



HOUSE OF REPRESENTATIVES

H. No. 159

BY REPRESENTATIVES BELMONTE, CABOCHAN, REVILLA, UMALI (A.),
VERGARA, PADUANO, TIANGCO, BARBA, LAGON, CASTRO (F.L.),
DUAVIT, AGUINALDO, BENITEZ, DY (F.M.C.), NIETO, VIOLAGO,
GONZALES (A.), CHUNGALAO, BASCUG, NOGRALES (J.F.F.),
ROBES, TAMBUNTING, AGABAS AND ROMUALDEZ (F.M.)

AN ACT STRENGTHENING THE RIGHT OF GOVERNMENT TO
EXPROPRIATE LANDS FOR SOCIALIZED HOUSING,
AMENDING FOR THE PURPOSE SECTIONS 9, 10, AND 11 OF
REPUBLIC ACT NO. 7279, OTHERWISE KNOWN AS THE
"URBAN DEVELOPMENT AND HOUSING ACT OF 1992"

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

1 SECTION 1. Sections 9, 10, and 11 of Republic Act No. 7279
2 are hereby amended to read as follows:

3 "SEC. 9. [*Priorities in the*] *Acquisition of Land*
4 **FOR SOCIALIZED HOUSING.** - [Lands for socialized
5 housing shall be acquired in the following order] **THE**
6 **FOLLOWING LANDS MAY BE ACQUIRED FOR SOCIALIZED**
7 **HOUSING:**

8 "(a) Those owned by the Government or any of its
9 subdivisions, instrumentalities, or agencies, including
10 government-owned or -controlled corporations and their
11 subsidiaries;

12 "(b) Alienable lands of the public domain;

1 “(c) Unregistered or abandoned and idle lands;

2 “(d) Those within the declared Areas for Priority
3 Development, Zonal Improvement Program sites, and
4 Slum Improvement and Resettlement Program sites
5 which have not yet been acquired;

6 “(e) Bagong Lipunan Improvement of Sites and
7 Services or BLISS sites which have not yet been
8 acquired; and

9 “(f) Privately-owned lands.

10 “[Where on-site development is found more
11 practicable and advantageous to the beneficiaries, the
12 priorities mentioned in this section shall not apply. The
13 local government units shall give budgetary priority to
14 on-site development of government lands.]

15 “THE POWER TO IDENTIFY AND TO PRIORITIZE
16 THE PARTICULAR AREA TO BE ACQUIRED SHALL BE WITH
17 THE LOCAL GOVERNMENT UNIT OR THE PROPER AGENCY
18 ACQUIRING LAND FOR SOCIALIZED HOUSING. FOR THIS
19 PURPOSE, THE ENUMERATION IN THIS SECTION SHALL
20 NOT, IN ANY WAY, BE INTERPRETED AS SETTING AN
21 ORDER OF PRIORITY.”

22 “SEC. 10. *Modes of Land Acquisition.* – The
23 modes of acquiring lands for purposes of this Act shall
24 include, among others, community mortgage, land
25 swapping, land assembly or consolidation, land
26 banking, donation to the Government, joint-venture
27 agreement, negotiated purchase, and expropriation:
28 *Provided, [however, That expropriation shall be*
29 *resorted to only when other modes of acquisition have*

1 been exhausted: *Provided, further,*] That where
2 expropriation is resorted to, parcels of land owned by
3 small property owners shall be exempted for purposes of
4 this Act: *Provided, [finally] FURTHER,* That abandoned
5 property, as herein defined, shall be reverted and
6 escheated to the State in a proceeding analogous to the
7 procedure laid down in Rule 91 of the Rules of Court.

8 "For the purpose of socialized housing,
9 government-owned and foreclosed properties shall be
10 acquired by the local government units, or by the
11 National Housing Authority primarily through
12 negotiated purchase: *Provided,* That qualified
13 beneficiaries who are actual occupants of the land shall
14 be given the right of first refusal."

15 "SEC. 11. *Expropriation of Idle Lands.* - All
16 idle lands in urban and urbanizable areas, as defined
17 and identified in accordance with this Act, shall be
18 expropriated and shall form part of the public domain.
19 These lands shall be disposed of or utilized by the
20 Government for such purposes that conform with their
21 land use plans. Expropriation proceedings shall be
22 instituted if, after the lapse of one (1) year following
23 receipt of notice of acquisition, the owner fails to
24 introduce improvements as defined in Section 3(f)
25 hereof, except in the case of *force majeure* and other
26 fortuitous events. Exempted from this provision,
27 however, are residential lands owned by small property

1 owners [or those the ownership of which is subject of a
2 pending litigation].”

3 **SEC. 2. *Repealing Clause.*** – All laws, decrees, executive
4 orders, proclamations, rules and regulations, or parts thereof which
5 are inconsistent with this Act, are hereby repealed or modified
6 accordingly.

7 **SEC. 3. *Effectivity.*** – This Act shall take effect fifteen (15)
8 days after its publication in the *Official Gazette* or in a newspaper of
9 general circulation.

Approved,

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