

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



Senate
Office of the Secretary

'13 AUG 29 P 4:55

SENATE
S. No. 1432

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Each year, a large amount of the country's agricultural land is irrevocably converted from actual or potential agricultural use to non-agricultural use. This is further aggravated by conflicting government programs and policies regarding land use and development.

The continued decrease in the country's agricultural land base threatens the ability of the country to produce food and fiber in sufficient quantities to meet domestic needs. In addition, the extensive use of agricultural land for non-agricultural purposes undermines the economic base of many rural areas. Yet there is no law which requires the Secretary of Agrarian Reform and the Secretary of Agriculture to report to Congress information on the conversion of agricultural land to non-agricultural uses.

This bill provides for a reporting requirement on the rate at which agricultural land is converted to non-agricultural uses, and a review of existing government policies and procedures on agricultural land conversion, including an evaluation of the compatibility of government policies on land conversion with development plans at the national and local levels. The ultimate objective of this bill is not only to protect agricultural land, but to minimize graft and corruption in agricultural land conversion due to conflicting laws, policies, and administrative activities of government agencies.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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1 AN ACT

2 REQUIRING THE DEPARTMENT OF AGRARIAN REFORM AND THE DEPARTMENT
3 OF AGRICULTURE TO SUBMIT AN ANNUAL REPORT TO CONGRESS ON THE
4 CONVERSION OF AGRICULTURAL LAND TO NON-AGRICULTURAL USES
5 INCLUDING A REVIEW OF EXISTING POLICIES AND PROCEDURES

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

6 SECTION 1. *Short Title.* – This Act shall be known as the “Agricultural Land Protection
7 Act.”

8 SECTION 2. *Declaration of Policy.* – It is the policy of the State to minimize the extent
9 to which government programs and policies contribute to the unnecessary and irreversible
10 conversion of agricultural land to non-agricultural uses, and to assure that national government
11 programs are administered and policies are implemented for the protection of agricultural land
12 compatible with development plans of local government units.

13 SECTION 3. *Definition of Agricultural Land.* – For purposes of this Act, “agricultural
14 land” refers to land devoted to the cultivation of the soil, planting of crops, growing of fruit trees,
15 raising of livestock, poultry or fish, including the harvesting of such farm products, and other
16 farm activities and practices performed by a farmer in conjunction with such farming operations
17 done by persons whether natural or juridical.

18 SECTION 4. *Development of Criteria to Identify Effects of Government Programs on*
19 *Conversion of Agricultural Land to Non-Agricultural Uses.* – The Department of Agrarian
20 Reform and the Department of Agriculture, in cooperation with other departments, agencies and

1 local government units, shall develop criteria for identifying the effects of government programs
2 on the conversion of agricultural land to non-agricultural uses.

3 SECTION 5. *Use of Criteria.* – Departments, agencies, and local government units shall
4 use the criteria established under the preceding paragraph to identify and take into account the
5 adverse effects of government programs and policies on the preservation of agricultural land;
6 consider alternative actions, as appropriate, that could lessen such adverse effects; and assure
7 that programs and policies of the government at the national level for the protection of
8 agricultural land are, to the extent practicable, compatible with development plans of local
9 government units.

10 SECTION 6. *Availability of Restorative Information.* – The Department of Agrarian
11 Reform and the Department of Agriculture shall make available to other departments and
12 agencies of the government, local government units, individuals, and organizations information
13 useful in restoring, maintaining, and improving the quantity and quality of agricultural land.

14 SECTION 7. *Review of Existing Policies and Procedures.* – The Department of Agrarian
15 Reform and the Department of Agriculture, in coordination with other departments and agencies
16 of the government and local government units, shall review current provisions of law,
17 administrative rules and regulations, policies and procedures to determine whether any provision
18 prevents full compliance with the provisions of this Act. Whenever necessary, they shall develop
19 proposals for action to bring government programs, policies, and administrative activities into
20 conformity with the purpose of this Act.

21 SECTION 8. *Technical Assistance.* – The Secretary of Agrarian Reform and the
22 Secretary of Agriculture and other department secretaries, whenever appropriate, shall provide
23 technical assistance to local government units which intend to develop programs or policies to
24 limit the conversion of agricultural land to non-agricultural uses.

1 SECTION 9. *Agricultural Land Resource Information.* – The Secretary of Agrarian
2 Reform and the Secretary of Agriculture, in cooperation with other departments and agencies of
3 the government, shall design and implement educational programs and materials emphasizing the
4 importance of productive agricultural land to the country’s well-being and distribute educational
5 materials through the mass media, schools, organizations, and other government agencies.

6 SECTION 10. *Reporting Requirements.* – At the beginning of each calendar year, the
7 Secretary of Agrarian Reform and the Secretary of Agriculture shall report to the Committees on
8 Agrarian Reform, Agriculture and Food, Economic Affairs, Constitutional Amendments,
9 Revision of Codes and Laws, Environment, Local Government, Natural Resources, and Rural
10 Development of the Senate and the House of Representatives, on the progress made in
11 implementing the provisions of this Act. The report shall include information on—

12 (A) The effects, if any, of government programs and administrative activities with
13 respect to the protection of agricultural land; and

14 (B) The results of the reviews on existing policies and procedures required under
15 Section 7 of this Act.

16 SECTION 11. *Limitations.* –

17 (A) This Act does not authorize the government in any way to regulate the use of
18 private agricultural land, or in any way affect the property rights of owners of such land.

19 (B) None of the provisions or other requirements of this Act shall apply to the
20 acquisition or use of agricultural land for national defense purposes.

21 SECTION 12. *Separability Clause.* – If any provision or part thereof is held invalid or
22 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
23 valid and subsisting.

1 SECTION 13. *Repealing Clause.* --Any law, presidential decree or issuance, executive
2 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
3 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

4 SECTION 14. *Effectivity Clause.* --This Act shall take effect fifteen (15) days after its
5 publication in at least two (2) newspapers of general circulation.

Approved,