

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Constitution Hills, Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 5188**



**Introduced by REP. JOHNNY T. PIMENTEL**

**EXPLANATORY NOTE**

This bill seeks to convert into alienable and disposable land that portion within the former concessional area of Paper Industry Corporation of the Philippines (PICOP Resources, Inc.), in the City of Bislig and in the Municipalities of Hinatuan, Lingig, and Tagbina, Province of Surigao del Sur, actually tilled and occupied by farmer-settlers, in preparation of its eventual distribution to the bona fide and long-term farmers/ occupants.

The subject land is classified as forest land. However, farmers have gradually settled on the land, planting vegetables, fruit trees, bananas, root crops and raising livestock. These farmers have developed certain areas of the forest land into an agricultural land. It is high time for these areas to be formally classified into alienable and disposable agricultural land and its tenant-farmers be recognized as legitimate owners. It is about time to allow them the gift of ownership over lands that they have nurtured for so long.

Furthermore, our present constitution recognizes the rights of farmers, who are landless, to own the lands that they plough pursuant to Section 4, Article XIII of the same.

The approval of this bill is earnestly sought.

REP. JOHNNY T. PIMENTEL

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14 **AN ACT**  
15 **TO RECLASSIFY A DEVELOPED PORTION OF FOREST LAND UNDER**  
16 **CONCESSION WITH PICOP, LOCATED IN THE CITY OF BISLIG AND THE**  
17 **MUNICIPALITIES OF HINATUAN, LINGIG, AND TAGBINA, PROVINCE OF**  
18 **SURIGAO DEL SUR. INTO ALIENABLE AND DISPOSABLE LAND OF THE PUBLIC**  
19 **DOMAIN FOR THE PURPOSE OF DISTRIBUTING THE SAME TO BONA FIDE AND**  
20 **LONG TERM FARMERS/ OCCUPANTS THEREOF, AND FOR OTHER PURPOSES**  
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22 *Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*  
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24 **Section 1.** The portion of forest lands within the concessional area of Paper Industry  
25 Corporation of the Philippines (PICOP), in the City of Bislig, Municipalities of Hinatuan,  
26 Lingig, and Tagbina, Province of Surigao del Sur, which is actually tiled and occupied by  
27 farmer-settlers, is hereby reclassified and declared as alienable and disposable land.  
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29 **Section 2.** The aforementioned lands shall be distributed in ownership to *bona fide* and long-  
30 term farmers/ occupants thereon, but the existing creeks in the same area shall be given in  
31 usufruct to their respective municipalities; Provided, that the said bona fide and long-term  
32 farmers/ occupants may manage and develop the said creeks upon payment by them of  
33 reasonable compensation to the City and/or Municipalities concerned.  
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35 **Section 3.** The scheme of distribution of the land, including the identities of the bona fide and  
36 long-term farmers/ occupants thereon, shall be prepared by a Committee which shall be  
37 composed of the following: a representative of the Department of Environmental and Natural  
38 Resources as Chairperson, a representative of the Department of Agrarian Reform as Vice-  
39 Chairperson, the Mayors of the City of Bislig, Municipalities of Hinatuan, Lingig, and  
40 Tagbina, the Head of farmers' organization, and the Provincial Director of the Philippine  
41 National Police as Members. The scheme of distribution shall include the technical description



1 of each lot pertaining to each of the farmers/ occupants, following the boundaries of existing  
2 social forestry stewardship and/or similar contracts that may have been awarded in their  
3 favor: Provided, that said scheme of distribution shall be equitable as possible without gross  
4 disparities among the awardees.

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6 Conflicts shall be decided by the Committee after due hearing, appealable to the Department  
7 Secretary under whose jurisdiction the issue involved falls. The Secretary's decision or order  
8 on appeal may be subject to a petition for review by the Office of the President within fifteen  
9 (15) days from promulgation of notice of the decision appealed from; Provided, that said  
10 petition for review shall be decided within thirty (30) days after receipt thereof; otherwise, the  
11 decision or the order appealed from shall be deemed ratified and final.

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13 **Section 4.** Once the scheme of distribution is approved by the Committee, the Department of  
14 Environment and Natural Resources shall give the technical descriptions, survey, map and  
15 similar documents to the DAR, which shall undertake the actual distribution of the land under  
16 the principles of agrarian reform and the applicable provisions of the Comprehensive  
17 Agrarian Reform Law and other related laws.

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19 **Section 5.** The existing creeks in the area shall be plotted, surveyed and segregated from the  
20 other portions of the area by the DENR, and shall be given in usufruct to the City of Bislig,  
21 Municipalities of Hinatuan, Lingig, and Tagbina. The Mayor of the concerned municipality  
22 and the Head of the organization of the farmer-beneficiaries shall meet to discuss and  
23 determine the reasonable compensation to be paid to the City for the management and  
24 development thereof by said beneficiaries. In case of disagreement, the Head of the DENR  
25 Regional Office shall decide.

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27 **Section 6.** This Act shall take effect fifteen (15) days after its publication in the Official Gazettee  
28 or in at least two (2) national newspaper of the general circulation.

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30 Approved,  
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