



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH (18th) CONGRESS
1st Regular Session

HOUSE BILL NO. 3029

Introduced by **Hon. WILTER "SHARKY" WEE PALMA II**

EXPLANATORY NOTE

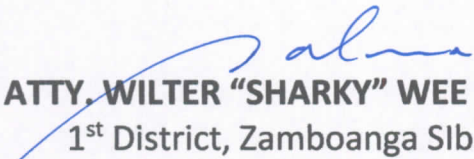
Growth in the agricultural sector has been often coined as an effective measure that is utilized for poverty reduction. In fact, proper food security initiatives increase the ability of countries to develop their agricultural sectors and protect the overall health of one's economy. With this, successful food security programmes would not only be able to give aid toward rural populations but also would result to ample opportunities to market their goods for the purposes of improving their quality of life.

In the case of the Philippines, Republic Act No. 6657 otherwise known as the Comprehensive Agrarian Reform Law of 1988 is a prime example of legislation that aims to address food and security. Under the said Act, farmers are expected to own land which they would then utilize not only as a mean to provide food for their families but also their fellow citizens. However, the same law allows for the conversion of agricultural land should the land cease to be serve its purpose, or in some cases those lands are converted into residential, commercial, and industrial sites.

As a result, agricultural lands as well as irrigated and irrigable lands have been greatly affected by such conversions. This then results to lower productivity and in extreme cases landlessness for our farmers. An absolute threat to food security.

In light of this, this bill aims to protect and maintain the prime agricultural lands together with irrigated and irrigable lands aiming to address our country's concerns on food security and the protection of our farmers.

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



ATTY. WILTER "SHARKY" WEE PALMA II
1st District, Zamboanga Sibugay

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HOUSE OF REPRESENTATIVES
Quezon City, Philippines

EIGHTEENTH (18th) CONGRESS
First Regular Session

HOUSE BILL NO. 3029

Introduced By **HON. WILTER "SHARKY" WEE PALMA II**

AN ACT

**PENALIZING THE CONVERSION OR CAUSING THE CONVERSION
OF IRRIGATED AND IRRIGABLE LANDS, AMENDING FOR THE PURPOSE REPUBLIC
ACT NO. 6657, AS AMENDED, OTHERWISE KNOWN AS THE COMPREHENSIVE
AGRARIAN REFORM LAW OF 1998**

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

1 **SECTION 1.** Section 73 of Republic Act No. 6657, as amended, is hereby
2 further amended to read as follows:

3 *"SEC 73. Prohibited Acts and Omissions. – The following are*
4 *prohibited:*

5 *"x x x*

6 *"(i) The undue delay in the compliance with the obligation to certify*
7 *or attest and/or falsification of the certification or attestation as required*
8 *under Section 7 of Republic Act No. 6657, as amended; [and]*

9 **“(J) THE ACTUAL PHYSICAL OR LEGAL CONVERSION OR CAUSING**
10 **THE PHYSICAL OR LEGAL CONVERSION OF IRRIGATED AND IRRIGABLE**
11 **LANDS BY:**

12 **“(1) ANY PERSON WHO DIRECTLY AND INDIRECTLY**
13 **PARTICIPATES IN THE CONVERSION OF IRRIGATED AND IRRIGABLE**
14 **LAND;**

15 **“(2) ANY PERSON WHO DIRECTLY OR INDIRECTLY INDUCES**
16 **THE LANDOWNER OR FARMWORKER IN THE CONVERSION OF**
17 **IRRIGATED AND IRRIGABLE LAND;**

18 **“(3) ANY PERSON WHO APPLIES FOR AND FACILITATES THE**
19 **APPLICATION FOR CONVERSION;**

20 **“(4) ANY PERSON WHO FACILITATES THE APPLICATION AND**
21 **ISSUANCE OF CLEARANCES AND OTHER DOCUMENTS NECESSARY**
22 **FOR CONVERSION;**

23 **“(5) ANY PERSON WHO APPROVES AND CAUSE FOR THE**
24 **APPROVAL OF THE APPLICATION FOR CONVERSION; AND**

25 **“(6) ANY PERSON WHO DIRECTLY AND INDIRECTLY**
26 **BENEFITTED FROM THE CONVERSION.**

27
28 **“FOR THE PURPOSES OF THIS SECTION, IRRIGATED LANDS REFER TO**
29 **LANDS SERVICED BY NATURAL IRRIGATION OR IRRIGATION FACILITIES, AS**
30 **DELINEATED BY THE DEPARTMENT OF AGRICULTURE OR THE NATIONAL**
31 **IRRIGATION ADMINISTRATION, WHICH INCLUDE LANDS WHERE WATER IS**
32 **NOT READILY AVAILABLE AS EXISTING IRRIGATION FACILITIES NEED**
33 **REHABILITATION OR UPGRADING, OR WHERE IRRIGATION WATER IS NOT**
34 **AVAILABLE YEAR-ROUND.**

35 **“IRRIGABLE LANDS REFER TO LANDS SUITABLE FOR THE CONDUCT**
36 **OF AGRICULTURAL ACTIVITIES WHICH REQUIRE IRRIGATION AND DISPLAY**
37 **PHYSICAL FEATURES JUSTIFYING THE OPERATION OF AN IRRIGATION**

38 SYSTEM, AND WHICH POSSESS AT LEAST ONE OF THE FOLLOWING
39 QUALITIES:

40 “(I) PHYSICAL FEATURES WHICH SHOW AN INHERENT
41 POTENTIAL FOR THE DEVELOPMENT OF AN IRRIGATION SYSTEM,
42 SUCH AS SOIL DEPTH, SOIL TEXTURE, FIELD TERRAIN, SLOPE, AND
43 OTHER RELEVANT CHARACTERISTICS;

44 “(II) POTENTIAL FOR A QUALITY WATER SUPPLY WHICH MAY
45 BE SOURCED THROUGH A DISTRIBUTION SYSTEM;

46 “(III) PART OF A SERVICEABLE AREA WHICH IS WITHIN AN
47 ACTUAL AND FUNDED IRRIGATION SYSTEM, OR WHICH MAY BE
48 SERVICED WITH EXISTING AND OPERATING IRRIGATION FACILITIES;

49 “(IV) SITUATED WITHIN AN AREA WHERE THE APPROVED OR
50 ADOPTED LAND USE PLAN BY THE CONCERNED LOCAL
51 GOVERNMENT UNIT FOR SURROUNDING OR CONTIGUOUS
52 LANDHOLDINGS WHICH ALLOWS THE CONDUCT OF AGRICULTURAL
53 ACTIVITIES; AND

54 “(V) PRESENCE OF AFFECTED QUALIFIED FARMER-
55 BENEFICIARIES, TENANTS OR LESSEES WILLING TO TILL THE LAND
56 AND RAISE CROPS THEREIN; AND

57
58 “[j)](K) Any other culpable neglect or wilful violations of the
59 provisions of this Act.

60 “X X X.”

61
62 **SEC. 2.** Section 74 of Republic Act No. 6657, as amended, is hereby further
63 amended to read as follows:

64 “SEC. 74. *Penalties.* – Any person who knowingly or wilfully violates
65 the provisions of this Act shall be punished by imprisonment of not less

66 than one (1) month to not more than three (3) years or a fine of not less
67 than one thousand pesos (P1,000.00) and not more than Fifteen thousand
68 pesos (P15,000.00), or both, at the discretion of the court: *Provided, That*
69 the following corresponding penalties shall be imposed for the specific
70 violations hereunder:

71 "x x x

72 "(b) Imprisonment of six (6) years and one (1) day to twelve (12)
73 years or a fine of not less than Two hundred thousand pesos (P200,000.00)
74 and not more than One million pesos (P1,000,000.00), or both, at the
75 discretion of the court upon any person who violates Section 73,
76 subparagraphs (c), 9d), (e), [and] (i), **AND (J)** of Republic Act No. 6657, as
77 amended.

78 "x x x

79 **"IF THE OFFENDER IS A PUBLIC OFFICER, THE OFFENDER SHALL**
80 **SUFFER THE ADDITIONAL PENALTIES OF REMOVAL FROM OFFICE AND**
81 **PERPETUAL, ABSOLUTE DISQUALIFICATION TO HOLD PUBLIC OFFICE."**

82
83 **SEC. 3.** All laws, acts, decrees, executive orders, issuances, and rules and
84 regulations or parts thereof which are contrary to and inconsistent with this Act
85 are hereby repealed, amended, or modified accordingly.

86 **SEC. 4.** This Act shall take effect fifteen (15) days following its publication in
87 the *Official Gazette* or in any newspaper of general circulation.

88 ***Approved,***