

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



'16 AUG -3 P2:19

SENATE

S.B. No. 975

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BY: 

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Introduced by Senator **SONNY ANGARA**

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**AN ACT**  
**PRESCRIBING THE MECHANISM TO FACILITATE THE DISPOSITION OF IDLE**  
**GOVERNMENT-OWNED LANDS FOR SOCIALIZED HOUSING**

**EXPLANATORY NOTE**

The magnitude of current housing need, defined as the housing backlog plus new households, is estimated to reach about 5.8 million housing units in 2016. In Metro Manila alone, the total backlog has been projected to reach 496,928 housing units.<sup>1</sup> Given these statistics, the National Urban Development and Housing Framework (NUDHF) 2009- 2016 considers the housing problem in the country to be serious.

The prevailing housing problem is evident in the proliferation of slums and informal settlements in the urban areas. Recent estimates show that more than a third of urban population are slum dwellers.

To address the housing needs, this bill seeks to identify and set aside inventoried idle government lands for socialized housing. The National Housing Authority (NHA), in coordination with the Land Management Bureau (LMB), is directed to identify idle lands owned by the national government or any of its subdivisions, instrumentalities or agencies, which have not been used for the purpose for which they have been reserved for the past ten (10) years, to be set aside for socialized housing. Moreover, at least 10 percent of government-owned land not set aside for socialized housing shall be sold, alienated, and encumbered for development purposes.

The population of the Philippines as of August 1, 2015 has grown to 100,981,437, based on the 2015 Census of Population (POPCEN 2015).<sup>2</sup> It is continuously growing and along with this growth is the increase in the demand for housing. Thus, it is imperative that the government maximizes the use of available resources to address this need, especially of the poor and marginalized.

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

  
**SONNY ANGARA**

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<sup>1</sup> <http://www.neda.gov.ph/wp-content/uploads/2013/09/CHAPTER-5.pdf>

<sup>2</sup> <https://psa.gov.ph/content/highlights-philippine-population-2015-census-population>



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

1 **SECTION 1. Short Title.** This Act shall be known as the ***"Idle Government-Owned Lands***  
2 ***Disposition Act of 2016."***

3

4 **SEC. 2. Declaration of Policy.** It is hereby declared the policy of the State to ensure the  
5 availability of sufficient lands for socialized housing purposes and to improve the capability of  
6 local government units (LGUs) in undertaking housing and urban development programs and  
7 projects.

8

9 **SEC. 3. Land Inventory.** To carry out the provisions of this Act, an inventory of all idle  
10 government-owned lands shall be conducted within one (1) year from the effectivity of this Act.  
11 The Housing and Urban Development Coordinating Council (HUDCC), through the National  
12 Housing Authority (NHA), in coordination with the Department of Environment and Natural  
13 Resources (DENR) through the Land Management Bureau (LMB), shall conduct an inventory of  
14 all lands owned by the national government or any of its subdivisions, instrumentalities or  
15 agencies, including government-owned or -controlled corporations and their subsidiaries which  
16 have not been used for the purpose for which they have been reserved for the past ten (10)  
17 years. The Department of the Interior and Local Government (D1LG) through the LGUs shall  
18 conduct an inventory of all local government-owned lands within their respective localities which  
19 have remained idle. For monitoring purposes, the D1LG shall furnish the HUDCC a copy of its  
20 inventory. The inventories stated in the preceding paragraphs shall be updated every three (3)  
21 years.

22

23 **SEC. 4. Identification and Setting Aside of Lands for Socialized Housing.** After the conduct  
24 of the inventory:

25 (a) All LGUs are hereby directed to identify and set aside idle local government-owned  
26 lands which are suitable for socialized housing: *Provided*, That the Housing and Land

1 Use Regulatory Board (HLURB) shall provide technical assistance to the LGUs in the  
2 identification thereof and their eventual setting aside for and disposition as socialized  
3 housing sites: *Provided, further,* That identified lands for socialized housing shall be  
4 integrated in the Comprehensive Land Use Plan (CLUP) of LGUs; and

5 (b) The NHA, in coordination with the LMB, is likewise directed to identify idle lands owned  
6 by the national government or any of its subdivisions, instrumentalities or agencies,  
7 including government-owned or controlled corporations and their subsidiaries, which  
8 have not been used for the purpose for which they have been reserved for the past ten  
9 (10) years to be set aside for socialized housing: *Provided,* That such lands have been  
10 declared open for disposition whether through an act of Congress or other related  
11 laws. Except for local government-owned lands, all lands owned by the national  
12 government or any of its subdivisions, instrumentalities or agencies, including  
13 government-owned or -controlled corporations and their subsidiaries identified for  
14 socialized housing, shall immediately be transferred to the NHA to be set aside for the  
15 purpose, subject to the approval of the President of the Philippines: *Provided,* That  
16 lands comprising the acquired assets of the government-owned or -controlled  
17 corporations and government financial institutions engaged in shelter financing that are  
18 taken possession of in their ordinary conduct of business are not covered under this  
19 Act.  
20

21 **SEC. 5. Sale, Alienation or Encumbrance of Other Government-owned Lands Not Set**  
22 **Aside for Socialized Housing.** Whenever a government-owned land not set aside for  
23 socialized housing, whether owned by the LGUs or the national government or any of its  
24 subdivisions, instrumentalities or agencies, including government-owned or -controlled  
25 corporations and their subsidiaries, is sold, alienated or otherwise encumbered in favor of  
26 private individuals or entities for its development into industrial, commercial or other similar  
27 estates, there shall be set aside, as may be necessary, at least ten percent (10%) of the  
28 proceeds thereof for the development of socialized housing projects within, or adjacent to, the  
29 affected areas or in nearby areas within the city or municipality in accordance with the local  
30 development land-use plan: *Provided,* That lands comprising the acquired assets of  
31 government-owned or -controlled corporations and government financial institutions engaged in  
32 shelter financing that are taken possession of in their ordinary conduct of business are not  
33 covered under this Act: *Provided, further,* That low-salaried employees of the government  
34 agency that sold, alienated or otherwise encumbered such idle land shall be given first priority  
35 as beneficiaries of the socialized housing projects to be developed.  
36

37 **SEC. 6. Conveyance of Segregated Land or Fund.** For a land owned by the national  
38 government or any of its subdivisions, instrumentalities or agencies, including government-  
39 owned or -controlled corporations and their subsidiaries, the segregated land or fund shall be  
40 conveyed at no cost to the NHA, which shall be directly responsible for the development of  
41 socialized housing projects: *Provided, however,* That for a land owned by an LGU, the

1 segregated land or fund shall be retained by the LGU concerned to be utilized exclusively for its  
2 socialized housing projects.

3  
4 **SEC. 7. Implementation of Socialized Housing Projects.** For purposes of implementing  
5 socialized housing projects on lands set aside for socialized housing and of utilizing the funds  
6 set aside from the sale, alienation and encumbrance of other lands not set aside for socialized  
7 housing:

8 (a) The LGU concerned shall undertake or cause the undertaking of the development of  
9 socialized housing projects for lands or funds set aside for socialized housing pursuant  
10 to Sections 4(a), 5 and 6 of this Act; and

11 (b) The NHA shall undertake the provision of socialized housing for the underprivileged  
12 and homeless citizens for such lands or funds set aside for socialized housing  
13 pursuant to Sections 4(b), 5 and 6 of this Act. Towards this end, the NHA and the LGU  
14 concerned are hereby authorized to enter into joint venture agreements or other similar  
15 arrangements with private developers or nongovernmental organizations (NGOs)  
16 engaged in housing production: *Provided*, That the cost of housing unit, if constricted  
17 within the affected area or locality pursuant to Section 5 hereof, shall exclude the cost  
18 of land. In both cases, the NHA and the LGU concerned shall coordinate with each  
19 other in the development of socialized housing projects in the areas mentioned in  
20 Section 5 of this Act.

21  
22 **SEC. 8. Incentives for Private Developers and NGOs.** To encourage private sector and NGO  
23 participation in the socialized housing projects described in Section 6 hereof, the incentives  
24 provided in Section 20, or Incentives for Private Sector Participating in Socialized Housing, of  
25 Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of 1992,"  
26 shall apply.

27  
28 **SEC. 9. Implementing Rules and Regulations.** Within six (6) months after the effectivity of this  
29 Act, the HUDCC and the DENR are hereby directed to promulgate the necessary rules and  
30 regulations, including the mechanisms and procedures on the conduct of inventory and  
31 identification of lands suitable for socialized housing, to effectively implement the provisions of  
32 this Act. In drafting the implementing rules and regulations, the National Urban Development  
33 and Housing Framework described in Republic Act No. 7279 shall be taken into consideration.

34  
35 **SEC. 10. Separability Clause.** If any part or provision of this Act is declared invalid for any  
36 reason, the remainder of this Act not affected thereby shall remain valid and effective.

37  
38 **SEC. 11. Repealing Clause.** All laws, decrees, executive orders, letters of instruction, rules and  
39 regulations or parts thereof inconsistent with any of the provisions of this Act are hereby  
40 repealed, modified, superseded or amended accordingly.

1 **SEC. 12. *Effectivity Clause.*** This Act shall take effect fifteen (15) days after its complete  
2 publication in the Official Gazette or in at least two (2) newspapers of general circulation.

3

4 Approved,