


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 2125

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| BILLS AND LEGISLATION SERVICE | |

Introduced by Honorable Rosenda Ann Ocampo

EXPLANATORY NOTE

Every Filipino family aspires to have a decent home they can call their own. This aspiration for decent housing is a right of every Filipino enshrined in the Constitution. Section 9 of Article XIII states that "the State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas xxx."

While there are many government programs being implemented to address this problem, there is increasing demand for housing units. Aside from financing concerns, the lack of available land for residential purposes poses a big stumbling block to fully implement the government's housing programs.

This bill seeks to identify and declare all disposable government lands which have remained idle and suitable for residential purposes and develop the same into socialized housing sites for low-salaried government and private employees and informal settlers as well.

Approval of this bill is earnestly sought.


ROSENDA ANN OCAMPO

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HOUSE BILL No. _____

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AN ACT

**PRESCRIBING THE MECHANISMS TO FACILITATE THE DISPOSITION OF IDLE
GOVERNMENT-OWNED LANDS FOR SOCIALIZED HOUSING**

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

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

SECTION 2. *Declaration of Policy* - It is hereby declared the policy of the State to ensure availability of sufficient lands for socialized housing purposes and to improve the capability of Local Government Units (LGUs) in undertaking housing and urban development programs and projects.

SECTION 3. *Inventory of Lands* – To carry out the provisions of this Act, an inventory of all idle government-owned lands shall be conducted within one (1) year from the effectivity of this Act.

The Housing and Urban Development Coordinating Council (HUDCC) through the National Housing Authority (NHA), in coordination with Department of Environment and Natural Resources (DENR) through the Land Management Bureau (LMB), shall conduct an inventory of all lands owned by the national government or any of its subdivisions, instrumentalities or agencies, including government-owned or-controlled corporations and their subsidiaries which have not been used for the purpose for which they have been reserved for the past ten (10) years.

The Department of Interior and Local Government (DILG) through the Local Government Units (LGUs) shall conduct an inventory of all local government-owned lands within their respective localities which have remained idle for monitoring purposes. The DILG shall furnish the HUDCC a copy of its inventory.

The inventories stated in the preceding paragraphs shall be updated every three (3) years.

SECTION 4. Identification and Setting Aside of Lands for Socialized Housing –
After the conduct of the inventory:

- (a) All LGUs are hereby directed to identify and set aside idle local government-owned lands which are suitable for socialized housing: *Provided*, that the Housing and Land Use Regulatory Board (HLURB) shall provide technical assistance to the LGUs in the identification thereof and their eventual setting for and disposition as socialized housing sites; *Provided further*, that identified lands for socialized housing shall be integrated in the Comprehensive Land Use Plan (CLUP) of LGUs;
- (b) The NHA, in coordination with the LMB, is likewise directed to identify idle lands owned by the national government or any of its subdivisions, instrumentalities or agencies, including government-owned or-controlled corporations and their subsidiaries, which have not been used for the purpose for which they have been reserved for the past ten (10) years to be set aside for socialized housing: *Provided*, that such lands have been declared open for disposition whether through an Act of Congress or other related laws.

Except for local government-owned lands owned by the national government or any of its subdivisions, instrumentalities or agencies, including government-owned or –controlled corporations and their subsidiaries identified for socialized housing, shall immediately be transferred to the NHA to be set aside for the purpose subject to the approval of the President of the Philippines: *Provided*, that lands comprising the acquired assets of the government-owned or –controlled corporations and government financial institutions engaged in shelter financing that are taken possession of in their ordinary conduct of business are not covered under this Act.

SECTION 5. Sale, Alienation or Encumbrance of Other Government-Owned Lands Not Set Aside for Socialized Housing – Whenever a government-owned land not set aside for socialized housing, whether owned by the LGUs or the national government or any of its subdivisions, instrumentalities or agencies, including government-owned or –controlled corporations, is sold alienated or otherwise encumbered in favour of private individuals or entities for its development into industrial, commercial or other similar estates, there shall be set aside, as may be necessary, at least ten percent (10%) of the proceeds thereof for the development of socialized housing projects within adjacent to the affected areas or in nearby areas within the city or municipality in accordance with the local development land-use plan: *Provided*, that lands comprising the acquired assets of government-owned or –controlled corporations and government financial institutions engaged in shelter financing that are taken possession of in their ordinary conduct of business are not covered under this Act; *Provided further*, that low-salaried employees of the

government agency that sold, alienated, or otherwise encumbered such idle land shall be given first priority as beneficiaries of the socialized housing projects to be developed.

SECTION. 6. *Conveyance of Segregated Land or Fund* – For a land owned by the national government or any of its subdivisions, instrumentalities or agencies, including government-owned or – controlled corporations, and their subsidiaries, the segregated land or fund shall be conveyed at no cost to the NHA which shall be directly responsible

for the development of socialized housing project: *Provided* however, that for a land owned by an LGU, the segregated land or fund shall be retained by the LGU concerned to be utilized exclusively for its socialized housing projects.

SECTION. 7. *Implementation of Socialized Housing Projects* – For purpose of implementing socialized housing projects on lands set for socialized housing and of utilizing the funds set aside from the sale, alienation and encumbrance of other lands not set aside for socialized housing:

- (a) The LGU concerned shall undertake or cause the undertaking of the development of socialized housing project for lands or funds set aside for socialized housing pursuant to Section 4(a), 5, and 6 of this Act; and
- (b) The NHA shall undertake the provision of socialized housing for the underprivileged and homeless citizens for such lands or funds set aside for socialized housing pursuant to Sections 4(b), 5, and 6 of this Act.

Toward this end, the NHA and the LGU concerned are hereby authorized to enter into joint venture agreement or other similar arrangements with private developers or non-governmental organizations (NGOs) engaged in housing production: *Provided*, that the cost of housing unit, if constructed within the affected area or locality pursuant to Section 5 hereof, shall exclude the cost of land.

In both cases, the NHA and the LGU concerned shall coordinate with each other in the development of socialized housing projects in the areas mentioned in Section 5 of this Act.

SECTION 8. *Incentives for Private Developers and NGOs* –To encourage private sector and NGO participation in the socialized housing projects described in Section 6 hereof, the incentives provided in Section 20, on Incentives for private sector participating in socialized housing of Republic Act No. 7279, otherwise known as the “*Urban Development and Housing Act of 1992*” shall apply.

SECTION 9. *Implementing Rules and Regulations* – Within six (6) months after the effectivity of this Act, the HUDCC and the DENR are hereby directed to promulgate the necessary rules and regulations, including the mechanisms and procedures on the conduct of inventory and identification of lands suitable for socialized housing and to effectively implement the provisions of this Act in drafting the implementing rules and regulations. The National Urban Development and

Housing framework described in Republic Act No. 7279 shall be taken into consideration.

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

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

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

APPROVED.