



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 12



**Introduced by Representatives Ferdinand Martin G. Romualdez,
Andrew Julian K. Romualdez and Jude A. Acidre**

EXPLANATORY NOTE

All lands of the public domains, waters, minerals, coal, petroleum, mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State. With the exception of agricultural lands, all other natural resources shall not be alienated. Thus, there is a need for rational, optimal, and sustainable settlements development, consistent with the principles of environmental management and equitable access to land security.

This bill proposes to provide the national framework for a rational, holistic, and just allocation, utilization, management, and development of the country's land to ensure their optimum use, consistent with the principle of sustainable development. Moreover, the bill will include mandatory consultations from the regional, provincial, city and municipal level. Overall, the goal of this proposed legislation is to harmonize existing plans, rules and regulations governing the allocation, utilization, development and management of land resources.

This proposed bill also provides guidelines in the following major areas: forest lands and watersheds, coastal zones, settlements development areas, protected areas under the National Integrated Area System, agricultural lands, energy resource lands, industrial development areas, tourism development areas, infrastructure development area, and agro-industrial development area.

Moreover, land use and physical planning shall at all times adhere to the principles that promote and ensure:

- (a) Sustainable management and utilization of natural resources;
- (b) Maintenance and preservation of environmental integrity and stability specifically the perpetual protection of permanent forests and watershed and ecosystem services for the attainment of food, water and energy sufficiency;
- (c) Disaster risk-reduction and climate change resiliency;
- (d) Protection of prime agricultural lands for food security in basic commodities with emphasis on self-sufficiency in rice and corn;
- (e) Water security through sustainable development and management of water resources towards water security;
- (f) Provision of adequate and efficient settlements, transportation and infrastructure development in support of urban, peri-urban, and rural linkages towards regional development and inclusive growth;
- (g) Harmony between the rights and the varied interests of every Filipino within the framework of people empowerment, decentralization, social justice, and equity;
- (h) Respect for and protection of the sustainable traditional resource rights of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral domains to ensure their economic, social, and cultural well-being as well as recognition of the applicability of customary laws and sustainable traditional resource use and management, knowledge, and practices in ancestral domains in compliance with free and prior informed consent of ICCs/IPs;
- (i) Protection of the rights of basic sectors to equitable access to the country's land;
- (j) Protection, preservation, and development of the country's historical, cultural, archaeological, and built heritage resources for the deeper understanding of our history and culture as a people;
- (k) Attainment of energy security and self-sufficiency;

- (l) A whole-of-society and whole-of-government orientation, through which thrusts and strategies espoused by different actors and sectors are heard and brought together to achieve complex and interrelated goals, is encouraged and adopted as a basic parameter in achieving efficiency in land use and allocation, within the framework of ecological development and equity;
- (m) Promotion of the integrated approach to land use and urban transport planning to effectively manage growth in urban areas and ensure that the capacity of transport facilities can accommodate the demand for movement of passengers and goods to, from, and within the centers of socioeconomic activities;
- (n) Vertical and horizontal linkages or spatial strategies and the potential for co-management and inter-locality cooperation across territorial jurisdictions and government levels, highlighting the imperative for a ridge-to-reef and ecosystem-based approach to land and water resource management and governance; and
- (o) Data and evidence-informed management and governance of land and water resources, in line with the place-based aspirations and shared values of the community.

We acknowledge Representatives Francisco Jose "Bingo" F. Matugas II, CPA, CESO, LLB, Rosanna "Ria" V. Vergara, Gloria Macapagal-Arroyo, Joey Sarte Salceda, and Florida "Rida" P. Robes, among others, for filing this bill during the Nineteenth Congress and was approved on Third Reading.

In view of the foregoing, the passage of this measure is earnestly urged.



FERDINAND MARTIN G. ROMUALDEZ



JUDE A. ACIDRE



ANDREW JULIAN K. ROMUALDEZ



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**Introduced by Representatives Ferdinand Martin G. Romualdez,
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**AN ACT
INSTITUTING A NATIONAL LAND USE POLICY, PROVIDING THE
IMPLEMENTING MECHANISMS, CREATING FOR THE PURPOSE THE
NATIONAL LAND USE COMMISSION, AND APPROPRIATING FUNDS
THEREFOR**

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

**CHAPTER I
INTRODUCTORY PROVISIONS**

1 SECTION 1. ***Short Title.*** – This Act shall be known as the “*National Land Use Act*”.

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

8
9 Pursuant to the constitutional provision or mandate, it is the policy of the State to
10 provide for a rational, holistic, and just allocation, utilization, management, and development
11 of the country’s land to ensure their optimum use to promote sustainable socioeconomic
12 development and ecological protection.
13

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

4 Toward this end, the State institutionalizes land use and physical planning as
5 mechanisms for identifying, determining, and evaluating appropriate land use and allocation
6 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 and ecosystem
10 services for the 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) Provision of adequate and efficient settlements, transportation and
17 infrastructure development in support of urban, peri-urban, and rural linkages towards
18 regional development and inclusive growth;

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

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

37 (i) Protection of the rights of basic sectors to equitable access to the country's
38 land;

39 (j) Protection, preservation, and development of the country's historical, cultural,
40 archaeological, and built heritage resources for the deeper understanding of our history and
41 culture as a people;

42 (k) Attainment of energy security and self-sufficiency;

43 (l) A whole-of-society and whole-of-government orientation, through which
44 thrusts and strategies espoused by different actors and sectors are heard and brought together
45 to achieve complex and interrelated goals, is encouraged and adopted as a basic parameter in
46 achieving efficiency in land use and allocation, within the framework of ecological
47 development and equity;

1
2 (m) Promotion of the integrated approach to land use and urban transport planning
3 to effectively manage growth in urban areas and ensure that the capacity of transport facilities
4 can accommodate the demand for movement of passengers and goods to, from, and within
5 the centers of socioeconomic activities;

6
7 (n) Vertical and horizontal linkages or spatial strategies and the potential for co-
8 management and inter-locality cooperation across territorial jurisdictions and government
9 levels, highlighting the imperative for a ridge-to-reef and ecosystem-based approach to land
10 and water resource management and governance; and

11
12 (o) Data and evidence-informed management and governance of land and water
13 resources, in line with the place-based aspirations and shared values of the community.

14
15 It is also the policy of the State to ensure that local government units (LGUs) share
16 with the national government the responsibility of managing and maintaining ecological
17 balance within their territorial jurisdiction as stated in the 1987 Constitution and Republic
18 Act RA 7160, as amended, also known as the "*Local Government Code of 1991*". Guided by
19 the principle that the use of land bears a social function and that all economic agents
20 contribute to the common good, landowners, land tenure holders, in the case of forestlands,
21 be it an individual, communal, corporate or group, is held responsible for developing and
22 conserving their lands, thereby making their lands productive and supportive of
23 environmental stability.

24
25 SEC. 3. ***Scope.*** – This Act applies to all lands and natural resources in the country,
26 whether public, private, government-owned or in the possession of any person, whether
27 natural or juridical, and serves as guide for the rational, holistic and just allocation,
28 utilization, development and management of the land and water resources in the country,
29 including such activities that bear impact on those resources.

30
31 SEC. 4. ***Definition of Terms.*** – As used in this Act:

32
33 (a) *Agricultural land* refers to land of public domain which has been classified as
34 such and is devoted to agricultural activity as defined under RA 6657, as amended, otherwise
35 known as the "*Comprehensive Agrarian Reform Law of 1988*," and not further classified for
36 residential, commercial or industrial use and such other uses as may be provided by law;

37
38 (b) *Agricultural land use conversion* refers to the act or process of changing the
39 current physical use of a piece of agricultural land into some other use not comprising an
40 agricultural activity as defined under RA 6657, as approved exclusively by the Department of
41 Agrarian Reform (DAR) in an order of conversion;

42
43 (c) *Alienable and Disposable (A&D) lands* refer to lands of the public domain
44 which have been delineated, classified, and certified as open and available for disposition
45 under existing laws;

46
47 (d) *Ancestral domains* refer to all areas generally belonging to indigenous cultural
48 communities or indigenous peoples as defined in RA 8371, otherwise known as "*The
49 Indigenous Peoples' Rights Act of 1997*";

1 (e) *Archaeological site* refers to any place, whether above or underground,
2 underwater or at sea level, containing fossils, artifacts and other cultural, geological,
3 botanical, zoological materials which depict and document culturally relevant
4 paleontological, prehistoric or historic events;

5
6 (f) *Basic sector* refers to a group of people not referring to any organized groups,
7 such as but not limited to women, youth, elderly, differently abled, peasants and fisherfolk;

8
9 (g) *Coastal area or zone* refers to a band of dry land and the adjacent ocean space,
10 water and submerged land, in which terrestrial processes and uses directly affect oceanic
11 processes and uses and *vice versa*, the geographic extent of which includes areas within a
12 landward limit of one (1) kilometer from the shoreline at high tide to include mangrove
13 swamps, brackish water ponds, nipa swamps, estuarine rivers, sandy beaches and other areas
14 within a seaward limit of two hundred (200) meters isobaths to include coral reefs, algal flats,
15 seagrass beds, and other soft-bottom areas;

16
17 (h) *Comprehensive Land Use Plan (CLUP)* refers to a plan embodying a set of
18 policies accompanied by maps and similar illustrations that serves as a policy guide for
19 determining the future use of lands and natural resources within the territorial jurisdiction of
20 the LGU, including municipal waters with due consideration to the biogeographic region
21 within which the locality belongs, representing the community desired pattern of population
22 distribution and proposes future allocation of land and resources to various activities
23 including the processes and criteria employed in such determination of allocation of land and
24 resources for a long-term management of the local territory covering a minimum period of
25 twelve (12) years, reviewable not earlier than every six (6) years;

26
27 (i) *Comprehensive land use planning* refers to the act of defining the allocation,
28 utilization, development and management of all lands and water resources within a given
29 territory or jurisdiction according to the inherent characteristic and carrying capacities of
30 the land itself and supportive of sustainable economic, demographic, socio-cultural and
31 environmental objectives as an aid to decision-making and legislation;

32
33 (j) *Critical habitats* refer to areas outside protected areas as defined in RA 7586,
34 otherwise known as the “*National Integrated Protected Areas System Act of 1992*”, that are
35 known habitats of threatened species and designated as such based on scientific data taking
36 into consideration species endemicity or richness, presence of human-made pressures or
37 threats to the survival of wildlife living in the area;

38
39 (k) *Critical watershed* refers to a drainage area of a river system supporting
40 existing and proposed hydroelectric power, irrigation works or existing water facilities
41 needing immediate protection and rehabilitation to minimize erosion and improve water
42 yield;

43
44 (l) *Cultural heritage* refers to the totality of cultural properties, whether natural or
45 human made, preserved and developed through time and passed on for posterity;

46
47 (m) *Cultural property* refers to all products of human creativity by which a people
48 and a nation reveal their identity, including churches, mosques and other places of religious
49 worship, schools and natural history specimens and sites, whether public or privately-owned,
50 movable or immovable, and tangible or intangible;

1
2 (n) *Customary laws* refer to a body of written or unwritten rules, usages, customs
3 and practices traditionally and continually recognized, accepted, and observed by respective
4 ICCs/IPs, consistent with RA 8371;

5
6 (o) *Development plan* refers to the activities and measures that the national
7 government or LGUs intend to implement over a specified period of time to achieve the
8 defined set of development goals identified in the national or local physical framework plans
9 integrating socio-economic, financial, fiscal, legal and legislative institutional and sectoral
10 plans of the national government or any of its instrumentalities or a particular LGU,
11 consistent with the objectives identified in spatial plans, such as land use plans or physical
12 framework plans including an analysis of problems and resources, definition of goals and
13 objectives, policy guidelines, programs and projects, and an implementation mechanism
14 which defines the roles and contributions expected from the government and the private
15 sector;

16
17 (p) *Ecologically fragile areas* refer to areas within critical watersheds, brackish
18 and freshwater wetlands, pasture lands, inland rivers and waterways coastal and settlement
19 areas, and croplands which require rehabilitation, protection and whose continued
20 unsustainable use may result in physical risks and threats to life and property, public health
21 and safety as well as adversely affect the productivity of lowland agricultural areas and
22 stability of the upland system;

23
24 (q) *Ecotourism* refers to a form of sustainable tourism within a natural or cultural
25 heritage area where community participation, protection and management of natural
26 resources, culture and indigenous knowledge and practices, environmental education and
27 ethics, as well as economic benefits are fostered and pursued for the enrichment of host
28 community and satisfaction of visitors;

29
30 (r) *Energy resources* refer to surface or subsurface substances that serve as
31 energy resources including traditionally mineral fuel deposits such as coal petroleum, natural
32 gas or renewable resources from geothermal, hydro reservoirs or non-conventional sources
33 such as ocean waves, solar, wind, biomass, and other similar resources which serve the same
34 purpose;

35
36 (s) *Energy resource lands* refer to lands where naturally occurring or indigenous
37 energy resources exist in sufficient quantity or quality as to be economically viable for
38 exploration, development production, utilization and distribution purposes;

39
40 (t) *Exhausted mineral resources* refer to specific sites where the mineral
41 resources are no longer in sufficient quantity or quality to justify additional expenditure for
42 extraction or utilization as determined by the Mines and Geosciences Bureau and approved
43 by the Department of Environment and Natural Resources (DENR);

44
45 (u) *Flood plain* refers to relatively smooth valley floors adjacent to and formed by
46 rivers which overflow its banks at flood stages. The plain usually consist of unconsolidated
47 fine sediments such as sand, silt, and clay;

48
49 (v) *Flood-prone areas* refer to low lying areas usually adjacent to large or active
50 water bodies and which therefore experience regular or seasonal inundation as a result of

1 changes in the mean water level of these bodies or because of land reclamation and other
2 artificial interference with the natural processes;

3

4 (w) *Foreshore land* refers to a string of land margining a body of water, the part of
5 a seashore between the low-water line usually at the seaward margin of a low tide terrace and
6 the upper limit of wave wash at high tide marked by a beach scarp or berm;

7

8 (x) *Forest* refers to an ecosystem or an assemblage of ecosystems dominated by
9 trees and other woody vegetation or a community of plants and animals interacting with one
10 another and its physical environment;

11

12 (y) *Forest lands* refer to one of the four classifications of land defined in the
13 Constitution under the public domain determined as suitable for forest purposes and not
14 classified as mineral land, national park or agricultural land such as all permanent forest
15 reserves, forest reservations, and all the remaining unclassified lands of the public domain;

16

17 (z) *Geo-hazards* refer to a geological process or phenomenon that may cause loss
18 of life, injury or other health impacts, property damage, loss of livelihoods and services,
19 social and economic disruption or environmental damage. This includes internal earth
20 processes such as earthquakes and volcanic activities, and geophysical processes like mass
21 movements landslides, surface collapses, debris and mud flow;

22

23 (aa) *Geo-hazard prone areas* refer to areas frequently affected and/or are
24 vulnerable or at risk to weather/climatic, hydrologic, geologic and other natural calamities;

25

26 (bb) *Heritage zone* refer to historical, anthropological, archaeological, artistic
27 geographical areas and settings that are culturally significant to the country, as declared by
28 the National Commission for Culture and the Arts (NCCA) and/or the National Historical
29 Commission of the Philippines (NHCP);

30

31 (cc) *Illegal conversion* refers to an attempt to or an actual change in the use of land
32 from agricultural to a residential, commercial, or industrial and other non-agricultural
33 activity, without a conversion grant or clearance based on the requirements under Section 65
34 of RA 6657, as amended, and to dispossess a tenant as provided under Section 73 (c) of RA
35 6657, as amended, when established from the following instances:

- 36
- 37 (1) an agricultural land is developed for use in non-agricultural activities
38 without a DAR Conversion Order;
- 39 (2) the agricultural land being converted is irrigated or irrigable;
- 40 (3) there is land activity such as, but not limited to, earth filling/dumping,
41 earth moving/digging, and quarrying, and in each case, bona fide conduct
42 of agricultural activities on a greater portion of the land developed has
43 ceased; and
- 44 (4) Other analogous activities.

45

46 (dd) *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPPs)* refer to
47 groups of people or homogenous societies identified by self-ascription and ascription by
48 others, who have continuously lived as organized community on communally bounded and
49 defined territory, and who have, under claims of ownership since time immemorial, occupied,
50 possessed, and utilized such territories, sharing common bonds of language, customs,

1 traditions, and other distinctive cultural traits, or who have, through resistance to political,
2 social, and cultural inroads of colonization, non-indigenous religions and cultures, became
3 historically differentiated from the majority of Filipinos including peoples who are regarded
4 as indigenous on account of their descent from the populations which inhabited the country at
5 the time of conquest or colonization, or at the time of inroads of non-indigenous religions and
6 cultures, or the establishment of present state boundaries, who retain some or all of their own
7 social, economic, cultural, and political institutions, but who may have been displaced from
8 their traditional domains, or who may have resettled outside their ancestral domains;

9

10 (ee) *Key Biodiversity Areas (KBAs)* refer to the present most important sites for
11 biodiversity conservation worldwide which are considered places of international importance
12 for the conservation of biodiversity through protected areas and other governance
13 mechanisms and which are identified nationally using simple standard criteria based on their
14 importance in maintaining species populations;

15

16 (ff) *Land* refers to resources, both artificial and natural, found on the surface,
17 below, and above the ground, including inland waters and the air therein;

18 (gg) *Land use* refers to the manner of allocation, utilization, management and
19 development of land;

20

21 (hh) *Land use classification* refers to the act of delineating or allocating lands
22 according to protection land use, production land use, settlements development and
23 infrastructure development as provided for in this Act;

24

25 (ii) *Land use planning* refers to the rational and judicious approach of allocating
26 available land resources to different land-using activities, such as but not limited to
27 agricultural, residential, industrial, commercial, institutional, forest land uses, and for
28 different functions consistent with the overall development vision/goal of a particular
29 locality;

30

31 (jj) *Mandatory public hearings or consultations* refer to the mechanism of
32 involving the concerned stakeholders and communities in land use planning, from the
33 barangay to the national level, to ensure the social acceptability of the plans including giving
34 notice of hearing or consultation to the concerned stakeholders through publication or posting
35 in conspicuous places, conducting a reasonable number of hearings, and soliciting positions
36 to arrive at a consensus through public presentations and validation of the planning results
37 undertaken before the final adoption of the plans;

38

39 (kk) *Marine protected area* refers to a defined area of the sea established and set
40 aside by law, administrative regulation or any other effective means to conserve and protect a
41 part of the entire enclosed environment, through the establishment of management guidelines;

42

43 (ll) *Minerals* refer to naturally occurring inorganic substance beneath or at the
44 surface of the earth, whether or not under water, and includes all metallic minerals; and non-
45 metallic minerals such as precious stones, industrial rocks, and building stones;

46

47 (mm) *Mineral lands* refer to any area where mineral resources are found, including
48 areas that are established as mineral reservations, areas with active mining operations; areas
49 with projected mining tenurial rights; and areas declared by court decisions as mineral lands;

50

1 (nn) *Mineral reservations* refer to areas established and proclaimed as such by the
2 President of the Philippines upon the recommendation of the Director of the Mines and
3 Geosciences Bureau through the DENR Secretary including all submerged lands within the
4 contiguous zone and exclusive Economic Zone.

5
6 (oo) *National Integrated Protected Areas System (NIPAS)* refers to the
7 classification and administration of all designated protected areas to maintain essential
8 ecological processes and life-support systems, to preserve genetic diversity, to ensure
9 sustainable use of resources found therein, and to maintain their natural conditions to the
10 greatest extent possible;

11
12 (pp) *National park* refers to forest reservation, essentially of natural wilderness
13 character, which has been withdrawn from settlement, occupancy or any form of exploitation,
14 except in conformity with the approved management plan and set aside as such exclusively to
15 conserve the area or preserve the scenery, natural and historic objects, wild animals and
16 plants therein, and to provide enjoyment of these features in such areas including lands and
17 waters of the public domain classified as such in the Constitution such as all areas under the
18 NIPAS primarily designated for the conservation of native plants and animals and associated
19 habitats and cultural diversity;

20
21 (qq) *Network of Protected Areas for Agriculture and Agro-Industrial Development*
22 (NPAAAD) refers to agricultural areas identified by the Department of Agriculture (DA),
23 through the Bureau of Soils and Water Management in coordination with the National
24 Mapping and Resource Information Authority (NAMRIA), in order to ensure the efficient
25 utilization of land for agriculture and agro-industrial development and to promote sustainable
26 growth, covering all irrigated areas, all irrigable lands already covered by irrigation projects,
27 all alluvial plains, lands highly suitable for agriculture, whether irrigated or not, agro-
28 industrial croplands or lands planted with industrial crops that support the validity of existing
29 agricultural infrastructure and agro-based enterprises, highlands or areas located at an
30 elevation of five hundred (500) meters or above and have the potential for growing semi-
31 temperate and high value crops, all agricultural lands that are ecologically fragile, the
32 conversion of which may result in serious environmental degradation, and all mangrove areas
33 and fish sanctuaries;

34
35 (rr) *Physical framework plans* refer to the national, regional or provincial
36 indicative plans that outline the over-all and macro-level spatial and physical development
37 objectives, priorities, directions and strategies in its respective levels as prepared, reviewed,
38 integrated and finalized by the national, regional and provincial land use councils or boards
39 respectively based on the CLUPs of the LGUs and the national policy guidelines relating to
40 land use, infrastructure development and environmental management to prevent or mitigate
41 the adverse effects of inappropriate resource utilization on food security, the welfare of the
42 people and their environment;

43
44 (ss) *Physical Planning* is the process of organizing physical activities and land
45 uses, including settlements, environmental protection, economic activities, and infrastructure
46 to ensure sustainable, orderly, and optimal siting and coordination of land uses;

47
48 (tt) *Prime agricultural lands* refer to all contiguous irrigated lands/areas and
49 irrigable lands already covered by irrigation projects, including all alluvial plain lands highly
50 suitable for agriculture, not irrigated that have been identified to satisfy the need for food

1 self-sufficiency and food security and agro-industrial croplands or lands presently planted to
2 industrial and high value crops that support the viability of existing agricultural infrastructure
3 and agro-based enterprises, highlands or areas located at an elevation of five hundred (500)
4 meters or above, highly suitable for growing semi-temperate and high value crops outside of
5 declared permanent forestlands and protection forests, and are not located in ecologically
6 fragile and environmentally critical areas;

7

8 (uu) *Production land use* refers to the most efficient, sustainable, and equitable
9 utilization, development and management of land for productive purposes which are not
10 classified for protection land use;

11 (vv) *Protected areas* refer to portions of land and water set aside by reason of their
12 unique physical and biological diversity and protected against human exploitation including
13 all natural forests and agricultural lands identified and delineated under this Act;

14

15 (ww) *Reclassification of agricultural lands* refer to the act of specifying how
16 agricultural lands are classified or used for non-agricultural uses such as residential, industrial
17 or commercial purposes, as embodied in the land use plan subject to the requirements and
18 procedure for reclassification undertaken by the LGU in accordance with Section 20 of RA
19 7160, as amended;

20

21 (xx) *Resettlement areas* refer to areas identified by the appropriate national agency
22 or by the LGU with respect to areas within its jurisdiction which are used for the relocation of
23 the underprivileged and homeless, as defined under RA 7279, otherwise known as the
24 "Urban Development and Housing Act of 1992;"

25

26 (yy) *Strategic Agriculture and Fisheries Development Zones (SAFDZ)* refers to the
27 areas within the NPAAAD identified for production, agro-processing, and marketing
28 activities to help develop and modernize, with the support of government, the agriculture and
29 fisheries sectors in an environmentally and socio-culturally sound manner pursuant to Section
30 4 of RA 8435 or "Agriculture and Fisheries Modernization Act of 1997";

31

32 (zz) *Settlements* refer to communities or built-up environment areas where people
33 prefer to live in;

34

35 (aaa) *Settlements development* refers to any improvement on existing settlements or
36 any proposed development of certain areas for settlement purposes involving the spatial
37 distribution of population, identification of the roles and functions of key urban centers,
38 determination of relationships among settlement areas, and the provision of basic services
39 and facilities of identified major settlement areas of growth centers;

40

41 (bbb) *Shoreline* refers to a strip of land covering of at least one (1) kilometer from
42 the point where seawater reaches during the highest high tide;

43

44 (ccc) *State universities and colleges (SUCs)* refer to public higher education
45 institutions in the Philippines created and established by law which constitutes their charter
46 and which have independent and separate governing boards;

47

48 (ddd) *SUC Land Use Plan* refers to a campus master plan mandated under RA
49 11396, otherwise known as the "SUCs Land Use Development and Infrastructure Plan Act"
50 that contains the allocation and utilization of the land within a campus' geographic boundary

1 to meet the required academic and non-academic support services and facilities as well as the
2 campus development programs and projects and the investment needed to implement them;
3

4 (eee) *Sustainable development* refers to the development objective of meeting the
5 needs of the present generation without compromising the ability of future generations to
6 meet their own needs consistent with the principles of social equity, efficiency and
7 environmental integrity;

8 (fff) *Tourism development areas* refer to specific sites for tourism development
9 located in areas identified as priorities in the national and regional tourism master plans and
10 those designated through legislative and executive issuances as tourist spots and tourist zones
11 which may be developed into tourism estates or integrated resort, leisure, recreation
12 complexes, and other tourism related facilities;

13 (ggg) *Tourism ecozone* refers to tourism development areas, outside of protection
14 lands which have been granted special economic zone status through the Philippine Export
15 Zone Authority registration and issuance of the required Presidential Proclamation, with its
16 metes and bounds, delineated by said proclamation, pursuant to RA 7916, as amended,
17 otherwise known as "*The Special Economic Zone Act of 1995*";
18

19 (hhh) *Tourism estates* refer to large tracts of land with well-defined boundaries in
20 any area, excluding those protection lands, identified in the Philippine tourism master plan
21 and regional tourism by proclamation of the President of the Philippines or by acts of
22 Congress or by local legislation and declared suited for the development of an integrated
23 tourism and resort complex with prescribed carrying capacities and limits for its facilities and
24 activities;

25 (iii) *Tourist spot* refers to a particular area, site or spot, man-made or natural,
26 known for its unique tourist or visitor-drawing attributes and activities and which may be
27 classified according to its social, cultural, natural, historical, aesthetic, visual, scientific,
28 religious, or recreational significance;

29 (jjj) *Tourist zone* refers to a geographic area with well-defined boundaries
30 proclaimed as such by the President of the Philippines or by acts of Congress where
31 development projects for any purpose are initiated and introduced prior to formulation of a
32 tourism master development plan which are undertaken in coordination with the Department
33 of Tourism (DOT) and the Tourism Infrastructure Enterprise Zone (TIEZA) for the
34 enhancement or the conservation of cultural and historical heritage, and for the appreciation
35 and enjoyment of the local population and its visitors;

36 (kkk) *Transmission line corridor* refers to the land beneath, the air spaces
37 surrounding, and the area traversed by electric power transmission lines including its
38 horizontal, vertical, and similar clearance requirements;

39 (lll) *Urban areas* refer to all cities regardless of their population density and to
40 municipalities with a population density of at least five hundred (500) persons per square
41 kilometer;

1 (mmm) *Urbanizable areas* refer to sites and lands which, considering present
2 characteristics and prevailing conditions, display great potential of becoming urban areas
3 within a period of five (5) years;

4
5 (nnn) *Urban forest or green space* refers to the establishment or setting up of areas
6 for mini-forest, eco-parks or small nature parks, in both public and private lands, wetlands,
7 man-made lagoons and lakes systems, riverbanks and shores, grasslands, roof and rock
8 gardens, lining roads and highways with trees, shrubs, or ornamental plants, and ground
9 landscaping of schools, hospitals, and other government agencies in order to improve the
10 environment in urban areas;

11
12 (ooo) *Water security* refers to the sufficient access throughout the year to the
13 minimum daily requirement of clean water to maintain a healthy life;

14 (ppp) *Water use* refers to the appropriation of water for domestic, municipal,
15 irrigation, power generation, inland fisheries, poultry and livestock, industrial and
16 commercial, environmental, and recreational use;

17
18 (qqq) *Watershed* refers to a topographically delineated area of land from which
19 rainwater can drain as surface run-off *vis-a-vis* a specific stream or river system to a common
20 outlet point which may be a dam, irrigation system or urban water supply take off point, or
21 where the stream discharges into a river, lake, or the sea;

22
23 (rrr) *Zoning* refers to the regulatory tool for delineating the specific land uses in
24 accordance with the approved CLUP within the territorial jurisdiction of a city or
25 municipality and specifying the conditions for their regulation, subject to the limitations
26 imposed by law and competent authority; and

27
28 (sss) *Zoning ordinance* refers to a local law passed by the *Sangguniang Bayan* or
29 *Panlungsod* approving the development control or zoning plan in accordance with an
30 approved or adopted CLUP of the city or municipality, providing for the regulations and
31 other conditions on the land uses, including the limitation on the infrastructure that may be
32 placed within the territorial jurisdiction of the city or municipality, incorporating the
33 protected areas, protected agricultural lands and ancestral lands as provided for in this Act.

34
35
36 **CHAPTER II**
37 **PHYSICAL FRAMEWORK AND LAND USE PLAN**
38

39 SEC. 5. **National Physical Framework Plan.** – The National Land Use Commission
40 (NLUC) created under Section 18 herein shall draft the National Physical Framework Plan
41 (NPFP), which shall have a timeframe of thirty (30) years, with regular review and updating
42 every ten (10) years. The NPFP, which guides the planning and management of the country's
43 land and other physical resources at the national and sub-national levels, shall indicate broad
44 spatial directions and policy guidelines on settlements development, production land use,
45 protection land use, social services and utilities, transmission line corridor, and transportation
46 and communication.

47
48 The Regional Physical Framework Plans (RPFPs), Provincial Physical Framework
49 and Development Plans (PPFDPs), and CLUPs shall cover the physical development of their
50 respective territories and shall be consistent with the NPFP: *Provided*, That the integration

1 and harmonization of the physical framework plans at all levels shall be iterative to ensure
2 that the concerns of both top and bottom levels of government are considered. The physical
3 and land use plans prepared at all levels shall have internal consistency specifically on, but
4 not limited to, the development, management and conservation of forestlands, watersheds,
5 and all terrestrial, aquatic, and marine ecosystems found within a given territory and the
6 linkages of the major land use categories to ensure their complementation in the utilization,
7 development, management, protection and conservation of all natural - resources. The NLUC
8 shall issue procedural guidelines which shall guide the formulation and integration or
9 harmonization of land use plans at all levels: *Provided*, That the National Economic
10 Development Authority (NEDA), DENR, Department of Human Settlements and Urban
11 Development (DHSUD), Department of the Interior and Local Government (DILG) and other
12 agencies will continue to issue specific guidelines on the planning process and content of the
13 plans consistent with the NLUC guidelines and their respective agency mandates.

14

15 SEC. 6. ***Regional Physical Framework Plans.*** – In consultation with concerned
16 sectors, the Regional Land Use Policy Council (RLUPC) shall define the desired spatial
17 arrangement of land and - land-use activities in the entire region, based on the consolidated
18 and harmonized PPFDPs of provinces and independent cities within the territorial jurisdiction
19 of the region. The RPFP, which depicts an end-state scenario toward which efforts and
20 activities are directed, shall consist of spatially-based and area-focused policies, consistent
21 with those in the national framework for physical planning, to guide detailed physical, socio-
22 economic, sectoral and investment planning. The RPFP shall have a planning period of
23 twelve (12) years to be updated every six (6) years or when deemed necessary.

24

25 SEC. 7. ***Provincial Physical Framework and Development Plans.*** – In consultation
26 with concerned sectors, the Provincial Planning and Development Office (PPDO) shall
27 prepare a Provincial Physical Framework and Development Plans (PPFDP), which shall
28 define the province's development vision, economic and social development policies,
29 environmental and ecological protection policies, general land uses, and inter-city/municipal
30 transportation system. The PPFDP shall integrate and harmonize the land use plans of
31 component cities and municipalities using the ridge-to-reef (R2R) or watershed ecosystem
32 management (WEM) approach taking into consideration shared watersheds, ecosystems and
33 natural resources and planning concerns, and define the uses of land and other resources
34 within the province consistent with the policies in the regional physical framework plan. The
35 programs, projects and activities prescribed in the PPFDP shall be integrated into the
36 provincial development investment program. The PPDO shall submit the PPFDP to the
37 Provincial Land Use Policy Council (PLUPC), created under Section 24 of this Act, for
38 review and endorsement to the *Sangguniang Panlalawigan*, which shall adopt the same
39 pursuant to Section 468 (2) (vii) of RA 7160. The PPFDP shall have a planning period of
40 twelve (12) years to be updated every six (6) years or when deemed necessary.

41

42 SEC. 8. ***City/Municipal Land Use Plans.*** – The City/Municipal Planning and
43 Development Office (C/MPDO) shall prepare the comprehensive land use plan (CLUP) to
44 determine the specific uses of land and other physical resources therein including areas co-
45 managed with the national government and, as appropriate, the ancestral domain areas. This
46 shall be done in consultation with concerned sectors through mandatory conduct of public
47 hearings and with the use of technology-based systems such as, but not limited to, the
48 Community-Based Monitoring System (CBMS) required to be established in every city and
49 municipality under RA 11315 or the “*Community-Based Monitoring System Act*”. The CLUP
50 shall be consistent with the R2R/WEM-based PPFDP and shall define the city or municipal

1 development vision, appropriate economic, environmental and social development policies,
2 densities and transportation system using the R2R/WEM approach. The CLUP shall have a
3 planning period of twelve (12) years to be updated every six (6) years or when deemed
4 necessary. The C/MPDO shall also use, among others, the CBMS in the updating of the
5 CLUPs.

6

7 The R2R/WEM-based CLUP will be used as the common reference framework for
8 the preparation of all sectoral development plans that will form part of the Comprehensive
9 Land Use and Development Plan which merges the traditionally separate CLUP and
10 comprehensive development plan to address the disconnect between spatial development and
11 sectoral programs and to ensure the complementation between the medium- and long-term
12 concerns and shall be the basis of the formulation of the local development investment
13 program. The CLUP shall be translated into a zoning ordinance by the concerned *Sanggunian*
14 to regulate the uses of land, including the limitations on height, density and bulk of buildings
15 and other infrastructure that may be placed thereon.

16

17 SEC. 9. ***Physical Framework and Land Use Planning Process.*** – The land use and
18 physical planning process shall be formulated following a combined bottom-up and top-down
19 approach. The NLUC, in consultation with the concerned sectors through the mandatory
20 conduct of public hearings, shall formulate, periodically update and ensure the
21 implementation of the NPFP that shall prescribe and influence the country's land use and
22 physical development. The NPFP shall operationalize the policies provided in this Act and
23 shall be the basis for adopting land use and physical planning-related guidelines and
24 standards, including zoning and other land use control standards that shall guide the
25 formulation of city/municipal zoning ordinances. The policies prescribed in the NPFP shall
26 be integrated into the Medium-Term Philippine Development Plan and Medium-Term
27 Philippine Investment Program.

28

29 In the formulation of the respective National, Regional Provincial or City/Municipal
30 Land Use Plans, the respective SUC Land Use Plans approved by the CHED prior to the
31 approval of this Act shall be taken into consideration in the approval of the plans. As such,
32 the President of the SUCs shall be consulted prior to the approval of the said plans.

33

34 SEC. 10. ***Land Use Plans for Ancestral Domains.*** – Land use plans for ancestral
35 domains shall be formulated by the ICCs/IPs themselves in accordance with their needs and
36 traditional resource and management systems with the assistance of the NCIP, the LGUs and
37 civil society organizations (CSOs) concerned. Such plans shall be recognized and adopted in
38 the City/Municipal, Provincial, Regional and National Physical Framework Plans.

39 Physical Framework Plans made prior to the delineation of ancestral domains
40 included in such plans shall, without prejudice to the rights of the ICCs/IPs concerned, adopt
41 different land use categories in accordance with their particular needs and traditional
42 resources and management systems.

43

44 In cases where there are no ancestral domains sustainable development and protection
45 plans (ADSDPPs), the LGUs and ICCs/IPs shall jointly formulate the land use within the
46 ancestral domains until such time that the ICCS/IPS shall have formulated their ADSDPPs.

47

48 SEC. 11. ***Revision of Existing Planning Guidelines.*** – The existing planning
49 guidelines on the NPFP, RPFP and PPFDP shall be reviewed and revised pursuant to
50 Sections 5, 6, 7, and 9 of this Act.

CHAPTER III

FRAMEWORK FOR LAND USE PLANNING

5 SEC. 12. ***Basic Objective of Land Use or Physical Framework Planning.*** – The
6 primary objective of a physical framework plan is to describe existing land uses and to
7 identify an integrated physical framework, including an overall vision, policies on social and
8 economic development and environmental protection and supporting transportation and other
9 infrastructure facilities, that shall define future development. Its output includes the
10 identification of programs, projects and activities needed to achieve the desired development,
11 without compromising environmental and ecological stability, and which shall serve as inputs
12 to the investment program. In the case of the CLUP, it is also intended to provide specific
13 development and building guidelines and parameters that be implemented through a zoning
14 ordinance.

13
14 SEC. 13. **Priorities in Land Use Allocation and Planning.** – Using the R2R/WEM
15 approach in projecting spatial allocation for different land uses, the LGUs shall first exclude
16 areas under protection land use in Section 17 (a) hereof, national parks, energy resource
17 lands, and prime agricultural lands to ensure ecological integrity, energy supply, and promote
18 food security. Areas with prior rights and those with site-specific resources for basic services,
19 such as but not limited to, water and indigenous energy resources, shall also be excluded. All
20 land use activities inside the excluded areas that are not consistent with the general purposes
21 of the excluded areas shall be assessed, regulated, and/or modified to ensure that these
22 activities do not compromise the general purposes of the excluded areas. Spatial allocation
23 and planning shall then proceed in accordance with Sections 16 and 17 hereof with priorities
24 given to integrated watershed management areas, socialized housing sites, fisherfolk
25 settlement in coastal areas, and waste disposal sites.
26
27

SEC. 14. *Approach to Land Use and Physical Framework Planning.* – The R2R/WEM approach shall be used in land use and physical framework planning to promote a holistic, integrated, equitable and inclusive development, and a flourishing environment, watersheds and ecosystems. It shall include a description of existing land uses and land use trends, as well as the physical, demographic, economic, social, political, environmental, and ecological conditions that have shaped and are likely to shape future land use and physical developments. It shall then derive a land use plan or physical framework by matching, reconciling or integrating the demand for land with the supply of land in a holistic manner to optimize socioeconomic development and minimize the total impacts of the land use plan on watersheds and ecosystems. The resulting land use plan or physical framework shall be the basis for identifying necessary policies, programs, projects and activities, and development controls to guide future development. The land use plan or physical framework shall be holistic in nature and not emanate from specific individual or corporation which, in essence, constitutes as spot zoning.

SEC. 15. Adoption of Multiple Uses of Land Resources. – The primary and alternative uses of a specific unit of land resource based on its capability to support certain uses sustainably shall be determined and evaluated prior to any decision for the assignment of its use. Areas feasible for sustainable land resource use may be considered multiple-use zones wherein settlements, tourism, agriculture, forestry, agro-forestry and extraction activities and other income-generating or livelihood activities may be allowed by concerned agencies:
Provided, That multiple uses of land resources shall be excluded in areas identified as

protection land use: *Provided, further*, That such land uses shall maximize the socioeconomic benefits without compromising the desired levels of ecosystem services within a ridge to reef unit: *Provided, finally*, That such land uses shall be in accordance with priorities in land use allocation and planning and that no reclassification shall be allowed.

SEC. 16. Basic Land Use Planning Considerations. – In determining the various land uses, the people and their productive activities and the need for functional open spaces and preservation areas as well as the various interrelationships of the physical characteristics of the land and other elements therein shall be considered, among others, including the following:

- (a) Availability of natural resources including indigenous energy resources for energy security and self-sufficiency;
- (b) Geology, geomorphology, current and emerging geologic climate-related hazards and risks, soil, vegetative cover, demography and slope;
- (c) Economic, environmental, cultural, social and related development activities;
- (d) Existing government policies on land and natural resources allocation, utilization, management and disposition;
- (e) Technological changes or advancement;
- (f) Existing customary rights for the protection of indigenous peoples and vulnerable groups including women, rural and urban poor;
- (g) Desired levels of ecosystem services like water quality and quantity, soil stability, biodiversity, agricultural and fishery productivity, among others; and
- (h) Inventory of prior and existing rights, to harmonize determination of land use.

SEC. 17. Categories of Land Uses for Planning Purposes. – In determining and defining the national, regional and provincial framework plans, and CLUPs, land uses shall be grouped into four major functional uses as follows:

(a) *Protection land use* which include the use of land primarily for food, water and energy security, rehabilitation, conservation, and protection purposes to promote the country's ecological and life-support systems. Planning for protection land use intends to achieve food self-sufficiency in rice and corn, water and energy security, environmental stability and ecological integrity, ensure a balance between resource use and the preservation of some areas with environmental, aesthetic, educational, cultural, heritage and historical significance, and protect people and human-made structures from the ill-effects of natural hazards. All lands, either public or private, under protection land use shall be permanently conserved, preserved, rehabilitated and protected from all other land uses, disposition, intrusion, utilization and development that is not consistent with its existing uses. Areas under this category also include those covered by RA 7586, as amended by RA 11038 or the “*Extended National Integrated Protected Areas Act of 2018*”, and other coastal and marine protected areas, those areas outside NIPAS but nonetheless require protection because of their outstanding physical and aesthetic features, anthropological significance, and biological diversity, and those areas prone to natural hazards, such as but not limited to the following:

- (1) Natural forests and mossy areas with more than 50% in slope gradient;
- (2) Mangrove and fish sanctuaries, pursuant to RA 8435, and RA 8550, or “*The Philippine Fisheries Code of 1998*”;
- (3) Buffer zones or strips/easements, pursuant to Presidential Decree (PD) 389, otherwise known as the “*Forestry Reform Code of the Philippines*”, as amended

1 by PD 705, or the "Revised Forestry Reform Code of the Philippines" and PD 1067,
2 or the "Water Code of the Philippines";

3 (4) Salvage zones along foreshore areas, freshwater swamps and marshes,
4 plazas, archaeological, and heritage or historic sites, pursuant to Presidential
5 Proclamation No. (PP) 2146, series of 1981 entitled "Proclaiming Certain Areas and
6 Types of Projects Environmentally Critical and within the Scope of Environmental
7 Impact Statement System Established under Presidential Decree No. 1586";

8 (5) Watersheds supporting bulk or domestic water supply;

9 (6) Utility easement like power lines of electric power generators,
10 transmission and distributors, oil and gas facilities, cell sites, and bulk/domestic water
11 lines;

12 (7) Amenity areas or those with high aesthetic values, pursuant to PP
13 2146;

14 (8) Natural and human-made areas/sites of cultural, historical and
15 anthropological significance, which are declared as such by internationally recognized
16 organizations and concerned national agencies;

17 (9) Critical habitats as provided in RA 9147, otherwise known as the
18 "Wildlife Resources Conservation and Protection Act";

19 (10) Significant caves under RA 9072, otherwise known as the "National
20 Caves and Cave Resources Management and Protection Act"; or

21 (11) Key biodiversity areas under Executive Order No. 578, series of 2006,
22 entitled "Establishing the National Policy on Biodiversity, Prescribing its
23 Implementation Throughout the Country, Particularly in the Sulu Sulawesi Marine
24 Ecosystem and the Verde Island Passage Marine Corridor".

25 Existing property and private rights shall be recognized and respected on the
26 condition that these rights are harmonized with the intent of the identified protected land use.

27 (b) *Production Land Use* wherein there is a direct and indirect utilization of land
28 resources for crop, fishery, livestock and poultry production, forestry, agroforestry, mining,
29 industry, energy development, indigenous energy exploration and development, and tourism.
30 Planning for production land determines the most efficient, sustainable, and equitable manner
31 of utilizing, developing and managing land for productive purposes. Areas included in this
32 category are agricultural lands, fishing grounds, coastal and marine zones, production forest,
33 which can be made available for timber and agroforestry production, rangelands for grazing,
34 forest lands for special uses including for energy and reforestation projects, mineral lands or
35 mining areas and reservations, energy resource lands, industrial development areas, and
36 tourism development areas where productive activities may be undertaken to meet the
37 country's requirements for food security, economic growth and development.

38 (c) *Settlements development* wherein any improvement on existing settlements in
39 urban and rural areas or any proposed development of certain areas for settlement purposes
40 involves the spatial distribution of population, identification of the roles and functions of key
41 urban centers, determination of relationships among settlement areas, and the provision of
42 basic services and facilities to such settlement. The settlements development plan ensures for
43 the present and future generation the following: (1) effective integration of activities within
44 and among settlements, allowing efficient movement of people and production of
45 commodities through the provision of appropriate land, infrastructure, and facilities; (2)
46 access of the population to housing, education, health care, recreation, transportation and
47 communication, sanitation, and basic utilities such as water, power, waste disposal, and other

1 services; and (3) security against risks associated with climate change and other natural
2 hazards.

3

4 (d) *Infrastructure development* includes the availability or supply of basic services
5 and fostering of economic and other forms of integration necessary for producing or
6 obtaining the material requirements of Filipinos, in an efficient, responsive, safe and
7 ecologically friendly built environment. It covers sub-sectors of transportation,
8 communications, energy, water resources, and social infrastructure: *Provided*, That the
9 determination of functional uses of lands within ancestral domains shall consider traditional
10 resource and management systems that do not endanger the lives of the people and property
11 of the local community and neighboring areas or increase the vulnerability of the natural
12 environment to the effects of natural and human-induced geological processes.

13

14 CHAPTER IV 15 IMPLEMENTING STRUCTURE AND MECHANISM

16

17 SEC. 18. ***Creation of the National Land Use Commission.*** – The National Land Use
18 Commission (NLUC) is hereby created as a Commission under the Office of the President. It
19 shall exercise the powers and responsibilities of the current National Land Use Committee,
20 which is hereby abolished. The NLUC shall be chaired by a Commissioner to be appointed
21 by the President. The Commissioner will have the rank of a Cabinet Secretary. The
22 Commissioner shall be a qualified professional in any of the fields of land use, physical
23 planning, environmental management, engineering, public governance or law.

24

25 The NLUC shall act as the highest policy making body on land use and resolve land
26 use policy conflicts between or among agencies, branches, or levels of the government. It
27 shall coordinate efforts towards the development of integrated land use plans at the national,
28 regional, provincial, and municipal/city levels, and monitor the implementation of all land
29 use plans including relevant policies.

30

31 SEC. 19. ***Composition of the NLUC.*** – The NLUC will be composed of the
32 following:

- 33
- 34 (a) Commissioner of NLUC as Chairperson;
35 (b) Secretary of NEDA as Vice-Chairperson;
36 As *Ex-Officio* Members:
37 (c) Secretary of DENR;
38 (d) Secretary of DHSUD;
39 (e) Secretary of DA;
40 (f) Secretary of DAR;
41 (g) Secretary of Department of Public Works and Highways (DPWH);
42 (h) Secretary of DILG;
43 (i) A Representative from the LGUs;
44 (j) Chairperson of National Commission on Indigenous Peoples (NCIP); and
45 (k) Commissioner of the Bureau of Internal Revenue.

46

47 The Department Secretaries may designate a representative with a rank not lower than
48 Assistant Secretary: *Provided*, That the designated representative shall be on a permanent
49 basis. The representative from the LGUs shall come from the Leagues of Provinces, Cities
50 and Municipalities.

1
2 SEC. 20. ***Powers and Functions.*** – The NLUC shall have the following powers and
3 functions:

4 (a) Advise the President of the Philippines on all matters concerning land use and
5 physical planning;

6 (b) Integrate and harmonize all laws, guidelines and policies relevant to land use
7 and physical planning to come up with a rational, cohesive, and comprehensive national land
8 use framework;

9 (c) Formulate policies and endorse land use and physical planning-related policies
10 that may be formulated by the RLUPC, created under Section 23 of this Act, and concerned
11 agencies as well as promulgate zoning and other land use control standards and guidelines
12 which shall guide the formulation of land use plans and zoning ordinances by local
13 governments;

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

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

18 (f) Monitor and coordinate the gathering of data, the conduct of studies pertaining
19 to land use planning including studies on the management of identified land uses and such
20 other studies not undertaken by other government agencies;

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

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

28 (i) Monitor and coordinate the activities of concerned agencies and entities of the
29 government, as well as LGUs, in the enforcement and implementation of land use plans,
30 policies and regulations relating to land use and resource management and development;

31 (j) Monitor and coordinate activities in the establishment of a national land
32 resource information and management system of concerned agencies that shall integrate and
33 process information on land use and allocation generated by the various national government
34 agencies; define information requirements at various levels; and standardize information
35 inputs and outputs including scales and symbols used in territorial and sectoral maps;

36 (k) Be the repository of all RPFPs, PPFDPs and CLUPs and all data and
37 information pertaining to land and land use;

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

41 (m) Decide and resolve policy conflicts and territorial jurisdiction on land use
42 between or among agencies, branches, or levels of the government and act on unresolved land
43 use policy conflicts at the regional level elevated by the RLUPC;

44 (n) Adopt rules of procedures for the orderly and expeditious conduct of meetings
45 and other business of the Council; and

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

49 SEC. 21. ***National Land Use Office (NLUO).*** – The National Land Use Office
50 (NLUO) is hereby created under the Office of the President, which will serve as technical

1 secretariat to the NLUC. The NLUO shall be headed by the NLUC Commissioner with two
2 (2) Deputy Commissioners with the rank of Undersecretary.

3
4 The DHSUD – Environmental, Land Use and Urban Planning and Development
5 Bureau (DHSUD-ELUPDB) shall be converted into a line bureau that shall serve as the
6 NLUO.

7
8 Further, the DHSUD-ELUPDB shall have service units for the planning and policy
9 formulation, operations, monitoring and information systems management, technical
10 assistance, legal, and special land use concerns. The staffing pattern of the NLUO shall be
11 approved by the Department of Budget and Management.

12
13 SEC. 22. ***Regional Land Use Office.*** – A Regional Land Use Office (RLUO) is
14 hereby created in each Region.

15
16 **CHAPTER V**
17 **REGIONAL AND LOCAL LAND USE POLICY BODIES**

18
19 SEC. 23. ***Regional Land Use Policy Council (RLUPC).*** – At the regional level, the
20 RLUPC shall be institutionalized, replicating the NLUC structure and composition with
21 DHSUD representative as Chairperson, NEDA representative as Vice-Chairperson and with a
22 duly authorized representative from the DENR, DA, DAR, DPWH, DILG, NCCA, and LGU
23 as members. The RLUPC shall have the following functions:

- 24 (a) Formulate and adopt regional policies on land use and physical planning;
- 25 (b) Prepare and periodically update an RPFP taking into consideration national
26 polices and lower-level plans;
- 27 (c) Assist the provinces in preparing and periodically updating its physical
28 framework plans to ensure consistency with the regional and national plans and policies and
29 to facilitate its integration with the regional plans;
- 30 (d) Review, prior to adoption by respective *Sanggunians*, the PPFDP, and CLUPs
31 of highly urbanized and independent component cities, to ensure consistency with the RPFP
32 and national policies set forth by the NLUC and compliance with limits prescribed under RA
33 7160, as amended, for reclassifying agricultural lands;
- 34 (e) Decide and resolve policy conflicts on land use planning, classification, and
35 allocation that may arise between or among regional line agencies, provinces and cities or
36 municipalities;
- 37 (f) Monitor changes in land use and other physical resources in the region;
- 38 (g) Evaluate consistency of major programs and projects with the regional
39 physical framework plans and their impact on land use and the environment;
- 40 (h) Undertake the gathering of regional data for the land resource information and
41 management system; and
- 42 (i) Perform other related functions as may be directed by the NLUC.

43
44 SEC. 24. ***Provincial Land Use Policy Council.*** – The Provincial Development
45 Council, created under Section 106 of RA 7160, shall act as the PLUPC that will tackle land
46 use concerns whenever necessary. A duly authorized representative from the DENR,
47 DHSUD, DAR, DA, DILG, and DPWH shall be included in the composition of the PLUPC.
48 In addition to the functions enumerated in Section 109 of RA 7160, the PLUPC shall:

- 49 (a) Advise the *Sangguniang Panlalawigan* on all matters pertaining to land use
50 and physical planning;

1 (b) Review and endorse to the *Sangguniang Panlalawigan* for adoption, the
2 provincial physical framework plans, prepared and periodically updated by the PPDO and
3 other land use and physical planning-related policies;

4 (c) Decide and resolve policy conflicts on land use planning, classification, and
5 allocation that may arise between or among cities or municipalities and any unresolved land
6 use conflicts at the city or municipal level. The PLUPC may call upon any local official
7 concerned such as provincial planning and development coordinator, provincial agriculturist,
8 provincial environment and natural resources officer, provincial engineer, provincial assessor,
9 or any official of national agencies and other relevant agencies during discussions on land use
10 and physical planning concerns; and

11 (d) Assist the *Sangguniang Panlalawigan* in reviewing the CLUPs of component
12 cities or municipalities to ensure consistency with the provincial physical framework plans
13 and compliance with the limits prescribed under RA 7160, as amended, for reclassifying
14 agricultural lands.

15
16 SEC. 25. *City/Municipal Land Use Policy Council* – The City/Municipal
17 Development Council (C/MDC), created under Section 106 of RA 7160, shall act as the
18 C/MLUPC that will tackle land use concerns whenever necessary. A duly authorized
19 representative from the DHSUD, DAR, DA, DENR, DPWH and DILG shall be included in
20 the composition of the C/MLUPC. In addition to the functions enumerated in Section 109 of
21 RA 7160, the C/MLUP shall:

22 (a) Advise the *Sangguniang Bayan* or *Sangguniang Panlungsod* on all matters
23 pertaining to land use and physical planning;

24 (b) Review and endorse to the *Sangguniang Bayan* or *Sangguniang Panlungsod*
25 for adoption, the CLUP prepared and periodically updated by the City/Municipal Planning
26 and Development Office and other land use and physical planning-related policies;

27 (c) Decide and resolve policy conflicts on land use planning, classification, and
28 allocation that may arise between and among barangays and any unresolved land use conflict
29 at the barangay level regarding the violation of zoning ordinances including opposition to
30 applications for locational clearances, permits or certificates; and

31 (d) Advise the local zoning board of appeals and adjustments on all issues and
32 conflicts relating to zoning.

33
34 For purposes of this Act, the City/Municipal Planning and Development Coordinator
35 (C/MPDC) shall: (a) act on all applications for locational clearances for all projects except
36 those of vital and national economic or environmental significance; and (b) monitor on-
37 going/existing projects within their respective jurisdictions and issue notices of violation to
38 owners, developers, or managers of projects that are violative of zoning ordinances.

39
40 The C/MLUPC may call upon any local official concerned such as C/MPDC,
41 city/municipal agriculturist, city/municipal environment and natural resources officer,
42 city/municipal engineer, city/municipal assessor, or any official of national agencies during
43 discussions on land use and physical planning concerns. LGUs without operational C/MPDC
44 as mandated by RA 7160, as amended, shall activate their respective councils within six (6)
45 months from the effectivity of this Act.

46
47 CHAPTER VI

48 ADOPTION, APPROVAL AND REVIEW OF LOCAL LAND USE
49 AND PHYSICAL FRAMEWORK PLANS

1 SEC. 26. *Approval and Review of PPFDP and CLUPs.* – The PPFDP, CLUPs and
2 zoning ordinances (Zos) of the respective LGUs, including provinces, highly urbanized cities
3 and independent component cities, shall be submitted by the local land use committees to the
4 local development councils for transmission to their respective local *Sanggunian* for
5 approval.
6

7 SEC. 27. *Provinces and Independent and Highly Urbanized Cities.* – Provinces and
8 independent and highly urbanized cities shall have the power and authority to adopt and
9 approve their respective CLUPs, zoning ordinances or provincial physical framework plan, as
10 the case may be, through their respective *Sanggunian* but subject to the review of the
11 RLUPC as provided in Section 23 (d).
12

13 CHAPTER VII
14 MAPPING AND DATA MANAGEMENT FOR LAND USE
15 PLANNING
16

17 SEC. 28. *National Base Mapping Program.* – A national mapping program shall be
18 implemented, coordinated, and monitored through the creation of an Inter-agency Technical
19 Committee (ITC) composed of the NAMRIA, as the lead agency, BSWM, the Forest
20 Management Bureau (FMB), the Land Management Bureau (LMB), the Biodiversity
21 Management Bureau (BMB), the Mines and Geosciences Bureau (MGB), the Philippine
22 Institute of Volcanology and Seismology (PHIVOLCS), DAR, the National Water Resources
23 Board (NWRB), Department of Energy (DOE), NEDA, Philippine Statistics Authority (PSA)
24 , University of the Philippines Resilience Institute (UPRI), NCIP, and other concerned
25 government agencies/bureaus. The ITC shall be constituted, and the mapping program shall
26 be initiated, within thirty (30) days from the effectivity of this Act. The agencies mentioned
27 in this Section shall finish their base mapping program within one (1) year upon the
28 effectivity of this Act.
29

30 For purposes of uniformity and standardization, the LGUs, to be assisted by the
31 appropriate agencies of the national government, shall likewise prepare their respective
32 territorial maps using scales, symbols, and other indicators to be prescribed in accordance
33 with this Act. The completed maps shall be integrated in the NPFP pursuant to Section 5 of
34 this Act.
35

36 SEC. 29. *National Geospatial Information Program.* – Within one (1) year upon the
37 effectivity of this Act, the NAMRIA, in coordination with BSWM, FMB, LMB, BMB, MGB,
38 PHIVOLCS, DAR, NWRB, NCIP, DOE, NEDA, PSA, UPRI, and other concerned
39 government agencies or bureaus shall complete the updating of base maps including national
40 disaster risk maps. These base maps and corresponding geospatial data shall be shared and
41 disseminated to all agencies and LGUs to serve as reference in plan preparation and other
42 planning activities.
43

44 SEC. 30. *National Hazard Mapping Program.* – Within thirty (30) days from the
45 effectivity of this Act, a nationwide hazard mapping and probabilistic hazard risk assessment
46 program shall be initiated jointly through the NLUC by the PHIVOLCS, the Philippine
47 Atmospheric Geophysical and Astronomical Services Administration (PAGASA), NAMRIA,
48 MGB, BSWM, DOE, and UPRI, in coordination with the National Disaster Risk Reduction
49 and Management Council (NDRRMC), the Regional Disaster Risk Reduction and
50 Management Council (RDRRMC), NCIP, NCCA, and other concerned government agencies.

The program shall include the generation of indicative hazard zoning maps that will outline areas in the Philippines which are prone to liquefaction, landslides, severe flooding, lahar, ground rupturing, tsunami, river erosion, coastal erosion, sinkhole collapse, earthquake, lava flow, pyroclastic flow, base surge, and other natural hazards.

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

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

SEC. 31. *Basic and Applied Research for Science and Technology Development.* – Within one (1) year from the effectivity of this Act, the Department of Science and Technology (DOST), in coordination with concerned agencies, academe, and research organizations, shall formulate a research agenda that will support physical framework and land use planning.

SEC. 32. *Scope and Nature of Responsibilities of Other National Government Agencies.* – All concerned national government agencies shall periodically report to the NLUC on the various activities and accomplishments on land use, including their respective sectoral or development plans. The NLUC may call upon the agencies for technical and administrative support.

SEC. 33. *Monitoring of CLUP Implementation.* – The DHSUD shall design and install an information system for monitoring the actual use of land resources, the reclassification of agricultural lands authorized by cities and municipalities, and the implementation of CLUPs of LGUs with a view to ensuring the compliance with national policies, standards and guidelines: *Provided*, That the system shall be developed in coordination with DA, DAR, DILG, DENR, DPWH, NEDA, league of provinces, league of cities, league of municipalities, other concerned national government agencies, academe, and research organizations.

SEC. 34. *Submission of Annual Report on the Implementation of CLUPs.* – The C/MLUPC shall submit an annual report on the implementation of their land use plans to the PLUPC, which shall integrate the same for submission to the RLUPC, which shall in turn integrate the provincial reports for submission to the NLUC.

CHAPTER VIII

SPECIAL AREAS OF CONCERN

Article 1

SEC. 35. *Reversion of Alienable and Disposable Lands to Forestlands.* – Upon the recommendation of the Secretary of the DENR, duly reviewed and endorsed by the NLUC,

1 and after due consultations with the concerned LGUs and affected parties, Congress may
2 authorize the reversion of alienable and disposable lands of the public domain or portion
3 thereof to forestlands, unless they are covered by existing titles, or actually occupied openly,
4 continuously, adversely, and publicly for a period required by law: *Provided*, That, when
5 public interest so requires, steps shall be taken to expropriate such lands, cancel defective
6 titles, or eject occupants thereof. Thereafter, said lands shall be included in the preparation of
7 land use plans within forestlands.

9 SEC. 36. ***Critical Watershed Areas.*** – The DENR, in coordination with the DA,
10 LGUs and other government agencies, including government-owned and controlled
11 corporation, and after mandatory public hearings or consultations, shall identify and delineate
12 critical watershed areas that need to be protected, rehabilitated, enhanced or withdrawn from
13 uses that contribute to their further degradation.

SEC. 37. *Formulation and Implementation of Integrated Watershed Management Plans.* – A Watershed Management Council (WMC), which is a multi-agency, inter-LGU, and multi-sectoral consortium, chaired by the DENR and co-chaired by the duly designated representative of the LGUs, shall be created at the provincial level to ensure effective and sustainable resource management of a particular watershed and provide the development needs of local communities. in cases where a watershed transcends more than one province, a WMC at the regional level shall be created.

The WMC shall prepare the Integrated Watershed Management Plans (IWMP) consistent with the existing DENR laws, guidelines, and rules and regulations. The said IWMPs shall be integrated into the CLUPs of the LGUs.

The DENR and the concerned LGUs shall jointly implement the Watershed Management Plan subject to regular consultations with and involvement of the community and other stakeholders.

SEC. 38. *Establishment and Management of National Parks.* – All areas proclaimed by the President of the Philippines and Congress of the Philippines to be under the NIPAS, unless disestablished, including those identified as initial components of the NIPAS as KBAs, shall comprise the national parks classification of the public domain. The DENR and concerned LGUs shall ensure that such areas are integrated in the CLUP and physical framework plans. The preparation of management plans of protected areas and national parks shall be in accordance with the provisions of RA 7586, as amended, and other laws establishing or declaring specific areas as protected areas.

Article 2 Coastal Zones

SEC. 39. *Criteria on the Allocation and Utilization of Lands within the Coastal Zones.* – The allocation and utilization of lands within the coastal zones shall be guided by the following:

- 46 (a) Areas vegetated with mangrove species shall be preserved for mangrove
47 protection and shall not be converted to other uses;
48 (b) Areas which meet all accepted criteria on elevation, soil type, soil depth,
49 topography, supply for successful fishpond development, and are not identified as mangrove
50 protection areas, shall be utilized for aquaculture purposes;

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

5 (d) Areas accessible to the sea and identified for fisherfolk settlement and housing
6 shall be allocated to traditional fisherfolk who are inhabitants of the coastal communities and
7 members of legitimate fisherfolk organizations and/or holders of stewardship lease contracts
8 or titles to ancestral domains or any form of property right arrangements who participate in
9 coastal resource management initiatives, subject to the usual census procedures of the
10 DHSUD.

11 (e) Areas which does not fall under (a) to (d) above may be devoted to
12 recreational or tourism purposes: *Provided*, That such undertaking will not result in
13 environmental degradation and displacement of small fishers;

14 (f) Areas which are considered as traditional fishing grounds shall be used
15 primarily for such purpose;

16 (g) Areas which have been allocated for small infrastructure needed by fisherfolk
17 shall be allowed;

18 (h) Areas which form part of foreshore lands as defined in this Act including
19 those which are under lease agreements or arrangements shall undergo zoning and evaluation
20 to determine their boundaries and actual sizes and corresponding uses: *Provided*, That vested
21 rights under the lease agreements or arrangements shall be respected. Evaluation of the said
22 lands shall also consider the natural, geologic and geomorphic conditions of the coast; and

23 (i) The free and prior informed consent of the concerned ICCs/IPs and the
24 necessary certification from the NCIP shall be secured before any allocation and utilization of
25 lands within the coastal zones that are found to be within ancestral domains.

26 SEC. 40. ***Coastal Land Zone Sub-classification.*** – All public lands in the coastal
27 zones are sub-classified into any of the following: fishponds, mangroves for protection from
28 tidal surge and for preservation of biodiversity, habitats and sanctuaries for endangered
29 wildlife, fisherfolk settlement, or recreational or tourism areas. No sub-classification of
30 coastal zones to different uses may be done without the following:

31 (a) Conduct of a comprehensive inventory and resource and environmental
32 assessment by the DENR with the respective LGUs and accredited non-government
33 organizations (NGOs) or peoples organizations (POs) within their territorial jurisdiction. The
34 result of the assessment along with a list of all existing applications and expired foreshore
35 lease agreements must be posted in three (3) conspicuous places in the affected localities; and

36 (b) Prior consultation with the local Fisheries and Aquatic Resource Management
37 Councils pursuant to RA 8550 as amended.

38 SEC. 41. ***Zoning of Foreshore Areas.*** – LGUs, in coordination with the DENR, shall
39 conduct zoning of their respective foreshore areas to assist government and community
40 fishers identify priority areas for conservation and development, and to enable them to set
41 targets for mangrove reforestation and rehabilitation.

42 SEC. 42. ***Protection of Waterways, Easements and Flood Plains.*** – Structures of any
43 kind may not be built in waterways and easements. Pursuant to PD 1067, the banks of rivers
44 and streams and the shores of the seas and lakes throughout their entire length and within a
45 zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40)
46 meters in forest areas along their margins are subject to easement of public use only in the
47 interest of recreation, navigation, floatage, fishing and salvage.

The protection of flood plains shall use the watershed management plan as the reference framework in formulating flood mitigation plan. Development within flood plains and other flood-prone areas must be controlled or, if allowed, must be so sited, constructed and serviced that the lives of occupants are not put at risk and that disruptions during floods are minimized. The identification and characterization of flood-prone areas and flood plains must be an integral part of Watershed Management Plan that shall guide the preparation of CLUPs, local climate change action plans local disaster risk reduction and management plans and other prescribed thematic plans. The LGUs shall establish land use regulations to mitigate flood risks through the CLUPs and zoning ordinances.

To promote the best interest and coordinated protection of flood plains, the DPWH, in coordination with the DOST and DENR shall declare flood control areas as necessary and shall prohibit or control activities that may damage or cause deterioration of lakes and dikes, obstruct the flow of water, change the natural flow of rivers, increase flood losses or aggravate flood problems, pursuant to PD 1067.

Article 3

Settlements Development

20 SEC. 43. ***Municipalities, Cities, and Settlements Development.*** – The development
21 of municipalities, cities and settlements through CLUP and implemented by the zoning
22 ordinances of cities and municipalities are guided by the urban zoning standards designed to
23 maximize existing urban spaces, taking into account the studies of pertinent government
24 agencies on climate change. The new and existing government buildings within the cities and
25 municipalities shall comply with the government energy management program and the Inter-
26 Agency Energy Efficiency and Conservation Committee resolutions.

27 SEC. 44. ***Settlements within Hazard Areas.*** – Settlements, in particular, housing or
28 residential developments, within hazard areas may be allowed: *Provided*, That mitigating or
29 protective measures are adopted to address the potential danger or risk to lives and property
30 within such settlements. In coordination with the concerned agencies of the government such
31 as the PHIVOLCS, PAGASA, and MGB, the NLUC shall provide assistance to concerned
32 LGUs and settlers in instituting safety and corrective measures to address the potential danger
33 or risk. Residential zones as designated in the CLUP shall not be considered as outside the
34 hazard areas. However, for this purpose, housing projects within such areas with less than or
35 equal to one (1) hectare of project area shall be exempt from the ECC as well as the EGGR
36 and may be implemented without the need for any further certificate of exemption from the
37 DENR or any other government regulatory agency.
38

SEC. 45. *Designation of Waste and Environment Management Site.* – Each city or municipality shall identify, designate and allocate a suitable area as indicated in the watershed management plan within their territorial jurisdiction to serve as sanitary landfill or solid waste disposal site as established in its solid waste management plan pursuant to RA 9003 or the “*Ecological Solid Waste Management Act of 2000*” within one (1) year from the effectivity of this Act.

46
47 SEC. 46. *Network of Settlements.* – The framework and policies for the development
48 of network of settlements shall be provided by the National Physical Framework Plan
49 formulated by the NLUC. Individual settlements shall be planned as part of a national
50 network of settlements. The network shall be based on existing and potential settlements;

1 production activities, particularly those that involve highly competitive industries and
2 services and generate local employment; environmental constraints and sustainability
3 considerations. Individual cities and municipalities shall be integrated through transportation
4 and other infrastructure support facilities.

5
6 **SEC. 47. *Criteria for Settlement Sites.*** – The following shall be the criteria for
7 identifying settlement areas:

- 8 (a) Within A&D lands but not in environmentally-critical, hazard-prone or other
9 protection areas as assessed, identified and indicated in the Watershed Management Plans;
10 (b) Along established urban growth directions;
11 (c) Are already or can be provided with basic services and utilities;
12 (d) Ideally within the 0-8% slope range, but with mitigating measures from slope
13 9-17%;
14 (e) Reasonably accessible from existing built up areas and other employment
15 centers through existing or proposed roads and other transportation facilities; and
16 (f) Identified ICCs/IPs settlement areas shall be located within ancestral domains.
17

18 Hazard-prone areas shall be defined, delineated and mapped by the DENR and other
19 the mandated government agencies, together with LGUs during the preparation of
20 management plans of the watersheds that are partially or wholly inside the jurisdiction of
21 municipality or city. As such, new settlements within high-risk areas shall not be allowed. In
22 cases where there are existing settlements within geo-hazard areas or high-risk areas,
23 mitigating or protective measures shall be adopted to address the potential danger or risk to
24 lives and property within such settlements. In coordination with the concerned agencies of
25 the government, the NLUC, through the RLUPC and PLUPC, shall provide assistance to
26 concerned LGUs and settlers in instituting safety and corrective measures to address the
27 potential danger or risk. New developments within geo-hazard areas shall be required to
28 submit an ECC and EGGAR consistent with the Revised Procedural Manual for DENR
29 Administrative Order (DAO) No. 2003-30 otherwise known as the “*Implementing Rules and*
30 *Regulations (IRR) for the Philippine Environmental Impact Statement (EIS) System*” and
31 DAO No. 2000-28 otherwise known as the “*Implementing Guidelines on Engineering*
32 *Geological and Geohazard Assessment as Additional Requirement for ECC Applications*
33 *covering Subdivision, Housing and other Land Development and Infrastructure Projects*”.
34

35 **SEC. 48. *Sustainable Communities.*** – Each city or municipality or cluster of cities or
36 municipalities, as appropriate, shall seek to follow the basic features of sustainable
37 communities, as guided by the National Urban Development and Housing Framework:
38 transit-oriented, pedestrian-biased, and multiple use, with systems and practices that promote
39 water use efficiency, energy efficiency, waste segregation, recycling, and adequate
40 community facilities. Cities and municipalities or clusters thereof shall identify, designate
41 and allocate areas within their territorial jurisdiction to serve as waste disposal site following
42 the provisions of RA 9003.
43

44 For energy efficiency, cities and municipalities or clusters thereof shall utilize energy
45 consuming products which comply with the DOE’s efficiency rating and energy labeling
46 system pursuant to the provision of RA 11285 or the “*Energy Efficiency and Conservation*
47 *Act*”.

48 **SEC. 49. *Designation and Zoning of Socialized Housing Zones.*** – Each city or
49 municipality in urban, urbanizable and rural areas shall designate through the CLUP adequate
50

1 lands for housing or residential purposes, including socialized housing and resettlement areas
2 for the immediate and future needs of the local population as well as the underprivileged and
3 homeless in their territory, pursuant to existing laws and regulations. In order to ensure
4 adequate availability of lands for the housing needs of the local population, the CLUP shall
5 be updated, at maximum, every twelve (12) years for provinces, cities and municipalities.
6

7 The designated sites for socialized housing shall be located in residential zones, and
8 shall be zoned as socialized housing zones that are integrated in the city or municipality's
9 zoning ordinance, pursuant to existing laws and regulations.
10

11 Fisherfolk settlements and housing in coastal municipalities shall be zoned near the
12 sea for easy access to their livelihood as provided under Section 39 (d) of this Act.
13

14 The housing or residential lands designated in the CLUPs and zoning ordinances of
15 cities and municipalities shall, on one hand, not be subject to further land reclassification by
16 the LGU or land conversion procedure under DAR. On the other hand, agricultural lands as
17 designated in the CLUP which are no longer economically feasible for agricultural use may
18 be subject to land reclassification or land use conversion to housing or residential purposes
19 and such land use conversion, as the case may be, shall be exempt from the coverage of any
20 moratorium on land use conversion, provided such conversion shall not conflict with the
21 prescriptions of watershed management plans and shall not result in serious environmental
22 and ecological problems.
23

24 SEC. 50. ***Urban Forest or Green Space.*** – Each city or highly urbanizing
25 municipality shall identify, designate, and allocate lands owned by the city or municipality as
26 urban forest or green space based on the guidelines and standards to be issued by the DENR
27 and approved by the NLUC.
28

Article 4 NIPAS Areas

31 SEC. 51. ***Integrated Management Strategy.*** – For a more effective planning,
32 management, and protection of protected areas at the provincial, city or municipal levels, the
33 Protected Area Management Plan referred to in RA 7586, as amended, must be incorporated
34 in the provincial physical framework plan and CLUPs, if applicable, wherein the protected
35 area zoning must be reflected.
36

Article 5 Agricultural Lands

40 SEC. 52. ***Priority Areas for Agricultural Development.*** – Priority areas for
41 agricultural development shall be those agricultural areas covered under RA 6657 and those
42 covered under NPAAAD and SAFDZ, defined in Section 4 of this Act and in RA 8435 or the
43 “Agriculture and Fisheries Modernization Act”.
44

45 SEC. 53. ***Conversion of Agricultural Lands.*** – Prime agricultural lands and specific
46 types of lands to the extent necessary for attaining food self-sufficiency in rice and food
47 security in other basic commodities, as determined by the DA, subject to mandatory
48 consultation with the LGUs, the private sector, the NGOs, and POs, shall be protected from
49 conversion, which shall include but not limited to areas under the NPAAAD and SAFDZ:
50

1 *Provided*, That all irrigated and irrigable lands, all lands developed or possessing the
2 potential for development of high value crops, and all agricultural lands that are ecologically
3 fragile and whose conversion will result in serious environmental problems shall be given full
4 protection from conversion, the areas under which are subject to review every - six (6) years
5 by the DA, with the mandatory public consultations: *Provided, further*, That consistent with
6 the State policy on giving priority to the completion of the comprehensive agrarian reform
7 program, all lands subject to the comprehensive agrarian reform program including those
8 lands covered under notice of compulsory acquisition or voluntary offer to sell, production or
9 profit-sharing, or commercial farm deferment shall also be protected from conversion
10 pending the distribution and installation of the farmer beneficiaries, but thereafter, Section 22
11 of RA 9700 shall apply: *Provided, furthermore*, That the conversion of prime agricultural
12 lands for use in priority government projects for basic services such as, but not limited to,
13 irrigation and power shall be allowed only upon the recommendation of the Secretaries of the
14 DA and the DAR: *Provided, finally*, That the mapping of the NPAAAD under the RA 8435
15 shall be completed within one (1) year from the effectivity of this Act. Lands defined under
16 Section 10 of RA 6657 shall remain exempted and excluded from the coverage of the
17 comprehensive agrarian reform program. With due consideration of the above-mentioned
18 conditions that provides for the full protection of prime agricultural land, only then, upon
19 approval by the DAR of the application for conversion, agricultural lands are deemed
20 converted to non-agricultural uses.

21
22 SEC. 54. ***Sub-classification or Re- classification of Agricultural Lands by LGUs.*** –
23 Sub-classification or re-classification of agricultural lands to other uses under Section 20 of
24 RA 7160 shall exclude the protected agricultural lands as stated in the preceding section.
25 Moreover, such sub-classification or reclassification is not synonymous to conversion.
26 Further, such sub-classification or re-classification shall not result to land uses that are in
27 conflict with the prescriptions of the watershed management plans. The DA and DAR shall
28 provide the LGUs with complete list and maps of protected agricultural lands within their
29 territorial jurisdictions.

30
31 SEC. 55. ***Criteria for the Utilization and Allocation of Land for Mining Purposes.*** –
32 Consistent with this Act and the provisions of RA 7942, otherwise known as the “*Philippine
33 Mining Act of 1995*”, and to ensure that the objectives of maintaining ecological balance and
34 maximizing economic returns to mining operations are realized, the allocation and utilization
35 of lands for mining purposes shall be guided by the following:

- 36 (a) The principles of sustainable development and responsible mining;
37 (b) In case of small-scale mining, adequate and acceptable safeguards shall be
38 instituted by the holders of mining rights or permits to prevent environmental degradation of
39 the mining sites and adjacent areas;
40 (c) Mineral reservations which have become non-operational as determined by the
41 MGB shall be placed under appropriate surface management by the DENR after conducting
42 scientific, geological, and environmental studies in accordance with relevant laws on
43 mineral reservation establishment and de-establishment;
44 (d) Natural forests, proclaimed watershed forest reserves, mangrove forests, and
45 mossy forests are closed to mining operations pursuant to RA 7942, and other pertinent laws;
46 (e) Consistent with RA 7942, areas closed to mining operations like natural
47 forests, proclaimed watershed forest reserves, mangrove forests, and mossy forests shall be
48 periodically reviewed through mineral exploration to be undertaken by the DENR for the
49 purpose of determining whether or not their continued closure is consistent with the national

1 interest and with the prescriptions of watershed management plans and, if warranted,
2 recommend their reclassification as mineral lands; and

3 (f) Protection forestlands and agricultural lands shall be exempt from mining
4 activities to minimize the effect of natural calamities and to protect food security
5 respectively. The small to large scale mining operations shall yield from and recognize the
6 tenurial instrument given by the government such as original certificate of title, transfer
7 certificate of title, certificate of ancestral domain title, emancipation patent-certificate of land
8 ownership award and other instruments. If these be present, mining activity shall be allowed
9 subject to clearances and consent, and: *Provided*, That mining activity shall not conflict with
10 the prescriptions of watershed management plans and shall not have serious environmental
11 and ecological problems.

SEC. 56. *Reversion of Mineral Lands.* – All mineral lands with exhausted mineral resources, as determined by the MGB upon the recommendation of the DENR, shall revert to its original land classification, that is, as forestland or agricultural land. In the case of forestlands, the DENR may classify such areas for other purposes in consultation with concerned LGUs, DOT, and other national government agencies, and consistent with the prescriptions of the watershed management plans.

Article 6

Energy Resources

SEC. 57. Guidelines for the Utilization and Allocation of Lands for Energy Resource Exploration, Development, Production, Utilization, and Distribution Purposes. – To ensure that the objectives of maintaining ecological balance and maximizing the power potential from indigenous energy resources in the most economical and environmentally-acceptable means are realized, the allocation and utilization of lands are be guided by the following, consistent with the existing laws, rules and regulations on energy resources:

(a) Indigenous energy resource exploration and development for the purpose of creating a national energy resource inventory and data base as well as an energy resource block map are allowed, subject to the prescriptions of watershed management plans and other land management plans;

(b) Indigenous energy resource exploration, development, production, utilization, and distribution are subject to the appropriate requirements and processes of the Environmental Impact Statements (EIS) system. Each project must secure an ECC prior to project implementation to ensure that adequate and appropriate environmental management measures and optimum methods for resource access and recovery are used;

38 (c) Protected areas defined in Section 17 of this Act are closed to any kind of
39 energy resource development except for installation or erection of power lines therein
40 *Provided*, That vested rights granted through the Special Use Agreements in Protected Areas
41 as granted by the DENR are respected;

42 (d) Energy reservations or portions thereof which have become or have been
43 established to be non-economically viable to operate or are no longer used for energy
44 purposes must be reclassified to other land uses, subject to existing laws covering energy
45 reservations and to prescriptions of watershed management plans; and

46 (e) Renewable energy is preferred over other energy resource.

48 SEC. 58. *Reversion of Energy Resource Lands.* – All exhausted indigenous energy

49 resource lands, as determined by the DOE, which are not covered by proclamations must

50 automatically revert to the category of forestlands or agricultural lands, open to disposition,

1 whichever is appropriate, unless the DENR classifies such areas for other purposes consistent
2 with the prescriptions of watershed management plans. Exhausted energy resource lands are
3 specific energy resource sites that the energy reserves of the desired type or types are no
4 longer in sufficient quantity or quality to justify additional expenditure for its extraction and
5 utilization.

6

7 Article 7 8 Industrial Development Areas or Sites

9 SEC. 59. ***Criteria for Designating Industrial Development Areas.*** – The
10 identification and establishment of industrial development areas shall conform to the
11 provisions of RAs 7916, 6657, 8371, 7279, 8550, and 8435, taking into consideration the
12 following:

- 13 (a) Identified network of areas for agricultural development and protected
14 agricultural areas pursuant to the RA 8435;
- 15 (b) National policies on the regional dispersal of industries and agri-based
16 industrial development;
- 17 (c) Identified growth areas and corridors in the National Development Plan;
- 18 (d) NIPAS and non-NIPAS areas such as KBAs and restored areas that require
19 protection;
- 20 (e) National and Urban Development and Housing Framework;
- 21 (f) Identified socialized housing zones;
- 22 (g) National framework for physical planning and other existing national
23 programs and policies; and
- 24 (h) Prescriptions of watershed management plans.

25 The designated industrial development areas must be located only in production land
26 uses areas and shall form an integral part of the land use plan and zoning ordinance of the city
27 or municipality where these areas are located pursuant to RAs 6657, 8371, 7279, 855, 8435,
28 and 7160, as amended.

29

30 Article 8 31 Tourism Development Areas 32

33 SEC. 60. ***Designating Tourism Development Areas.*** – The identification, selection,
34 and development of tourism development areas, and Tourism Enterprise Zones shall be done
35 in consultation and coordination with the LGUs, TIEZA, DOT and other national government
36 agencies, the private sector and the affected communities subject to the provisions of RA
37 9593, otherwise known as “*The Tourism Act of 2009.*” Tourism development areas include
38 those covered by legislative and executive issuances such as tourist spots, tourist zones and
39 tourism ecozones which can be developed into tourism estates or integrated resort, or
40 integrated resort leisure and recreation complexes. Other tourism-related facilities and those
41 identified in the national, regional and area-specific tourism master plans and other sector
42 plans, such as ecotourism and agri-tourism sites are also considered as tourism development
43 areas. The sites designated for tourism development must be outside of the areas identified
44 for protection land use. As much as practicable, community-based tourism shall be the
45 principal mode of tourist spot operation. RAs 6657, 8371, 7279, 8435, 7160, and EO 111,
46 series of 1999, which provided for the national ecotourism strategy, shall apply to all tourist
47 zones and tourist development areas.

48 Designated areas for tourism development form part of the CLUPs and zoning ordinances of
49 the cities or municipalities where these areas are located.

SEC. 61. Identification and Declaration of Areas for Protection, Conservation and Preservation of Cultural Heritage. – Pursuant to RA 10066 or the “*National Cultural Heritage Act of 2009*”, the NHCP or the National Museum, the NCCA, in coordination with NCIP, DHSUD and other concerned agencies, local communities, and the private sector, shall identify declared areas and structures which shall be protected and preserved as part of the Philippine cultural heritage.

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

13 Declared and known archaeological sites shall likewise be protected by the NCCA,
14 the DHSUD, NCIP, other concerned government agencies, and LGUs against modification,
15 alteration, or destruction.

Article 9

Infrastructure Development

SEC. 62. ***Strategic Transport Network.*** – The national government, through the Department of Transportation, shall establish a strategic and sustainable multimodal transport network that provides connectivity within the national network of settlements. Such connectivity shall include linkages among existing and proposed priority urban centers, rural areas, production hubs and tourism zones, distribution centers and markets, and key international points of entry. It shall be developed to promote network efficiency and social service delivery, to catalyze areas identified critical for economic growth, while minimizing negative impacts to environmentally-critical and protected areas as identified in the watershed management plans.

The national network of settlements, as defined in the NPFP, shall guide the development of a multi-modal transportation network. The network shall be designed and implemented to provide seamless connectivity among the various modes of transportation. The RPFPs, PPFDPs and city or municipal CLUPs shall focus on the transportation network that corresponds to their respective jurisdictions while maintaining consistency with the overall national networks.

SEC. 63. Allocation and Use of Land for Infrastructure Development. – Land, whether public or private, shall be allocated and utilized for priority infrastructure projects that are supportive of national or local development objectives. The NEDA, in consultation with the national government agencies, LGUs and the private sector, shall identify and periodically review, update or revise the list of priority infrastructure projects under an overall national strategic infrastructure development plan subject to the provisions of this Act, RA 8435 and RA 8371. The national strategic infrastructure development plan must be consistent and integrated in the objectives and directions of the NPFP.

In determining and evaluating the list of priority infrastructure projects, consideration shall be given to those that:

(a) Respond to immediate and vital requirements of the national and regional economy with priority to improving production-market integration, inter-modal transport,

1 conveyance and logistics linkages, rural infrastructure and the development of the agriculture
2 and fisheries sectors;

3 (b) Upgrade existing facilities to international public safety standards;

4 (c) Address the need for sustainable settlement development; and

5 (d) Mitigate the destructive effects of natural disaster-causing phenomena or serve

6 as alternatives to existing infrastructure found in natural hazard-prone areas.

7
8 The provision and implementation of infrastructure support must be made compatible
9 with existing environmental conditions and the physical, whether natural or human-made,
10 and cultural character of the area. Mandatory public consultations pursuant to existing laws
11 and regulations must be held prior to the conduct of all infrastructure projects that necessarily
12 involve dislocation or displacement of people in the area.

13
14 The proponent of the infrastructure project shall follow the rules on just and humane
15 eviction or demolition under Section 28 of RA 7279 as a last resort, notwithstanding the
16 provisions of RA 8975, prohibiting lower courts from issuing temporary restraining orders,
17 preliminary injunctions or preliminary mandatory injunctions. The proponent shall also
18 follow the provisions of RA 8371, particularly those pertaining to the rights of IPs or ICCs in
19 case of displacement. The national government infrastructure projects shall, after determining
20 that displacement is unavoidable, include the budgetary requirements for the adequate
21 relocation of displaced communities.

22
23 SEC. 64. ***Infrastructure Projects within Geo-hazard Areas.*** – Construction of
24 priority infrastructure projects within hazard-prone areas are allowed. However, mitigating
25 or preventive measures must be adopted and implemented to address the potential adverse
26 economic, socio-cultural and environmental impacts that emanate from these infrastructure
27 projects, subject to the findings and recommendations of a feasibility study or environment
28 impact assessment in accordance with PD 1586 and RA 4846, otherwise known as the
29 “*Cultural Properties Preservation and Protection Act.*”

30
31 Existing projects that were undertaken without the required environmental impact
32 assessment and which pose a threat to the environment, or to the integrity of historic,
33 archeological or scientifically significant areas, or impinge on critical ecosystems, and other
34 areas identified in the watershed management plans may be terminated immediately or
35 gradually phased-out and relocated. If the existing project is to be maintained within their
36 life span, mitigating measures must be adopted and implemented. The rules on mandatory
37 public hearings or consultations and just and humane eviction or demolition shall also be
38 observed prior to the termination, gradual phase-out, or relocation of projects that necessarily
39 involve dislocations or displacement of the people in the area.

40
41 **Article 10**
42 **Agro-Industrial Development**
43

44 SEC. 65. ***Land Consolidation for Agro-industrial Development.*** - The consolidation
45 of small-scale agricultural landholdings shall be promoted to take advantage of economies of
46 scale in agricultural production, to promote value chain development, and to increase farm
47 incomes and improve the quality of life of farmers. A Land Consolidation and Utilization
48 Program under the DA shall be established. The program shall implement the following:

49 (a) Consolidation of small contiguous landholdings into bigger agricultural estates
50 for farm operations and agro-industries;

- 1 (b) Crafting of a comprehensive plan and study of the optimum utilization and
2 long-term productivity of bigger landholdings;

3 (c) Private sector participation in agricultural production and management
4 through adequate security, incentives and reasonable return on investments, within limits set
5 by existing laws;

6 (d) Development and adoption of cooperative systems that will increase the
7 participation and protection of small farmers; and

8 (e) Provision of support to consolidated farms in such forms as farm-to-market
9 roads, irrigation, utilities, logistics, processing facilities, upgrading of basic social amenities,
10 and marketing assistance to farmers.

CHAPTER IX

TRAINING, EDUCATION AND VALUES FORMATION

SEC. 66. *Values Formation.* – In order to develop a well-informed, responsible and committed citizenry, who value the protection, conservation and development of the limited land and other physical resources of the country, the CHED, with prior consultation with concerned stakeholders, may include a subject or topic on sustainable land use in the general education curriculum of higher education institutions.

SEC. 67. *Information or Education Campaign and Capacity Building.* – The NLUC shall spearhead a nationwide information or education campaign on land use and physical planning together with the local and national government agencies. The DHSUD, in coordination with DILG, CHED and other concerned agencies shall formulate and implement a land use management capability building program for national and local government officials, community leaders, representatives of NGOs, POs, the religious sector and the general public.

CHAPTER X

INCENTIVES, SANCTIONS AND PENALTIES

Article 1 INCENTIVES

SEC. 68. *Formulation of a System of Incentives and Awards.* – The NLUC shall come out with a system of incentives and awards to LGUs that regularly update their CLUPs within the prescribed period, as follows:

- (a) Provinces, highly urbanized cities, and independent component cities once every twelve (12) years; and
 - (b) Component cities and municipalities once every twelve (12) years.

SEC. 69. Priority in Giving Technical Assistance to LGUs. – In providing technical assistance and other forms of support related to land use management and the implementation of development plans, the national government agencies shall give priority to cities and municipalities with approved CLUPs. The same assistance and support shall also be provided to the fifth (5th) and sixth (6th) class municipalities: *Provided*, That the lack of technical assistance shall not exempt said municipalities from the provisions of Section 70.

Article 2

SANCTIONS AND PENALTIES

1
2 SEC. 70. ***Failure to Formulate, Enforce, or Implement the CLUPs.*** – Within three
3 (3) years from the effectivity of this Act, all LGUs shall complete the formulation of their
4 CLUPs.

5
6 Failure to formulate, enforce or implement the CLUPs shall be subject to the penalties
7 and sanctions to be imposed by DHSUD pursuant to RA 11201, otherwise known as the
8 “*Department of Human Settlement and Development Act*” and its Implementing Rules and
9 Regulations. The DILG, consistent with due process, shall investigate, review, and impose
10 appropriate action regarding local chief executives and other local officials and employees
11 responsible for the formulation, enforcement, and/or implementation of the CLUPs in case of
12 any of the following:

- 13 (a) Failure to implement and enforce the CLUP due to negligence of duty;
14 (b) Failure to provide appropriate budgetary allocation to effect its
15 implementation; and
16 (c) Failure to complete the preparation and undergo review and approval process
17 of the CLUP despite the availability of funds, resources, and support by the *Sanggunian*
18 concerned.

19
20 SEC. 71. ***Causing Irrigated Agricultural Lands to be Idle.*** – Any person or juridical
21 entity who shall cause any irrigated lands whether contiguous or not, within the protected
22 areas for agricultural development, to lie idle and unproductive for a period exceeding one (1)
23 year, unless due to force majeure, shall be subject to an idle land tax equivalent to five
24 percent (5%) of the value of the agricultural land as appearing in its real property tax
25 declaration. In addition, the violator shall be required to put back such lands to productive
26 agricultural use. Should the continued agricultural inactivity, unless due to force majeure,
27 exceed period of two (2) years, the land shall be subject to escheat proceedings.
28

29
30 SEC. 72. ***Person Abetting Illegal Conversion.*** – Any person initiating, causing,
31 inducing, or abetting illegal conversion as defined in Section 73(c) of RA 6657, as amended,
32 and Section 4(cc) of this Act shall, upon conviction, be imprisoned from seven (7) to twelve
33 (12) years and imposed a fine of not less than One hundred thousand (P100,000.00) pesos, or
34 both at the discretion of the court: *Provided*, That if the offender is a public official or
35 employee, whether elected or appointed, the penalty shall, in addition thereto, include
36 dismissal through permanent separation from the service and forfeiture of all benefits and
37 entitlements accruing to the public position and perpetual disqualification to run or apply for
38 any elective or appointive public office: *Provided, further*, That if the offender is a juridical
39 person, the penalty of imprisonment shall be imposed on the president, chief executive
40 officer, manager, chairperson and all the members of the board, and other responsible officers
41 thereof, and the fine shall be equivalent to the zonal value of the land or forty percent (40%)
42 of the shareholders equity, as determined at the time of judgment whichever is higher, plus
43 forfeiture of the land in favor of the State for sale though public auction, the proceeds of
44 which shall automatically accrue to the Agrarian Reform Fund as provided for in Section 79
of this Act.
45

46
47 SEC. 73. ***Fine for Non-Completion and Non-Commencement of Development of***
48 ***Agricultural Lands with Approved Order of Conversion.*** – A landowner and designated
49 developer or duly authorized representative who, without justifiable cause, fails to commence
or complete the development of agricultural lands with approved order of conversion shall be

1 penalized, jointly or severally, with any of the following fines based on the zonal value of the
2 land at the time the fine is imposed:

3 (a) On failure to commence within one (1) year from the date of conversion order:

4 (1) Six percent (6%) of the zonal value of the subject land for the first
5 three (3) hectares;

6 (2) Fifteen percent (15%) of the zonal value of the subject land for the
7 next three hectares, and

8 (3) Thirty percent (30%) of the zonal value of the subject land for the
9 remaining area: *Provided*, That the order of conversion shall be deemed revoked
10 automatically and the land shall revert to its original agricultural use and covered
11 automatically and the land shall revert to its original agricultural use and covered.

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

17
18 SEC. 74. ***Change of Use from the Previously Authorized Conversion Order.*** – The
19 landowner and future landowners of the property approved for conversion shall not change its
20 use to another use not authorized under the Conversion Order without prior consent from the
21 DAR. This prohibition extends to changes in housing standards, changes in selling schemes,
22 changes from social housing to open market housing or vice-versa, and all other similar
23 changes. Violation of which shall be penalized with revocation of Conversion Order and
24 forfeiture of cash bond.

25
26 SEC. 75. ***Payment of Disturbance Compensation.*** – Following the order of priority as
27 enumerated in Section 22 of RA 6657, as amended, qualified beneficiaries such as
28 agricultural lessees and share tenants, regular farm workers, seasonal farm workers, other
29 farm workers, actual tillers or occupants of public lands, collective, or cooperative of the
30 above-mentioned beneficiaries, and others directly working on the land affected by
31 agricultural land use conversion shall be entitled to the payment of disturbance compensation
32 equivalent to five (5) times the average of the gross harvests on the landholding during the
33 last five (5) preceding calendar years or a certain percentage of the converted land, whichever
34 is higher, as determined by the DAR.

35
36 SEC. 76. ***Authority to Impose Fine.*** – The DAR shall impose the penalty provided
37 for under the preceding section.

38
39 SEC. 77. ***Withdrawal of Local Development Permits or Licenses.*** – Upon receipt of
40 notice from the DAR of illegal conversion, the concerned agencies, city or municipality shall
41 withdraw or revoke any development permit or license issued to illegally converted
42 agricultural lands.

43
44 SEC. 78. ***Penalty for Reclassification of Protected Agricultural Lands and***
Exceeding the Limit of Areas Allowed for Reclassification. – Any person initiating, causing,
45 inducing or abetting the reclassification to non-agricultural uses of protected agricultural
46 areas as defined in this Act shall be punished with imprisonment of twelve (12) years or a
47 fine of not less than One hundred thousand Pesos (P100,000.00), or both, at the discretion of
48 the court.

If the offender is a public official or employee, whether elected or appointed, the penalty includes dismissal from the service, forfeiture of entitlements accruing to the public position, and perpetual disqualification to run or apply for any elective or appointive position.

If the offender is a juridical person, the president, chief executive officer, manager, chairperson, members of the board and other officers who directly participated in the violation of this Section shall be held liable.

The same penalty is applicable to persons who are responsible for exceeding the limits set forth under Section 20 of RA 7160 pertaining to reclassification of lands.

SEC. 79. *Utilization of Fines.* – The fines collected under Sections 72, 73 and 78 of this Act shall accrue to the Agrarian Reform Fund and shall be used for the purpose for which the fund is established.

CHAPTER XI

TRANSITORY AND FINAL PROVISIONS

SEC. 80. *Convening of the NLUC.* – Within thirty (30) days from the effectiveness of this Act, the chairperson shall convene the NLUC.

SEC. 81. *Implementing Rules and Regulations.* – Within six (6) months from the effectivity of this Act, the NLUC shall promulgate the rules and regulations to implement the provisions of this Act.

SEC. 82. *Congressional Oversight Committee on the Land Use Act.* – There is hereby created a joint congressional oversight committee to monitor the implementation of this Act. The committee shall be composed of seven (7) senators and seven (7) representatives to be appointed by the Senate President and the Speaker of the House of Representatives, respectively. The members from the Senate shall be appointed based on proportional representation of the parties or coalitions therein, with at least two (2) senators representing the minority. Likewise, the representatives from the House of Representatives shall be appointed based on proportional representation of the parties or coalitions therein with at least two (2) Members representing the minority.

The mandate given to the joint congressional oversight committee under this Act shall be without prejudice to the performance of the duties and functions by the respective existing oversight committees of the Senate and the House of Representatives. The secretariat of the committee shall be drawn from the existing secretariat personnel of the committees comprising the oversight.

SEC. 83. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the departments and agencies concerned. Thereafter, such amount shall be included in the annual General Appropriations Act.

SEC. 84. *Review of the Existing Land Use Plans.* – Provinces, cities, and municipalities with existing land use plans shall review, revise, reconcile, and harmonize their respective land use plans in accordance with the guidelines and standards issued by the National Land Use Commission (NLUC) within one (1) year from the effectivity of this Act.

1 All other laws, orders issuance, rules and regulations inconsistent herewith are
2 repealed or modified accordingly.

3
4 SEC. 85. ***Non-impairment Clause.*** – Nothing in this Act shall be construed as to
5 diminish or impair the rights recognized granted, or available to marginalized or the basic
6 sectors under existing laws or to diminish or impair vested rights generally, including the
7 rights of indigenous cultural communities and indigenous peoples as provided under RA
8 8371.

9
10 SEC. 86. ***Separability Clause.*** – If any provision of this Act is declared
11 unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain
12 in full force and effect.

13
14 SEC. 87. ***Repealing Clause.*** – Sections 10 and 11 of RA 8435, Sections 447 (a2vii)
15 and 458 (a2viii) of RA 7160, the pertinent provisions of EO 648, series of 1991, EO 72,
16 series of 1993, EO 770, series of 2008, Letter of Instruction No. 1350, series of 1983, PP
17 2282, series of 1983 are hereby repealed, amended or modified accordingly.

18
19 SEC. 88. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
20 in the *Official Gazette* or in a newspaper of general circulation.

21
22 Approved,