUPs. The physical and land use plans prepared at all levels shall have internal
56 consistency specifically on, but not limited to, the development, management and
57 conservation of forestlands found within a given territory and the linkages of the major

1 land use categories to ensure that they complement in the utilization, development and
2 management of resources.

3
4 **SEC. 6. National Framework for Physical Planning.-** The Land Use Policy
5 Council (LUPC) created in Section 14 herein, in consultation with the concerned sectors
6 through the mandatory conduct of public hearings, shall formulate, periodically update
7 and ensure the implementation of a national framework for physical planning that shall
8 serve as the general long-term framework for the spatial development directions of the
9 entire country. A national framework for physical planning shall be the basis for
10 adopting land use and physical planning-related guidelines and standards, including
11 zoning and other land use control standards that will guide the formulation of
12 city/municipal zoning ordinances.

13
14 **SEC. 7. Regional Physical Framework Plans.-** In consultation with concerned
15 sectors, the Regional Land Use Policy Council (RLUPC) shall define the desired spatial
16 arrangement of land-using activities in the entire region, consolidating and harmonizing
17 the provincial physical framework plans of provinces and independent cities within the
18 territorial jurisdiction of the region. The regional physical framework plan, which depicts
19 an end-state scenario toward which efforts and activities are directed, shall consist of
20 spatially-based and area-focused policies, consistent with those in the national
21 framework for physical planning, to guide detailed physical, socio-economic, sectoral
22 and investment planning.

23
24 **SEC. 8. Provincial Physical Framework Plans.-** In consultation with
25 concerned sectors, the Provincial Planning and Development Office shall prepare a
26 provincial physical framework plan to determine the physical development of the entire
27 provincial territory, consolidating and harmonizing the land use plans of component
28 cities and municipalities, and defining the uses of land and other resources within the
29 province consistent with the policies in the regional physical framework plan. It shall
30 submit the provincial physical framework plan to the Provincial Land Use Policy
31 Council (PLUPC), created under Section 20 of this Act, for review and endorsement to
32 the *Sangguniang Panlalawigan*, which shall adopt the same pursuant to Section 468 (2)
33 (vii) of the LGC.

34
35 **SEC. 9. City and Municipal Land Use Plans.-** The City/Municipal Planning and
36 Development Office, in consultation with concerned sectors through mandatory conduct
37 of public hearings, shall prepare the CLUP to determine the specific uses of land and
38 other physical resources therein including areas co-managed with the national
39 government and, as appropriate, the ancestral domain areas. Guided by a provincial
40 physical framework plan, the CLUP shall embody the desired land use patterns and
41 mixes of the city or municipal territory and provide appropriate policies for each of the
42 four land use planning categories that shall guide and serve as framework for more
43 detailed development and sectoral planning.

44
45 The CLUP shall be translated into a zoning ordinance by the concerned
46 *sanggunian* to regulate the uses of land, including the limitations on height, density and
47 bulk of buildings and other infrastructure that may be placed thereon.

48
49
50 **CHAPTER IV**
51 **FRAMEWORK FOR LAND USE PLANNING**

52
53 **SEC. 10. Priorities in Land Use Allocation and Planning.-** In projecting
54 spatial allocation for different land uses, the LGUs shall first exclude areas under
55 protection land use of Section 13(A) hereof, national parks, energy resource lands, and
56 prime agricultural lands to ensure ecological integrity, energy supply, and promote food
57 security. Areas with prior rights and those with site-specific resources for basic services,

1 such as but not limited to, water and indigenous energy resources, shall also be
2 excluded. Spatial allocation and planning shall then proceed in accordance with
3 Sections 12 and 13 hereof with priorities given to integrated watershed management
4 areas, socialized housing sites, fisherfolk settlement in coastal areas, and waste
5 disposal sites.

6
7 **SEC. 11. Adoption of Multiple Uses of Land Resources.-** The primary and
8 alternative uses of a specific land resource shall be determined and evaluated prior to
9 any decision for the assignment of its use. Areas feasible for sustainable land resource
10 use may be considered multiple-use zones wherein settlements, tourism, agriculture,
11 agro-forestry and extraction activities and other income-generating or livelihood
12 activities may be allowed: *Provided*, That multiple uses of land resources shall be in
13 accordance with priorities in land use allocation and planning and that no
14 reclassification shall be allowed.

15
16 **SEC. 12. Basic Land Use Planning Considerations.-** In determining the
17 various land uses, the people and their productive activities and the need for functional
18 open spaces and preservation areas as well as the various interrelationships of the
19 physical characteristics of the land and other elements therein shall be considered,
20 among others, the following:

- 21
22 (a) Availability of natural resources including indigenous energy resources for
23 energy security and self-sufficiency;
24 (b) Geology, geomorphology, geologic hazard, climate, soil, vegetative cover,
25 demography and slope;
26 (c) Economic, environmental, social and related development activities;
27 (d) Existing government policies on land and natural resources allocation,
28 utilization, management and disposition;
29 (e) Technological changes/advancement;
30 (f) Existing customary rights for the protection of indigenous peoples and
31 vulnerable groups including women and urban poor;
32 (g) Inventory of prior and existing rights, to harmonize determination of land
33 use.

34
35 **SEC. 13. Categories of Land Uses for Planning Purposes.** In determining
36 and defining the national, regional and provincial framework plans, and CLUPs, land
37 uses shall be grouped into four major functional uses as follows:

- 38 (a) **Protection Land Use** - Planning for protection land use intends to achieve
39 environmental stability and ecological integrity, ensure a balance between
40 resource use and the preservation of some areas with environmental,
41 aesthetic, educational, cultural and historical significance, and protect
42 people and human-made structures from the ill-effects of natural hazards.
43 Areas under this category are those under the coverage of Republic Act No.
44 7586 or the National Integrated Protected Areas System (NIPAS) law and
45 other coastal and marine protected areas; those areas outside NIPAS but
46 nonetheless require protection because of their outstanding physical and
47 aesthetic features, anthropological significance, and biological diversity; and
48 those areas prone to natural hazards. Areas outside the coverage of the
49 NIPAS law include, but are not limited to the following:

- 50
51 a.1. Reserved old-growth forests above 1,000 meters in elevation and
52 those 50% in slope gradient;
53 a.2. Mangrove and fish sanctuaries, pursuant to the Agriculture and
54 Fisheries Modernization Act of 1997 or RA 8435 and the Philippine

- 1 Fisheries Code of 1998 or RA 8550;
2 a.3. Buffer zones or strips/easements, pursuant to the Revised Forestry
3 Code of the Philippines or P.D. No. 705 and the Water Code of the
4 Philippines or P.D. No. 1067;
5 a.4. Salvage zones along foreshore areas, freshwater swamps and
6 marshes, plazas and heritage/historic sites, pursuant to P.D. No.
7 2146;
8 a.5. Watersheds supporting domestic water supply;
9 a.6. Utility easement like transmission lines of power companies, oil and
10 gas facilities, cell sites, and domestic water lines;
11 a.7. Amenity areas or those with high aesthetic values, pursuant to P.D.
12 No. 2146.
13 a.8 Natural and human-made areas/sites of cultural, historical and
14 anthropological significance, which are declared as such by
15 internationally recognized organizations and concerned national
16 agencies.
17 a.9 Critical habitats as provided in the Wildlife Resources Conservation
18 and Protection Act or RA 9147.
19 a.10 Significant Caves under the National Caves and Cave Resources
20 Management and Protection Act or RA 9072.
21 a.11 Key Biodiversity Areas under Executive Order 578 (National
22 Biodiversity Policy)

23 **(b) *Production Land Use*** - Planning for production land shall determine the
24 most efficient, sustainable, and equitable manner of utilizing, developing
25 and managing land for productive purposes. Areas included in this
26 category are agricultural lands, fishing grounds, coastal and marine zones,
27 production forest which comprise lands 18% to 50% in slope gradient such
28 as: residual dipterocarps, rangelands for grazing purposes, industrial tree
29 plantation, community-based forest management areas and other
30 reforestation projects; mineral lands or mining areas and reservations,
31 energy resource lands, industrial development areas, and tourism
32 development areas where productive activities could be undertaken to
33 meet the country's requirements for food security, economic growth and
34 development.

35 **(c) *Settlements Development*** - The settlement development plan ensures
36 for the present and future generation the following: i) effective integration
37 of activities within and among settlements, allowing efficient movement of
38 people and production of commodities through the provision of appropriate
39 land, infrastructure, and facilities; and ii) access of the population to
40 housing, education, health care, recreation, transportation and
41 communication, sanitation, and basic utilities such as water, power, waste
42 disposal, and other services.

43 **(d) *Infrastructure Development*** - Infrastructure development seeks to
44 provide basic services and foster economic and other forms of integration
45 necessary for producing or obtaining the material requirements of
46 Filipinos, in an efficient, responsive, safe and ecologically friendly built
47 environment. It covers these sub-sectors: transportation, communications,
48 indigenous energy exploration and development, water resources, and
49 social infrastructure:
50

51 *Provided*, That the determination of functional uses of lands within
52 ancestral domains shall consider traditional resource and management
53 systems that do not endanger the lives and property of the local
54 community and neighboring areas or increase the vulnerability of the

1 natural environment to the effects, of natural and human-induced
2 geological processes.
3

4
5 **CHAPTER V**
6 **IMPLEMENTING STRUCTURE AND MECHANISM**
7 **Article 1**
8 **Land Use Policy Council**
9

10 **SEC. 14. Creation of the Land Use Policy Council (LUPC).**- The LUPC is
11 hereby created as a committee under the National Economic and Development
12 Authority (NEDA) Board. It shall exercise the powers and responsibilities of the National
13 Land Use Committee (NLUC). The LUPC shall act as the highest policy-making body
14 on land use and resolve land use policy conflicts between or among agencies,
15 branches, or levels of the government. It shall integrate efforts, monitor developments
16 relating to land use and the evolution of policies.
17

18 **SEC. 15. Composition of the LUPC.**- The LUPC shall be composed of twenty
19 (20) members.

- 20 a) The Secretary of Socio-Economic Planning as Chairperson;
21 b) The Secretaries of Environment and Natural Resources and Agriculture and
22 the Chairperson of the Housing and Urban Development Coordinating
23 Council (HUDCC) as Vice-Chairpersons;
24 c) The Secretaries of Agrarian Reform, Trade and Industry, Public Works and
25 Highways, Transportation and Communications, Tourism, Interior and Local
26 Government, Justice, Science and Technology, Finance and Energy;
27 d) A representative each from four (4) basic sectors directly involved in land
28 use, namely: urban poor, peasants, fisherfolk, and indigenous peoples who
29 shall be appointed by the President of the Philippines based on the
30 nomination and recommendation of the respective sectoral councils of the
31 National Anti-Poverty Commission (NAPC). At least two sectoral
32 representatives shall be women.
33 e) Two representatives from private subdivision and housing developers.
34

35 A consultative body shall likewise be convened by the LUPC at least once a year
36 or as often as may be necessary. It shall be composed of representatives from the
37 Leagues of Municipalities, Cities, and Provinces, other government agencies not
38 represented in the LUPC, and from non-government sectors such as the private sector,
39 non-government organizations (NGOs) and people's organizations (POs), and the
40 academic community.
41

42 **SEC. 16. Powers and Functions.** The LUPC shall have the following powers
43 and functions:

- 44 a) Advise the President of the Philippines and the NEDA Board on all matters
45 concerning land use and physical planning;
46 b) Formulate policies and endorse land use and physical planning-related policies
47 that may be formulated by the RLUPC and concerned agencies as well as
48 promulgate zoning and other land use control standards and guidelines which
49 shall guide the formulation of land use plans and zoning ordinances by local
50 governments;
51 c) Harmonize laws, guidelines and policies relevant to land use and physical
52 planning to come up with a rational, cohesive, and comprehensive national
53 land use framework;
54 d) Prepare, periodically review and if necessary, update the national framework
55 for physical planning to provide the general framework for the spatial
56 development directions for the entire country and sub-national levels;
57 e) Monitor and coordinate undertaking the gathering of data, the conduct of

- 1 studies pertaining to land use planning including studies on the management of
2 identified land uses and such other studies not undertaken by other
3 government agencies;
- 4 f) Coordinate with and assist other government agencies and LGUs in planning,
5 developing, and implementing their land use classification programs, and
6 provide, to the extent possible, technical assistance and guidance;
- 7 g) Monitor and coordinate the activities of concerned agencies and entities of the
8 government, as well as LGUs, in the enforcement and implementation of
9 policies and regulations relating to land use and resource management and
10 development;
- 11 h) Monitor and coordinate activities in the establishment of a national land
12 resource information and management system of concerned agencies that
13 shall integrate and process information on land use and allocation generated
14 by the various national government agencies; define information requirements
15 at various levels; and standardize information inputs and outputs including
16 scales and symbols used in territorial and sectoral maps;
- 17 i) Call on any department, bureau, office, agency, or instrumentality of the
18 government, and or private entities and organization for cooperation, support,
19 and assistance in the performance of its functions;
- 20 j) Decide and resolve policy conflicts on land use between or among national
21 government agencies and act on unresolved land use policy conflicts at the
22 regional level;
- 23 k) Adopt rules of procedures for the orderly and expeditious conduct of meetings
24 and other business of the Council; and
- 25 l) Perform such other acts and functions and exercise such other powers as may
26 be necessarily implied, inherent, incident, or related to the foregoing.

27
28 **SEC. 17. LUPC Technical Board (LUPC-TB).** A Technical Board shall be
29 created to provide technical support to the LUPC. It shall be composed of:

- 30 a. NEDA Deputy Director-General for Regional Development as
31 Chairperson;
- 32 b. Representatives of the member agencies/institutions of the LUPC, who
33 shall have a rank not lower than Director level; and
- 34 c. The representatives of the four (4) basic sectors as enumerated in Section
35 15 (d) of this Act.
- 36

37 **SEC. 18. Offices, Units and Staff Support.** The NEDA Regional Development
38 Office shall continue to provide core secretariat services to LUPC, its Technical Board
39 and RLUPC. Other government agencies may also be called upon for staff support.

40

41 **Article 2**

42 **Local Development Councils as Local Land Use Policy Councils**

43
44 **SEC. 19. Regional Land Use Policy Council (RLUPC).** At the regional level,
45 the RLUPC will be institutionalized, replicating the LUPC structure and composition. A
46 representative from the Department of Agriculture (DA), Department of Agrarian Reform
47 (DAR) and Department of Environment and Natural Resources (DENR) shall be
48 included in the composition of the RLUPC. The RLUPC shall have the following
49 functions:

- 50
51 a. Formulate and adopt regional policies on land use and physical planning;
- 52 b. Prepare and periodically update a regional physical framework plan,
53 taking into consideration national polices and lower level plans;
- 54 c. Assist the provinces in preparing and periodically updating its physical
55 framework plans to ensure consistency with the regional and national
56 plans and policies and to facilitate its integration to the regional plans;
- 57 d. Review, prior to adoption by respective *Sanggunian* bodies, the provincial

1 physical framework plan and CLUPs of highly urbanized and independent
2 component cities to ensure consistency with the regional physical
3 framework plan and national policies set forth by LUPC and compliance
4 with limits prescribed under the 1991 LGC for reclassifying agricultural
5 lands;

- 6 e. Resolve and recommend policy conflicts on land use planning,
7 classification, and allocation that may arise between or among regional
8 line agencies;
- 9 f. Monitor changes in land use and other physical resources in the region;
- 10 g. Evaluate consistency of major programs and projects with the regional
11 physical framework plans and their impact on land use and the
12 environment;
- 13 h. Undertake the gathering of regional data for the Land Resource
14 Information and Management System; and
- 15 i. Perform other related functions as may be directed by the LUPC.

16
17 **SEC. 20. Provincial Land Use Policy Council (PLUPC).** The Provincial
18 Development Council (PDC), created under Section 106 of the LGC, shall act as the
19 PLUPC that will tackle land use concerns whenever necessary. A representative from
20 the Department of Agrarian Reform (DAR) and Department of Environment and Natural
21 Resources (DENR) shall be included in the composition of the PLUPC.

22
23 In addition to the functions enumerated in Section 109 of the LGC, the PLUPC
24 shall:

- 25
26 a. Advise the *Sangguniang Panlalawigan* on all matters pertaining to land
27 use and physical planning;
- 28 b. Review and endorse to the *Sangguniang Panlalawigan* for adoption, the
29 provincial physical framework plan prepared and periodically updated by
30 the Provincial Planning and Development Office and other land use and
31 physical planning-related policies;
- 32 c. Assist the *Sangguniang Panlalawigan* in reviewing the CLUPs of
33 component cities/municipalities to ensure consistency with the provincial
34 physical framework plans and compliance with the limits prescribed under
35 the 1991 LGC for reclassifying agricultural lands; and
- 36 d. Resolve and recommend policy conflicts on land use planning,
37 classification, and, allocation that may arise between or among
38 cities/municipalities and any unresolved land use conflicts at the
39 city/municipal level.

40
41 The PLUPC may call upon any local official concerned such as Provincial
42 Planning and Development Coordinator, Provincial Agriculturist, Provincial Environment
43 and Natural Resources Officer, Provincial Engineer, Provincial Assessor, or any official
44 of national agencies and other relevant agencies during discussions on land use and
45 physical planning concerns.

46
47 **SEC. 21. City/Municipal Land Use Policy Council (C/MLUPC).** The
48 City/Municipal Development Council (C/MDC), created under Section 106 of the LGC,
49 shall act as the C/MLUPC that will tackle land use concerns whenever necessary. A
50 representative from the Department of Agrarian Reform (DAR) and Department of
51 Environment and Natural Resources (DENR) shall be included in the composition of the
52 C/MLUPC.

53
54 In addition to the functions enumerated in Section 109 of the LGC, the C/MLUPC
55 shall:

- 56 a. Advise the *Sangguniang Bayan* or *Sangguniang Panlungsod* on all
57 matters pertaining to land use and physical planning;

- 1 b. Review and endorse to the *Sangguniang Bayan* or *Sangguniang*
2 *Panlungsod* for adoption, the CLUP prepared and periodically updated by
3 the City/Municipal Planning and Development Office and other land use
4 and physical planning-related policies; and
5 c. Resolve and recommend policy conflicts on land use planning and
6 allocation that may arise between and among *barangays* and any
7 unresolved land use conflicts at the *barangay* level regarding the violation
8 of zoning ordinances including opposition to applications for locational
9 clearances, permits or certificates.
10

11 For purposes of this Act, the City/Municipal Planning and Development
12 Coordinator (C/MPDC) shall (a) act on all applications for locational clearances for all
13 projects except those of vital and national economic or environmental significance, and
14 (b) monitor on-going/existing projects within their respective jurisdictions and issue
15 notices of violation to owners, developers, or managers of projects that are violative of
16 zoning ordinances.
17

18 The C/MLUPC may call upon any local official concerned such as C/MPDC,
19 City/Municipal Agriculturist, City/Municipal Environment and Natural Resources Officer,
20 City/Municipal Engineer, City/Municipal Assessor, or any official of national agencies
21 during discussions on land use and physical planning concerns.
22

23 Local government units without operational C/MDCs as mandated by the 1991
24 LGC shall activate their respective Councils within six (6) months from the effectivity of
25 this Act.
26

27 Article 3

28 Adoption, Approval and Review of Land Use Plans 29

30 **SEC. 22. Component Cities and Municipalities.-** Component cities and
31 municipalities shall have the power and authority to adopt and approve their respective
32 CLUPs and ZOs through their respective *sanggunian* bodies subject to the power of
33 review of their respective provinces only with respect to the consistency of the CLUPs
34 and ZOs with Section 9 hereof on the preparation of the provincial physical framework
35 plan.
36

37 **SEC. 23. Provinces and Independent and Highly Urbanized Cities.-**
38 Provinces and independent and highly urbanized cities shall have the power and
39 authority to adopt and approve their respective CLUPs, ZOs or provincial physical
40 framework plan, as the case may be, through their respective *sanggunian* but subject to
41 the review of the RLUPC as provided in Section 19 hereof.
42
43

44 Article 4

45 Responsibilities of the National Government Agencies and LGUs 46

47 **SEC. 24. National Base Mapping Program.-** A national mapping program
48 shall be implemented, coordinated, and monitored through the creation of an Inter-
49 agency Technical Committee (ITC) composed of the National Mapping and Resource
50 Information Authority (NAMRIA), as the lead agency, the Bureau of Soils and Water
51 Management (BSWM), the Forest Management Bureau (FMB), the Land Management
52 Bureau (LMB), the Protected Areas and Wildlife Bureau (PAWB), the Mines and
53 Geosciences Bureau (MGB), the Philippine Institute of Volcanology And Seismology
54 (PHIVOLCS), DAR, the National Water Resources Board (NWRB), DOE, NEDA and
55 other concerned government agencies/bureaus. The ITC shall be constituted, and the
56 mapping program initiated, within thirty (30) days from the effectivity of this Act.
57

1 For purposes of uniformity and standardization, the LGUs, to be assisted by the
2 appropriate agencies of the national government, shall likewise prepare their respective
3 territorial maps using scales, symbols, and other indicators to be prescribed in
4 accordance with this Act. The completed maps shall be integrated in the national
5 framework for physical planning pursuant to Section 6 hereof.

6
7 **SEC. 25. National Geo-hazard Mapping Program.-** Within thirty (30) days
8 from the effectivity of this Act, a nationwide geo-hazard mapping program shall be
9 initiated jointly thru the LUPC by the PHIVOLCS, the Philippine Atmospheric
10 Geophysical and Astronomical Services Administration (PAGASA), the NAMRIA, MGB,
11 BSWM, and DOE, in coordination with the National Disaster Coordinating Council
12 (NDCC), the Regional Disaster Coordinating Councils, and other concerned
13 government agencies. The program shall include the generation of indicative geo-
14 hazard zoning maps that will outline areas in the Philippines which are prone to
15 liquefaction, land slides, severe flash flooding, lahar, ground rupturing, tsunami, river
16 erosion, coastal erosion, sinkhole collapse, earthquake, hazardous volcanic products,
17 and other disastrous natural hazards.

18
19 For purposes of uniformity and standardization and in order to develop a safe-
20 built environment, the LGUs shall subsequently incorporate and integrate the generated
21 geo-hazard zoning maps in their respective CLUPs. Said geo-hazard maps shall serve
22 as guide for all the LGUs in the preparation of their own hazards-constrained
23 development plans. The national framework for physical planning, pursuant to Section 6
24 hereof, shall incorporate these geo-hazard maps.

25
26 All infrastructure activities including real estate and subdivision projects and the
27 development of tourist spots requiring an Environmental Compliance Certificate (ECC)
28 shall be required to submit an Engineering Geological and Geo-hazard Assessment
29 Report (EGGAR).

30
31 **SEC. 26. Scope and Nature of Responsibilities of Other National**
32 **Government Agencies.-** All concerned national government agencies/bodies shall
33 periodically report to the LUPC on the various activities and accomplishments relative to
34 land use. Likewise, they shall provide their respective sectoral/development plans and
35 render technical and administrative support if called upon by the LUPC relative to the
36 implementation of the provisions of this Act.

37
38 **SEC. 27. Submission of Annual Report on the Implementation of CLUPs.-**
39 The C/MLUPC shall submit an annual report on the implementation of their land use
40 plans to the PLUPC, which shall integrate the same for submission to the RLUPC,
41 which shall in turn integrate the provincial reports for submission to the LUPC.

42
43
44 **CHAPTER VI**
45 **SPECIAL AREAS OF CONCERN**
46 **Article 1**
47 **Agricultural Lands**

48 **SEC. 28. Priority Areas for Agricultural Development.-** Priority areas for
49 agricultural development are the CARP, CARPable areas, and the NPAAAD.

50
51 **SEC 29. Conversion of Agricultural Lands.-** Agricultural lands are deemed
52 converted to non-agricultural uses upon the recommendation of appropriate
53 government agencies and the approval by the DAR of the application for conversion.
54 Prime agricultural lands and specific types of lands to the extent necessary for attaining
55 food self-sufficiency in rice and corn and food security in other basic commodities, as
56 determined by the DA, subject to mandatory consultation with the LGUs, the private

1 sector, the NGOs, and POs, shall be protected from conversion, which shall include but
2 not limited to areas under the NPAAAD: *Provided*, That all irrigated and irrigable lands,
3 all lands developed or possessing the potential for development of high value crops,
4 and all agricultural lands that are ecologically fragile and whose conversion will result in
5 serious environmental problems shall be given full protection from conversion, the areas
6 under which are subject to review every six (6) years by the DA, DAR and DENR, with
7 the mandatory public consultations: *Provided, further*, That consistent with the State
8 policy on giving priority to the completion of the Comprehensive Agrarian Reform
9 Program (CARP), all lands subject to CARP including those lands covered under the
10 notice of compulsory acquisition/voluntary offer to sell, production or profit-sharing, or
11 commercial farm deferment shall also be protected from conversion pending the
12 distribution and installation of the farmer beneficiaries, but thereafter, Section 65 of
13 Republic Act No. 6657 or the Comprehensive Agrarian Reform Law (CARL) shall apply.

14
15 Lands defined under Section 10 of R.A. No. 6657 shall remain exempted and
16 excluded from the coverage of CARP.

17
18 **SEC. 30. Re-classification/Sub-classification of Agricultural Lands by**
19 **LGUs.-** Sub-classification or re-classification of agricultural lands to other uses under
20 Section 20 of the LGC of 1991 shall exclude the prime agricultural lands as stated in the
21 preceding section. Moreover, such sub-classification/reclassification is not synonymous
22 to conversion. The DA and DAR shall provide the LGUs with a complete list and maps
23 of prime agricultural lands within their territorial jurisdictions.

24
25
26 **Article 2**
27 **Forestlands and Watershed Management**

28
29 **SEC. 31. Reversion of Alienable and Disposable Lands to Forestlands.-**
30 Upon the recommendation of the Secretary of the DENR, duly reviewed and endorsed
31 by the LUPC, and after due consultations with the concerned LGUs and affected
32 parties, Congress may authorize the reversion of alienable and disposable lands of the
33 public domain or portion thereof to forestlands. Thereafter, said lands shall be included
34 in the preparation of land use plans within forestlands.

35
36 **SEC. 32. Critical Watershed Areas.-** The DENR, in coordination with the DA,
37 LGUs, and other government agencies, including government-owned and-controlled
38 corporations, and with mandatory public consultations, shall identify and delineate
39 critical watershed areas that need to be protected, rehabilitated, enhanced, and/or
40 withdrawn from uses that contribute to their further degradation.

41
42 **SEC. 33. Formulation and Implementation of Integrated Watershed**
43 **Management Plans.-** With the assistance of the DENR and upon mandatory
44 consultations with the concerned sectors, the LGUs through their local land use
45 committees shall prepare their watershed management plans which shall be integrated
46 with their respective CLUPs. The formulation and integration of the plan shall be guided,
47 among others, by the principle that the management and development of inland water
48 resources shall be at the watershed level. A nationwide mapping of watersheds in the
49 country shall be implemented.

50 In cases where the watershed areas transcend the boundaries of a particular
51 municipality, an inter-LGU committee composed of representatives from local land use
52 committees of the LGUs where the watershed area is located shall be formed. With the
53 assistance of the DENR and upon mandatory consultations with the concerned sectors,
54 the inter-LGU committee shall formulate the watershed management plan for the said
55 watershed area.

1 The DENR and the concerned LGUs shall jointly implement the watershed
2 management plan subject to regular consultations with and involvement of the
3 community and other stakeholders in the implementation of the plan.

4 The preparation of Forest Land Use Plans shall make use of the watershed as
5 the basic planning unit.
6
7

8 Article 3 9 Coastal Zones

10
11 **SEC. 34. Criteria on the Allocation and Utilization of Lands within the**
12 **Coastal Zones.-** The allocation and utilization of lands within the coastal zones shall
13 be guided by the following:
14

- 15 a) Areas vegetated with mangrove species shall be preserved for mangrove
16 production and shall not be converted to other uses;
- 17 b) Areas that meet all accepted criteria on elevation, soil type, soil depth,
18 topography, supply for successful fishpond development, and are not
19 identified as mangrove protected areas, shall be utilized for aquaculture
20 purposes;
- 21 c) Areas sub-classified as mangrove and still suitable for use as such, or due
22 to environmental conditions need to be preserved as mangrove, but is
23 devoid of mangrove stands shall not be converted to other uses. The
24 DENR shall ensure that these lands shall be reforested within a given
25 period of time;
- 26 d) Areas accessible to the sea and identified for fisherfolk settlement and
27 housing shall be allocated to traditional fisherfolk who are inhabitants of the
28 coastal communities and members of legitimate fisherfolk organizations
29 and/or holders of stewardship lease contracts or titles to ancestral domains
30 or any form of property right arrangements who participate in coastal
31 resource management initiatives, subject to the usual census procedures of
32 the HUDCC.
- 33 e) Areas that are neither sub-classified as mangrove, fisherfolk settlement nor
34 fishpond may be devoted to recreational or tourism purposes: *Provided,*
35 That such undertaking will not result in environmental degradation and
36 displacement of small fishers;
- 37 f) Areas which are considered as traditional fishing grounds shall be used
38 primarily for such purpose;
- 39 g) Areas which have been allocated for small infrastructure needed by
40 fisherfolk shall be allowed; and
- 41 h) Areas which form part of foreshore lands as defined in this Act including
42 those that are under lease agreements or arrangements shall undergo
43 zoning and evaluation to determine their boundaries and actual sizes and
44 corresponding uses.
45

46 **SEC. 35. Coastal Land Zone Sub-classification.-** All public lands in the
47 coastal zones shall be subclassified into any of the following: estuaries, lagoons, inter-
48 tidal flats, mudflats, fishponds, mangroves, protection from tidal surge, for preservation
49 of biodiversity, habitats and sanctuaries for endangered wildlife, fisherfolk settlement, or
50 recreational/tourism areas. No sub-classification of coastal zones to different uses shall
51 be done without the following:
52

- 53 a) Conduct of a comprehensive resource and environmental assessment by
54 the DENR and respective LGUs and accredited NGOs and POs within their
55 jurisdiction; and
- 56 b) Prior consultation with local Fisheries and Aquatic Resource Management
57 Councils (FARMCs) formed under Republic Act No. 8550 or the Fisheries

1 Code.

2
3 **SEC. 36. Zoning of Foreshore Areas.-** Local government units, in
4 coordination with the DENR, shall conduct zoning of their respective foreshore areas to
5 assist government and community fishers identify priority areas for conservation and
6 development, and to enable them to set targets for mangrove reforestation and
7 rehabilitation.

8 **Article 4**
9 **Mineral Lands**

10
11 **SEC. 37. Criteria for the Utilization and Allocation of Land for Mining**
12 **Purposes.-** Consistent with Section 5 of this Act and the provisions of Republic Act
13 No. 7942 or the Mining Act of 1995, and to ensure that the objectives of maintaining
14 ecological balance and maximizing economic returns to mining operations are realized,
15 the allocation and utilization of lands for mining purposes shall be guided by the
16 following:

- 17
18 a) The principles of sustainable development and responsible mining;
19 b) In case of small-scale mining, adequate and acceptable safeguards shall be
20 instituted by the holders of mining rights or permits to prevent environmental
21 degradation of the mining sites and adjacent areas;
22 c) Mineral reservations which have become non-operational for more than ten
23 (10) years as determined by the MGB shall be placed under appropriate
24 surface management by the DENR;
25 d) Consistent with the Mining Act of 1995, existing mineral reservations shall be
26 periodically reviewed by the DENR for the purpose of determining whether
27 their continued existence is consistent with the national interest and, if
28 warranted, recommend the alteration or modification of its boundaries or revert
29 the same to public domain without prejudice to prior existing rights; and
30 e) Protection forest lands and agricultural lands should be exempt from mining
31 activities to minimize the effect of natural calamities and to protect food
32 security respectively. Small to large scale mining operations should yield and
33 recognize the tenurial instrument given by the government such as OCT, TCT,
34 CADT, EP-CLOA and other instruments. If these be present, no mining activity
35 should be conducted.

36
37 **SEC. 38. Reversion of Mineral Lands.-** All mineral lands with exhausted
38 mineral resources, as determined by the MGB upon the recommendation of the DENR,
39 shall revert to its original land classification, that is, as forest land or agricultural land. In
40 the case of forestlands, the DENR may classify such areas for other purposes in
41 consultation with concerned LGUs, the DOT, and other national government agencies.
42 Exhausted mineral lands shall refer to specific sites whose mineral deposits are no
43 longer in sufficient quantity or quality to justify additional expenditure for their extraction
44 and utilization.

45
46
47 **Article 5**
48 **Energy Resource Lands**

49
50 **SEC. 39. Guidelines for the Utilization and Allocation of Lands for Energy**
51 **Resource Exploration, Development, Production, Utilization, and Distribution**
52 **Purposes.-** To ensure that the objectives of maintaining ecological balance and
53 maximizing the power potential from indigenous energy resources in the most
54 economical and environmentally-acceptable means are realized, the allocation and
55 utilization of lands for said purposes shall be guided by the following, consistent with
56 existing regulations and laws on energy resources:

- 1 a) Indigenous energy resource exploration and development for the purpose of a
2 National Energy Resource Inventory and Data Base as well as Energy
3 Resource Block Map shall be allowed subject to the implementation of
4 complementary watershed and other land management plans;
5 b) Indigenous energy resource exploration, development, production, utilization,
6 and distribution shall be subject to the appropriate requirements and
7 processes of the Philippine Environmental Impact Statement (EIS) system.
8 Each project shall secure an Environmental Compliance Certificate (ECC)
9 prior to project implementation to ensure adequate and appropriate
10 environmental management measures and optimum methods for resource
11 access and recovery are utilized; and
12 c) Energy reservations or portions thereof which have become or have been
13 established to be non-economically viable to operate or are no longer used
14 for energy purposes shall be released to give way to other land uses, subject
15 to existing laws covering energy reservations.
16

17 **SEC. 40. Reversion of Energy Resource Lands.-** All exhausted indigenous
18 energy resource lands not covered by proclamations shall automatically revert to the
19 category of forestlands or agricultural lands open to disposition, whichever is
20 appropriate. Exhausted energy resource lands shall refer to specific energy resource
21 sites whose energy reserves of the desired type/s are no longer in sufficient quantity or
22 quality to justify additional expenditure for their extraction and utilization.
23

24 **CHAPTER VII** 25 **SETTLEMENTS DEVELOPMENT** 26

27 **SEC. 41. Town, City, and Settlements Development.-** The development of
28 town, city, and settlements through the zoning ordinances of cities and municipalities
29 shall be guided by urban zoning standards designed to maximize existing urban
30 spaces. Socialized housing and settlement areas should be established only on
31 alienable and disposable lands in order to avoid further degradation of forestlands.
32

33 **SEC. 42. Settlements within Geo-hazard Areas.-** Settlements, in particular
34 housing or residential developments, within geo-hazard areas may be allowed provided
35 that mitigating and/or protective measures are adopted to address the potential danger
36 or risk to lives and property within such settlements. In coordination with the concerned
37 agencies of the government, the LUPC shall provide assistance to concerned LGUs and
38 settlers in instituting safety and corrective measures to address the potential danger or
39 risk.
40

41 Residential zones as designated in the CLUP shall be considered as outside the
42 geo-hazard areas. For this purpose, housing projects within such areas shall be exempt
43 from the ECC as well as the EGGAR and maybe implemented without the need for any
44 further certificate of exemption from the DENR or any other government regulatory
45 agency.
46

47 **SEC. 43. Designation of Sanitary Landfill.-** Each city or municipality shall
48 identify, designate and allocate an area within their territorial jurisdiction to serve as
49 sanitary landfill within one (1) year from the effectivity of this Act. The LGUs, in
50 coordination with the DENR or any other competent authority, shall identify sanitary
51 landfill sites in order to fast-track the conduct of environmental impact assessment
52 study and to facilitate processing of the environmental compliance certificate. The site
53 or area shall be identified in the city or municipality's CLUP. For this purpose, cities and
54 municipalities shall establish their solid waste management program pursuant to the
55 Ecological Solid Waste Management Act or RA 9003. Likewise, as provided under
56 Section 33 of the LGC, cities and municipalities may, through appropriate ordinances,
57 bind themselves towards the establishment of a common solid waste management
program.

1
2 Within ninety (90) days from the effectivity of this Act, the DENR, in coordination
3 with concerned agencies, shall promulgate the necessary guidelines and standards for
4 the formulation and establishment of solid waste management programs by cities and
5 municipalities, and shall submit the same to the LUPC for review and approval.
6

7 **SEC. 44. Designation and Zoning of Socialized Housing Zones.-** Each city
8 or municipality in urban, urbanizable and rural areas shall designate through the CLUP
9 adequate lands for housing or residential purposes, including socialized housing and
10 resettlement areas for the immediate and future needs of the local population as well as
11 the underprivileged and homeless in their territory, pursuant to existing laws and
12 regulations. In order to ensure adequate availability of land for the housing needs of the
13 local population, the CLUP shall be updated, at maximum, every nine (9) years for
14 provinces, cities and municipalities.
15

16 The designated sites for socialized housing shall be located in residential zones,
17 and shall be zoned as socialized housing zones that are integrated in the city or
18 municipality's zoning ordinance, pursuant to existing laws and regulations.
19

20 Fisherfolk settlements and housing in coastal municipalities shall be zoned near
21 the sea for easy access to their livelihood as provided under Section 35 (d) of this Act.
22

23 The housing or residential lands designated in the CLUPs and ZOs of cities and
24 municipalities shall, on one hand, not be subject to further land reclassification by the
25 LGU or land conversion procedure under DAR. On the other hand, agricultural lands as
26 designated in the CLUP which are no longer economically feasible for agricultural use
27 may be subject to land reclassification or conversion to housing/residential purposes
28 and such conversion, as the case may be, shall be exempt from the coverage of any
29 moratorium on land conversion.
30

31 **SEC. 45. Urban Forest or Green Space.-** Each city or highly urbanizing
32 municipality shall identify, designate, and allocate lands owned by the city or
33 municipality as urban forest or green space based on the guidelines and standards to
34 be issued by the DENR and approved by the LUPC.
35

36 **CHAPTER VIII**
37 **INDUSTRIAL DEVELOPMENT AREAS**

38
39 **SEC. 46. Criteria for Designating Industrial Development Areas.-** The
40 identification and establishment of industrial development areas shall conform to the
41 provisions of Republic Act No.7916, otherwise known as the Philippine Economic Zone
42 Authority (PEZA) Law; the CARL, IPRA, UDHA, and the AFMA, taking into
43 consideration the following:
44

- 45 a) Identified network of areas for agricultural development and protected
46 agricultural areas pursuant to the AFMA;
- 47 b) National policies on the regional dispersal of industries and agri-based
48 industrial development;
- 49 c) Identified growth areas and corridors in the National Development Plan;
- 50 d) National Protected Areas System (NIPAS) and non-NIPAS areas that require
51 protection;
- 52 e) National and Urban Development and Housing Framework;
- 53 f) Identified Socialized Housing Zones;
- 54 g) National framework for physical planning and other existing national programs
55 and policies.
56

57 The designated industrial development areas shall become an integral part of the

1 land use plan and zoning ordinance of the city or municipality where these areas are
2 located.

3
4 **CHAPTER IX**
5 **TOURISM DEVELOPMENT AREAS**
6

7 **SEC. 47. Criteria for Designating Tourism Development Areas.-** The
8 identification, selection, and development of tourism development areas and tourism
9 estates shall be done in consultation and coordination with the concerned LGUs,
10 national government agencies, the private sector, and the affected communities.
11 Tourism development areas shall likewise include those covered by legislative and
12 executive issuances as tourist spots, tourist zones and tourism ecozones which can be
13 developed into tourism estates or integrated resort, leisure and recreation complexes
14 and other tourism-related facilities as well as those identified in the national, regional
15 and inter-regional tourism, and area specific tourism master plans and other sector
16 plans such as ecotourism and agri-tourism sites.

17
18 Designated areas for tourism development shall become part of the CLUPs of
19 the cities or municipalities where these are located.
20

21 **SEC. 48. Identification and Declaration of Areas for Protection,**
22 **Conservation and Preservation of Cultural Heritage.-** The National Historical
23 Institute (NHI) and/or the National Museum in coordination with other concerned
24 agencies, local communities, and the private sector, shall identify declared areas and
25 structures which shall be protected and/or preserved as part of the Philippine cultural
26 heritage.
27

28 The LGUs in coordination with the NHI, the National Commission for Culture and
29 Arts (NCCA) and the Cultural Center of the Philippines (CCP) shall designate historical
30 zones to protect the historical integrity of said geographical areas and cultural space of
31 intangible cultural properties, which are significant to a city/ municipality and the
32 community.
33

34 **CHAPTER X**
35 **INFRASTRUCTURE DEVELOPMENT**
36

37 **SEC. 49. Allocation and Use of Land for Infrastructure Development.-**
38 Land, whether public or private, shall be allocated and utilized for priority infrastructure
39 projects that are supportive of national or local development objectives. The NEDA, in
40 consultation with the concerned national government agencies, LGUs, and the private
41 sector shall identify and periodically review, update and/or revise the list of priority
42 infrastructure projects subject to Sections 5 and 29 hereof, and Section 47 of the AFMA.
43 In determining and evaluating the list of priority infrastructure projects, consideration
44 shall be given to those that:
45

- 46 (a) Respond to immediate and vital requirements of the national economy with
47 priority on improving rural infrastructure and the development of the
48 agriculture and fisheries sectors;
49 (b) Upgrade existing facilities to international standards;
50 (c) Address the need for sustainable settlements development; and,
51 (d) Help mitigate the destructive effects of natural disaster-causing phenomena
52 or those that shall serve as alternatives to existing infrastructures found in
53 natural hazard-prone areas:
54

55 *Provided,* That the provision and implementation of infrastructure support shall
56 be made compatible with existing environmental conditions and the physical, whether
57 natural or human-made, and cultural character of the area. Mandatory public

1 consultations pursuant to existing laws and regulations shall be held prior to the
2 conduct of all infrastructure projects that will necessarily involve dislocation or
3 displacement of people in the area: *Provided, further,* That the proponent of the
4 infrastructure project shall follow the rules on just and humane eviction or demolition
5 under Section 28 of the UDHA, notwithstanding the provisions of Republic Act No.
6 8975, prohibiting lower courts from issuing temporary restraining orders, preliminary
7 injunctions, or preliminary mandatory injunctions, and proponent shall follow IPRA:
8 *Provided finally,* That national government infrastructure projects shall allocate budget
9 for the adequate relocation of displaced communities.

10
11 **SEC. 50. Infrastructure Projects Within Geo-hazard Areas.-** Construction of
12 priority infrastructure projects within hazard-prone areas shall be allowed: *Provided,*
13 That mitigating and/or preventive measures are adopted to address the potential
14 adverse economic, socio-cultural, and environmental impacts that will emanate from
15 these infrastructure projects, subject to the findings and recommendations of a
16 feasibility study/environmental impact assessment in accordance with Presidential
17 Decree No. 1586 and Republic Act No. 4846.

18
19 Existing projects that did not go through the process of an environmental impact
20 assessment and pose threats to the environment, integrity of historic, archeological, or
21 scientifically significant areas or are impinging on critical ecosystems, may be: (a)
22 terminated immediately; (b) required to implement an Environmental Management Plan;
23 (c) gradually phased-out and relocated; or (d) maintained up to their life span, subject,
24 however, to mitigating measures: *Provided,* That the rules on mandatory public
25 consultations and just and humane eviction or demolition shall also be observed prior to
26 the termination, gradual phase-out, or relocation of projects that will necessarily involve
27 dislocation or displacement of people in the area.

28
29 **CHAPTER XI**
30 **TRAINING, EDUCATION, AND VALUE FORMATION**

31
32 **SEC. 51. Value Formation.-** In order to create a well-informed, responsible and
33 committed citizenry who values the protection, conservation and development of the
34 country's limited land and other physical resources, the State shall mandate the
35 inclusion of sustainable land use education or any subject related thereto in the
36 curricula of primary, secondary and tertiary education.

37
38 **SEC. 52. Information and Education Campaign.-** The LUPC shall undertake
39 a nationwide education information campaign in land use and physical planning to be
40 implemented by local and national government agencies. The DILG and concerned
41 agencies shall formulate and implement a land use management capability-building
42 program for national and local government officials, community leaders, NGOs, POs,
43 religious sector, and the general public.

44
45 **CHAPTER XII**
46 **INCENTIVES, SANCTIONS, AND PENALTIES**

47
48 **Article 1**
49 **Incentives and Awards**

50
51 **SEC. 53. Formulation of a System of Incentives and Awards.-** The LUPC
52 shall come out with a system of incentives and awards to LGUs that regularly update
53 their CLUPs within the prescribed period, as follows:

- 54
55 (a) Provinces, Highly Urbanized Cities, and Independent Component Cities -
56 once every nine (9) years; and
57 (b) Component cities and municipalities once every nine (9) years.

1
2 **SEC. 54. Priority in Giving Technical Assistance to LGUs.-** In providing
3 technical assistance and other forms of support related to land use management and
4 the implementation of development plans, national government agencies shall give
5 priority to cities and municipalities with approved CLUPs.
6

7
8 **Article 2**
9 **Sanctions and Penalties**

10 **SEC. 55. Fine for Non-Completion and Non-Commencement of**
11 **Development of Agricultural Lands with Approved Order of Conversion.-** A
12 landowner and his/her designated developer or duly authorized representative who fails
13 to commence and/or complete the development of agricultural lands with approved
14 order of conversion shall be penalized, jointly or severally, with any of the following fines
15 based on the zonal value of the land at the time the fine is imposed:
16

- 17 a. On failure to commence within one year from the date of conversion order:
18 (1) Six percent (6%) of the zonal value of the subject land for the first three
19 (3) hectares,
20
21 (2) Fifteen percent (15%) of the zonal value of the subject land for the next
22 three hectares, and
23
24 (3) Thirty percent (30%) of the zonal value of the subject land for the
25 remaining area.
26

27 *Provided,* That the order of conversion shall be deemed revoked
28 automatically and the land shall revert to its original agricultural use and
29 covered by the DLR through compulsory acquisition for distribution to
30 qualified beneficiaries.
31

- 32 b. On failure to complete fifty percent (50%) of the approved conversion plan
33 within a specified time frame: Fifty percent (50%) of the zonal value of the
34 subject land and the revocation of the conversion plan on the
35 undeveloped portion which shall automatically revert to its original use as
36 agricultural land. The same shall be covered under the CARP and
37 processed for land distribution as soon as possible.
38

39 **SEC. 56. Authority to Impose Fine.-** The DAR shall impose the penalty
40 provided for under the preceding section.
41

42 **SEC. 57. Withdrawal of Local Development Permits or Licenses.-** Upon
43 receipt of notice from the DAR, the concerned agencies and the city or municipality
44 shall withdraw or revoke any development permit and other licenses that may be
45 necessary to develop the agricultural land subject of conversion.
46

47 **SEC. 58. Utilization of Fines.-** The fines collected under Sections 55, 60, 61,
48 and 62 hereof shall automatically accrue to the Agrarian Reform Fund consistent with
49 the provisions of the CARL, as amended.
50

51 **SEC. 59. Failure to Formulate, Enforce, and/or Implement the CLUPs.-**
52 Consistent with due process, the DILG shall investigate, review, and impose
53 appropriate action regarding local chief executives and other local officials and
54 employees responsible for the formulation, enforcement, and/or implementation of the
55 CLUPs in case of any of the following:
56

- 57 (a) Failure to implement and enforce the CLUP due to negligence of duty;

- 1 (b) Failure to provide appropriate budgetary allocation to effect its
2 implementation; and
3 (c) Failure to complete the preparation of the CLUP despite the availability of
4 funds, resources, and support by the *Sanggunian* concerned.
5

6 Any public official or employee, regardless of whether elected or appointed or
7 holding office or employment in a casual, temporary, holdover, permanent, or regular
8 capacity, found to be responsible for any of the foregoing acts, after due notice and
9 hearing by the appropriate body or agency, shall be punished with forfeiture of salaries
10 and allowances and suspension from:

- 11
12 1. Six (6) to nine (9) months, in case of non-implementation of CLUP; or
13 2. Three (3) to six (6) months, in case of non-completion of the CLUP.
14

15 **SEC. 60. Person(s) Abetting Illegal Conversion.-** Any person initiating,
16 causing, inducing, or abetting illegal conversion shall, upon conviction, be imprisoned
17 from seven (7) to twelve (12) years and imposed a fine of not less than one hundred
18 thousand (100,000.00) pesos, or both at the discretion of the court: *Provided*, That if the
19 offender is a public official or employee, whether elected or appointed, the penalty shall,
20 in addition thereto, include dismissal through permanent separation from the service
21 and forfeiture of all benefits and entitlements accruing to the public position and
22 perpetual disqualification to run or apply for any elective or appointive public office:
23 *Provided, further*, That if the offender is a juridical person, the penalty of imprisonment
24 shall be imposed on the president, chief executive officer, manager, the Chairperson
25 and all the members of the board, and other responsible officers thereof, and the fine
26 shall be equivalent to the zonal value of the land or forty percent (40%) of the
27 shareholders equity, as determined at the time of judgment whichever is higher, plus
28 forfeiture of the land in favor of the State for sale through public auction, the proceeds of
29 which shall automatically accrue to the Agrarian Reform Fund as provided for in Section
30 58 of this Act.
31

32 **SEC. 61. Penalty for Reclassification of Protected Agricultural Lands and**
33 **Exceeding the Limit of Areas Allowed for Reclassification.-** Any person initiating,
34 causing, inducing, or abetting the reclassification of protected agricultural areas into
35 non-agricultural uses and exceeding the limits set forth under Section 20 of the LGC of
36 1991, shall be penalized with imprisonment of twelve (12) years and a fine of not less
37 than One hundred thousand (P100,000.00) pesos, or both at the discretion of the Court:
38 *Provided*, That if the offender is a public official or employee, the penalty shall, in
39 addition thereto, include dismissal through permanent separation from the service
40 whether elected or appointed and forfeiture of entitlements accruing to the public
41 position, and perpetual disqualification to run or apply for any elective or appointive
42 public position: *Provided, further*, That if the offender is a juridical person, the penalty
43 shall be imposed on the president, chief executive officer, manager, the Chairperson
44 and all the members of the board, and other responsible officers thereof.
45

46 **SEC. 62. Payment of Disturbance Compensation.-** Following the order of
47 priority such as agricultural lessees and share tenants, regular farm workers, seasonal
48 farm workers, other farm workers, actual tillers or occupants of public lands, collective,
49 or cooperative of the above beneficiaries, and others directly working on the land
50 affected by agricultural land use conversion shall be entitled to the payment of
51 disturbance compensation equivalent to five (5) times the average of the gross harvests
52 on the landholding during the last five (5) preceding calendar years or a certain
53 percentage of the converted land, whichever is higher, as determined by the DAR.
54

55 CHAPTER XIII

56 TRANSITORY AND FINAL PROVISIONS

57 **SEC. 63. Convening of the LUPC.-** Within thirty (30) days from the effectivity

1 of this Act, the Secretary of Socio-Economic Planning shall convene the LUPC.
2

3 **SEC. 64. Implementing Rules and Regulations.-** Within sixty (60) days from
4 the effectivity of this Act, the LUPC shall promulgate the rules and regulations to
5 implement the provisions of this Act. Said rules and regulations shall be submitted to
6 the Congressional Oversight Committee for approval.
7

8 **SEC. 65. Congressional Oversight Committee on the Land Use Act.-** There
9 is hereby created a Congressional Oversight Committee composed of seven (7)
10 members from the Senate Committee on Environment and Natural Resources and
11 seven (7) members from the House of Representatives Committees on Natural
12 Resources and Housing and Urban Development. The members from the Senate shall
13 be appointed by the Senate President based on proportional representation of the
14 parties or coalitions therein with at least two (2) senators representing the minority. The
15 members from the House of Representatives shall be appointed by the Speaker also
16 based on proportional representation of the parties or coalitions therein with at least two
17 (2) members representing the minority.
18

19 The secretariat of the Oversight Committee shall be drawn from the existing
20 secretariat personnel of the committees comprising the oversight and the funding shall
21 be taken from the appropriations of both the House of Representatives and the Senate.
22

23 **SEC. 66. Appropriations.-** The appropriations for the National Land Use
24 Committee under the National Economic and Development Authority under the current
25 General Appropriations Act shall be used to carry out the initial operations of the Land
26 Use Policy Council. Thereafter, additional sums as may be necessary for the full
27 implementation of LUPC's functions shall be included in the annual General
28 Appropriations Act.
29

30 **SEC. 67. Review of Existing Land Use Plans.-** Provinces, cities, and
31 municipalities with existing land use plans shall review, revise, reconcile, and harmonize
32 the same with the guidelines and standards set forth under this Act within one (1) year
33 from the effectivity of this Act.
34

35 **SEC. 68. Repealing Clause.-** All republic acts, executive orders, rules and
36 regulations, and other issuances, or parts thereof, that are inconsistent with the
37 provisions of this Republic Act are hereby repealed or modified accordingly.
38

39 **SEC. 69. Non-impairment Clause.-** Nothing in this Act shall be construed as to
40 diminish, impair, or repeal rights recognized, granted, or available to marginalized or
41 basic sectors under existing laws including but not limited to Republic Act Nos. 7279,
42 6657, 8371, and 8550.
43

44 **SEC. 70. Separability Clause.-** If for any reason or reasons, any part or
45 provision of this Act shall be declared or held to be unconstitutional or invalid other parts
46 or provisions hereof, which are not affected thereby shall continue to be in full force and
47 effect.
48

49 **SEC. 71. Effectivity Clause.-** This Act shall take effect fifteen (15) days after
50 its publication in the Official Gazette or in at least two (2) national newspapers of
51 general circulation.

Approved,