

SIXTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
First Regular Session

)  
)  
)



Senate  
Office of the Secretary

'13 JUL 16 11:40

SENATE

S. No. 787

RECEIVED BY: *ji*

---

Introduced by Senator Ralph G. Recto

---

### Explanatory Note

The State is mandated to "free people from poverty through policies that provide for adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all," under Section 9 of Article II on Declaration of Principles and State Policies of the 1987 Constitution. Likewise, Sec. 9 of Article XIII on Social Justice and Human Rights, mandates the implementation of programs to "make available at affordable cost, decent housing and basic services to under-privileged and homeless citizens".

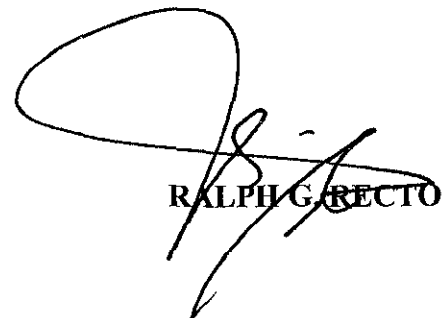
This Bill seeks to exclude an area from land that had been declared as a Military Reservation Area under Presidential Proclamation No. 938 issued on December 16, 1996. Specifically, the subject area proposed for exclusion is within the nine hundred and sixty (960) hectares allotted to the Philippine Navy from out of the Naval Communication Station San Miguel of the former United States Military Bases in the Philippines.

The subject area straddles both Sitio Aldea and Purok Siete in Barangay Natividad, San Narciso town and Barangay West Dirita, San Antonio town, both in Zambales. Hundreds of families live in and till the area for more than 50 years.

However, the land issue has been put out in the open when the Philippine Navy through the Commander of the Naval Education and Training Command sent notices ordering the residents to dismantle their houses. Thus, the local governments of San Narciso and San Antonio seek the apportionment of land in favor of the residents. The municipal governments had provided various infrastructures such as barangay offices, roads, a bridge and a clinic while the settlers built schools, churches and their houses near the fields that they till and accessible to the West Philippine Sea where they fish.

The resolution of the land issue will enable the local governments to proceed with the construction of other basic infrastructures and to deliver essential social services thereby ensuring the long-term development of the concerned community. Of equal importance, the residents shall be assured security to their abode and decent means of livelihood.

In view of the foregoing, approval of this Bill is earnestly sought.

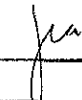
  
RALPH G. RECTO

/dbg

'13 JUL 16 A9:40

SENATE

S. No. 787

RECEIVED BY: 

Introduced by Senator Ralph G. Recto

AN ACT

**EXCLUDING CERTAIN PORTIONS OF THE NAVAL STATION SAN MIGUEL IN THE MUNICIPALITIES OF SAN NARCISO AND SAN ANTONIO PROVINCE OF ZAMBALES FROM THE OPERATION OF PROCLAMATION NO. 938, AND DECLARING THE EXCLUDED PORTIONS OPEN TO DISPOSITION UNDER THE PROVISIONS OF REPUBLIC ACT NO. 730, AS AMENDED, TO QUALIFIED OCCUPANTS WITHOUT PUBLIC AUCTION**

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

1           **SECTION 1. Declaration of Policy.** - It is hereby declared the policy of the State to  
2 provide equal access to affordable land and housing services to its citizens.

3           **Sec. 2. Primary Objective.** - Certain portions of lands covered by Sitio Aldea and Purok  
4 Siete of Barangay Natividad, San Narciso and Brgy. West Dirita, San Antonio are hereby  
5 declared excluded from the Naval Station San Miguel and from the operation of Proclamation  
6 No. 938 dated December 16, 1996.

7           **Sec. 3. Responsibilities of Government Agencies.** - The Land Management Bureau of the  
8 Department of Environment and Natural Resources, the Provincial Government of Zambales, the  
9 Municipal Governments of San Narciso and San Antonio are hereby directed to conduct a  
10 validation survey of the disposable lands under this Act and to effect their sale to qualified  
11 applicants: *Provided*, That the sale shall be without recourse to public auction, and; *Provided*,  
12 *further*, That land actually occupied and used for public schools, municipal halls, public plazas  
13 or parks and other government institutions shall be so segregated and issued appropriate Special  
14 Patents to the concerned government agency for public use or purpose.

15           **Sec. 4. Tax Exemption.** - All lands already sold and/or disposed by the government  
16 pursuant to existing housing programs and those to be disposed of in accordance with this Act  
17 shall be exempt from the payment of Capital Gains Tax.

18           **Sec. 5. Appropriation.** - The funds necessary for the implementation of the provisions of  
19 this Act shall be included in the annual appropriations of the Department of Environment and  
20 Natural Resources (DENR) and the Land Registration Authority (LRA).

21           **Sec. 6. Implementing Rules and Regulations.** - Within thirty (30) days from the  
22 effectivity of this Act, the Director of the Land Management Bureau – DENR together with the

1 Administrator of the LRA shall promulgate the rules and regulations to effectively implement the  
2 provisions of this Act.

3 **Sec. 7. Separability Clause.** - If, for any reason or reasons, any part or parts of this Act  
4 shall be declared unconstitutional or invalid by any competent court, other parts or provisions  
5 hereof not affected thereby shall continue to be in full force and effect.

6 **Sec. 8. Repealing Clause.** - All laws, decrees, executive orders, executive ordinances or  
7 letters of instructions, rules and regulations or any part thereof inconsistent with or contrary to  
8 the provisions of this Act are hereby repealed, amended or modified accordingly.

9 **Sec. 9. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its  
10 publication in the Official Gazette or in two (2) national newspapers of general circulation.

11 Approved,