

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



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SENATE

S. No. 2188

RECEIVED BY: *ji*

Introduced by Senator GREGORIO B. HONASAN II

AN ACT MANDATING THE COMPLETION OF THE LAND ACQUISITION AND DISTRIBUTION (LAD) COMPONENT OF THE COMPREHENSIVE AGRARIAN REFORM PROGRAM (CARP) BY JUNE 30, 2016 PURSUANT TO REPUBLIC ACT NO. 6657, OTHERWISE KNOWN AS THE "COMPREHENSIVE AGRARIAN REFORM LAW", AS AMENDED

EXPLANATORY NOTE

Our 1987 Constitution mandates that "the State shall, by law, undertake an agrarian reform program founded on the right of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till or, in the case of other farmworkers, to receive a just share of the fruits thereof. To this end, the State shall encourage and undertake the just distribution of all agricultural lands, subject to such priorities and reasonable retention limits as the Congress may prescribe, taking into account ecological, developmental, or equity considerations, and subject to the payment of just compensation. In determining retention limits, the State shall respect the rights of small landowners. The State shall further provide incentives for voluntary land-sharing."

Furthermore, under Section 30 of Republic Act (RA) No. 9700, it is provided that "any case and/or proceeding involving the implementation of the provisions of Republic Act No. 6657, as amended, which may remain pending on June 30, 2014, shall be allowed to proceed to its finality and be executed even beyond such date." The issuance of a Notice of Coverage starts the proceedings in the implementation of the provisions of the Comprehensive Agrarian Reform Law.

According to the Department of Agrarian Reform (DAR), the remaining balance for Land Acquisition and Distribution (LAD) stood at 1.2 Million hectares when RA 9700 was passed in 2009. From its passage until 31 December 2013, the DAR was able to distribute 405,206 hectares leaving a balance of 790,648 hectares. Of this balance, 206,536 hectares have not been subjected to Notices of Coverage (NOCs).

Pursuant to the mandate of the Constitution and in support of the standing executive directive to complete the distribution of all agricultural lands by June 30, 2016, this measure mandates the issuance of NOCs over all remaining agricultural lands within the next two (2) years, and the provision of budgetary mechanisms for the completion of the LAD process including support services.

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


GREGORIO B. HONASAN II

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SENATE

S. No. 2188

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Introduced by Senator **GREGORIO B. HONASAN II**

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

AN ACT

MANDATING THE COMPLETION OF THE LAND ACQUISITION AND DISTRIBUTION (LAD) COMPONENT OF THE COMPREHENSIVE AGRARIAN REFORM PROGRAM (CARP) BY JUNE 30, 2016 PURSUANT TO REPUBLIC ACT NO. 6657, OTHERWISE KNOWN AS THE "COMPREHENSIVE AGRARIAN REFORM LAW", AS AMENDED

SECTION 1. The land acquisition and distribution (LAD) component of the comprehensive agrarian reform program shall be completed by June 30, 2016;

SEC. 2. Section 30 of Republic Act No. 9700 is hereby amended to read as follows:

"Section 30. ISSUANCE OF NOTICES OF COVERAGE AND Resolution Of CaseS/PROCEEDINGS- THE NOTICES OF COVERAGE SHALL BE ISSUED TO LANDOWNERS OF ALL AGRICULTURAL LANDS WHICH HAVE NOT YET BEEN COVERED BY THE CARP UNTIL JUNE 30, 2016, SUBJECT TO THE PROVISIONS OF REPUBLIC ACT NO. 6657, AS AMENDED.

Any case and/or proceeding involving the implementation of the provisions of Republic Act No. 6657, as amended, which may remain pending on June 30, ~~2014~~ **2016** shall be allowed to proceed to its finality and be executed even beyond such date."

SEC. 3. Section 21 of Republic Act No. 9700, is hereby further amended to read as follows:

"SEC. 63. Funding Source. - The amount needed to further implement the CARP as provided in this Act until ~~June 30, 2014~~ THE COMPLETE ACQUISITION AND DISTRIBUTION OF ALL AGRICULTURAL LANDS COVERED BY THE CARP, upon expiration of funding under ~~Republic Act No. 8532~~ and other pertinent laws, shall be funded from the Agrarian Reform Fund and other funding sources in the amount of at least one hundred fifty billion pesos (P150,000,000,000.00).

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xxx xxx xxx

All funds appropriated to implement the provisions of this Act shall be considered continuing appropriations during the period of its implementation: Provided, That if the need arises, specific amounts for bond redemptions, interest payments and other existing obligations arising

from the implementation of the program shall be included in the annual General Appropriations Act: Provided, further, That all just compensation payments to landowners, including execution of judgments therefore, shall only be sourced from the Agrarian Reform Fund: Provided, however, That just compensation payments that cannot be covered within the approved annual budget of the program shall be chargeable against the debt service program of the national government, or any unprogrammed item in the General Appropriations Act: Provided, finally, That after the completion of the land acquisition and distribution component of the CARP, the yearly appropriation shall be allocated fully to support services, agrarian justice delivery and operational requirements of the DAR and the other CARP implementing agencies."

SEC. 4. Term of the Congressional Oversight Committee on Agrarian Reform (COCAR).- The term of the COCAR shall end six (6) months after June 30, 2016.

SEC. 5. Repealing Clause. – All other laws, decrees, executive orders, issuances, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 6. Separability Clause. - If, for any reason, any section or provision of this Act is declared unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

SEC. 7. Effectivity Clause. - This Act shall take effect after fifteen (15) days upon publication in at least two (2) newspapers of general circulation.

Approved,