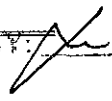


11 DEC 19 10:35

SENATE

COMMITTEE REPORT NO. 94

RECEIVED BY: 

Submitted jointly by the Committees on Environment and Natural Resources; Urban Planning, Housing and Resettlement; and Finance on DEC 19 2011.

Re : Senate Bill No. 3091

Recommending its approval in substitution of Senate Bill Nos. 109, 141, 647, 1369 and 2673.

Sponsors : Senators Escudero, Marcos Jr., Drilon, Honasan II, Cayetano (P.), Ejercito Estrada, Legarda and the Committee on Rules.

MR. PRESIDENT:

The Committees on Environment and Natural Resources; Urban Planning, Housing and Resettlement; and Finance to which were referred Senate Bill No. 109, introduced by Senator Honasan II, entitled:

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

Senate Bill No. 141, introduced by Senator Cayetano (P.), entitled:

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

Senate Bill No. 647, introduced by Senator Ejercito Estrada, entitled:

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

Senate Bill No. 1369, introduced by Senator Legarda, entitled:

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

and Senate Bill No. 2673, introduced by the Committee on Rules, entitled:

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

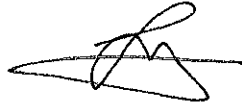
have considered the same and have the honor to report these bills back to the Senate with the recommendation that the attached bill, Senate Bill No. 3091, prepared jointly by the Committees, entitled:

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

be approved in substitution of Senate Bill Nos. 109, 141, 647, 1369 and 2673 with Senators Honasan II, Cayetano (P.), Ejercito Estrada, Legarda, the Committee on Rules, Escudero, Marcos Jr., and Drilon as authors.

Respectfully submitted:

Chairmen:

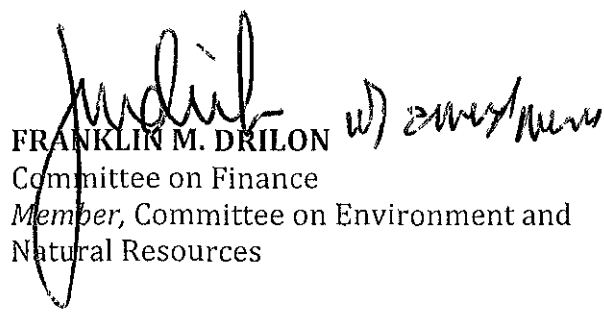


FRANCIS G. ESCUDERO

Committee on Environment and Natural Resources
Member, Committee on Urban Planning, Housing and Resettlement
Member, Committee on Finance

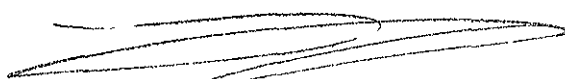


FERDINAND R. MARCOS JR.
Committee on Urban Planning, Housing
and Resettlement
*Member, Committee on Environment and
Natural Resources*
Member, Committee on Finance

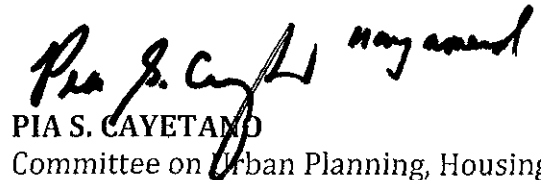


FRANKLIN M. DRILON
Committee on Finance
*Member, Committee on Environment and
Natural Resources*

Vice-Chairpersons:



LOREN B. LEGARDA
*Committee on Environment and Natural
Resources*
*Member, Committee on Urban Planning,
Housing and Resettlement*
Member, Committee on Finance

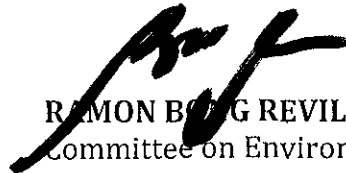


PIA S. CAYETANO
Committee on Urban Planning, Housing
and Resettlement
*Member, Committee on Environment and
Natural Resources*
Member, Committee on Finance

Members:



EDGARDO J. ANGARA
Committee on Environment and Natural Resources
Committee on Finance



RAMON B. REVILLA JR.
Committee on Environment and Natural Resources
Committee on Urban Planning, Housing and Resettlement
Committee on Finance

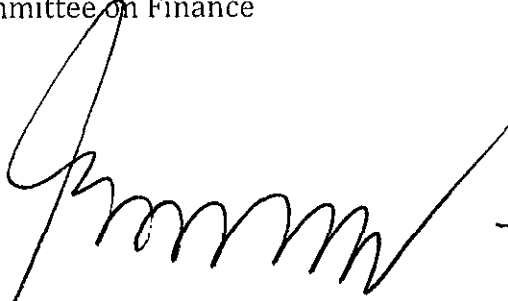


MANNY B. VILLAR
Committee on Environment and Natural Resources
Committee on Urban Planning, Housing and Resettlement
Committee on Finance

Manuel "Lito" M. Lapid

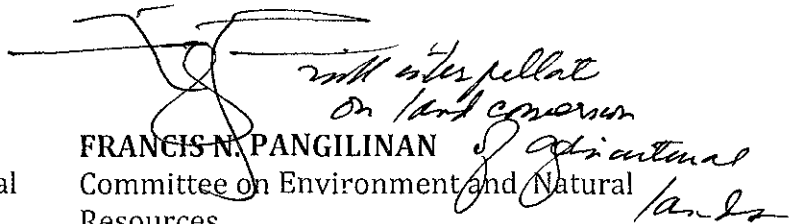


MANUEL "LITO" M. LAPID
Committee on Environment and Natural Resources
Committee on Finance



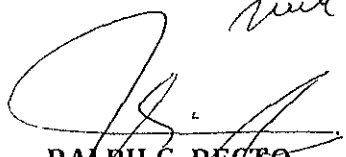
GREGORIO B. HONASAN II
Committee on Environment and Natural Resources
Committee on Urban Planning, Housing and Resettlement
Committee on Finance

with interpellat on land conversion of agricultural lands



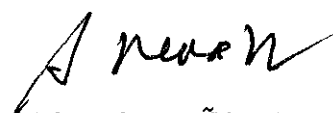
FRANCIS N. PANGILINAN
Committee on Environment and Natural Resources
Committee on Finance

will amend




RALPH G. RECTO
 Committee on Environment and Natural Resources
 Committee on Finance

will amend




SERGIO R. OSMEÑA III
 Committee on Environment and Natural Resources
 Committee on Finance

Will interpellate + amend



TEOPISTO L. GUINGONA III
 Committee on Environment and Natural Resources
 Committee on Finance

by serious reservations will amend



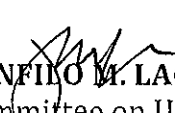
JOKER P. ARROYO
 Committee on Environment and Natural Resources
 Committee on Urban Planning, Housing and Resettlement
 Committee on Finance

Luani Defensor Santiago

MIRIAM DEFENSOR SANTIAGO
 Committee on Urban Planning, Housing and Resettlement
 Committee on Finance

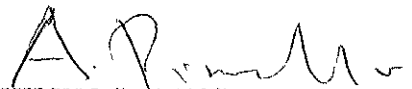


ANTONIO "SONNY" F. TRILLANES IV
 Committee on Urban Planning, Housing and Resettlement



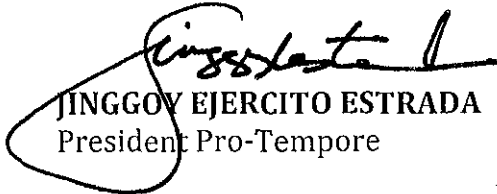
PANFILO M. LACSON
 Committee on Urban Planning, Housing and Resettlement
 Committee on Finance

might propose amendments

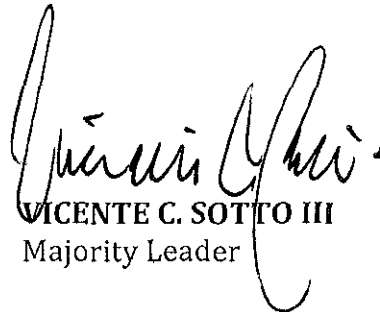


AQUILINO "KOKO" L.L. PIMENTEL III
 Committee on Urban Planning, Housing and Resettlement
 Committee on Finance

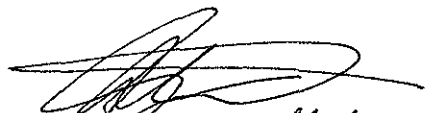
Ex-Officio Members:



JINGGOY EJERCITO ESTRADA
President Pro-Tempore



VICENTE C. SOTTO III
Majority Leader



*To Interpellate
and May propose amendments*

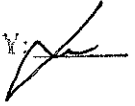
ALAN PETER "COMPAÑERO" S. CAYETANO
Minority Leader

Hon. JUAN PONCE ENRILE
President
Senate of the Philippines
Pasay City

11 DEC 19 11:35

SENATE

SENATE BILL NO. 3091

RECEIVED BY: 

(In substitution of SBN 109, 141, 647, 1369 and 2673)

Prepared jointly by the Committees on Environment and Natural Resources; Urban Planning, Housing and Resettlement; and Finance with Senators Honasan II, Cayetano (P.), Ejercito Estrada, Legarda, the Committee on Rules, Escudero, Marcos Jr., and Drilon as authors

**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

1
2
3 **SECTION 1.** *Title.* – This Act shall be known and cited as the "National Land Use
4 Act of the Philippines of 2011".

5 **SEC. 2.** *Declaration of Policies and Principles.* – All lands of the public domain,
6 waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy,
7 fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are
8 owned by the state. With the exception of agricultural lands, all other natural resources
9 shall not be alienated.

10 Pursuant to the constitutional provision or mandate, it is the policy of the State
11 to provide for a rational, holistic, and just allocation, utilization, management, and
12 development of the country's land to ensure their optimum use, consistent with the
13 principle of sustainable development.

1 The State shall recognize the need for rational, optimal and sustainable
2 settlements development, consistent with the principles of environmental management
3 and equitable access to land and security.

4 Toward this end, the State shall institutionalize land use and physical planning as
5 mechanisms for identifying, determining, and evaluating appropriate land use and
6 allocation patterns that promote and ensure:

7 a) Sustainable management and utilization of natural resources;

8 b) Maintenance and preservation of environmental integrity and stability
9 specifically the perpetual protection of permanent forests and watershed for the
10 attainment of food, water and energy sufficiency;

11 c) Disaster risk-reduction and climate change resiliency;

12 d) Protection of prime agricultural lands for food security in basic commodities
13 with emphasis on self sufficiency in rice and corn;

14 e) Water security through sustainable development and management of water
15 resources towards water security;

16 f) Settlements, transportation and infrastructure development in support of
17 urban, rural and regional development and inclusive growth;

18 g) Harmony between the rights and the varied interests of every Filipino within
19 the framework of people empowerment, decentralization, social justice, and equity;

20 h) Respect for and protection of the sustainable traditional resource rights of
21 the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral
22 domains to ensure their economic, social, and cultural well-being as well as recognition
23 of the applicability of customary laws and sustainable traditional resource use and
24 management, knowledge, and practices in ancestral domains in compliance with free

1 and prior informed consent of ICC/IPs;

2 i) Protection of the rights of basic sectors to equitable access to the country's
3 land;

4 j) Protection, preservation, and development of the Filipino historical, cultural
5 and built cultural heritage and resources for the deeper understanding of our history
6 and culture as a people;

7 k) Attainment of energy security and self-sufficiency; and

8 l) Market orientation where the interplay of market forces and fair trade within
9 the framework of ecological development and equity consideration is encouraged and
10 adopted as the basic parameter in achieving efficiency in land use and allocation.

11 It is also the policy of the State to ensure that local government units (LGUs)
12 share with the national government the responsibility of managing and maintaining
13 ecological balance within their territorial jurisdiction as stated in the 1987 Constitution
14 and the 1991 Local Government Code (LGC) or Republic Act 7160.

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

20 **SEC. 3. Scope.** – This Act shall apply to all lands whether public, private,
21 government-owned, and/or in the possession of individuals, communities, indigenous
22 people, or groups of people, to provide for a rational, holistic, and just allocation,
23 development and management of land including such activities that bear impact on said
24 resources.

CHAPTER II

DEFINITIONS

1
2
3 **SEC. 4. *Definition of Terms.*** – As used in and for purposes of this Act, the
4 following terms shall mean:

5 a) "*Agricultural land*" shall refer to land of public domain which have been
6 devoted to agricultural activity as defined in Republic Act No. 6657, as amended and not
7 further classified for residential, commercial or industrial use and such other uses as
8 may be provided by law;

9 b) "*Agricultural land use conversion*" shall refer to the undertaking of any
10 development activity which modifies or alters the physical characteristics of
11 agricultural lands to render them suitable for non-agricultural purposes with an
12 approved order of conversion issued exclusively by the Department of Agrarian Reform
13 (DAR);

14 c) "*Alienable and disposable (A&D) lands*" shall refer to lands of the public
15 domain which have been delineated, classified, and certified as open and available for
16 disposition under the provisions of Commonwealth Act No.141, otherwise known as the
17 "Public Land Act," as amended;

18 d) "*Ancestral domains*" shall refer to all areas generally belonging to ICCs/IPs as
19 defined in Republic Act No. 8371, otherwise known as the "Indigenous Peoples Rights
20 Act (IPRA) of 1998;"

21 e) "*Basic Sector*" shall refer to a group of people not referring to any organized
22 groups such as but not limited to women, youth, elderly, differently-abled, peasants and
23 fisher folk;

24 f) "*Basic Shelter*" shall refer to any subdivision unit, housing unit or

1 condominium satisfying the barest minimum shelter requirements under the minimum
2 design standards of Batas Pambansa Blg. 220;

3 g) "*Comprehensive Land Use Plan (CLUP)*" shall refer to a document embodying a
4 set of policies and guidelines, accompanied by official maps and similar illustrations,
5 that serves as principal basis for determining the future land use of lands and natural
6 resources for production and protection purpose within the territorial jurisdiction of
7 the city or municipality. It represents the community-desired pattern of population
8 distribution and proposes future allocation of land resources to various land-using
9 activities. It identifies the allocation, character, and extent of the areas of land resources
10 to be used for different purposes and includes the processes and the criteria employed
11 in the determination of the land use. It has a long-term perspective, encompassing a
12 minimum of ten (10) years;

13 h) "*Comprehensive land use planning*" shall refer to the act of defining the
14 allocation, utilization, development and management of all lands within a given
15 territory or jurisdiction according to the inherent characteristic of the land itself and
16 supportive of sustainable, economic, demographic, socio-cultural and environmental
17 objectives as an aid to decision-making and legislation;

18 i) "*Coastal area/zone*" shall refer to a band of dry land and the adjacent ocean
19 space (water and submerged land) in which terrestrial processes and uses directly
20 affect oceanic processes and uses, and vice versa. Its geographic extent may include
21 areas within a landmark limit of one (1) kilometer from the shoreline at high tide to
22 include mangrove swamps, brackish water ponds, *nipa* swamps, estuarine rivers, sandy
23 beaches and other areas within a seaward limit of 200 meters isobath to include coral
24 reefs, algal flats, seagrass beds, and other soft-bottom areas. For purposes of initiating

1 and implementing sustainable coastal resources protection and management, it shall
2 include foreshore lands;

3 j) "*Critical habitats*" shall refer to areas outside protected areas as defined in
4 Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas
5 System Act of 1992", that are known habitats of threatened species and designated as
6 such based on scientific data taking into consideration species endemicity and/or
7 richness, presence of human-made pressures/threats to the survival of wildlife living in
8 the area, among others;

9 k) "*Critical watershed*" shall refer to a drainage area of a river system supporting
10 existing and proposed hydro-electric power, domestic water consumption, irrigation
11 works or existing water facilities needing immediate protection and rehabilitation to
12 minimize erosion and improve water yield. It shall be closed for logging until it is fully
13 rehabilitated;

14 l) "*Cultural heritage*" shall refer to the totality of cultural properties preserved
15 and developed through time and passed on for posterity;

16 m) "*Customary laws*" shall refer to a body of written and/ or unwritten rules,
17 usages, customs and practices traditionally and continually recognized, accepted, and
18 observed by respective ICCs/IPs, consistent with the IPRA;

19 n) "*Development plan*" shall refer to a document that defines the activities or
20 measures that the national government or local government units (LGU's) intend to
21 implement in order to achieve a defined set of development goals. It integrates the
22 socio-economic and sectoral plans of the national government or its instrumentality or
23 a particular LGU with land use or physical framework plans. It may include an analysis
24 of problems and resources, definition of goals and objectives, policy guidelines, project

1 and target achievements, and an implementation mechanism which defines the roles
2 and contributions expected from the government and the private sector. Development
3 plans include the national-level Medium-Term Philippine Development Plan (MTPDP)
4 and its counterpart plans at the regional, provincial and local levels called the Medium-
5 Term Regional Development Plan (MTRDP), the Provincial Physical Framework and
6 Development Plan (PPFDP) and the Comprehensive Development Plan (CDP). These
7 plans are translated into medium-term investment programs, also prepared at the
8 national, regional and local levels, where programs, projects and activities derived from
9 the development plans are ranked, prioritized, and matched with investment financing
10 capacities;

11 o) *"Ecologically-fragile lands"* shall refer to lands within the critical watershed,
12 brackish and freshwater wetlands, pasture lands, and croplands which require
13 rehabilitation and whose continued unsustainable use would adversely affect the
14 productivity of lowland agricultural areas and the stability of the upland ecosystem;

15 p) *"Ecotourism"* shall refer to sustainable tourism or travel to a given natural
16 area with exotic or threatened ecosystems or a heritage area to observe wildlife or to
17 help preserve nature, in the process providing for community participation, protection
18 and management of natural resources, culture and indigenous knowledge systems and
19 practices, environmental education and ethics, as well as economic benefits fostered
20 and pursued for the enrichment of host communities and the satisfaction of visitors;

21 q) *"Energy resource lands"* shall refer to lands where naturally occurring or
22 indigenous energy resources exist in sufficient quantity or quality as to be economically
23 viable for exploration, development, production, utilization, and distribution process;

24 r) *"Energy resources"* shall refer to surface or subsurface substances that serve

1 as energy sources. These are traditionally mineral fuel deposits such as coal, petroleum,
2 natural gas or renewable resources from geothermal, hydro reservoirs, or non-
3 conventional sources such as ocean waves, solar, wind, biomass, and other similar
4 resources which serve the same purpose;

5 s) "*Environmentally critical areas*" shall refer to areas declared by law as: (a)
6 protected areas pursuant to Republic Act No. 7586 or the NIPAS Act of 1992; (b) areas
7 for natural parks, watershed reserves, wildlife preserves, and sanctuaries; (c) areas set
8 aside as aesthetic potential tourist spots; (d) areas which constitute the habitat of any
9 endangered or threatened species or indigenous Philippine wildlife (flora and fauna);
10 (e) areas of unique historic, archaeological, or scientific interests; (f) areas which are
11 traditionally occupied by ICCs/IPs; (g) areas with critical slopes; (h) areas exposed to
12 geologic and hydro-meteorologic hazards; (i) prime agricultural lands; (j) recharge areas
13 of aquifers; (k) water bodies; (l) mangrove areas; (m) coral reefs; (n) mossy and old-
14 growth forests; (o) rivers and river banks; (p) swamp forest and marshlands; and (q)
15 foreshore lands. This term shall also include other terrestrial, aquatic and marine areas
16 that need special protection and conservation measures because they are ecologically
17 fragile or they are needed for food security and food self sufficiency as determined by
18 concerned agencies and LGUs in consultation with the concerned sectors;

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

22 u) "*Exhausted energy resource lands*" shall refer to specific energy resource sites
23 whose energy reserves of the desired type(s) are no longer in sufficient quantity or
24 quality to justify additional expenditure for their extraction and utilization as certified

1 by the Department of Energy;

2 v) "*Exhausted mineral lands*" shall refer to specific sites whose mineral deposits
3 are no longer in sufficient quantity or quality to justify additional expenditure for their
4 extraction and utilization as may be determined by the latest technology available;

5 w) "*Exhausted mineral resources*" shall refer to a situation where the mineral
6 resources in specific sites are no longer in sufficient quantity or quality to justify
7 additional expenditure for extraction or utilization as determined by the Mines and
8 Geosciences Bureau and approved by the DENR;

9 x) "*Flood plain*" shall refer to the portion of a river valley adjacent to a river
10 channel which is covered with water when river overflows its banks at flood stages. The
11 plain usually consists of silt deposited by the stream;

12 y) "*Flood-prone areas*" shall refer to low lying areas usually adjacent to large or
13 active water bodies and therefore experience regular or seasonal inundation as a result
14 of changes in the mean water level of these bodies or because of land reclamation and
15 other artificial interference with the natural processes;

16 z) "*Food security*" shall refer to the policy objective of meeting the food
17 availability, accessibility, quality and affordability requirements of the present and
18 future generations of Filipinos in a sustainable manner, through local production or
19 importation, only when there is shortage established based on a micro level situation,
20 or both, based on the country's existing and potential resource endowments and related
21 production advantages, and consistent with the overall national development objectives
22 and policies;

23 aa) "*Food self-sufficiency*" shall refer to the policy objective of meeting the
24 food requirements through intensive local food production in a sustainable manner

1 based on the country's existing and potential resource endowments and related
2 production advantages;

3 bb) "*Forestlands*" shall refer to lands of the public domain classified and/or
4 determined as needed. They include all permanent forests or forest reserves, forest
5 reservations and all remaining unclassified lands of the public domain;

6 cc) "*Foreshore land*" shall refer to the part of the shore which is alternately
7 covered and uncovered by the ebb and flow of the tide;

8 dd) "*Free and Prior Informed Consent*" shall refer to consensus of all members
9 of the ICCs/IPs to be determined in accordance with their respective customary laws
10 and practices, free from any external manipulation, interference and coercion, and
11 obtained after fully disclosing the intent and scope of the activity, in a language and
12 process understandable to the community;

13 ee) "*Geo-hazards*" shall refer to natural and human-induced geological
14 processes that have potential to cause destruction and pose a threat or risk to human
15 life and property;

16 ff) "*Geo-hazard prone areas*" shall refer to areas frequently visited and/or
17 vulnerable or prone to experience weather/climatic, hydrologic, geologic, and other
18 natural calamities;

19 gg) "*Heritage Zones*" shall refer to historical, anthropological, archaeological
20 and artistic geographical areas and settings that are culturally significant to the country
21 as declared by the National Museum and/or National Historical Commission of the
22 Philippines, pursuant to R.A. No. 10066 or the National Cultural Heritage Act of 2009;

23 hh) "*Illegal agricultural land conversion*" shall refer to any activity that
24 modifies or alters the physical characteristics of agricultural lands to render them

1 suitable for non-agricultural purposes without an approved order of conversion from
2 the DAR Secretary;

3 ii) *"Improvements"* shall refer to all types of buildings and residential units,
4 walls, fences, structures or construction of all kinds of fixed character or are adhered to
5 the soil but shall not include trees, plants, growing fruits, and other fixtures that are
6 mere super impositions on the land, and the value of improvements shall not be less
7 than fifty percent (50%) of the assessed value of the property;

8 jj) *"Inclusive growth"* shall refer to ensuring that the economic opportunities
9 created by growth are available to all, particularly the poor, to the maximum possible
10 extent;

11 kk) *"Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)"* shall
12 refer to groups of people or homogenous societies identified under Republic Act No.
13 8371 or the "Indigenous People's Rights Act (IPRA)";

14 ll) *"Indigenous energy resources"* shall refer to energy resources, which
15 originate or occur naturally in the Philippines;

16 mm) *"Inland waters"* shall refer to waters, which are not coastal and marine
17 waters not subject to acquisitive prescription consistent with the provisions of
18 Presidential Decree No. 1067, otherwise known as the "Water Code of the Philippines";

19 nn) *"Inter-tidal sand flat"* shall refer to a juvenile fish-feeding area and habitat
20 for crustaceans. The littoral gravel and sand biotopes are also used by important
21 wintering ground and roosting/feeding grounds of indigenous migratory birds;

22 oo) *"Integrated watershed management"* shall refer to a planning strategy or
23 program for watershed areas that complement environmentally-sound soil and water
24 management practices with mechanisms for ensuring greater responsibility,

1 involvement, or participation of individuals, groups, communities and other
2 stakeholders benefiting from these areas and water-related infrastructure;

3 pp) "*Key biodiversity areas*" shall refer to sites that are nationally and globally
4 significant for biodiversity conservation primarily containing species that require site-
5 scale conservation to prevent extinction in the short-term and medium-term. Such
6 species may be nationally and globally threatened , restricted-range and/or nationally
7 and globally significant congregations of species;

8 qq) "*Lagoon*" shall refer to a semi-enclosed coastal basin with limited
9 freshwater input, high salinity and restricted circulation which often lies behind sand
10 dunes. It is often highly productive and habitat for variety of plants and animal, serves
11 as nurseries of prawns and shrimps and also site for harbor, aquaculture, industry and
12 recreation;

13 rr) "*Land*" shall refer to resources, both natural and man-made, found on the
14 surface, below, and above the ground including inland waters and the air therein;

15 ss) "*Land use*" shall refer to the manner of utilization of land, including its
16 allocation, development, and management;

17 tt) "*Land use classification*" shall refer to the act of delineating or allocating
18 lands according to protection land use, production land use, settlements development,
19 and infrastructure development as defined and provided for in this Act;

20 uu) "*Land sub-classification*" shall refer to the act of determining and assigning
21 specific uses of classified lands of the public domain, such as forest or timber lands,
22 alienable or disposable agricultural lands, national parks, and mineral lands in
23 accordance with existing laws and this Act;

24 vv) "*Mandatory public hearings/consultations*" shall refer to the mechanism to

1 ensure the active participation of concerned sectors in all affected areas in land use
2 planning from the local to the national level. It involves giving effective notice of
3 hearing/consultation to concerned sectors within an affected area through direct
4 written invitations, using regular mail or electronic means, and publication/posting in
5 conspicuous places, conduct of a reasonable number of hearings in or proximate to the
6 specific area affected, and solicitation of positions and the public presentation and
7 public confirmation of the planning results in the specific area affected before the final
8 adoption of the plans;

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

12 xx) "*Mineral exploration*" shall refer to the systematic searching or prospecting
13 for mineral resources;

14 yy) "*Mineral lands*" shall refer to lands where mineral resources are found;

15 zz) "*Mineral resources*" shall refer to any concentration of minerals/rocks with
16 potential economic value;

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

20 bbb) "*National Integrated Protected Areas System (NIPAS)*" shall refer to the
21 classification and administration of all designated protected areas to maintain essential
22 ecological processes and life-support systems, to preserves genetics diversity, to ensure
23 sustainable use of resources found therein, and to maintain their natural conditions to
24 the greatest extent possible;

1 ccc) "*National Land Use Commission (NLUC)*" shall refer to the highest land use
2 policy making body created under Section 14 of this Act;

3 ddd) "*National Parks*" shall refer to a forest reservation essentially of natural
4 wilderness character which has been withdrawn from settlement, occupancy or any
5 form of exploitation except in conformity with approved management plan and set
6 aside as such exclusively to conserve the area or preserve the scenery, the natural and
7 historic objects, wild animals and plants therein and to provide enjoyment of these
8 features in such areas;

9 eee) "*National physical framework plan*" shall refer to an indicative plan
10 containing the policy areas promoting the most appropriate and rational use of land and
11 other physical resources such as but not limited to protection, production, settlement
12 and infrastructure land use. It provides policy guidelines for all decisions relating to
13 land use and environmental management, to prevent and mitigate the adverse effects of
14 inappropriate resource utilization on the country's food security and food self-
15 sufficiency on rice and corn, the people's welfare and their environment. It embodies
16 both policies and strategies necessary to carry out goals and objectives of this Act;

17 fff) "*Network of Protected Areas for Agriculture and Agro-industrial*
18 *Development (NPAAAD)*" shall refer to agricultural areas identified by the Department of
19 Agriculture through the Bureau of Soils and Water Management (BSWM) in
20 coordination with the National Mapping and Resource Information Authority (NAMRIA)
21 in order to ensure the efficient utilization of land for agriculture and agro-industrial
22 development and promote sustainable growth. The NPAAAD covers all irrigated areas,
23 all irrigable lands already covered by irrigation projects with firm funding
24 commitments, all alluvial plains, land highly suitable for agriculture whether irrigated

1 or not, agro-industrial croplands or lands planted to industrial crops that support the
2 validity of existing agricultural infrastructure and agro-based enterprises, highlands or
3 areas located at an elevation of five hundred (500) meters or above and have the
4 potential for growing semi-temperate and high value crops, all agricultural lands that
5 are ecologically fragile the conversion of which will result in serious environmental
6 degradation, and all mangrove areas and fish sanctuaries;

7 ggg) "*Non-agricultural land use conversion*" shall refer to the act of changing the
8 current use of a piece of non-agricultural land into some other uses;

9 hhh) "*Non-government organization*" shall refer to a private and non-profit
10 voluntary organization which is committed to the task of political, socio-economic,
11 physical, cultural and environmental development and established primarily to provide
12 service to marginalized sectors in these areas;

13 iii) "*Patrimonial properties*" refer to all the properties belonging to the State
14 that are not intended for public use or for public service for the development of national
15 wealth;

16 jjj) "*People's organization*" shall refer to a private, non-profit, voluntary and
17 community-based organization with membership constituency established primarily to
18 provide service to its members and the community in general;

19 kkk) "*Physical framework plans*" shall refer to indicative plans based on
20 comprehensive land use plans (CLUPs) and national policies whether national, regional,
21 or provincial which provide policy guidelines for all decisions relating to land use and
22 environmental management to prevent or mitigate the adverse effects of inappropriate
23 resource utilization on food security, the people's welfare and their environment. it
24 embodies both policies and strategies necessary to carry out development goals and

1 objectives;

2 lll) *"Premature or illegal conversion of agricultural lands"* shall refer to any
3 activity that modifies or alters the physical characteristics of agricultural lands to
4 render them suitable for non-agricultural purposes without an approved order of
5 conversion from the DAR Secretary;

6 mmm) *"Prime agricultural lands"* shall refer to all irrigated areas; all irrigable
7 lands already covered by irrigation projects with firm funding commitments; all rain-
8 fed areas planted to rice and other crops; all alluvial plain lands highly suitable for
9 agriculture whether irrigated or not, agro-industrial croplands or lands presently
10 planted to industrial crops that support the viability of existing agricultural
11 infrastructure and agro-based enterprises, highlands, or areas located at elevation of
12 500 meters or above and have the potential for growing semi-temperate and high value
13 crops; all agricultural lands that are ecologically fragile, the conversion of which will
14 result in serious environmental degradation, and mangrove areas and fish sanctuaries;

15 nnn) *"Production land use"* shall refer to the direct and indirect utilization of
16 land to generate outputs resulting from the following activities, but not limited to:
17 agricultural, fish, farming or aquaculture, timber production, agro-forestry, grazing and
18 pasture, mining, indigenous energy resource development, industry, and tourism;

19 ooo) *"Protected areas"* shall refer to portions of land set aside by reason of
20 their unique physical and biological significance, managed to enhance biological
21 diversity, and protected against destructive human exploitation. For purposes of this
22 Act, it shall include agricultural lands identified and delineated under Section 29 hereof;

23 ppp) *"Protection land use"* shall refer to the utilization of land
24 primarily for food, water and energy security, rehabilitation, conservation, and

1 protection purposes for the promotion of the country's ecological and life-support
2 systems;

3 qqj) "*Public domain*" shall refer to lands that belong to the State which may be
4 any of the following: agricultural, forest or timber, mineral, or national park as provided
5 for in the Constitution;

6 rrr) "*Public lands*" shall refer to lands which have not been subject to private
7 property rights or subject to sale or other modes of acquisition or concession under the
8 general laws, and are devoted to public use;

9 sss) "*Reclassification of agricultural lands*" shall refer to the act of specifying
10 how agricultural lands shall be utilized for non-agricultural uses such as residential,
11 industrial, or commercial purposes through the local planning and zoning processes
12 pursuant to Republic Act No. 7160 or the Local Government Code of 1991 and subject to
13 the requirements and procedure for conversion. It is equivalent to land sub-
14 classification, as defined in this Act for classified lands of the public domain and also
15 includes the reversion of non-agricultural lands to agricultural use;

16 ttt) "*Resettlement sites*" shall refer to areas identified by the appropriate
17 national agency or by the local government unit, with respect to areas within its
18 jurisdiction which shall be used for the relocation of the underprivileged and homeless,
19 as defined under Republic Act No. 7279 or the "Urban Development and Housing Act
20 (UDHA)";

21 uuu) "*River basin*" shall refer to the portion of land drained by a river and its
22 tributaries. It encompasses the entire land surface dissected and drained by many
23 streams and creeks that flow downhill into one another, and eventually into one river.
24 The final destination is an estuary or an ocean;

1 vvv) "*Settlements*" shall refer to formal and informal communities or built-up
2 residential areas where people prefer to live in land areas classified, zoned, or
3 converted for current or future residential or housing development purposes, including
4 socialized housing zones for the homeless and underprivileged citizens;

5 www) "*Settlements development*" shall refer to any improvement on existing
6 formal or informal residential or housing settlements or any proposed development of
7 certain areas for residential or mass housing settlement purposes. It also involves the
8 spatial distribution of population, identification of the roles and functions of key urban
9 centers, determination of relationships among settlement areas, and the provision of
10 basic services and facilities of identified major residential or housing settlement areas
11 or growth centers. It is also concerned with the interrelationship of settlements as they
12 develop and establish functional linkages based on their respective resource
13 endowments and comparative advantages;

14 xxx) "*Shoreline*" shall refer to the line where shore and water meet;

15 yyy) "*Significant caves*" shall refer to caves which contain materials or possess
16 features that have archaeological, cultural, ecological, historical or scientific value as
17 determined by the Department of Environment and Natural Resources (DENR) in
18 coordination with the scientific community and the academe;

19 zzz) "*Socialized housing*" shall refer to housing programs and projects
20 undertaken by the government or the private sector for the underprivileged and
21 homeless citizens which shall include sites and services development, long-term
22 financing, liberalized terms on interest payments, and such other benefits in accordance
23 with the UDHA;

24 aaaa) "*Socialized housing zones*" shall refer to lands identified and designated by

1 local government units as sites for socialized housing, pursuant to Article IV of Republic
2 Act No. 7279 or the UDHA, and its implementing guidelines. It shall include areas that
3 are presently occupied by the urban poor, as well as those identified as resettlement
4 areas as defined herein;

5 bbbb) "*Sustainable development*" shall refer to the development objective of
6 meeting the needs of the present generation without compromising the ability of future
7 generations to meet their own needs consistent with the principles of social equity,
8 efficiency, and environmental integrity;

9 cccc) "*Stakeholder*" shall refer to an individual, social group or organization that
10 has a direct or indirect interest in an activity, project, resources, or decision;

11 dddd) "*Tourism development areas*" shall refer to specific sites for tourism
12 development located in areas identified as priorities in the national, regional, and inter-
13 regional area specific tourism master plans and other sector plans such as eco-tourism
14 and agri-tourism sites, including those designated through legislative and executive
15 issuances such as tourist spots, tourist zones and tourism ecozones which can be
16 developed into tourism estates or integrated resort, leisure, and recreation complexes,
17 and other tourism related facilities;

18 eeee) "*Tourism Enterprise Zone*" shall refer to an area designated as tourism
19 enterprise zone by the Tourism Infrastructure and Enterprise Zone Authority (TIEZA)
20 pursuant to the provisions of RA 9593 otherwise known as the Tourism Act of 2009;

21 ffff) "*Tourism estates*" shall refer to large tracts of land with well-defined
22 boundaries in any area identified in the Philippine tourism master plan and regional
23 tourism master plan, by proclamation of the President and/or by an act of Congress
24 including local legislation. Such land shall be suitable for the development of an

1 integrated tourism and resort complex including but not limited to accommodation
2 facilities, food and beverage outlets, convention and meeting areas, sports, recreational
3 and leisure centers and commercial outlets among others. It shall be provided with
4 roads, water supply facilities, power and utilities like potable water, drainage sewerage
5 disposal, solid waste disposal system and other necessary infrastructure. The estate
6 shall be under one unified and continuous management;

7 gggg) "*Tourist spot*" shall refer to a particular area/site/spot, human-made or
8 natural, known for its unique tourist/visitor-drawing attributes and activities. It may
9 be classified according to its social, cultural, natural, historical, scientific, religious, and
10 recreational significance;

11 hhhh) "*Tourist zone*" shall refer to a geographic area with well-defined
12 boundaries proclaimed as such by the President of the Philippines and/or by acts of
13 Congress. No development projects for any purpose shall be initiated and introduced
14 within the zone prior to the formulation of a tourism master development plan which
15 shall be undertaken in coordination with the Department of Tourism (DOT) and TIEZA.
16 A tourist zone is established for the enhancement and/or the conservation of cultural
17 and historical heritage and for the appreciation and enjoyment of the local population
18 and its visitors;

19 iiiii) "*Urban areas*" shall refer to all cities regardless of their population density
20 and to municipalities with population density of at least Five hundred (500) persons
21 per square kilometer;

22 jjjj) "*Urbanizable areas*" shall refer to sites and lands which, considering
23 present characteristics and prevailing conditions, display marked and great potential of
24 becoming urban areas within a period of five (5) years;

1 kkkk) "*Urban forestry*" or "*Green Space*" shall refer to the establishment and
2 management of forest in urban environment for the physiological and psychological
3 well being of the people;

4 llll) "*Water security*" shall refer to the sufficient access throughout the year to
5 the minimum daily requirement of clean water to maintain a healthy life;

6 mmmm) "*Water use*" shall refer to the appropriation of water for domestic,
7 municipal, irrigation, power generation, inland fisheries, poultry and livestock raising,
8 industrial and commercial, environmental, and recreational use and other purposes;

9 nnnn) "*Watershed*" shall refer to a land area drained by a stream or fixed body of
10 water and its tributaries having a common outlet for surface runoff;

11 oooo) "*Zoning*" shall refer to the process of delineating the specific uses of lands
12 in accordance with the approved Comprehensive Land Use Plan (CLUP) within the
13 territorial jurisdiction of a city/municipality and specifying the conditions for their
14 regulation; subject to the limitations imposed by law and competent authority; and,

15 pppp) "*Zoning ordinance*" or "*ZO*" shall refer to a local law passed by the
16 *Sangguniang Bayan* or *Panglunsod* approving the development control/zoning plan in
17 accordance with an approved or adopted CLUP for the city/municipality, and providing
18 for the regulations and other conditions on the uses of land including the limitation on
19 the infrastructure that may be placed thereon within the territorial jurisdiction of a city
20 or municipality. It incorporates the protected areas under Section 13(a) and the
21 protected agricultural lands under Section 29 of this Act.

22

1 CHAPTER III

2 PHYSICAL FRAMEWORK AND LAND USE PLANS

3 SEC. 5. *National Land Use Planning Process.* – The land use and physical planning
4 process shall be formulated following a combined bottom-up and top-down approach.
5 The National Land Use Commission (NLUC) shall draft the National Physical Framework
6 Plan (NPFPP) which shall have a timeframe of thirty (30) years, with regular review and
7 updating every ten (10) years. The NPFPP, which guides the planning and management of
8 the country's land and other physical resources at the national and sub-national levels,
9 shall indicate broad spatial directions and policy guidelines on settlements
10 development, production land use, protection land use, social services and utilities, and
11 transportation and communication. The Regional Physical Framework Plans (RPFPPs),
12 Provincial Physical Framework and Development Plans (PPFDPs), and Comprehensive
13 Land Use Plans (CLUPs), which shall also have a 30-year timeframe and cover the
14 physical development of their respective territories, shall be consistent with the
15 national physical framework plan: *Provided,* That the integration and harmonization of
16 the physical framework plans at all levels shall be iterative to ensure that the concerns
17 of both top and bottom levels of government are considered. The physical and land use
18 plans prepared at all levels shall have internal consistency specifically on, but not
19 limited to, the development, management and conservation of forestlands found within
20 a given territory and the linkages of the major land use categories to ensure their
21 complementation in the utilization, development and management of resources.

22 The NLUC shall issue procedural guidelines which shall guide the formulation
23 and integration/harmonization process: *Provided,* That the National Economic and
24 Development Authority (NEDA), the Housing and Land Use Regulatory Board (HLURB),

1 the Department of the Interior and Local Government (DILG) and other agencies will
2 continue to issue guidelines on the content of the plans consistent with their respective
3 agency mandates.

4 **SEC. 6. *City and Municipal Land Use Plans.*** – The City/Municipal Planning and
5 Development Office (C/MPDO), in consultation with concerned sectors through conduct
6 of mandatory public hearings/consultations, shall prepare the CLUP to determine the
7 specific uses of land and other physical resources therein including areas co-managed
8 with the national government and, as appropriate, the ancestral domain areas. The
9 CLUP shall be consistent with the PPFDP and shall define the city/municipal
10 development vision, appropriate economic, environmental and social development
11 policies, densities and transportation system.

12 The CLUP may be formulated as a component of a Comprehensive Land Use and
13 Development Plan (CLUJP), which merges the traditionally separate CLUP and
14 comprehensive development plan to address the disconnect between spatial and
15 sectoral factors and to ensure the complementation between the medium- and long-
16 term concerns.

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

20 **SEC. 7. *Provincial Physical Framework and Development Plans (PPFDP).*** – In
21 consultation with concerned sectors, the Provincial Planning and Development Office
22 (PPDO) shall prepare a Provincial Physical Framework and Development Plan (PPFDP)
23 which shall define the province's development vision, economic and social development
24 policies, general land uses, and inter-city/municipal transportation system. The PPFDP

1 shall harmonize the land use plans of component cities and municipalities, taking into
2 consideration shared resources and planning concerns, and define the uses of land and
3 other resources within the province consistent with the policies in the regional physical
4 framework plan. The programs, projects and activities prescribed in the PPFDP shall be
5 integrated into the provincial development investment program. The PPDO shall
6 submit the PPFDP to the Provincial Land Use Policy Council (PLUPC), created under
7 Section 21 of this Act, for review and endorsement to *Sangguniang Panlalawigan*, which
8 shall adopt the same pursuant to Section 468 (2) (vii) of RA 7160 or the Local
9 Government Code.

10 **SEC. 8. *Regional Physical Framework Plans.*** – In consultation with concerned
11 sectors, the Regional Land Use Policy Council (RLUPC) shall define the desired spatial
12 arrangement of land-using activities in the entire region, consolidating and harmonizing
13 the provincial physical framework plans of provinces and independent cities within the
14 territorial jurisdiction of the region. The regional physical framework plan, which
15 depicts an end-state scenario toward which efforts and activities are directed, shall
16 consist of spatially-based and area-focused policies, consistent with those in the
17 national framework for physical planning, to guide detailed physical, socio-economic,
18 sectoral and investment planning.

19 **SEC. 9. *National Physical Framework Plan.*** – The National Land Use Commission
20 (NLUC) created in Section 14 herein, in consultation with the concerned sectors through
21 the conduct of mandatory public hearings/consultations, shall formulate, periodically
22 update and ensure the implementation of a national physical framework plan that shall
23 prescribe and influence the country's land use and physical development. The NPPF
24 shall operationalize the policies provided in this Act and will be the basis for adopting

1 land use and physical planning-related guidelines and standards, including zoning and
2 other land use control standards that will guide the formulation of city/municipal
3 zoning ordinances.

4 The policies prescribed in the NPPF shall be integrated into the MTPDP and
5 Medium-Term Philippine Investment Program.

6 CHAPTER IV

7 FRAMEWORK FOR LAND USE PLANNING

8 **SEC. 10.** *Priorities in Land Use Allocation and Planning.* – In projecting spatial
9 allocation for different land uses, the LGUs shall first exclude areas under protection
10 land use of Section 13(a) hereof, national parks, energy resource lands, and prime
11 agricultural lands to ensure ecological integrity, energy supply, and promote food
12 security. Areas with prior rights and those with site-specific resources for basic
13 services, such as but not limited to, water and indigenous energy resources, shall also be
14 excluded. Spatial allocation and planning shall then proceed in accordance with
15 Sections 12 and 13 hereof with priorities given to integrated watershed management
16 areas, socialized housing sites, fisherfolk settlement in coastal areas, and waste disposal
17 sites.

18 **SEC. 11.** *Adoption of Multiple Uses of Land Resources.* – The primary and
19 alternative uses of a specific land resource shall be determined and evaluated prior to
20 any decision for the assignment of its use. Areas feasible for sustainable land resource
21 use may be considered multiple-use zones wherein settlements, tourism, agriculture,
22 forestry, agro-forestry and extraction activities and other income-generating or
23 livelihood activities may be allowed: *Provided*, That multiple uses of land resources shall
24 be excluded in areas identified as protection land use: *Provided, further*, That such land

1 resources shall be in accordance with priorities in land use allocation and planning and
2 that no reclassification shall be allowed.

3 **SEC. 12. *Basic Land Use Planning Considerations.*** – In determining the various
4 land uses, the people and their productive activities and the need for functional open
5 spaces and preservation areas as well as the various interrelationships of the physical
6 characteristics of the land and other elements therein shall be considered, among
7 others, the following:

8 (a) Availability of natural resources including indigenous energy resources
9 for energy security and self-sufficiency;

10 (b) Geology, geomorphology, geologic hazard, climate, soil, vegetative cover,
11 demography and slope;

12 (c) Economic, environmental, cultural, social and related development
13 activities;

14 (d) Existing government policies on land and natural resources allocation,
15 utilization, management and disposition;

16 (e) Technological changes/advancement;

17 (f) Existing customary rights for the protection of indigenous peoples and
18 vulnerable groups including women and urban poor; and

19 (g) Inventory of prior and existing rights, to harmonize determination of land
20 use.

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

24 (a) ***Protection Land Use*** shall refer to the use of land primarily for food,

1 water and energy security, rehabilitation, conservation, and protection purposes for the
2 promotion of the country's ecological and life-support systems. Planning for protection
3 land use intends to achieve food self-sufficiency in rice and corn, water and energy
4 security, environmental stability and ecological integrity, ensure a balance between
5 resource use and the preservation of some areas with environmental, aesthetic,
6 educational, cultural, heritage and historical significance, and protect people and
7 human-made structures from the ill-effects of natural hazards. All lands, either public
8 or private, under protection land use shall be permanently conserved, preserved,
9 rehabilitated and protected from all other land uses, disposition, intrusion, utilization
10 and development that is not consistent from its existing uses. Areas under this category
11 also include those covered by Republic Act No. 7586 or the NIPAS Law and other coastal
12 and marine protected areas, those areas outside NIPAS but nonetheless require
13 protection because of their outstanding physical and aesthetic features, anthropological
14 significance, and biological diversity, and those areas prone to natural hazards. Areas
15 outside the coverage of the NIPAS law include, but are not limited to the following:

- 16 a.1. Old-growth forests and mossy;
- 17 a.2. Areas with more than 50% in slope gradient;
- 18 a.3. Mangrove and fish sanctuaries, pursuant to Republic Act No. 8435 or the
19 "Agriculture and Fisheries Modernization Act of 1997" and Republic Act No. 8550 or
20 "The Philippine Fisheries Code of 1998";
- 21 a.4. Buffer zones or strips/easements, pursuant to Presidential Decree No. 705,
22 amending Presidential Decree No. 389, otherwise known as the "Forestry Reform Code
23 of the Philippines" and Presidential Decree No. 1067 or the "Water Code of the
24 Philippines";

1 a.5. Salvage zones along foreshore areas, freshwater swamps and marshes,
2 plazas and heritage/historic sites, pursuant to Presidential Decree No. 2146;

3 a.6. Watersheds supporting domestic water supply;

4 a.7. Utility easement like transmission lines of power companies, oil and gas
5 facilities, cell sites, and domestic water lines;

6 a.8. Amenity areas or those with high aesthetic values, pursuant to Presidential
7 Decree No. 2146;

8 a.9. Natural and human-made areas/sites of cultural, historical and
9 anthropological significance, which are declared as such by internationally recognized
10 organizations and concerned national agencies;

11 a.10. Critical habitats as provided in Republic Act No. 9147 or the "Wildlife
12 Resources Conservation and Protection Act";

13 a.11. Significant caves under Republic Act 9072 or the "National Caves and Cave
14 Resources Management and Protection Act"; or

15 a.12. Key biodiversity areas under Executive Order 578, Series of 2006, or the
16 "National Biodiversity Policy".

17 (b) ***Production Land Use*** shall refer to the direct and indirect utilization of
18 land resources for crop, fishery, livestock and poultry production, forestry, agro-
19 forestry, mining, industry, energy development, indigenous energy exploration and
20 development, and tourism. Planning for production land shall determine the most
21 efficient, sustainable, and equitable manner of utilizing, developing and managing land
22 for productive purposes. Areas included in this category are agricultural lands, fishing
23 grounds, coastal and marine zones, production forest which comprise lands 18% to
24 50% in slope gradient such as: residual dipterocarps, rangelands for grazing purposes,

1 industrial tree plantation/Integrated Forest Management Agreement (IFMA),
2 community based forest management areas and other reforestation projects, mineral
3 lands or mining areas and reservations, energy resource lands, industrial development
4 areas, and tourism development areas where productive activities could be undertaken
5 to meet the country's requirements for food security, economic growth and
6 development.

7 (c) **Settlements Development** shall refer to any improvement on existing
8 settlements in urban and rural areas or any proposed development of certain areas for
9 settlement purposes involving the spatial distribution of population, identification of
10 the roles and functions of key urban centers, determination of relationships among
11 settlement areas, and the provision of basic services and facilities to such settlement.
12 The settlements development plan ensures for the present and future generation the
13 following: (i) effective integration of activities within and among settlements, allowing
14 efficient movement of people and production of commodities through the provision of
15 appropriate land, infrastructure, and facilities; and (ii) access of the population to
16 housing, education, health care, recreation, transportation and communication,
17 sanitation, and basic utilities such as water, power, waste disposal, and other services.

18 (d) **Infrastructure Development** shall refer to the availability or supply of
19 basic services and fostering of economic and other forms of integration necessary for
20 producing or obtaining the material requirements of Filipinos, in an efficient,
21 responsive, safe and ecologically friendly built environment. It covers sub-sectors of
22 transportation, communications, water resources, and social infrastructure: *Provided,*
23 That the determination of functional uses of lands within ancestral domains shall
24 consider traditional resource and management systems that do not endanger the lives

1 of the people and property of the local community and neighboring areas or increase
2 the vulnerability of the natural environment to the effects of natural and human-
3 induced geological processes.

4 **CHAPTER V**

5 **IMPLEMENTING STRUCTURE AND MECHANISMS**

6 **Article I**

7 **NATIONAL LAND USE COMMISSION**

8 **SEC. 14.** *Creation of the National Land Use Commission (NLUC).* - The National
9 Land Use Commission, hereinafter referred to as NLUC, is hereby created as a
10 Commission under the Office of the President. It shall exercise the powers and
11 responsibilities of the current NEDA Board-National Land Use Committee which is
12 hereby abolished. The NLUC shall act as the highest policy making body on land use and
13 resolve land use policy conflicts between or among agencies, branches, or levels of the
14 government. It shall integrate efforts, monitor developments relating to land use and
15 the evolution of policies. It may also establish Regional Offices.

16 **SEC. 15.** *Composition of the NLUC.* - The NLUC shall be composed of the
17 following:

- 18 a) The President of the Republic of the Philippines as Chairperson;
19 b) The Director-General of the National Economic and Development Authority
20 (NEDA) and Secretary of the Department of Environment and Natural Resources
21 (DENR) as Vice-Chairpersons;

22 The President may designate from among the two Vice-Chairpersons a Chief
23 Executive Officer who shall supervise the day-to-day affairs of the NLUC.

24 The members shall be:

1 c) The Chairperson of the Housing and Urban Development Coordinating
2 Council (HUDCC), the Secretaries of the Department of Agriculture (DA), the
3 Department of Agrarian Reform (DAR), the Department of Trade and Industry (DTI),
4 the Department of Public Works and Highways (DPWH), the Department of
5 Transportation and Communications (DOTC), the Department of Tourism (DOT), the
6 Department of Interior and Local Government (DILG), the Department of Justice (DOJ),
7 the Department of Science and Technology (DOST), the Department of Finance (DOF),
8 the Department of Energy (DOE) and the Chairperson of the National Commission on
9 Indigenous Peoples (NCIP);

10 The Department Secretaries and the Chairperson of the NCIP may designate a
11 representative with a rank not lower than Assistant Secretary and Commissioner,
12 respectively: *Provided*, That the designated representative shall be on a permanent
13 basis.

14 d) A representative each from the Leagues of Provinces, Cities and
15 Municipalities;

16 e) A representative each from four (4) basic sectors directly involved in land
17 use, namely: urban poor, farmer-peasants, fisherfolk, and indigenous peoples who shall
18 be appointed by the President of the Philippines based on the nomination and
19 recommendation of the respective sectoral councils of the National Anti-Poverty
20 Commission (NAPC). At least two (2) sectoral representatives shall be women;

21 f) Two (2) representatives from private subdivisions, and housing developers;
22 and

23 g) Two (2) representatives from the accredited association of professionals
24 dealing on land use such as but not limited to urban and regional planners,

1 environmental planners, architects, geologists and geodetic engineers;

2 A consultative body shall likewise be convened by the NLUC at least once a year
3 or as often as may be necessary. It shall be composed of representatives from the
4 Leagues of Municipalities, Cities, and Provinces, other government agencies not
5 represented in the NLUC, and from non-government sectors such as the private sector,
6 non-government organizations (NGOs) and people's organizations (POs), and the
7 academic community.

8 **SEC. 16. Powers and Functions.** – The NLUC shall have the following powers and
9 functions:

10 a) Advise the President of the Philippines and the NEDA Board on all matters
11 concerning land use and physical planning;

12 b) Integrate and harmonize all laws, guidelines and policies relevant to land use
13 and physical planning to come up with a rational, cohesive, and comprehensive national
14 land use framework;

15 c) Formulate policies and endorse land use and physical planning-related
16 policies that may be formulated by the Regional Land Use Policy Council (RLUPC),
17 created under Section 22 of this Act, and concerned agencies as well as promulgate
18 zoning and other land use control standards and guidelines which shall guide the
19 formulation of land use plans and zoning ordinances by local governments;

20 d) Prepare, periodically review and if necessary, update the national framework
21 for physical planning to provide the general framework for the spatial development
22 directions for the entire country and sub-national levels;

23 e) Review and endorse all land use and physical planning related guidelines;

24 f) Monitor and coordinate the gathering of data, the conduct of studies

1 pertaining to land use planning including studies on the management of identified land
2 uses and such other studies not undertaken by other government agencies;

3 g) Recommend to the President of the Philippines the adoption, passage, or
4 amendment of laws to ensure that sectoral programs, plans, projects, and activities,
5 including local government initiatives affecting land use are consistent with national
6 development objectives;

7 h) Coordinate with and assist other government agencies and LGUs in planning,
8 developing, and implementing their land use classification programs, and provide, to
9 the extent possible, technical assistance and guidance;

10 i) Monitor and coordinate the activities of concerned agencies and entities of
11 the government, as well as LGUs, in the enforcement and implementation of policies and
12 regulations relating to land use and resource management and development;

13 j) Monitor and coordinate activities in the establishment of a national land
14 resource information and management system of concerned agencies that shall
15 integrate and process information on land use and allocation generated by the various
16 national government agencies; define information requirements at various levels; and
17 standardize information inputs and outputs including scales and symbols used in
18 territorial and sectoral maps;

19 k) Be the repository of all RPFs, PPFDPs and CLUPs and all data and
20 information pertaining to land and land use;

21 l) Call on any department, bureau, office, agency, or instrumentality of the
22 government, and or private entities and organization for cooperation, support, and
23 assistance in the performance of its functions;

24 m) Decide and resolve policy conflicts and territorial jurisdiction on land use

1 between or among agencies, branches, or levels of the government and act on
2 unresolved land use policy conflicts at the regional level elevated by the Regional Land
3 Use Policy Council (RLUPC);

4 n) Adopt rules of procedures for the orderly and expeditious conduct of
5 meetings and other business of the Council; and

6 o) Perform such other acts and functions and exercise such other powers as
7 may be necessarily implied, inherent, incident, or related to the foregoing.

8 **SEC. 17. *NLUC Technical Secretariat (NLUC-TS).*** – A Technical Secretariat shall
9 be created to provide technical support to the NLUC. It shall be headed by an Executive
10 Director and composed of:

11 a. Representatives of the member agencies/institutions of the NLUC, who shall
12 have a rank not lower than Director level; and

13 b. The representatives of NLUC members as enumerated in Section 16 (d), (e)
14 and (g) of this Act.

15 **SEC. 18. *The NLUC Technical Secretariat Executive Director.*** – The Executive
16 Director shall supervise the operations of the NLUC Technical Secretariat and assist the
17 NLUC Chairperson or his/her designated Chief Executive Officer (CEO).

18 In the absence of the CEO, he shall preside over the meetings of the NLUC-TS.

19 He shall also perform such other functions as may be tasked by the Chairperson
20 or CEO-Vice Chairperson.

21 **SEC. 19. *Offices, Units and Staff Support.*** – The Policy and Planning Unit of the
22 HLURB shall be the core secretariat of the NLUC. The staff in the HLURB Policy and
23 Planning Unit and NEDA Regional Development Office who opted to transfer to the
24 NLUC shall be given priority without diminution in rank and remuneration. The staffing

1 pattern shall be drafted by the NLUC in coordination with the DBM and Civil Service
2 Commission. Other government agencies may also be called upon for staff support.

3 **Article 2**

4 **LOCAL DEVELOPMENT COUNCILS AS LOCAL LAND USE POLICY COUNCILS**

5 **SEC. 20.** *City/Municipal Land Use Policy Council (C/MLUPC).* – The City/Municipal
6 Development Council (C/MDC), created under Section 106 of the Local Government
7 Code, shall act as the City/Municipal Land Use Policy Council (C/MLUPC) that will tackle
8 land use concerns whenever necessary. A duly authorized representative from the DAR,
9 the DENR and the DA shall be included in the composition of the C/MLUPC.

10 In addition to the functions enumerated in Section 109 of the LGC, the C/MLUP
11 shall:

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

14 b. Review and endorse to the *Sangguniang Bayan* or *Sangguniang Panlungsod*
15 for adoption, the CLUP prepared and periodically updated by the City/Municipal
16 Planning and Development Office and other land use and physical planning-related
17 policies;

18 c. Decide and resolve policy conflicts on land use planning, classification, and
19 allocation that may arise between and among barangays and any unresolved land use
20 conflict at the barangay level regarding the violation of zoning ordinances including
21 opposition to applications for locational clearances, permits or certificates; and

22 d. The C/MLUPC may call upon any local official concerned such as C/MPDC,
23 City/Municipal Agriculturist, City/Municipal Environment and Natural Resources
24 Officer, City/Municipal Engineer, City/Municipal Assessor, or any official of national

1 agencies during discussions on land use and physical planning concerns.

2 For purposes of this Act, the City/Municipal Planning and Development
3 Coordinator (C/MPDC) shall:

4 (a) act on all applications for locational clearances for all projects except those
5 of vital and national economic or environmental significance;

6 (b) automate, modernize and integrate all spatial and non-spatial data related
7 to land within the LGU for a more effective and efficient use of land information for land
8 use and physical planning and such other public and private uses;

9 (c) monitor on-going/existing projects within their respective jurisdictions and
10 issue notices of violation to owners, developers, or managers of projects that are
11 violative of zoning ordinances; and

12 (d) convene a Technical Working Group composed of City/Municipal
13 Agriculturist, City/Municipal Environment and Natural Resources Officer,
14 City/Municipal Engineer, City/Municipal Assessor and such other LGU officials with
15 land related functions in the preparation of the CLUP. The TWG may request any field
16 officials of National Government Agencies with land administration function to assist for
17 the same purpose.

18 Local government units without operational C/MDC as mandated by the 1991
19 LGC shall activate their respective Councils within six (6) months from the effectivity of
20 this Act.

21 **SEC. 21.** *Provincial Land Use Policy Council (PLUPC).* - The Provincial
22 Development Council (PDC), created under Section 106 of the LGC, shall act as the
23 Provincial Land Use Policy Council that will tackle land use concerns whenever
24 necessary. A duly authorized representative from the DENR, DAR and the DA shall be

1 included in the composition of the PLUPC.

2 In addition to the functions enumerated in Section 109 of the LGC, the PLUPC
3 shall:

4 a. Advise the *Sangguniang Panlalawigan* on all matters pertaining to land use
5 and physical planning;

6 b. Review and endorse to the *Sangguniang Panlalawigan* for adoption, the
7 provincial physical framework plans, prepared and periodically updated by the
8 Provincial Planning and Development Office and other land use and physical planning-
9 related policies;

10 c. Assist the *Sangguniang Panlalawigan* in reviewing the CLUPs of component
11 cities/municipalities to ensure consistency with the provincial physical framework
12 plans and compliance with the limits prescribed under the 1991 LGC for reclassifying
13 agricultural lands; and

14 d. Decide and resolve policy conflicts on land use planning, classification, and,
15 allocation that may arise between or among cities/municipalities and any unresolved
16 land use conflicts at the city/municipal level.

17 The PLUPC may call upon any local official concerned such as Provincial Planning
18 and Development Coordinator, Provincial Agriculturist, Provincial Environment and
19 Natural Resources Officer, Provincial Engineer, Provincial Assessor, or any official of
20 national agencies and other relevant agencies during discussions on land use and
21 physical planning concerns.

22 **SEC. 22. Regional Land Use Policy Council (RLUPC).** - At the regional level, the
23 Regional Land Use Policy Council (RLUPC) shall be institutionalized, replicating the
24 NLUC structure and composition which shall include a duly authorized representative

1 from the NEDA, the DENR, the DA and the DAR. The RLUPC shall have the following
2 functions:

- 3 a. Formulate and adopt regional policies on land use and physical planning;
- 4 b. Prepare and periodically update a regional physical framework plan, taking
5 into consideration national polices and lower level plans;
- 6 c. Assist the provinces in preparing and periodically updating its physical
7 framework plans to ensure consistency with the regional and national plans and
8 policies and to facilitate its integration to the regional plans;
- 9 d. Review, prior to adoption by respective *sanggunians*, the provincial physical
10 framework plan and CLUPs of highly urbanized and independent component cities to
11 ensure consistency with the regional physical framework plan and national policies set
12 forth by LUPC and compliance with limits prescribed under the 1991 LGC for
13 reclassifying agricultural lands;
- 14 e. Decide and resolve policy conflicts on land use planning, classification, and
15 allocation that may arise between or among regional line agencies, provinces and
16 cities/municipalities;
- 17 f. Monitor changes in land use and other physical resources in the region;
- 18 g. Evaluate consistency of major programs and projects with the regional
19 physical framework plans and their impact on land use and the environment;
- 20 h. Undertake the gathering of regional data for the Land Resource Information
21 and Management System; and
- 22 i. Perform other related functions as may be directed by the LUPC.

23 **Article 3**

24 **ADOPTION, APPROVAL AND REVIEW OF LAND USE PLANS**

1 **SEC. 23. *Component Cities and Municipalities.*** – Component cities and
2 municipalities shall have the power and authority to adopt and approve their respective
3 CLUPs and ZOs through their respective *sanggunians* subject to the power of review of
4 their respective provinces only with respect to the consistency of the CLUPs and ZOs
5 with Section 8 hereof on the preparation of the provincial physical framework plan.
6 Upon adoption and approval of the CLUP and ZO by the Sanggunian, all land areas
7 zoned for residential purposes or for settlements development shall cease to be covered
8 by the CARP and therefore, shall not be required to secure further order of land
9 conversion or exemption certificates from the DAR, except for the payment of
10 disturbance compensation if applicable, as well as the requirements pertaining to the
11 issuance of environmental compliance certificate (ECC) by the DENR.

12 **SEC. 24. *Provinces and Independent and Highly Urbanized Cities.*** – Provinces and
13 independent and highly urbanized cities shall have the power and authority to adopt
14 and approve their respective CLUPs, ZOs or provincial physical framework plan, as the
15 case may be, through their respective *sanggunian* but subject to the review of the
16 RLUPC as provided in Section 22 of this Act.

17 **Article 4**

18 **RESPONSIBILITIES OF THE NATIONAL GOVERNMENT AGENCIES AND LGUS**

19 **SEC. 25. *National Base Mapping Program.*** – A national mapping program shall be
20 implemented, coordinated, and monitored through the creation of an Inter-agency
21 Technical Committee (ITC) composed of the NAMRIA, as the lead agency, the Bureau of
22 Soils and Water Management (BSWM), the Forest Management Bureau (FMB), the Land
23 Management Bureau (LMB), the Land Registration Authority (LRA), the Protected Areas
24 and Wildlife Bureau (PAWB), the Mines and Geosciences Bureau (MGB), the Philippine

1 Institute of Volcanology and Seismology (PHIVOLCS), DAR, the National Water
2 Resources Board (NWRB), DOE, NEDA and other concerned government
3 agencies/bureaus. The ITC shall be constituted, and the mapping program shall be
4 initiated, within thirty (30) days from the effectivity of this Act. The agencies mentioned
5 in this Section shall endeavor to finish their base mapping program within two (2) years
6 upon the effectivity of this Act.

7 The spatial and non-spatial data generated by these activities shall be
8 downloaded to the LGU as soon as practicable. On the other hand, existing land
9 information data available to the national government agencies as of the effectivity of
10 this Act shall be immediately downloaded to the LGU.

11 For purposes of uniformity and standardization, the LGUs, to be assisted by the
12 appropriate agencies of the national government, shall likewise prepare their respective
13 territorial maps using scales, symbols, and other indicators to be prescribed in
14 accordance with this Act. The completed maps shall be integrated in the national
15 physical framework plan pursuant to Section 5 of this Act.

16 **SEC. 26. National Geo-hazard Mapping Program.** – Within thirty (30) days from
17 the effectivity of this Act, a nationwide geo-hazard mapping program shall be initiated
18 jointly thru the NLUC by the PHIVOLCS, the Philippine Atmospheric Geophysical and
19 Astronomical Services Administration (PAGASA), the NAMRIA, the MGB, the BSWM, and
20 the DOE, in coordination with the National Disaster Risk Reduction and Management
21 Council (NDRRMC), the Regional Disaster Risk Reduction and Management Council
22 (RDRRMC), and other concerned government agencies. The program shall include the
23 generation of indicative geo-hazard zoning maps that will outline areas in the
24 Philippines which are prone to liquefaction, landslides, severe flooding, lahar, ground

1 rupturing, tsunami, river erosion, coastal erosion, sinkhole collapse, earthquake, lava
2 flow, pyroclastic flow, base surge, and other natural hazards.

3 For purposes of uniformity and standardization and in order to develop a safe-
4 built environment, the LGUs shall subsequently incorporate and integrate the generated
5 geo-hazard zoning maps in their respective CLUPs. Said geo-hazard maps shall serve as
6 guide for all the LGUs in the preparation of their own hazards-constrained development
7 plans. The national physical framework planning, pursuant to Section 5 hereof, shall
8 incorporate these geo-hazard maps.

9 All infrastructure activities including real estates and subdivision projects and
10 the development of tourist spots requiring an Environmental Compliance Certificate
11 (ECC) shall be required to submit an Engineering Geological and Geo-hazard
12 Assessment Report (EGGAR).

13 **SEC. 27. Scope and Nature of Responsibilities of Other National Government**
14 *Agencies.* – All concerned national government agencies/bodies shall periodically report
15 to the NLUC on the various activities and accomplishments relative to land use.
16 Likewise, they shall provide their respective sectoral/development plans and render
17 technical and administrative support if called upon by the NLUC relative to the
18 implementation of the provisions of this Act.

19 **SEC. 28. Submission of Annual Report on the Implementation of CLUPs.** – The
20 C/MLUPC shall submit an annual report on the implementation of their land use plans
21 to the PLUPC, which shall integrate the same for submission to the RLUPC, which shall
22 in turn integrate the provincial reports for submission to the NLUC.

23 **CHAPTER VI**

24 **SPECIAL AREAS OF CONCERN**

1 **Article I**

2 **AGRICULTURAL LANDS**

3 **SEC. 29. *Priority Areas for Agricultural Development.*** - Priority areas for
4 agricultural development shall be those agricultural areas covered under Republic Act
5 No. 6657 or the CARP, as amended, and those covered under Network of Protected
6 Areas for Agricultural and Agro-Industrial Development (NPAAAD), defined in Section 4
7 of this Act and in R.A. No. 8435 or the "Agriculture and Fisheries Modernization Act".

8 **SEC 30. *Conversion of Agricultural Lands.*** - Agricultural lands are deemed
9 converted to non-agricultural uses upon approval by the DAR of the application for
10 conversion. Prime agricultural lands and specific types of lands to the extent necessary
11 for attaining food self-sufficiency in rice and corn and food security in other basic
12 commodities, as determined by the DA, subject to mandatory public
13 hearings/consultations with the LGUs, the private sector, the NGOs, and POs, shall be
14 protected from conversion, which shall include but not limited to areas under the
15 NPAAAD: *Provided*, That all irrigated and irrigable lands, all lands developed or
16 possessing the potential for development of high value crops, and all agricultural lands
17 that are ecologically fragile and whose conversion will result in serious environmental
18 problems shall be given full protection from conversion, the areas under which are
19 subject to review every seven (7) years by the DA, with the mandatory public
20 hearings/consultations: *Provided, further*, That consistent with the State policy on giving
21 priority to the completion of the CARP, all lands subject to CARP including those lands
22 covered under the notice of compulsory acquisition/voluntary offer to sell, production
23 or profit-sharing, or commercial farm deferment shall also be protected from
24 conversion pending the distribution and installation of the farmer beneficiaries, but

1 thereafter, Section 22 of R.A. No. 9700 or CARP Extension law shall apply subject to the
2 applicable provisions of this Act, specifically on the exclusive approval by the DAR of the
3 application for conversion: *Provided, furthermore,* That the conversion of agricultural
4 lands for use of priority government projects for basic services such as, but not limited
5 to, irrigation and power shall be allowed only upon the recommendation of the
6 Secretaries of the DA and the DAR: *Provided, finally,* That the mapping of the NPAAAD
7 under the AFMA shall be completed within two (2) years from the effectivity of this Act.

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

10 **SEC. 31. *Sub-classification or Re-classification of Agricultural Lands by LGUs.*** -
11 Sub-classification or re-classification of agricultural lands to other uses under Section
12 20 of the LGC of 1991 shall exclude the protected agricultural lands as stated in the
13 preceding section. Moreover, such sub-classification/reclassification is not synonymous
14 to conversion. The DA and DAR shall provide the LGUs with complete list and maps of
15 protected agricultural lands within their territorial jurisdictions.

16 Article 2

17 FOREST LANDS AND WATERSHED MANAGEMENT

18 **SEC. 32. *Reversion of Alienable and Disposable Lands to Forestlands.*** - Upon the
19 recommendation of the Secretary of the DENR, duly reviewed and endorsed by the
20 NLUC, and after due consultations with the concerned LGUs and affected parties,
21 Congress may authorize the reversion of alienable and disposable lands of the public
22 domain or portion thereof to forestlands. Thereafter, said lands shall be included in the
23 preparation of land use plans within forestlands.

24 **SEC. 33. *Critical Watershed Areas.*** - The DENR, in coordination with the DA,

1 LGUs, and other government agencies, including government-owned and-controlled
2 corporations, and with mandatory public hearings/consultations, shall identify and
3 delineate critical watershed areas that need to be protected, rehabilitated, enhanced,
4 and/or withdrawn from uses that contribute to their further degradation.

5 **SEC. 34. *Formulation and Implementation of Integrated Watershed Management***

6 *Plans.* – In the absence of a law on the protection and sustainable management of our
7 forests, the LGUs through their local land use committees and upon mandatory public
8 hearings/consultations with the concerned sectors, and with the assistance of DENR,
9 shall prepare their watershed management plans which shall be integrated with their
10 respective CLUPs. The formulation and integration of the plan shall be guided, among
11 others, by the principle that the management and development of inland water
12 resources shall be at the watershed level. A nationwide mapping of watersheds in the
13 country shall be implemented.

14 In cases where the watershed areas transcend the boundaries of a particular
15 municipality, an inter-LGU committee composed of representatives from local land use
16 committees of the LGUs where the watershed area is located shall be formed. With the
17 assistance of the DENR and upon mandatory public hearings/consultations with the
18 concerned sectors, the inter-LGU committee shall formulate the watershed management
19 plan for the said watershed area.

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

23 The preparation of forest land use plans shall make use of the watershed as the
24 basic planning unit.

1 **Article 3**

2 **COASTAL ZONE**

3 **SEC. 35.** *Criteria on the Allocation and Utilization of Lands within the Coastal*
4 *Zones.* – The allocation and utilization of lands within the coastal zones shall be guided
5 by the following:

6 a) Areas vegetated with mangrove species shall be preserved for mangrove
7 production and shall not be converted to other uses;

8 b) Areas which meet all accepted criteria on elevation, soil type, soil depth,
9 topography, supply for successful fishpond development, and are not identified as
10 mangrove protected areas, shall be utilized for aquaculture purposes;

11 c) Areas sub-classified as mangrove and still suitable for use as such, or due to
12 environmental conditions need to be preserved as mangrove, but is devoid of mangrove
13 stands shall not be converted to other uses. The DENR shall ensure that these lands
14 shall be reforested within a given period of time;

15 d) Areas accessible to the sea and identified for fisherfolk settlement and
16 housing shall be allocated to traditional fisherfolk who are inhabitants of the coastal
17 communities and members of legitimate fisherfolk organizations and/or holders of
18 stewardship lease contracts or titles to ancestral domains or any form of property right
19 arrangements who participate in coastal resource management initiatives, subject to
20 the usual census procedures of the HUDCC.

21 e) Areas which are neither sub-classified as mangrove, fisherfolk settlement nor
22 fishpond may be devoted to recreational or tourism purposes: *Provided*, That such
23 undertaking will not result in environmental degradation and displacement of small
24 fishers;

1 f) Areas which are considered as traditional fishing grounds shall be used
2 primarily for such purpose;

3 g) Areas which have been allocated for small infrastructure needed by
4 fisherfolk shall be allowed; and

5 h) Areas which form part of foreshore lands as defined in this Act including
6 those which are under lease agreements or arrangements shall undergo zoning and
7 evaluation to determine their boundaries and actual sizes and corresponding uses.

8 **SEC. 36. Coastal Land Zone Sub-classification.** – All public lands in the coastal
9 zones shall be sub-classified into any of the following: estuaries, lagoons, inter-tidal
10 flats, mudflats, fishponds, mangroves, protection from tidal surge, for preservation of
11 biodiversity, habitats and sanctuaries for endangered wildlife, fisherfolk settlement, or
12 recreational/tourism areas. No sub-classification of coastal zones to different uses shall
13 be done without the following:

14 a) Conduct of a comprehensive resource and environmental assessment by the
15 DENR and respective LGUs and accredited NGOs and POs within their jurisdiction; and

16 b) Prior consultation with the Local Fisheries and Aquatic Resource
17 Management Councils (FARMCs) formed under Republic Act No. 8550 or the Philippine
18 Fisheries Code.

19 **SEC. 37. Zoning of Foreshore Areas.** – Local government units, in coordination
20 with the DENR, shall conduct zoning of their respective foreshore areas to assist
21 government and community fishers identify priority areas for conservation and
22 development, and to enable them to set targets for mangrove reforestation and
23 rehabilitation.

1 **SEC. 38.** *Protection of Waterways Easements and Flood Plains.* – Structures of any
2 kind shall not be built in waterways easements. Pursuant to PD 1067 or the Water Code,
3 the banks of rivers and streams and the shores of the seas and lakes throughout their
4 entire length and within a zone of three (3) meters in urban areas, twenty (20) meters
5 in agricultural areas and forty (40) meters in forest areas, along their margins, are
6 subject to the easement of public use only in the interest of recreation, navigation,
7 floatage, fishing and salvage.

8 The protection of flood plains shall adopt a river basin management approach in
9 order to come up with integrated flood mitigation interventions. Development within
10 flood plains and other flood-prone areas must be controlled or, if allowed, must be so
11 sited, constructed and serviced that life of occupants are not put at risk and that
12 disruptions during floods are minimal. The identification and characterization of flood-
13 prone areas and flood plains shall be an integral part of CLUP preparation. Through the
14 CLUPs and zoning ordinances, LGUs shall establish land use regulations to mitigate
15 flood risks.

16 The DPWH, in coordination with DOST and DENR, shall declare flood control
17 areas, as necessary, and prohibit or control activities that could damage or cause
18 deterioration of lakes and dikes, obstruct the flow of water, change the natural flow of
19 rivers, increase flood losses or aggravate flood problems pursuant to PD 1067.

20 **Article 4**

21 **MINERAL LANDS**

22 **SEC. 39.** *Criteria for the Utilization and Allocation of Land for Mining Purposes.* –
23 Consistent with Section 6 of this Act and the provisions of Republic Act No. 7942 or the
24 Mining Act of 1995, and to ensure that the objectives of maintaining ecological balance

1 and maximizing economic returns to mining operations are realized, the allocation and
2 utilization of lands for mining purposes shall be guided by the following:

3 a) The principles of sustainable development and responsible mining;

4 b) In case of small-scale mining, adequate and acceptable safeguards shall be
5 instituted by the holders of mining rights or permits to prevent environmental
6 degradation of the mining sites and adjacent areas;

7 c) Mineral reservations which have become non-operational for more than five
8 (5) years as determined by the MGB shall be placed under appropriate surface
9 management by the DENR; and

10 d) Consistent with the Mining Act of 1995, areas closed to mining operations
11 shall be periodically reviewed through mineral exploration to be undertaken by the
12 DENR for the purpose of determining whether or not their continued closure is
13 consistent with the national interest and, if warranted, recommend their
14 reclassification as mineral lands.

15 e) Protection forestlands and agricultural lands shall be exempt from mining
16 activities to minimize the effect of natural calamities and to protect food security
17 respectively. The small to large scale mining operations shall yield from and recognize
18 the tenorial instrument given by the government such as Original Certificate of Title
19 (OCT), Transfer Certificate of Title (TCT), Certificate of Ancestral Domain Title (CADT),
20 Emancipation Patent – Certificate of Land Ownership Award (EP-CLOA) and other
21 instruments. If these be present, no mining activity shall be conducted.

22 **SEC. 40. Reversion of Mineral Lands.** – All mineral lands with exhausted mineral
23 resources, as determined by the MGB upon the recommendation of the DENR, shall
24 revert to its original land classification, that is, as forestland or agricultural land. In the

1 case of forestlands, the DENR may classify such areas for other purposes in consultation
2 with concerned LGU's, the Department of Tourism (DOT), and other national
3 government agencies.

4 **Article 5**

5 **ENERGY RESOURCE LANDS**

6 **SEC. 41. Guidelines for the Utilization and Allocation of Lands for Energy Resource**
7 *Exploration, Development, Production, Utilization, and Distribution Purposes.* – To ensure
8 that the objectives of maintaining ecological balance and maximizing the power
9 potential from indigenous energy resources in the most economical and
10 environmentally-acceptable means are realized, the allocation and utilization of lands
11 for said purposes shall be guided by the following, consistent with existing regulations
12 and laws on energy resources:

13 a) Indigenous energy resource exploration and development for the purpose of
14 a National Energy Resource Inventory and Data Base as well as Energy Resource Block
15 Map shall be allowed subject to the implementation of complementary watershed and
16 other land management plans;

17 b) Indigenous energy resource exploration, development, production,
18 utilization, and distribution shall be subject to the appropriate requirements and
19 processes of the Philippine Environmental Impact Statement (EIS) System. Each project
20 shall secure an Environmental Compliance Certificate (ECC) prior to project
21 implementation to ensure adequate and appropriate environmental management
22 measures and optimum methods for resource access and recovery are utilized; and

23 c) Energy reservations or portions thereof which have become or have been
24 established to be non-economically viable to operate or are no longer used for energy

1 purposes shall be released to give way to other land uses, subject to existing laws
2 covering energy reservations.

3 **SEC. 42. *Reversion of Energy Resource Lands.*** – All exhausted indigenous energy
4 resource lands not covered by proclamations shall automatically revert to the category
5 of forestlands or agricultural lands open to disposition, whichever is appropriate.
6 Exhausted energy resource lands shall refer to specific energy resource sites whose
7 energy reserves of the desired type/s are no longer in sufficient quantity or quality to
8 justify additional expenditure for their extraction and utilization.

9 **CHAPTER VII**

10 **SETTLEMENTS DEVELOPMENT**

11 **SEC. 43. *Town, City, and Settlements Development.*** – The development of town,
12 city, and settlements through the zoning ordinances of cities and municipalities shall be
13 guided by CLUPs and urban zoning standards designed to maximize existing urban
14 spaces. Socialized housing and settlement areas shall be established only on alienable
15 and disposable lands in order to avoid further degradation of forestlands.

16 **SEC. 44. *Settlements Within Geo-hazard Areas.*** – Settlements, in particular
17 housing or residential developments, within geo-hazard areas may be allowed provided
18 that mitigating and/or protective measures are adopted to address the potential danger
19 or risk to lives and property within such settlements. In coordination with the
20 concerned agencies of the government, the LUPC shall provide assistance to concerned
21 LGUs and settlers in instituting safety and corrective measures to address the potential
22 danger or risk.

23 Residential zones as designated in the CLUP shall be considered as outside the
24 geo-hazard areas. For this purpose, housing projects within such areas shall be

1 exempted from the ECC as well as the Engineering Geological and Geo-hazard
2 Assessment Report (EGGAR) and maybe implemented without the need for any further
3 certificate of exemption from the DENR or any other government regulatory agency.

4 **SEC. 45. *Designation of Sanitary Landfill.*** - Each city or municipality shall
5 identify, designate and allocate an area within their territorial jurisdiction to serve as
6 sanitary landfill within one (1) year from the effectivity of this Act. The LGUs, in
7 coordination with the DENR or any other competent authority, shall identify sanitary
8 landfill in order to fast-track the conduct of environmental impact assessment study
9 and to facilitate processing of the environmental compliance certificate. The site or
10 area shall be identified in the city or municipality's CLUP. For this purpose, cities and
11 municipalities shall establish their solid waste management program, pursuant to R.A.
12 No. 9003, otherwise known as the "Ecological Solid Waste Management Act of 2000".
13 Likewise, as provided under Section 33 of the LGC, cities and municipalities may,
14 through appropriate ordinances, bind themselves towards the establishment of a
15 common solid waste management program.

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

20 **SEC. 46. *Designation and Zoning of Socialized Housing Zones.*** - Each city or
21 municipality in urban, urbanizable and rural areas shall designate through the CLUP
22 adequate lands for housing or residential purposes, including socialized housing and
23 resettlement areas for the immediate and future needs of the local population as well as
24 the underprivileged and homeless in their territory, pursuant to existing laws and

1 regulations. In order to ensure adequate availability of land for the housing needs of the
2 local population, the CLUP shall be updated, at maximum, every ten (10) years for
3 provinces, cities and municipalities.

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

7 Fisherfolk settlements and housing in coastal municipalities shall be zoned near
8 the sea for easy access to their livelihood as provided under Section 36 (b) of this Act.

9 The housing or residential lands designated in the CLUPS and ZOs of cities and
10 municipalities shall, on one hand, not be subject to further land reclassification by the
11 LGU or land conversion procedure under DAR. On the other hand, agricultural lands as
12 designated in the CLUP which are no longer economically feasible for agricultural use
13 may be subject to land reclassification or conversion to housing/residential purposes
14 and such conversion, as the case may be, shall be exempt from the coverage of any
15 moratorium on land conversion.

16 **SEC. 47. *Urban Forest or Green Space.*** - Each city or highly urbanizing
17 municipality shall identify, designate, and allocate lands owned by the city or
18 municipality as urban forest or green space based on the guidelines and standards to be
19 issued by the DENR and approved by the NLUC.

20 **CHAPTER VIII**

21 **INDUSTRIAL DEVELOPMENT AREAS**

22 **SEC. 48. *Criteria for Designating Industrial Development Areas.*** - The
23 identification and establishment of industrial development areas shall conform with the
24 provisions of R. A. No. 7916, or the Philippine Economic Zone Authority (PEZA) Act, R.A.

1 No. 6657 or the Comprehensive Agrarian Reform Program, (CARP) Act, as amended by
2 R.A. No. 9700 or the Comprehensive Agrarian Reform Program with Extension and
3 Reforms Act (CARPER), R.A. 8371 or the Indigenous Peoples Rights Act (IPRA), R.A. No.
4 7279 or the Urban Development Housing Act (UDHA), and R.A. No. 8435 or the
5 Agriculture and Fisheries Modernization Act (AFMA), taking into consideration the
6 following:

- 7 a) Identified network of areas for agricultural development and protected
8 agricultural areas pursuant to the AFMA;
- 9 b) National policies on the regional dispersal of industries and agri-based
10 industrial development;
- 11 c) Identified growth areas and corridors in the National Development Plan;
- 12 d) National Protected Areas System (NIPAS) and non-NIPAS areas that require
13 protection;
- 14 e) National and Urban Development and Housing Framework;
- 15 f) Identified Socialized Housing Zones; and
- 16 g) National framework for physical planning and other existing national
17 programs and policies.

18 The designated industrial development areas shall become an integral part of the
19 land use plan and zoning ordinance of the city or municipality where these areas are
20 located.

21 CHAPTER IX

22 TOURISM DEVELOPMENT AND HERITAGE AREAS

23 **SEC. 49.** *Designating Tourism Development Areas.* – The identification, selection,
24 and development of tourism development areas, tourism estates and tourism

1 enterprise zones (TEZs) shall be done in consultation and coordination with the
2 concerned LGUs, the TIEZA and concerned national government agencies, the private
3 sector, and the affected communities, subject to the provisions of R.A. No. 9593 or
4 Tourism Act of 2009. Tourism development areas shall likewise include those covered
5 by legislative and executive issuances as tourist spots, tourist zones and tourism
6 ecozones which can be developed into tourism estates or integrated resort, leisure and
7 recreation complexes and other tourism-related facilities as well as those identified in
8 the national, regional and inter-regional tourism, and area specific tourism master plans
9 and other sector plans such as ecotourism and agri-tourism sites.

10 Designated areas for tourism development shall become part of the CLUPs of the
11 cities or municipalities where these are located.

12 Lands identified as part of a TEZ shall qualify for exemption from the coverage of
13 Republic Acts 7279 and 6657 subject to rules and regulations to be crafted by the
14 TIEZA, HUDCC, DAR and DA: *Provided*, That a certificate shall be obtained from the DA
15 that said lands are no longer economically feasible and sound for agricultural purposes,
16 consistent with Section 30 of this Act.

17 **SEC. 50. *Identification and Declaration of Areas for Protection, Conservation and***
18 ***Preservation of Cultural Heritage.*** – Pursuant to R. A. No. 10066, the National Historical
19 Commission of the Philippines (NHCP) and/or the National Museum in coordination
20 with National Commission for Culture and the Arts (NCCA), HLURB and other
21 concerned agencies, local communities, and the private sector, shall identify declared
22 areas and structures which shall be protected and/or preserved as part of the
23 Philippine cultural heritage.

1 The LGUs in coordination with the NHCP, the NCCA and the Cultural Center of the
2 Philippines (CCP) shall designate historical zones to protect the historical integrity of
3 said geographical areas and cultural space of intangible cultural properties.

4 **CHAPTER X**

5 **INFRASTRUCTURE DEVELOPMENT**

6 **SEC. 51. Allocation and Use of Land for Infrastructure Development.** – Land,
7 whether public or private, shall be allocated and utilized for priority infrastructure
8 projects that are supportive of national or local development objectives. The NEDA, in
9 consultation with the concerned national government agencies, LGUs, and the private
10 sector shall identify and periodically review, update and/or revise the list of priority
11 infrastructure projects subject to Sections 6 and 30 of this Act, and Section 47 of R. A.
12 No. 8435 or AFMA. In determining and evaluating the list of priority infrastructure
13 projects, consideration shall be given to those that:

14 (a) Respond to immediate and vital requirements of the national economy with
15 priority on improving rural infrastructure and the development of the agriculture and
16 fisheries sectors;

17 (b) Upgrade existing facilities to international standards;

18 (c) Address the need for sustainable settlements development; and,

19 (d) Help mitigate the destructive effects of natural disaster-causing phenomena
20 or those that shall serve as alternatives to existing infrastructures found in natural
21 hazard-prone areas;

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

1 hearings/consultations pursuant to existing laws and regulations shall be held prior to
2 the 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 R. A. No. 7279 or the Urban Development Housing Act (UDHA),
6 notwithstanding the provisions of Republic Act No. 8975, prohibiting lower courts from
7 issuing temporary restraining orders, preliminary injunctions, or preliminary
8 mandatory injunctions, and proponent shall follow IPRA: *Provided, finally,* That national
9 government infrastructure projects shall allocate budget for the adequate relocation of
10 displaced communities.

11 **SEC. 52. 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, Establishing An Environmental Impact Statement System, Including
18 Other Environmental Management Related Measures, and R. A. No. 4846 or the
19 Cultural Properties Preservation and Protection Act, as amended by Presidential
20 Decree No. 374.

21 Existing projects that did not go through the process of an environmental impact
22 assessment and pose threats to the environment, integrity of historic, archeological, or
23 scientifically significant areas; or are impinging on critical ecosystems, may be: (a)
24 terminated immediately, (b) required to implement an Environmental Management

1 Plan; (c) gradually phased-out and relocated, or (d) maintained up to their life span,
2 subject, however, to mitigating measures: *Provided*, That the rules on mandatory public
3 hearings/consultations and just and humane eviction or demolition shall also be
4 observed prior to the termination, gradual phase-out, or relocation of projects that will
5 necessarily involve dislocation or displacement of people in the area.

6 **CHAPTER XI**

7 **TRAINING, EDUCATION, AND VALUE FORMATION**

8 **SEC. 53. *Value Formation.*** – In order to create a well informed, responsible and
9 committed citizenry who values the protection, conservation and development of the
10 country's limited land, and other physical resources, the State shall mandate the
11 inclusion of sustainable land use education or any subject related thereto in the
12 curricula of primary, secondary and tertiary education.

13 **SEC. 54. *Information and Education Campaign.*** – The NLUC shall undertake a
14 nationwide education information campaign in land use and physical planning to be
15 implemented by local and national government agencies. The DILG and concerned
16 agencies shall formulate and implement a land use management capability-building
17 program for national and local government officials, community leaders, NGOs, POs,
18 religious sector, and the general public: *Provided*, That it shall be mandatory for local
19 government officials involved in the preparation of CLUPS and PPFDP, including the
20 municipal, city and provincial development officer to attend the Land Use Management
21 Capability-Building Program.

22 **CHAPTER XII**

23 **INCENTIVES, SANCTIONS, AND PENALTIES**

1 **Article 1**

2 **INCENTIVES AND AWARDS**

3 **SEC. 55.** *Formulation of a System of Incentives and Awards.* – The NLUC shall
4 come out with a system of incentives and awards to LGUs that regularly update their
5 CLUPs within the prescribed period, as follows:

6 (a) Provinces, Highly Urbanized Cities, and Independent Component Cities -
7 once every nine (9) years; and

8 (b) Component cities and municipalities once every nine (9) years.

9 **SEC. 56.** *Priority in Giving Technical Assistance to LGUs.* – In providing technical
10 assistance and other forms of support related to land use management and the
11 implementation of development plans, the national government agencies shall give
12 priority to cities and municipalities with approved CLUPs.

13 **Article 2**

14 **SANCTIONS AND PENALTIES**

15 **SEC. 57.** *Fine for Non-Completion and Non-Commencement of Development of*
16 *Agricultural Lands with Approved Order of Conversion.* – A landowner and his/her
17 designated developer or duly authorized representative who fails to commence and/or
18 complete the development of agricultural lands with approved order of conversion shall
19 be penalized, jointly or severally, with any of the following fines based on the zonal
20 value of the land at the time the fine is imposed:

21 a. On failure to commence within one year from the date of conversion order:

22 (1) Six percent (6%) of the zonal value of the subject land for the first
23 three (3) hectares,

24 (2) Fifteen percent (15%) of the zonal value of the subject land for the

1 next three (3) hectares, and

2 (3) Thirty percent (30%) of the zonal value of the subject land for the
3 remaining area:

4 *Provided*, That the order of conversion shall be deemed revoked automatically and the
5 land shall revert to its original agricultural use and covered by the DAR through
6 compulsory acquisition for distribution to qualified beneficiaries.

7 b. On failure to complete fifty percent (50%) of the approved conversion plan
8 within a specified time frame. Fifty percent (50%) of the zonal value of the subject land
9 and the revocation of the conversion plan on the undeveloped portion which shall
10 automatically revert to its original use as agricultural land. The same shall be covered
11 under the CARP and processed for land distribution as soon as possible.

12 **SEC. 58. Authority to Impose Fine.** – The DAR shall impose the penalty provided
13 for under the preceding section.

14 **SEC. 59. Withdrawal of Local Development Permits or Licenses.** – Upon receipt of
15 notice from the DAR, the concerned agencies and the city or municipality shall
16 withdraw or revoke any development permit and other licenses that may be necessary
17 to develop the agricultural land subject of conversion.

18 **SEC. 60. Utilization of Fines.** – The fines collected under Sections 57, 62 and 63
19 hereof shall automatically accrue to the Agrarian Reform Fund consistent with the
20 provisions of the CARP, as amended.

21 **SEC. 61. Failure to Formulate, Enforce, and/or Implement the CLUPs.** – Consistent
22 with due process, the DILG shall investigate, review, and impose appropriate action
23 regarding local chief executives and other local officials and employees responsible for
24 the formulation, enforcement, and/or implementation of the CLUPs in case of any of the

1 following:

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

3 (b) Failure to provide appropriate budgetary allocation to effect its
4 implementation; and,

5 (c) Failure to complete the preparation of the CLUP despite the availability of
6 funds, resources, and support by the *sanggunian* concerned.

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

- 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 **SEC. 62. Person(s) Abetting Illegal Conversion.** - Any person initiating, causing,
15 inducing, or abetting illegal conversion shall, upon conviction, be imprisoned from
16 seven (7) to twelve (12) years and imposed a fine of not less than One hundred
17 thousand (P100,000.00) pesos, or both at the discretion of the court: *Provided*, That if
18 the offender is a public official or employee, whether elected or appointed, the penalty
19 shall, in addition thereto, include dismissal through permanent separation from the
20 service and forfeiture of all benefits and entitlements accruing to the public position
21 and perpetual disqualification to run or apply for any elective or appointive public
22 office: *Provided, further*, That if the offender is a juridical person, the penalty of
23 imprisonment shall be imposed on the president, chief executive officer, manager,
24 chairperson and all the members of the board, and other responsible officers thereof,

1 and the fine shall be equivalent to the zonal value of the land or forty percent (40%) of
2 the shareholders equity, as determined at the time of judgment whichever is higher,
3 plus forfeiture of the land in favor of the State for sale through public auction, the
4 proceeds of which shall automatically accrue to the Agrarian Reform Fund as provided
5 for in Section 60 of this Act.

6 **SEC. 63.** *Penalty for Reclassification of Protected Agricultural Lands and*
7 *Exceeding the Limit of Areas Allowed for Reclassification.* - Any person initiating, causing,
8 inducing, or abetting the reclassification of protected agricultural areas into non-
9 agricultural uses and exceeding the limits set forth under Section 20 of the LGC of 1991,
10 shall be penalized with imprisonment of twelve (12) years and a fine of not less than
11 One hundred thousand (P100,000.00) pesos, or both at the discretion of the court:
12 *Provided,* That if the offender is a public official or employee, the penalty shall, in
13 addition thereto, include dismissal through permanent separation from the service,
14 whether elected or appointed, and forfeiture of entitlements accruing to the public
15 position, and perpetual disqualification to run or apply for any elective or appointive
16 public position: *Provided, further,* That if the offender is a juridical person, the penalty
17 shall be imposed on the president, chief executive officer, manager, chairperson and all
18 the members of the board, and other responsible officers thereof.

19 **SEC. 64.** *Payment of Disturbance Compensation.* - Following the order of priority
20 as enumerated in Section 22 of the CARP, as amended, qualified beneficiaries such as
21 agricultural lessees and share tenants, regular farm workers, seasonal farm workers,
22 other farm workers, actual tillers or occupants of public lands, collective, or cooperative
23 of the above-mentioned beneficiaries, and others directly working on the land affected
24 by agricultural land use conversion shall be entitled to the payment of disturbance

1 compensation equivalent to five (5) times the average of the gross harvests on the
2 landholding during the last five (5) preceding calendar years or a certain percentage of
3 the converted land, whichever is higher, as determined by the DAR.

4 **CHAPTER XIII**

5 **TRANSITORY AND FINAL PROVISIONS**

6 **SEC. 65.** *Convening of the NLUC.* – Within thirty (30) days from the effectivity of
7 this Act, the President shall convene the NLUC.

8 **SEC. 66.** *DAR Conversion of Agricultural Lands.* – The authority of the DAR to
9 convert agricultural land for non-agricultural uses shall be in existence until June 30,
10 2014 or the expiration of Republic Act No. 9700, otherwise known as the
11 “Comprehensive Agrarian Reform Program with Extension and Reforms Act (CARPER)”.
12 In which case, such authority shall be automatically transferred to the DA by virtue of
13 this Act.

14 **SEC. 67.** *Implementing Rules and Regulations.* – Within six (6) months from the
15 effectivity of this Act, the NLUC shall promulgate the rules and regulations to implement
16 the provisions of this Act. Said rules and regulations shall be submitted to the
17 Congressional Oversight Committee for approval.

18 **SEC. 68.** *Congressional Oversight Committee on the Land Use Act.* – There is
19 hereby created a Congressional Oversight Committee which shall monitor the
20 implementation of this Act. It shall be composed of seven (7) members from the Senate
21 and seven (7) members from the House of Representatives. The Chairpersons of the
22 Senate Committee on Environment and Natural Resources and the House of
23 Representatives Committee on Natural Resources shall be the Chair and Co-Chair of the
24 Congressional Oversight Committee, respectively. The other members from the Senate

1 shall be appointed by the Senate President based on proportional representation of the
2 parties or coalitions therein with at least one (1) senator representing the minority. The
3 other members from the House of Representatives shall be appointed by the Speaker
4 also based on proportional representation of the parties or coalitions therein with at
5 least one (1) member representing the minority.

6 The secretariat of the Oversight Committee shall be drawn from the existing
7 secretariat personnel of the committees comprising the oversight and the funding shall
8 be taken from the appropriations of both the Senate and the House of Representatives.

9 **SEC. 69. Appropriations.** - The appropriations for the National Land Use
10 Commission shall be taken from the budget of the Office of the President in the General
11 Appropriations Act in the year following the effectivity of this Act shall be used to carry
12 out the initial operations of the National Land Use Commission. Thereafter, additional
13 sums as may be necessary for the full implementation of NLUC's functions shall be
14 included in the annual General Appropriations Act.

15 **SEC. 70. Review of Existing Land Use Plans.** - Provinces, cities, and municipalities
16 with existing land use plans shall review, revise, reconcile, and harmonize the same
17 with the guidelines and standards set forth under this Act within three (3) years from
18 the effectivity of this Act.

19 **SEC. 71. Repealing Clause.** - All republic acts, executive orders, rules and
20 regulations, and other issuances, or parts thereof, that are inconsistent with the
21 provisions of this Republic Act are hereby repealed or modified accordingly.

22 **SEC. 72. Non-impairment Clause.** - Nothing in this Act shall be construed as to
23 diminish, impair, or repeal rights recognized, granted, or available to marginalized or

1 basic sectors under existing laws including but not limited to Republic Act Nos. 7279,
2 6657, 8371, and 8550.

3 **SEC. 73. *Separability Clause.*** – If for any reason or reasons, any part or provision
4 of this Act shall be declared or held to be unconstitutional or invalid other parts or
5 provisions hereof, which are not affected thereby shall continue to be in full force and
6 effect.

7 **SEC. 74. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
8 publication in the Official Gazette or in at least two (2) national newspapers of general
9 circulation.

Approved,