

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City



**EIGHTEENTH CONGRESS**  
First Regular Session  
**105**  
House Bill No. \_\_\_\_\_

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Introduced by **Rep. LAWRENCE LEMUEL H. FORTUN**

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**EXPLANATORY NOTE**

At the core of rapid climate change and the worsening of disasters, looming food and water crises, land grabbing and conflicting claims is the call for a strong and immediate proper utilization and management of land resources as the key to national development in the 21<sup>st</sup> century. On this, the country's capacity to meet the present and future needs of the people, which include among others the need for healthy environment, sustainable agricultural production and food security, decent and affordable housing, jobs and industry.

With the population steadily increasing and given the finite character of land, it is unfortunate that the country's land resources are fast becoming entangled into conflicting demands, abuses, and misuses from commercial pressures.

The State's intervention is thus necessary to rationalize land use. This is based on the premise that land is more than an economic object. It has a social function such that any exercise of ownership or access rights to entails social responsibility. Indiscriminate use of lands without regard to its adverse effect on society and the environment must be regulated in the interest of the general welfare of the present and future generations.

In this regard, this representation is endorsing the adoption of the proposed National Land Use and Management Policy. This proposed policy seeks to harmonize the reasonable claims of all those who hold interest on land and safeguards and promotes the general welfare of both existing and future generations through the proper management of land resources. It provides guidelines and criteria for land use based on the assessment of the development needs of various sectors in a participatory bottom-up top-bottom approach.

In particular, the bill provides for the:

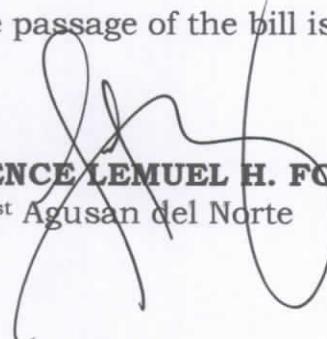
1. Mechanism to harmonize conflicting land laws;
2. Adherence to the principle of sustainable development and just management, and utilization of natural resources;
3. Clear delineation of land use categories;
4. Protection of prime agricultural lands for food security and sufficiency;
5. Integration and institutionalizing people's participation in land use planning and applies the combined bottom-up top-bottom approach in land use planning;

6. National Physical Framework Plan which shall define the national strategy and objective of the country's urban, rural, and regional development;
7. Creation of the National Spatial Database Information and Mapping Inter-Agency Support System; and
8. Final determination and ground delineation of the country's permanent forest line and completion the Geohazard Mapping Program to effectively provide adequate and up to date information necessary for land use planning.

More importantly however, the bill seeks to integrate and institutionalize people's participation and gender mainstreaming in defining the framework and guiding principles of land allocation and utilization. It provides for the mandatory participation of stakeholders in key decision making bodies on land use policy at all levels. The bill itself is the result of a painstaking process of consultations and validation with and among different basic sectors. In the 17<sup>th</sup> Congress, the bill saw some light of day as it was approved by the House on Third and transmitted to the Senate. It is earnestly hoped that in the 18<sup>th</sup> Congress, the measure is finally enacted into law.

In view of the foregoing, the immediate passage of the bill is earnestly sought.

**REP. LAWRENCE LEMUEL H. FORTUN**  
1<sup>st</sup> Agusan del Norte

A handwritten signature in black ink, appearing to read "LAWRENCE LEMUEL H. FORTUN", is written over a stylized, abstract drawing consisting of several intersecting and looping lines.

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Introduced by **Rep. LAWRENCE LEMUEL H. FORTUN**

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**AN ACT  
INSTITUTING A NATIONAL LAND USE AND MANAGEMENT POLICY,  
PROVIDING THE IMPLEMENTING MECHANISMS, AND APPROPRIATING  
FUNDS THEREFOR**

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

**CHAPTER 1**  
Introductory Provisions

1   **Section 1. Title.** This Act shall be known and cited as the “National Land  
2   Use and Management Act of the Philippines”.

3  
4   **Section 2. Declaration of Policies and Principles.** It is the policy of the  
5   State to:

- 6  
7       a. Provide for a rational, holistic and just allocation, utilization,  
8       management and development of the country’s land and water  
9       resources so that their use is consistent with the principles of equity,  
10      social justice, environmental integrity and sustainable development  
11      for the common good.  
12       b. Hold owners and users of land responsible for developing and  
13       conserving their lands thereby making these productive and  
14       supportive of sustainable development and environmental stability in  
15       accordance with the principles that the use of land bears a social  
16       function and that all economic agents shall contribute to the  
17       common good.  
18       c. Treat groups of islands including parts of islands, interconnecting  
19       waters and other natural features which are so closely interrelated  
20       as forming an intrinsic geographical economic and political entity, or  
21       which historically have been regarded as such entity.  
22       d. Strengthen the capacity of the local government units (LGUs) to  
23       manage and maintain ecological balance within their territorial  
24       jurisdiction, in partnership with the national government in  
25       accordance with the Philippine Constitution and Republic Act 7160  
26       or the Local Government Code of 1991.

27      Toward this end, the State shall institutionalize land use and physical  
28      planning as a mechanism for identifying, determining and evaluating

appropriate land sue and allocation patterns that promote and ensure the:

1. Maintenance and preservation of environmental integrity and stability;
2. Sustainable and just management and utilization of natural resources;
3. Disaster risk reduction and climate risk-based planning;
4. Protection of prime agricultural lands for food security with emphasis on self-sufficient and sustainable use of land resources consistent with the principles of sound agricultural development, natural resources and agrarian reform;
5. Protection and conservation of the country's natural heritage, permanent forest lands, natural forests, critical watershed and key biodiversity areas to ensure adequate forest cover to maintain ecological process in the country;
6. Sustainable development and management of water resources;
7. Settlements, transportation and other infrastructure development in support of inclusive growth and rural urban and regional development;
8. Improved access to affordable housing by increasing the supply thereof through direct allocation better access to unutilized lands and increased production of multiple use and higher density products projects where appropriate;
9. Respect for and protection of the traditional resources right of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral domains compliance with free and prior informed consent of ICCs/IPs and recognition of customary laws and traditional resource use and management knowledge and practices in ancestral domains;
10. Equitable access to land through State intervention that guarantees its affordability to the basic disadvantaged sectors defined under RA 8425 or the Social Reform and Poverty Alleviation Act sectors;
11. Energy security or energy self-sufficiency;
12. Preservation and conservation of parks and protected areas to keep the scenery, the natural and historic objects and biodiversity therein in their natural state and prevent them from being damaged for purposes of public recreational use and enjoyment; and
13. Meaningful participation of the basic sectors.

**Section 3. Scope.** This Act shall apply to all lands and all resources therein whether public, private, government-owned and or in possession of any person, whether natural or juridical and shall guide the rational, holistic and just allocation, utilization, development and management of the country's land and water resources including such activities that bear impact on said resources.

**Section 4. Definition of Terms as Used in this Act:**

- a. **Agricultural Land** refers to the sub-class of classified agricultural lands devoted to or suitable for the cultivation of the soil, planting of crops, growing of trees, raising of livestock, poultry, fish or aquaculture production including the harvesting of such farm products, and other farm activities and practices performed in conjunction with such farming operations by persons whether natural or juridical and not classified as residential land, commercial land or industrial land;

- 84           b. **Agricultural Land Use Conversion** refers to the undertaking of any  
85           development activity which modifies or alters the physical  
86           characteristics of agricultural lands to render them suitable for non-  
87           agricultural purposes under an approved order of conversion issued  
88           by the appropriate government agency;
- 89           c. **Alienable and Disposable Lands of the Public Domain** refer to  
90           lands of the public domain which have been delineated classified and  
91           certified as such and available for disposition under Commonwealth  
92           Act No. 141 otherwise known as the Public Land act as amended;
- 93           d. **Ancestral Domains** refer to all areas generally belonging to  
94           indigenous cultural communities/indigenous peoples as defined in  
95           Republic Act (RA) No. 8371, otherwise known as the Indigenous  
96           Peoples Rights Act (IPRA) of 1997;
- 97           e. **Ancestral Domain Sustainable Development and Protection Plan  
(ADSDPP)** refers to a plan formulated and pursued in accordance  
98           with the rights of ICCs/IPs to manage and develop the land as well as  
99           natural and human resources within their ancestral domains based  
100           on their indigenous knowledge systems and practices on the principle  
101           of self determination;
- 102           f. **Classified Agricultural Land** refers to one of the four (4)  
103           classifications of land under the Constitution not classified by law as  
104           mineral land, forest land or national park and the only classification  
105           subject to alienation;
- 106           g. **Coastal Area/Zone** refers to a band of dry land and the adjacent  
107           ocean space (water and submerged land) in which terrestrial  
108           processes and uses directly affect oceanic processes and uses and  
109           vice versa. Its geographic extent may include areas within a landward  
110           limit of one (1) kilometer from the shoreline at high tide to include  
111           mangrove swamps, brackish water ponds, nipa swamps, estuarine  
112           rivers, sandy beaches and other areas within a seaward limit of two  
113           hundred (200) meters isobaths to include coral reefs, algal flats,  
114           seagrass beds, and other soft-bottom areas;
- 115           h. **Comprehensive Land Use Plan (CLUP)** refers to a documentary  
116           embodying a set of policies accompanied by maps and similar  
117           illustrations that serve as a policy guide for determining the future  
118           use of lands and natural resources within the territorial jurisdiction  
119           of the LGUs. It represents the community desired pattern of  
120           population distribution and proposes future allocation of land and  
121           resources to various activities. It includes the processes and criteria  
122           employed in such determination of allocation of land and resources. It  
123           is a plan for the long-term management of the local territory covering  
124           a period of minimum of ten (10) years reviewable not earlier than  
125           every five (5) years based on the four (4) categories of land use  
126           planning provided in Section 6 of this Act;
- 127           i. **Comprehensive Land Use Planning** refers to the act of defining the  
128           allocation, utilization, development and management of all lands  
129           within a given territory or jurisdiction according to the inherent  
130           characteristics of the land itself and supportive of sustainable  
131           economic demographic socio-cultural and environmental objectives as  
132           aid to decision-making and legislation;
- 133           j. **Critical Watershed** refers to watersheds or forestlands that have  
134           been identified and evaluated to provide critical and vital natural  
135           ecological environmental and physical beneficial services such as  
136           water biodiversity, energy, irrigation, social and cultural among  
137           others to a specific area or community and whose biophysical  
138           condition demands immediate rehabilitation, protection and  
139           conservation.

- 140 management to prevent its further denudation, deterioration and  
141 exploitation;
- 142 k. **Cultural Heritage** refers to the totality of cultural properties whether  
143 natural or human made preserved and developed through time and  
144 passed on for posterity;
- 145 l. **Customary Laws** refer to a body of written and/or unwritten rules,  
146 usages, customs and practices traditionally and continually  
147 recognized accepted and observed by respective ICCs/IPs consistent  
148 with the IPRA;
- 149 m. **Danger Zones** refer to areas with high level of threat to the lives and  
150 well-being of people that cannot be addressed through scientific,  
151 physical and engineering methods and are therefore not suitable for  
152 settlement and permanent structures. Areas can only be declared as  
153 Danger Zones after proper technical studies and public consultations  
154 with affected families are conducted;
- 155 n. **Development Plan** refers to a document that defines the activities  
156 and measures that the national government or LGUs intend to  
157 implement over a specified period of time in order to achieve the  
158 defined set of development goals identified in the national or local  
159 physical framework plans it integrates socio-economic, financial,  
160 fiscal, legal and legislative institutional and sectoral plans of the  
161 national government or any of its instrumentalities or a particular  
162 LGU, consistent with the objectives identified in spatial plans such as  
163 land use plans or physical framework plans. It may include an  
164 analysis of problems and resources, definition of goals and objectives,  
165 policy guidelines, project and target achievements and an  
166 implementation mechanism which defines the roles and contributions  
167 expected from the government and the private sector;
- 168 o. **Disaster-prone Areas or Geo-hazard Areas** refer to areas frequented  
169 by and/or vulnerable to experience weather, climatic, hydrologic,  
170 geologic, and other natural disturbances or calamities;
- 171 p. **Disaster Risk Reduction** refers to the concept and practice of  
172 reducing disaster risks through systematic efforts to analyze and  
173 manage the causal factors of disasters including reduced exposure to  
174 hazards lessened vulnerability of people and property, wise  
175 management of land and the environment and improved  
176 preparedness for adverse events;
- 177 q. **Ecologically-fragile Lands** refer to lands within critical watersheds,  
178 brackish and freshwater wetlands pasture lands inland rivers and  
179 waterways coastal and settlement areas and croplands which require  
180 rehabilitation, protection areas and croplands which require  
181 rehabilitation, protection and whose continued unsustainable use  
182 would result in physical risks and threats to life and property, public  
183 health and safety as well as adversely affect the productivity of  
184 lowland agricultural areas and stability of the upland system;
- 185 r. **Ecotourism** refers to a form of sustainable tourism within a natural  
186 and/or cultural heritage area where community participation,  
187 protection and management of natural resources, culture and  
188 indigenous knowledge and practices environmental education and  
189 ethics, as well as economic benefits are fostered and pursued for the  
190 enrichment of host community and satisfaction of visitors;
- 191 s. **Energy Resources** refer to surface or subsurface substances that  
192 serve as energy resources. These are traditionally mineral fuel  
193 deposits such as coal petroleum, natural gas or renewable resources  
194 from geothermal, hydro reservoirs or non-conventional sources

- 195 including ocean waves, solar, wind, biomass, and other similar  
196 resources which serve the same purpose;
- 197 t. **Energy Resource Lands** refer to lands where naturally occurring or  
198 indigenous energy resources exist in sufficient quantity and/or  
199 quality as to be economically viable for exploration, development  
200 production, utilization and distribution purposes;
- 201 u. **Environmentally Critical Areas** refer to areas declared by law as (i)  
202 areas for natural parks watershed reserves wildlife preserves and  
203 sanctuaries; (ii) areas set aside for aesthetic and visual value; (iii)  
204 areas that constitute the habitat for any endangered or threatened  
205 species of indigenous Philippine wildlife both flora and fauna; (iv) areas  
206 of unique historic, archeological or scientific interest; (v) areas  
207 that are traditionally occupied by ICCs/IPs; (vi) areas with critical  
208 slopes; (vii) areas frequented and/or hard hit by natural calamities  
209 such as but not limited to geologic hazards, floods, typhoons and  
210 volcanic activities; (viii) recharge areas of aquifers; (ix) mangrove  
211 areas; (x) coral reefs; (xi) mossy and virgin forests; (xii) rivers and  
212 riverbanks; (xiii) swamp forest and marshlands; (xiv) foreshore lands  
213 (xv) protected areas pursuant to Republic Act No. 7586 or the NIPAS  
214 act of 1992; and (xvi) areas set aside as aesthetic potential tourist  
215 spots. This term shall also include other terrestrial aquatic and  
216 marine areas that need special protection and conservation measures  
217 because they are ecologically fragile or they are needed for food  
218 security and food self-sufficiency as determined by concerned  
219 agencies and LGUs in consultation with the concerned stakeholders;
- 220 v. **Exhausted Mineral Resources** refer to a situation where the mineral  
221 resources in specific sites are no longer in sufficient quantity to justify  
222 additional expenditure for extraction or utilization;
- 223 w. **Flood Plain** refers to the portion of a river valley adjacent to a river  
224 channel which is covered with water when the river overflows its  
225 banks at flood stages and which usually consists of silt deposited by  
226 the stream;
- 227 x. **Flood-prone Areas** refer to low lying areas usually adjacent to large  
228 or active water bodies and which therefore experience regular or  
229 seasonal inundation as a result of changes in the mean water level of  
230 these bodies or because of land reclamation and other artificial  
231 interference with the natural processes;
- 232 y. **Food security** refers to the policy objective of meeting the  
233 requirements for food availability, accessibility and affordability  
234 requirements of the present and future generations of Filipinos in a  
235 sustainable manner through local production or importation in cases  
236 of shortage based on a micro level situation or both and taking into  
237 account the country's existing and potential resource endowments  
238 and related production advantages and consistent with the overall  
239 national development objectives and policies;
- 240 z. **Food Self-sufficiency** refers to the policy objective of meeting the food  
241 requirements through intensive local food production in a sustainable  
242 manner based on the country's existing and potential resources and  
243 related production advantages;
- 244 aa. **Foreshore Land** refers to a string of land margining a body of water  
245 the part of a seashore between the low-water line usually at the  
246 seaward margin of a low tide terrace and the upper limit of wave wash  
247 at high tide marked by a beach scarp or berm;
- 248 bb. **Forest** refers to an ecosystem or an assemblage of ecosystems  
249 dominated by trees and other woody vegetation a community of plants  
250 and animals with one another and its physical environment;

- 251           cc. **Forest lands** refers to one of the four classifications of land under the  
252           constitution under the public domain classified and/or determined as  
253           suitable for forest purposes not classified as mineral land, national  
254           park and classified agricultural land. These include all permanent  
255           forest reserves, forest reservations, and all the remaining unclassified  
256           lands of the public domain;
- 257           dd. **Forest Land Use Plan (FLUP)** refers to the allocation of forest lands  
258           into their appropriate uses consistent with existing biophysical  
259           conditions such as topography, soil type, land use, climate water  
260           sources and socioeconomic, cultural and political realities. Forest  
261           land use planning should be able to delineate protection and  
262           production forests;
- 263           ee. **Forest Land Sub-classification** refers to the process of determining  
264           the most appropriate and sustainable use of forest lands primarily as  
265           protection forest and production forest. They may be further sub-  
266           classified as grazing/pasture land, recreational areas and other uses  
267           taking into account ecological, social and economic considerations;
- 268           ff. **Free, Prior and Informed Consent (FPIC)** refers to the consensus of  
269           all members of the ICCs/IPs to be determined in accordance with  
270           their respective customary laws and practices, free from any external  
271           manipulation, interference and coercion, and obtained after fully  
272           disclosing the intent and scope of the activity in a language and  
273           process understandable to the community;
- 274           gg. **Geo-hazards** refer to nature and human-induced geological processes  
275           that have potential to cause destruction and which pose a threat or  
276           risk to a person's life and property. These may include but are not  
277           limited to ground water and weather-related conditions, volcanic and  
278           earthquake induced hazards such as ground shaking, ground  
279           rupture, earthquake-induced landslides, liquefaction and tsunami;
- 280           hh. **Indigenous Cultural Communities/Indigenous Peoples**  
281           **(ICCs/IPPs)** refer to groups of people or homogenous societies  
282           identified by self-ascription by others who have continuously lived as  
283           organized community on communally bounded and defined territory,  
284           and who have under claims of ownership since time immemorial  
285           occupied possessed and utilized such territories, sharing common  
286           bonds of language, customs, traditions and other distinctive cultural  
287           traits or who have through resistance to political, social and cultural  
288           inroads of colonization, non-indigenous religions and cultures,  
289           became historically differentiated from the majority of Filipinos.  
290           ICCs/IPs shall likewise include peoples who are regarded as  
291           indigenous on account of their descent from the populations which  
292           inhabited the country at the time of conquest or colonization, or at the  
293           time of inroads of non-indigenous religions and cultures or the  
294           establishment of present State boundaries who retain some or all of  
295           their own social economic cultural and political institutions but who  
296           may have been displaced from their traditional domains or who may  
297           have resettled outside their ancestral domains;
- 298           ii. **Inland Waters** refer to waters which are not coastal and marine  
299           waters and not subject to acquisitive prescription consistent with the  
300           provisions of Presidential Decree No. 1067 or the Water Code of the  
301           Philippines;
- 302           jj. **Integrated Watershed Management** refers to a planning strategy or  
303           program for watershed areas that complement environmentally-sound  
304           soil and water management practices with mechanisms for ensuring  
305           greater responsibility involvement or participation of individuals,

- 306 groups, communities and other stakeholders benefiting from these  
307 areas and water-related infrastructure;
- 308 kk. **Key Biodiversity Areas (KBAs)** refer to present the most important  
309 sites for biodiversity conservation worldwide. These are places of  
310 international importance for the conservation of biodiversity through  
311 protected areas and other governance mechanisms. They are  
312 identified nationally using simple standard criteria based on their  
313 importance in maintaining species populations;
- 314 ll. **Land** refers to resources, both artificial and natural, found on the  
315 surface, below, and above the ground including inland waters and the  
316 air therein;
- 317 mm. **Land Sub-classification** refers to the act of determining and  
318 assigning specific uses of classified lands such as forest lands,  
319 classified agricultural lands, mineral lands and national parks in  
320 accordance with existing laws and this Act;
- 321 nn. **Land Use** refers to the manner of allocation, utilization,  
322 management and development of land;
- 323 oo. **Land Use Classification** refers to the act of delineating or allocating  
324 lands according to protection, land use, production land use,  
325 settlements, development and infrastructure development as defined  
326 and provided for in this Act;
- 327 pp. **Mandatory Public Hearings/Consultations** refer to the mechanism  
328 to ensure the involvement of concerned stakeholders and  
329 communities in land use planning form the barangay to the national  
330 level to ensure the social acceptability of the plans. It should involve  
331 giving notice of hearing/consultation to concerned stakeholders  
332 through publication or posting in conspicuous places, conduct a  
333 reasonable number of hearings and solicitation of positions to arrive a  
334 consensus. Public presentations and validation of the planning  
335 results shall also be undertaken before the final adoption of the plans;
- 336 qq. **Marine Protected Area (MPA)** refers to a defined area of the sea  
337 established and set aside by law, administrative regulation or any  
338 other effective means in order to conserve and protect a part of or the  
339 entire enclosed environment through the establishment of  
340 management guidelines. It includes all declared areas governed by  
341 specific rules or guidelines in order to protect and manage activities  
342 within the enclosed area;
- 343 rr. **Mineral Exploration** refers to the systematic searching or prospecting  
344 for mineral resources including energy resources;
- 345 ss. **Mineral Lands** refer to lands of the public domain, excluding those in  
346 permanent forestlands and protection lands, where mineral resources  
347 are found in sufficient quantity and quality for extraction,  
348 development and utilization;
- 349 tt. **Multiple Use of Land Resources** refer to the utilization or  
350 management strategy for any land, which allows any activity involving  
351 one or more of its resources, depending on the result of prior  
352 evaluation on its numerous beneficial use that will produce the  
353 optimum benefits to the development and progress of the country and  
354 the public welfare without impairment or with the least injury to its  
355 other resources.
- 356 uu. **Municipal Waters** refer to not only streams, lakes, inland bodies of  
357 water and tidal waters within the protected areas as defined under  
358 Republic Act No. 7586 of the National Integrated Protected Areas  
359 System or the NIPAS Act of 1992, public forest, timber lands, forest  
360 reserves or fishery reserves but also marine waters included between  
361 two (2) lines drawn perpendicular to the general coastline from points

362 where the boundary lines of the municipality touch the sea at low tide  
363 and a third line parallel with the general coastline including offshore  
364 islands and fifteen (15) kilometers from such coastline. Where the  
365 territory of a municipality includes several islands, the outermost  
366 points of such islands shall be used as base points and connected by  
367 archipelagic baselines irrespective of the lengths of such baselines  
368 from the main coastlines. Where two (2) municipalities are situated  
369 on opposite shores that there is less than thirty (30) kilometers of  
370 marine waters between them the third line shall be equally distant  
371 from opposite shore of the respective municipalities;

372 **vv. National Integrated Protected Areas System (NIPAS)** refer to the  
373 classification and administration of all designated protected areas to  
374 maintain essential ecological processes and life-support systems to  
375 preserve genetic diversity to ensure sustainable use of resources  
376 found therein and to maintain their natural conditions to the greatest  
377 extent possible;

378 **ww. National Land Use Policy Council (NLUPC)** refers to the  
379 administrative policy-making and regulatory body created under this  
380 Act;

381 **xx. National Park** refers to forest reservation essentially of natural  
382 wilderness character which has been withdrawn from settlement,  
383 occupancy or any form of exploitation except in conformity with  
384 approved management plan and set aside as such exclusively to  
385 conserve the area or preserve the scenery, natural and historic  
386 objects, wild animals and plants therein and to provide enjoyment of  
387 these features in such areas. It shall also refer to lands and waters of  
388 the public domain classified as such in the 1987 Constitution which  
389 include all areas under the NIPAS pursuant to Republic Act No. 7586  
390 or the NIPAS Act of 1992 primarily designated for the conservation of  
391 native plants and animals and associated habitats and cultural  
392 diversity;

393 **yy. Network of Protected Areas for Agriculture and Agro-Industrial  
394 Development (NPAAAD)** refer to agricultural areas by the  
395 Department of Agriculture (DA) through the Bureau of Soils and  
396 Water Management (BSWM) in coordination with the National  
397 Mapping and Resource Information Authority (NAMRIA) in order to  
398 ensure the efficient utilization of land for agriculture and agro-  
399 industrial development and to promote sustainable growth. The  
400 NPAAAD covers all irrigated areas, all irrigable lands already covered  
401 by irrigation projects, all alluvial plains, lands highly suitable for  
402 agriculture whether irrigated or not, agro-industrial croplands or  
403 lands planted to industrial crops that support the validity of existing  
404 agricultural infrastructure and agro-based enterprises, highlands or  
405 areas located at an elevation of five hundred (500) meters or above  
406 and have the potential for growing semi-temperate and high value  
407 crops, all agricultural lands that are ecologically fragile the conversion  
408 of which will result in serious environmental degradation and all  
409 mangrove areas and fish sanctuaries ;

410 **zz. Permanent Forests or Forest Reserves** refer to lands of the private  
411 or public domain which have been identified and determined to be  
412 needed for protection, conservation, preservation and management as  
413 forests and shall be reserved, conserved and protected into perpetuity  
414 for such purpose;

415 **aaa. Permanent Forestlands** refer to forestlands within public lands  
416 that have been identified determined and demarcated on the ground  
417 and shall be protected, conserved, preserved, maintained and

418 managed as forestlands free from any form of utilization, exploitation  
419 or development, and reserved permanently as such for the benefit and  
420 use of future generations;

421 bbb. **Physical Framework Plans** refer to the national, regional or  
422 provincial indicative plans that outline the over-all and macro-level  
423 physical development objectives, priorities, directions and strategies  
424 in its respective levels as prepared, reviewed, integrated and finalized  
425 by the national, regional and provincial land use councils/boards  
426 respectively based on the Comprehensive Land Use Plans (CLUPs) of  
427 the LGUs and the national policy guidelines relating to land use and  
428 environmental management to prevent or mitigate the adverse effects  
429 of inappropriate resource utilization on food security the people's  
430 welfare and their environment;

431 ccc. **Permanent Forestlands** refer to forestlands within public lands  
432 that have been identified, determined and demarcated on the ground  
433 by the State to serve such purpose and shall be protected, conserved,  
434 preserved, maintained and managed as forestlands free from any form  
435 of utilization, exploitation or development, and reserved permanently  
436 as such for the benefit and use of future generations;

437 ddd. **Physical Framework Plans** refer to the national, regional or  
438 provincial indicative plans that outline the overall and macro-level  
439 physical development objectives, priorities, directions and strategies  
440 in its respective levels as prepared, reviewed, integrated and finalized  
441 by the national, regional and provincial land use councils/boards  
442 respectively based on the Comprehensive Land Use Plans (CLUPs) of  
443 the LGUs and the national policy guidelines relating to land use and  
444 environmental management to prevent or mitigate the adverse effects  
445 of inappropriate resource utilization on food security, the people's  
446 welfare and their environment;

447 eee. **Premature or Illegal Conversion** refers to any activity that  
448 modifies or alters the physical characteristics of agricultural lands to  
449 render them suitable for non-agricultural purposes without an  
450 approved order or conversion from the DAR Secretary;

451 fff. **Production Land Use** refers to the direct and indirect utilization of  
452 land to generate outputs resulting from the following activities  
453 agricultural, fish farming or aquaculture, timber or agro-forestry,  
454 grazing and pasture, mining, indigenous energy resource development  
455 industry and tourism;

456 ggg. **Protected Areas** refer to portions of land and water set aside by  
457 reason of their unique physical and biological significance, managed  
458 to enhance biological significance, managed to enhance biological  
459 diversity and protected against human exploitation. For purposes of  
460 this Act these shall also include all-natural forests and agricultural  
461 lands identified and delineated under this Act;

462 hhh. **Protection Forests** refer to forests and forestlands in both public  
463 and private lands that have been identified and determined by the  
464 State for the beneficial use of present and future generations and  
465 shall be preserved, conserved, protected and maintained as such free  
466 from any form of utilization, exploitation or development;

467 iii. **Protection Land Use** refers to the use of land primarily reserved for  
468 rehabilitation, conservation and protection purposes and the  
469 promotion of the country's ecological and life-support systems;

470 jjj. **Public Domain** refers to lands belonging to the State which may be  
471 classified as agricultural, forest or timber, mineral or national park as  
472 provided for in the Constitution;

- 473            kkk. **Reclassification of Agricultural Lands** refers to the act of  
474            specifying how agricultural lands shall be utilized for non-agricultural  
475            uses such as for residential industrial or commercial purposes,  
476            through the local planning and zoning processes pursuant to the  
477            Local Government Code of 1991 and subject to the requirements and  
478            procedure for conversion;
- 479            III. **Resettlement Sites** refer to areas identified by the appropriate  
480            national agency or by the local government unit with respect to areas  
481            within its jurisdiction which shall be used for the relocation of the  
482            underprivileged and homeless, as defined under Republic Act No.  
483            7279 or the Urban Development and Housing Act (UDHA);
- 484            mmm. **Restoration** refer to returning forestland to its original  
485            forested state in terms of species composition, structure, function and  
486            productivity;
- 487            nnn. **Restoration Zones** refer to forest areas where activities are  
488            conducted to restore its forested state;
- 489            ooo. **River Basin** refers to the horizontal projection of area from which a  
490            river and its tributaries receive surface water originating from  
491            precipitation;
- 492            ppp. **Settlements** refer to communities or built-up environment areas  
493            where people prefer to live in;
- 494            qqq. **Settlements Development** refers to any improvement on existing  
495            settlement or any proposed development of certain areas for  
496            settlement purposes. It also involves the spatial distribution of  
497            population, identification of the roles and functions of key urban  
498            centers, determination of relationships among settlement areas and  
499            the provision of basic services and facilities identified major  
500            settlement areas of growth centers;
- 501            rrr. **Shoreline** refers to a strip of land covering of at least one (1)  
502            kilometer from the point where seawater reaches during the highest  
503            high tide;
- 504            sss. **Spatial Data Infrastructure** refers to a system consisting of  
505            spatial data, technology, policies, practices, relationships, people and  
506            resources necessary to acquire process, store and distribute spatial  
507            information to improve sharing and use throughout all levels of the  
508            government and private sector among others, which shall be  
509            operationalized through electronic system that provides access to a  
510            network of spatial data sources and users and shall serve as the  
511            official linkage of the government to international and regional spatial  
512            data infrastructure;
- 513            ttt. **Socialized Housing** refers to housing programs and projects covering  
514            home lots, houses and lots or low-rise to medium-rise building or high  
515            density housing projects undertaken by the government or the private  
516            sector for the underprivileged and homeless citizens which shall  
517            include sites and services development, long term financing, direct  
518            subsidy programs, liberalized terms on interest payments and such  
519            other benefits in accordance with the UDHA and Batas Pambansa Blg.  
520            220;
- 521            uuu. **Socialized Housing Sites** refer to lands identified and designated  
522            by LGUs as sites for socialized housing pursuant to Article IV of the  
523            UDHA and its implementing guidelines;
- 524            vvv. **Strategic Agriculture and Fisheries Development Zones  
(SAFDZs)** refer to areas within the NPAAAD identified for production,  
525            agro processing and marketing activities to help develop and  
526            modernize with the support of government, the agriculture and

fisheries sectors in an environmentally and socio-culturally sound manner:

**www. Sub-classification or Reclassification of Agricultural** refers to the process undertaken by the LGUs of allocating declared agricultural lands in their respective territorial jurisdictions to specific uses such as residential, industrial or commercial purposes and may be used as a basis for application for land conversion by the owners thereof;

**xxx. Sustainable Development** refers to the development objective of meeting the needs of the present generation without compromising the ability of future generations to meet their own needs consistent with the principles of social equity, efficiency and environmental integrity;

yyy. **Sustainable Traditional Resource Rights** refer to the rights of ICCs/IPs to sustainability use, manage, protect and conserve a) land, air, water and minerals; b) plants, animals and other organisms; c) collecting, fishing and hunting grounds; d) sacred sites, and e) other areas of economic, ceremonial and aesthetic value in accordance with their indigenous knowledge, beliefs, systems and practices;

**zzz. Tourism Development Areas** refer to specific sites for tourism development located in areas identified as priorities in the national and regional tourism master plans as well as those designated through legislative and executive issuances as tourist spots and tourist zones which can be developed into tourism estates or integrated resort leisure recreation complexes, and other tourism related facilities;

aaaa. **Tourism Ecozone** refers to tourism development areas, outside protection lands which have been granted Special Economic Zone status through the Philippine Export Zone Authority (PEZA) registration and issuance of the required Presidential Proclamation with its metes and bounds delineated by said Proclamation pursuant to Republic Act 7916 or the Special Economic Zone Act of 1995 (SEZA) as amended;

**bbbb. Tourism Estates** refer to large tracts of land with well-defined boundaries in any area excluding those protection lands, identified in the Philippine tourism master plan and regional tourism master plan by proclamation of the President and/or by Acts of Congress and/or by local legislation and declared suited for the development of an integrated tourism and resort complex with prescribed carrying capacities and limits for its facilities and activities;

cccc. **Tourist Spot** refers to a particular area/site/spot, man made or natural known for its unique tourist/visitor-drawing attributes and activities and which may be classified according to its social, cultural, natural, historical, aesthetic, visual, scientific, religious, and recreational significance;

dddd. **Tourist Zone** refers to a geographic area with well-defined boundaries proclaimed as such by the President of the Philippines and/or by Acts of Congress. No development projects for any purpose shall be initiated and introduced within the zone prior to formulation of a tourism master development plan which shall be undertaken in coordination with the Department of Tourism (DOT) and the Tourism Infrastructure Enterprise Zone (TIEZA). A tourist zone is established for the enhancement and/or the conservation of cultural and historical heritage and for the appreciation and enjoyment of the local population and its visitors;

- 583       eeee. **Urban Areas** refer to all cities regardless of their population  
584       density and to municipalities with a population density of at least five  
585       hundred (500) persons per square kilometer;
- 586       ffff. **Urbanizable Areas** refer to sites and lands which, considering  
587       present characteristics and prevailing conditions, display marked and  
588       great potential of becoming urban areas within a period of five (5)  
589       years;
- 590       gggg. **Urban Forestry or Green Space** refers to the establishment or  
591       setting up of areas for mini-forest, eco parks or small nature parks, in  
592       both public and private lands, wetlands, man-made lagoons and lakes  
593       systems, riverbanks and shores, grasslands, roof and rock gardens  
594       lining roads and highways with trees, shrubs, or ornamental plants,  
595       and ground landscaping of schools, hospitals, and other government  
596       agencies in order to improve the environment in urban areas;
- 597       hhhh. **Water Security** refers to the sufficient access throughout the year  
598       to the minimum daily requirement of clean water to maintain a  
599       healthy life;
- 600       iiii. **Water Use** refers to the appropriation of water for domestic,  
601       municipal, irrigation, power generation, inland fisheries and livestock,  
602       industrial and commercial, environmental and recreational use;
- 603       jjjj. **Watershed** refers to a topographically delineated area of land from  
604       which rainwater can drain as surface run-off *vis-à-vis* a specific  
605       stream or river system to a common outlet point which may be a dam,  
606       irrigation system or urban water supply take off point, or where the  
607       stream discharges into a river, lake, or the sea;
- 608       kkkk. **Zoning** refers to the regulatory tool for delineating the specific land  
609       uses in accordance with the approved CLUP within the territorial  
610       jurisdiction of a city/municipality and specifying the conditions for  
611       their regulation subject to the limitations imposed by law and  
612       competent authority; and
- 613       llll. **Zoning Ordinance** refers to a local law passed by the *Sangguiniang*  
614       *Bayan or Panlungsod* approving the development control/zoning plan  
615       in accordance with an approved or adopted CLUP of the  
616       city/municipality, providing for the regulations and other conditions  
617       on the land uses including on the infrastructure that may be placed  
618       within the city's/municipality's territorial jurisdiction. It incorporates  
619       agricultural lands and ancestral lands as provided for in this Act.

## **CHAPTER II. FRAMEWORK FOR LAND USE PLANNING**

623       **Section 5. Basic Land Use Considerations.** Various land uses as categorized  
624       in the succeeding section shall be determined in a manner that promotes the  
625       policies and principles defined in Section 2 of this Act and shall consider the  
626       following elements of the framework therefor, among others:

- 628       a. Protection land use category as defined in Section 6 shall prevail over  
629       existing production land use category. The State shall undertake the  
630       necessary action in changing the classification of these production  
631       areas;
- 632       b. Preservation, conservation, rehabilitation and protection to perpetuity  
633       of permanent forestlands, critical watershed, key biodiversity areas,  
634       environmentally-critical and ecologically-fragile areas and prime  
635       agricultural lands from any other land use conversion, disposition,  
636       intrusion, utilization and development aside from their determined  
637       use and limits;

- 638 c. Protection of natural forests and natural resources ensures  
639 environmental stability, conserve biological diversity, improve  
640 ecosystem functions and provide long-term ecological and economic  
641 benefits. Designated restoration areas are designed to revive the  
642 ecosystem functions and services of forests as well as improve the  
643 economic and ecological benefits of local communities;
- 644 d. Protection of forest and wetlands from infrastructure development to  
645 preserve the ecological services they provide which are essential to  
646 economic development. These activities include, but not limited to,  
647 river channelization and dredging large scale irrigation and river  
648 diversions which reduce riverine habitat and alter flood patterns and  
649 natural flow regimes, reduce downstream water availability for  
650 agriculture and contribute to salinization through saltwater intrusion  
651 in coastal areas;
- 652 e. Resolution of land use conflict which are life-threatening or  
653 threatening to public safety, sustainability of key production  
654 resources or employment activities and the delivery of basic services  
655 which are harmful or destructive to protected areas, flora, fauna and  
656 other protected natural resources. Greater consideration shall be  
657 given to the human and tenurial rights of vulnerable groups in  
658 resolving land use conflicts;
- 659 f. Identification of geo-hazard prone areas and high risk/danger zones  
660 and corresponding risk reduction measures to ensure the  
661 prioritization of life and safety; *Provided*, That specifically identified  
662 and assessed as extremely hazardous and high-risk/danger zones  
663 shall be similarly protected and cleared from all forms of human-  
664 made obstacles, obstructions and instructions to ensure and secure  
665 public health and safety;
- 666 g. Respect for existing customary rights and traditional land uses of  
667 ICCs/IPs;
- 668 h. Identification of settlement areas to check the demand for land and  
669 establish the location of employment-generating industries and basic  
670 services; and
- 671 i. The availability of natural resources including indigenous energy  
672 resources for energy, security and self-sufficiency. However,  
673 infrastructure energy projects such as dams with large reservoirs in  
674 natural ecosystems shall not be allowed if it would interrupt the  
675 connectivity of river systems, disrupt fish spawning and migration,  
676 and alter seasonal flood regimes;

677 **Section 6. Categories of Land Uses for Planning Purpose.** In determining  
678 and defining the national, regional and provincial framework plans, and CLUPs  
679 land uses shall be grouped into four (4) major functional uses as follows:  
680

- 681 a. **Protection Land Use** refers to the use of land primarily for  
682 rehabilitation, conservation, and protection purposes and the  
683 promotion of the country's ecological and life-support systems.  
684 Planning for protection land use intends to achieve environmental  
685 stability and ecological integrity, ensure balance between resources  
686 uses and the preservation of some areas with environmental  
687 aesthetic, educational, cultural and historical significance, aid and  
688 protect people and human-made structures from the ill-effects of  
689 natural hazards.

692 Areas under this category are those covered by the NIPAS Act of  
693 1992 and other coastal and marine protected areas, areas outside of  
694 NIPAS, which include but are not limited to:

- 695 1. Natural and Restored Forests which consist of:  
696 a. All existing areas within forestland containing primary and  
697 secondary forests of whatever types of species;  
698 b. All existing areas within forestland containing secondary-  
700 growth or residual forests of whatever type or specie;  
701 c. Areas identified as Key Biodiversity Areas;  
702 d. Restoration areas;  
703 e. All mangrove forests;  
704 f. All easement areas as defined by PD 1067, otherwise known  
705 as the Water Code of the Philippines, and;  
706 g. All other areas that would be deemed appropriate for  
707 protection as designated by the Department of Environment  
708 and Natural Resources (DENR) subject to the approval of the  
709 National Land Use Policy Council (NLUPC) created pursuant  
710 to Section 55 hereof;
- 711 2. Rehabilitated and/or reforested degrade mining areas;
- 712 3. Critical ecosystems for protection, such as:  
713 a. Coral reefs;  
714 b. Marshes and wetlands;  
715 c. Lakes and rivers;  
716 d. Caves; and  
717 e. Waterfalls
- 718 4. Disaster-prone areas that include areas subject to, or maybe  
719 subject to:  
720 a. Recurrent flooding;  
721 b. Liquefaction;  
722 c. *Tsunamis*;  
723 d. Storm surges;  
724 e. Polar vortex;  
725 f. Mass wasting;  
726 g. Volcanic eruption;  
727 h. Direct impact seismic activity;  
728 i. Other disasters cause by climatic conditions; and  
729 j. Other areas that pose a high degree of hazard to human  
730 occupation and activity.
- 731 5. Critical watershed areas;
- 732 6. Marine Protected Areas;
- 733 7. All prime agricultural lands as defined under this Act;
- 734 8. Ecologically fragile and environmentally-critical areas whose  
735 conversion will result to serious environmental problems and  
736 threats to public health and safety;
- 737 9. Natural and human-made areas/sites of cultural, historical and  
738 anthropological significance which are declared as such by  
739 internationally-recognized institutions; and

748           10. Natural and human-made areas/sites of cultural, historical  
749           and anthropological significance, which are declared as such by  
750           internationally-recognized institutions; and

751  
752           11. All other areas not included and declared as production  
753           areas shall become protection areas;

754  
755           b. **Production Land Use** refers to the most efficient, sustainable, and  
756           equitable utilization, development and management of land for  
757           productive purposes which are not classified for protection land use  
758           as defined in this section. Areas included in this category are  
759           agricultural lands, coastal and marine zones, production forest,  
760           mineral lands, energy resource lands, industrial, and tourism  
761           development areas where productive activities could be undertaken  
762           to meet the country's requirements for economic growth and  
763           development. Production land use shall comprise of but shall not be  
764           limited to:

765           1. Other agricultural lands not identified as prime agricultural  
766           lands. They shall consist of but shall not be limited to:

- 767  
768           a. Lands whose soils are suitable for agricultural development;  
769           b. All alluvial plain lands that are suitable for agricultural  
770           production and/or can be devoted to food production;  
771           c. All lands that are traditional sources of staple food;  
772           d. All crop lands required to attain a certain scale of production  
773           to sustain the economic viability of existing agro-based  
774           industries in the municipality, city or province; and  
775           e. All lands in areas not highly prone to natural hazards that are  
776           suitable for the production of tree crops and other cash crops.

777  
778           2. Coastal, inland water and Marine Zones such as fishponds;

779           3. Production Forests; such as

- 780  
781           a. All areas within forestland not classified as protection forests  
782           under Section 6 (a) and shall be devoted to the production of  
783           timber and/or non-forest products or the establishment of  
784           industrial tree plantations, tree farms, woodlots, agro-forestry,  
785           or as multiple-use forests;  
786           b. All areas within forestlands considered as rangelands for  
787           grazing purposes;  
788           c. All areas within forestlands managed under the community-  
789           based forest management in areas not classified as protection  
790           forests;

791  
792           4. Rangelands for grazing;

793  
794           5. Industrial Development Areas; and

795  
796           6. Tourism Development Areas, including potential small islands for  
797           similar purposes.

798  
799           c. **Settlement and Institutional Land Use** refers to the use of urban  
800           and rural lands for settlements, development purposes and/or  
801           improvements on existing settlements involving the spatial  
802           distribution of population, identification of the roles and functions of  
803           key urban centers, determination of relationships among settlement

804 areas, and the provision of basic services and facilities to such  
805 settlements.

806 It shall also include lands identified for institutional uses such as  
807 educational, administrative, government law enforcement, health  
808 care and social services. Settlements and institutional land uses aim  
809 to ensure for the present and future generation the:

810 (1) Effective integration of activities within and among settlements  
811 allowing efficient movement of people and production of commodities  
812 through the provision of appropriate land, infrastructure, and  
813 facilities; and

814 (2) Access of the population to housing, education, health care,  
815 recreation, transportation and communication, sanitation, and basic  
816 utilities such as water, power, waste disposal such as water, power,  
817 waste disposal, and other services;

818 4. **Infrastructure Land Use** refers to the use of land dedicated to the  
819 provision of basic services that foster economic and other forms of  
820 integration necessary for producing or obtaining the material  
821 requirements of Filipinos in an efficient, responsive, safe and ecologically  
822 friendly built environment. It includes among others sub-sectors like  
823 road networks, transportation and communication facilities, social  
824 services, environmental service facilities, and utilities.

825 *Provided*, That the determination of the functional uses of lands within  
826 ancestral domains should be considered with the land use categories provided  
827 for in this Act. *Provided further*, That other sub-categories of land uses in  
828 delineated ancestral domains may be formulated by the concerned ICCs/IPs  
829 themselves in accordance with their particular needs and traditional resource  
830 and management systems.

831 **Section 7. Land Use Plans for Ancestral Domains.** Land use plans of  
832 ancestral domains shall be formulated by the ICCs/IPs themselves in  
833 accordance with their particular needs and traditional resource and  
834 management systems with the assistance of the National Commission on  
835 Indigenous Peoples (NCIP), the LGUs and civil society organizations (CSOs)  
836 concerned. Such plans shall be recognized and adopted in the barangay,  
837 city/municipal, provincial, regional and national physical framework plans.

838 Physical framework plans made prior to the delineation of ancestral domains  
839 included in such plans ordinances shall, without prejudice to the rights of the  
840 ICCs/IP concerned, adopt different land use categories in accordance with their  
841 particular needs and traditional resource and management systems.

842 In case where there are no ADSDPPs, the LGU and the ICCs/IP shall jointly  
843 formulate the land use plan within the ancestral domain until such time that  
844 the ICCs/IPs have formulated their ADSDPPs.

845 **Section 8. Adoption of Multiple Uses of Land.** The primary and alternative  
846 uses of a specific land resource shall be determined and evaluated by the  
847 respective local land use boards prior to any decision for the assignment of its  
848 use. Areas feasible for sustainable land use boards prior to any decision for  
849 the assignment of it use. Areas feasible for sustainable land resources may be  
850 considered multiple-use zones wherein settlements, tourism, agriculture, agro-  
851 forestry and extraction activities and other income-generating, or livelihood  
852 activities may be allowed, except areas under protection land use.

860 *Provided*, That multiple uses of land resources shall be in accordance with  
861 priorities in land use allocation identified in the approved physical framework  
862 and land use and planning wherein such multiple uses are compatible with the  
863 original land use and planning, and that no reclassification shall be allowed.

864  
865 *Provided, further* That where there are vested rights, titles and claims prior to  
866 the enactment of this Act over the areas feasible for sustainable land resource  
867 use the same shall be respected.

### **CHAPTER III. SPECIAL AREAS OF CONCERN**

#### **Article One. Land Use Classification**

873 **Section 9. Review of Land Use Classification.** The NLUPC shall review and  
874 assess the current land use classification system and definitions used in the  
875 country to ensure that it reflects the actual use of lands in the country.

877 The Land Management Bureau (LMB) shall provide the necessary technical  
878 information conduct the needed assessment of the status of the existing land  
879 use classification and shall submit an assessment report to the NLUPC not  
880 later than ninety (90) days from the establishment of the latter.

882 **Section 10. Consideration of Assessment Report.** Upon validation and  
883 affirmation by local land use boards, the land use classification assessment  
884 report submitted by the LMB shall be taken into consideration by the NLUPC in  
885 the formulation of its planning guidelines.

#### **Article Two. NIPAS Areas**

889 **Section 11. Integrated Management Strategy.** For more effective planning,  
890 management, and protection of protected areas of the provincial and  
891 city/municipal levels the Protected Area Management Plan (PAMP) referred to  
892 in the NIPAS Law shall be incorporated in the PPFP and CLUPs if applicable,  
893 wherein protected area zoning shall be reflected.

#### **Article Three. Agricultural Lands**

897 **Section 12. Priority Areas for Agricultural Development.** The priority areas  
898 for agricultural development are the areas distributed under agrarian reform,  
899 areas that can be covered by CARP, and those identified as part of the  
900 NPAAAD. The mapping of the NPAAAD under the Agriculture and Fisheries  
901 Modernization Act (AFMA) shall be completed not later than one (1) year from  
902 the effectivity of this Act.

904 **Section 13. Conversion of Agricultural Lands.** All lands considered and  
905 identified as prime agricultural lands shall be maintained, managed and  
906 protected for agricultural use and shall not be subjected to any form of  
907 conversion or re-classification.

909 All other agricultural lands not identified as prime agricultural lands can only  
910 be converted to non-agricultural uses upon issuance of a DAR conversion  
911 order. *Provided*, That such conversion shall not drastically change the nature  
912 of the over-all land uses in the surrounding and adjacent areas from its  
913 existing land use.

915 *Provided*, That consistent with the State policy on giving priority to the  
916 completion of the Comprehensive Agrarian Reform Program (CARP), those  
917 lands covered under compulsory acquisition/voluntary offer to sell, production  
918 or profit-sharing subject to CARP shall also be protected from conversion  
919 pending the distribution and/or installation of the farmer beneficiaries.

920  
921 *Provided, further*, That pending the completion of mapping activities of the  
922 specific areas under the NPAAAD and the SAFDZs under the AFMA and their  
923 incorporation in the National Physical Framework Plan (NDFP), the application  
924 for conversion of these areas shall not be given due course by the appropriate  
925 government agency.

#### Article Four. Ancestral Domain

926  
927  
928 **Section 14. Priority Areas for Agricultural Development within Ancestral  
929 Domain.** Agricultural lands within ancestral domain shall be developed in  
930 accordance with their ADSDPP.

931  
932  
933 **Section 15. Respect for Ancestral Domains.** The Ancestral Domain  
934 Management Plan (ADMP) or ADSDPP shall be adopted and integrated into the  
935 CLUP and/or other plans that the LGU is mandated to produce. The extent of  
936 ancestral domains shall be reflected in the land use plan and shall be zoned as  
937 such in the zoning ordinance. It shall be co-managed by the LGU and IP  
938 community. Additionally, the ADSDPP shall be included in the investment  
939 plans of the LGU.

940  
941 **Section 16. Ancestral Domain Policy Adoption.** Ancestral domain policies  
942 shall be adopted in the LGU's land use policy framework. However, in the  
943 event that the ADMP/ADSDPP is still in the formulation stage or remains to be  
944 formulated, the right to self-determination, and the observance of traditional  
945 resource and management systems and processes shall be upheld at all times,  
946 as provided for by RA 3871.

#### Article Five. Forest Lands and Reservation of Watershed

947  
948  
949 **Section 17. Permanent Forestlands.** All forestlands are classified as forest  
950 or timberlands. Titles, settlement, permits, leases and/or agreements within  
951 critical habitats, critical watershed areas, protected areas and key biodiversity  
952 areas (KBAs), shall be reviewed, and their legality affirmed. All erroneous titles,  
953 settlements, permits, leases and/or agreement within permanent forestlands  
954 shall be cancelled or revoked in due course. Non-compliance with and  
955 violations of these instruments shall be grounds for their cancellation or  
956 revocation. *Provided*, That the applicable provisions of the RA 3871 shall be  
957 respected.

958  
959 Upon recommendation by the LGU, or the Forest Board, the DENR Secretary  
960 shall revoke the above-mentioned instruments.

961  
962  
963 **Section 18. Additional Areas to be Included as Permanent Forestlands.**  
964 The following lands are needed for environmental protection and forestry  
965 purposes and shall be not be reclassified as agricultural lands or for any other  
966 land use:

- 967  
968     a. Isolated patches of forest, regardless of size and/or area, with rocky  
969 terrain or which protect a spring/water source for communal use;

- 970 b. All mangroves and swamplands including twenty (20) meter wide  
971 strips facing oceans lakes and other bodies of water not yet classified  
972 as alienable and disposable lands;  
973 c. Ridge tops and plateaus regardless of size found within or surrounded  
974 wholly or partially by forestlands where headwaters emanate;  
975 d. Areas needed for public interest such as research or experimental  
976 purposes; and  
977 e. Areas needed for public interest such as research or experimental  
978 purposes; and  
979 f. Areas considered as environmentally critical because of their  
980 vulnerability to damage from landslides, volcanic eruptions and other  
981 natural causes.

982

**983 Section 19. Reversion of Alienable and Disposable Lands to Forestlands.**

984 Upon the recommendation of the DENR Secretary, duly reviewed and endorsed  
985 by the National Land Use and Policy Council (NLUPC), and after due  
986 consultations with the concerned LGUs and the affected parties. Congress may  
987 authorize the reversion of alienable and disposable lands of the public domain  
988 or portion thereof to forestlands.

989

**990 Section 20. Critical Watershed Areas.** The DENR in coordination with the  
991 DA, the LGUs concerned and other government agencies including government-  
992 owned and controlled corporation and after mandatory public  
993 hearings/consultations shall identify and delineate critical watershed areas  
994 that need to be protected, rehabilitated, enhanced and/or withdrawn from uses  
995 that contribute to their further degradation.

996

**997 Section 21. Formulation and Implementation of Integrated Watershed**  
**998 Management Plans.** With the assistance of the DENR and upon mandatory  
999 consultations with the concerned sectors and communities, the LGUs, through  
1000 their local land use boards, shall prepare their watershed management plans  
1001 which shall be integrated into their respective CLUPs. The formulation and  
1002 integration of the plan shall be guided among others by the principle of the  
1003 management and development of inland water resources at the watershed level  
1004 and shall be consistent with the National Forestry Master Plan (NFMP).

1005

1006 The DENR and the concerned LGUs shall jointly implement the watershed  
1007 management plans which shall be integrated into their respective CLUPs. The  
1008 formulation and integration of the plan.

1009

**1010 Section 22. Establishment and Management of National Parks.** All areas  
1011 proclaimed by the President and Congress to be under the NIPAS unless  
1012 disestablished, including those identified initial components of the NIPAS as  
1013 Key Biodiversity Areas shall comprise the National Parks classification of the  
1014 public domain. The DENR and concerned LGUs shall ensure that such areas  
1015 are integrated in the CLUP and physical framework plans. *Provided, however,*  
1016 That the preparation of management plans of protected areas and national  
1017 parks shall be in accordance with the provisions of the NIPAS Act and other  
1018 laws establishing or declaring specific areas as protection areas.

1019

**1020 Section 23. Establishment of Restoration Zones.** Restoration areas shall be  
1021 designated in the management plan as such Designation of restoration zones is  
1022 compulsory in all forest management plans and for all LGUs.

1023

**1024 Article Six. Coastal Zones**

1025           **Section 24. Criteria for the Allocation and Utilization of Lands within the**  
1026           **Coastal Zones.** The allocation and utilization of lands within the coastal zones  
1027           shall be subject to the following guidelines:

- 1029           a. Areas vegetated with mangrove species shall be protected, preserved  
1030           and managed as mangrove forestland and shall not be converted to  
1031           other uses;
- 1032           b. Areas that meet all accepted criteria on elevation, soil type, soil depth,  
1033           topography, supply for successful fishpond development, and are not  
1034           limited as mangrove protected areas, shall be utilized for aquaculture  
1035           purposes as long as 4:1 ration for mangroves and fishponds is  
1036           maintained to support ecological processes in mangrove ecosystems;
- 1037           c. Areas sub-classified as mangrove and still suitable for use as such or  
1038           due to environmental conditions need to be preserved as mangroves  
1039           but are devoid of mangrove stands shall not be converted to other  
1040           uses. The DENR shall ensure that these lands shall be reforested  
1041           within a given period of time;
- 1042           d. Areas accessible to the seas and identified for fisher folk settlement  
1043           and housing but are not part of or are not within any protected land  
1044           use areas shall be allocated to traditional fisher folk who are  
1045           inhabitants of the coastal communities, members of registered fisher  
1046           folk organizations, holders of stewardship lease contracts or titles to  
1047           ancestral domains or any form of property right arrangements who  
1048           participate in coastal resource management initiatives, subject to the  
1049           usual census procedures of the housing and Urban Development  
1050           Coordinating Council (HUDCC). *Provided*, That the government shall  
1051           issue marine tenurial rights to organizations concerned based on a  
1052           criteria to be established by the NLUPC;
- 1053           e. Areas that are neither sub-classified as mangrove, fisherfolk  
1054           settlement nor fishpond may be developed to recreational or tourism  
1055           purposes. *Provided*, That such undertaking will not result in  
1056           environmental degradation and displacement of small fisherfolks;
- 1057           f. Areas which are considered as traditional fishing grounds shall be used  
1058           primarily for such purpose;
- 1059           g. Areas shall be allocated for small infrastructure needed by municipal  
1060           fisherfolk and for fishing gear, boats and post-harvest facilities; and
- 1061           h. Areas which form part of foreshore lands as defined in this Act,  
1062           including those under lease agreements or arrangements shall  
1063           undergo zoning and evaluation so their boundaries, actual sizes and  
1064           corresponding uses can be determined while ensuring that mangrove  
1065           protection or restoration zones are considered to keep the required 4:1  
1066           ratio between mangroves and fishponds.

1067           **Section 25. Coastal Land Zone Sub-classification.** All public lands in the  
1068           coastal zones shall be sub-classified into any of the following: fishponds,  
1069           mangroves, protection from tidal surge for preservation of biodiversity, habitats  
1070           and sanctuaries for endangered wildlife, fisherfolk, settlement, or  
1071           recreational/tourism areas. No sub-classification of coastal zones to different  
1072           uses shall be done without the following:

- 1073           a. Conduct of a comprehensive inventory and resource and  
1074           environmental assessment by the DENR with respective LGUS and  
1075           accredited Non-Government Organizations/Peoples Organization  
1076           (NGOs/POs) within their jurisdiction. The result of such  
1077           assessment along with a list of all existing applications and  
1078           1079

expired Foreshore Lease Agreements shall be posted in three (3) conspicuous places in the affected localities; and

- b. Prior consultation with local Fisheries and Aquatic Resource Management councils (FARMCs) formed pursuant to Republic Act No. 8850 or the Fisheries Code.

**Section 26. Zoning of Coastal Areas.** The LGUs, in coordination with the DENR, the FARMCS, local fisherfolk organizations and other concerned stakeholders such as women and youth, shall prepare the Coastal Zoning Resource Management Plan (CZRMP) which shall be incorporated in the CLUP. Management zones defined in the CZRMP should be reflected in the CLUP and the subsequent Zoning Ordinance.

**Section 27. Tourism and Recreation Zone.** The designation of areas for tourism and resorts near or over fishery areas or ports thereof shall be with the consent of the concerned LGUs and FARMCs, and shall comply with the policies and guidelines set forth in this Act.

**Section 28. Protection of Waterways, Easements and Flood Plains.**  
Structures of any kind shall not be built in waterways and easements. Pursuant to PD 1067 or the Water Code of the Philippines, the banks of rivers and streams and the shores of the seas and lakes throughout their entire length and within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas along their margins are subject to eh easement of public use only in the interest of recreation, navigation, floatage, fishing and salvage.

The protection of flood plans shall adopt a river basin management approach in order to come up with integrated flood mitigation interventions. 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 shall be an integral part of the CLUP preparation. 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 Department of Public Works and Highways (DPWH), in coordination with department of Science and Technology (DOST) and DENR shall declare flood control areas as necessary and shall prohibit or control activities that could 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 the Water Code of the Philippines.

**Section 29. Disposition of Public Lands for Fishponds.** Upon the effectiveness of this Act, but subject to existing rights and the preceding section, no fishpond lease agreement (FLA) shall be issued for tidal swamps, mangroves and oilier swamps, marshes, ponds, foreshore lands, and coastal areas within public lands including those presently declared available for fishpond development. The LUPC in coordination with the DENR, the DA, the FARMCs and the LGUs shall set aside a portion of available public lands for fish propagation, fish sanctuary, conservation, ecological purposes and fisherfolk settlement areas. Fishponds covered by existing FLAs, but are abandoned or are not operating efficiently and are found suitable for mangroves shall be reforested with mangroves.

1136 **Section 30. Immediate Restoration of Converted Mangrove Areas.** The  
1137 DENR, in coordination with the FARMCs and other concerned agencies shall  
1138 immediately take steps in the restoration of all abandoned, undeveloped and  
1139 underutilized fishponds to their original state as mangrove forests.  
1140

1141 **Article Seven. Mineral Lands**  
1142

1143 **Section 31. Policies on Mineral Lands.** Land use policies for mineral lands  
1144 shall be geared towards the rational ecologically sound and sustainable use of  
1145 mineral resources which shall promote economic growth for the local economy  
1146 and uphold the human rights of indigenous people and local communities in  
1147 the affected areas.  
1148

1149 **Section 32. Criteria for the Utilization and Allocation of Land for Mining  
1150 Purposes.** The allocation and utilization of lands for mining purposes shall be  
1151 guided by the following:  
1152

- 1153 a. The principles of sustainable development shall be observed at all  
1154 times;
- 1155 b. In case of small-scale mining, adequate and acceptable safeguards  
1156 shall be instituted by the holders of mining rights or permits to  
1157 prevent environmental degradation of the mining sites and adjacent  
1158 areas;
- 1159 c. Mineral reservations have become non-operational for more than ten  
1160 (10) years as determined by the Mines and Geosciences Bureau  
1161 (MGB) shall be placed under appropriate surface management by the  
1162 DENR; and
- 1163 d. Ancestral domains declared as protected by virtue of their ADSDPP as  
1164 well as all watershed areas shall be closed to mining.

1165 **Section 33. Reversion of Mineral Lands.** All mineral lands with exhausted  
1166 mineral resources, as determined by the MGB, shall automatically revert to  
1167 their original land classification, that is, as forest land or agricultural land.  
1168 The concerned mining companies shall bear the full cost of rehabilitation of  
1169 these areas.  
1170

1171 **Article Eight. Energy Resources**  
1172

1173 **Section 34. Guidelines for the Utilization and Allocation of Lands for  
1174 Energy Resource Exploration, Development, Production, Utilization, and  
1175 Distribution Purposes.** To ensure that the objectives of maintaining ecological  
1176 balance and maximizing the power potential from indigenous energy resources  
1177 in the most economical and environmentally-acceptable means are realized the  
1178 allocation and utilization of lands shall be guided by the following consistent  
1179 with existing regulations and laws on energy resources:  
1180

- 1181 a. Indigenous energy resource exploration and development for the  
1182 purpose of creating a National Energy Resource inventory and Data  
1183 Base as well as an Energy Resource Block Map shall be allowed  
1184 subject to the implementation of complementary watershed and other  
1185 land management plans;
- 1186 b. Indigenous energy resource exploration, development, production,  
1187 utilization, and distribution shall be subject to the appropriate  
1188 requirements and processes of the Philippine Environmental Impact  
1189 Statements (EIS) system. Each project shall secure an  
1190 Environmental Compliance Certificate (ECC) prior to project  
1191 implementation to ensure that adequate and appropriate

- 1192 environmental management measures and optimum methods for  
1193 resource access and recovery are used;  
1194 c. Protected areas defined in Section 6 shall be closed to any kind of  
1195 energy resource development;  
1196 d. Energy reservations or portions thereof which have become or have  
1197 been established to be non-economically viable to operate or are no  
1198 longer used for energy purposes shall be reclassified to other land  
1199 uses, subject to existing laws covering energy reservations; and  
1200 e. Renewable energy shall be preferred over other energy resource.

1201

1202 **Section 35. Reversion of Energy Resource Lands.** All exhausted indigenous  
1203 energy resource lands as determined by the Department of Energy (DOE) which  
1204 are not covered by proclamations shall automatically revert to the category of  
1205 forestlands or agricultural lands open to disposition, whichever is appropriate,  
1206 unless the DENR shall classify such areas for other purposes. Exhausted  
1207 energy resource lands shall refer to specific energy resource sites whose energy  
1208 reserves of the desired type/s are no longer in sufficient quantity or quality to  
1209 justify additional expenditure for their extraction and utilization.

1210

1211 **Article Nine. Settlements Development**

1212 **Section 36. Municipalities, Cities, and Settlements Development.** The  
1213 development of municipalities, cities and settlements through CLUP and  
1214 implemented by the zoning ordinances of cities and municipalities shall be  
1215 guided by urban zoning standards designed to maximize existing urban spaces  
1216 taking into account studies of pertinent government agencies on climate  
1217 change.

1218

1219 **Section 37. Settlements within Geo-hazard Areas and. or High**  
1220 **Risk/Danger Zones.** Settlement within geo-hazard areas and/or high  
1221 risk/danger zones shall be allowed in cases where there are existing settlement  
1222 within geo-hazard areas and/or high risk/danger zones, the concerned  
1223 government agencies shall provide assistance to concerned LGUs and settlers  
1224 in instituting safety and corrective measures to address the potential danger or  
1225 risk.

1226

1227 **Section 38. Designation of Waste and Environment Management Site.**  
1228 Each city or municipality shall identify and designate an area to serve as waste  
1229 and environment management waste disposal and facilities within one (1) year  
1230 from the effectivity of this Act. The LGUs, in coordination with the DENR or any  
1231 other competent authority, shall identify, sanitary landfill in order to fast-track  
1232 the conduct of the Environmental Impact Assessment (EIA), sanitary landfill in  
1233 order to fast track the conduct of the Environmental Impact Assessment (EIA)  
1234 study and to facilitate the processing of the ECC. The site or area shall be  
1235 identified in the city's or municipality's CLUP. For this purpose, cities and  
1236 municipalities shall establish their solid waste management program pursuant  
1237 to R.A. No. 9003, otherwise known as Ecological Solid Waste Management Act  
1238 of 2000". Likewise, as provided under Section 33 of the LGC, cities and  
1239 municipalities may, through appropriate ordinances, bind themselves towards  
1240 the establishment of a common solid waste management program.

1241

1242 Within ninety (90) days from the effectivity of this Act, the DENR, in  
1243 coordination with concerned agencies, shall promulgate the necessary  
1244 guidelines and standards for the formulation and establishment of solid waste  
1245 management programs by cities and municipalities, and shall submit the same  
1246 to the NLUPC for review and approval.

1247

1248 **Section 39. Designation and Zoning of Socialized Housing Sites.** Each city  
1249 or municipality in urban, urbanizable and rural areas shall designate through  
1250 the CLUP adequate lands for housing or residential purposes, including  
1251 socialized housing and resettlement areas for the immediate and future needs  
1252 of the local population as well as the underprivileged and homeless in their  
1253 territory pursuant to existing laws and regulations. In order to ensure  
1254 adequate availability of land for the housing needs of the local population, the  
1255 CLUP may be revised at the minimum of ten (10) years and reviewable not  
1256 earlier than every five (5) years.

1257 The designated sites for socialized housing shall be located in residential zones  
1258 and shall be zoned as socialized housing zones that are integrated in the city's  
1259 or municipality's zoning ordinance duly approved by the NLUPC pursuant to  
1260 existing laws and regulations. Preference shall be given to lands proximate to  
1261 public transportation facilities which may include *inter alia* railway and public  
1262 terminals.

1263 The location of resettlement areas may either be on-site or off-site and may be  
1264 within the city or municipality. *Provided*, That designated settlement and  
1265 socialized housing areas shall consider the proximity and accessibility of the  
1266 affected community to employment, economic activities and social services.

1267 Within ninety (90) days from the effectivity of this Act, the NLUPC, in  
1268 coordination with concerned agencies, pursuant to HUDCC, Resolution 521,  
1269 Series of 1992. Executive Order No. 124, series of 1993; and other pertinent  
1270 guidelines on the matter, shall promulgate the necessary guidelines for the  
1271 identification and designation of socialized housing sites. All cities and  
1272 municipalities in urban and urbanizing areas shall identify and designate their  
1273 socialized housing sites within one (1) year from the effectivity of this Act and  
1274 must submit the list of these sites and their respective areas to the HUDCC.  
1275 These sites shall be used exclusively for socialized housing as defined in the  
1276 UDHA.

1277 **Section 40. Zoning of Identified Sites for Socialized Housing.** The  
1278 identified sites for socialized housing shall be located in residential zones  
1279 identified by the city or municipality's CLUP and Zoning Ordinance (ZO) duly  
1280 approved by the NLUPC. However, for cities and municipalities where the  
1281 identified sites are not within the said residential zones, the location shall be  
1282 within the priority sites and conform with the suitability criteria as defined in  
1283 Sections 6.3 and 6.4. of the Guidelines in HUDCC Resolution No. 521, Series of  
1284 1992, or as may be defined in subsequent issuances. The identified sites shall  
1285 be zoned as socialized housing zones as defined herein.

1286 The current Zoning Ordinance of LGUs shall be reviewed and revised such that  
1287 the socialized housing component shall be integrated thereto.

1288 **Section 41. Valuation of Lands for Socialized Housing.** Equitable land  
1289 valuation for socialized housing shall be set by the Department of Finance  
1290 (DOF) on the basis of the market value reflected in the zonal valuation or in its  
1291 absence, on the latest real property tax declaration. For sites already occupied  
1292 by qualified beneficiaries under the UDHA and sites identified as Socialized  
1293 Housing Zones as defined in this Act the DOF shall factor into the valuation,  
1294 the blighted status of the land as certified by the local government unit or the  
1295 National Housing Authority (NHA).

1303      **Section 42. Guidelines for Identification of Settlement Sites.** In  
1304 identifying settlement areas, prospective sites should be:

- 1306      a. Within alienable and disposable lands but not in environmentally-  
1307            critical, geo-hazard or other protection areas;  
1308      b. Along established urban growth directions;  
1309      c. With provisions for or can be provided with basic services and utilities;  
1310      d. Within the 0-8% slope range; and  
1311      e. Accessible from existing built-up areas and other employment centers  
1312            through existing or proposed roads and other transportation facilities.

1314      **Section 43. Urban Forest or Green Space.** Each city or highly-urbanizing  
1315 municipality shall identify, designate, and allocate lands owned by the city or  
1316 municipality as urban forest or green space based on the guidelines and  
1317 standards to be issued by the DENR and approved by the NLUPC.

1319      **Section 44. Protection of Ecological Harmony.** To ensure the ecological  
1320 harmony of towns, cities and settlements, certain projects that can alter the  
1321 present use of a zoned area shall not be issued a building permit, business  
1322 permit, and/or development permit. The identification of these projects shall  
1323 be done in coordination with the LGU concerned. All LGUs shall be required to  
1324 designate restoration areas in their forest land use plans.

#### Article Ten. Industrial Development Areas/Sites

1329      **Section 45. Criteria for Designating Industrial Development Areas.** The  
1330 identification and establishment of industrial development areas shall conform  
1331 to the provisions of RA 7916 or the Special Economic Zone Act (SEZA) of 1995  
1332 as amended by RA 8748. RA 6657 or the Comprehensive Agrarian Reform Law  
1333 (CARL) as amended by RA 9700 or the Comprehensive Agrarian Reform  
1334 Program Extension with Reforms (CARPER). RA 8371 or the Indigenous  
1335 Peoples Rights Act (IPRA), RA 7279 or the Urban Development and Housing Act  
1336 (UDHA), RA 8550 or the Philippine Fisheries Code as amended by RA 10654  
1337 and RA 8435 or the Agriculture and Fisheries Modernization Act (AFMA) taking  
1338 into consideration the following:

- 1340      a. Identified network of areas for agricultural development and protected  
1341            agricultural areas pursuant to the RA 8435;  
1342      b. National policies on the regional dispersal of industries and agri-based  
1343            industrial development;  
1344      c. Identified growth areas and corridors in the National Development Plan;  
1345      d. NIPAS and non-NIPAS areas such as, but not limited to, KBAs and  
1346            restored areas that require protection;  
1347      e. National and Urban Development and Housing Framework;  
1348      f. Identified Socialized Housing Zones; and  
1349      g. National Framework for Physical Planning and other existing national  
1350            programs and policies

1352      The designated industrial development areas shall be located only in  
1353 production land uses areas and shall become an integral part of the land use  
1354 plan and zoning ordinance of the city or municipality where these areas are  
1355 located RA 9700, RA 8371 or the Indigenous Peoples Rights Act (IPRA), RA  
1356 7279 or the Urban Development and Housing Act (UDHA), RA 8550 or the  
1357 Philippine Fisheries Code as amended by RA 10654 and RA 8435 or the

1358 Agriculture and Fisheries Modernization Act (AFMA), taking into consideration  
1359 the following:

- 1360
- 1361 a. Identified network of areas for agricultural development and protected  
1362 agricultural areas pursuant to the RAZ 8435;
  - 1363 b. National policies on the regional dispersal of industries and agri-based  
1364 industrial development;
  - 1365 c. Identified growth areas and corridors in the National Development Plan;
  - 1366 d. NIPAS and non-NIPAS areas such as but not limited to KBAs and  
1367 restored areas that require protection;
  - 1368 e. National and Urban Development and Housing Framework;
  - 1369 f. Identified Socialized Housing Zones; and
  - 1370 g. National Framework for Physical Planning and other existing national  
1371 programs and policies;

1372 The designated industrial development areas shall be located only in  
1373 production land use areas and shall be come an integral part of the land use  
1374 plan and zoning ordinance of the city or municipality where these areas are  
1375 located RA 9700, RA 8371, RA 7279, RA 8559, RA 8435 or the Local  
1376 Government Code shall apply to all Special Economic Zones and Free Ports.

1377

#### Article Eleven. Tourism Development Areas

1379

1380

1381 **Section 46. Designating Tourism Development Areas.** The identification,  
1382 selection, and development of tourism development areas, and Tourism  
1383 Enterprise Zones (TEZs) shall be done in consultation and coordination with  
1384 the concerned LGUs, the Tourism Infrastructure and Enterprise Zone Authority  
1385 (TIEZA), Department of Tourism and other concerned national government  
1386 agencies, the private sector and the affected communities subject to the  
1387 provisions of RA NO. 9593 or the Tourism Act of 2009. Tourism development  
1388 areas shall likewise include those covered by legislative and executive  
1389 issuances such as tourist spots, tourist zones and tourism ecozones which can  
1390 be developed into tourism estates or integrated resort, or integrated resort  
1391 leisure and recreation complexes and other tourism-related facilities as well as  
1392 those identified in the national, regional and area-specific tourism master  
1393 plans and other sector plans, such as ecotourism and agri-tourism sites.  
1394 *Provided,* That such sites designated for tourism development are outside of  
1395 areas identified for protection land use. As much as practicable, community-  
1396 based tourism shall be the principal mode of tourist spot operation. RA 9700,  
1397 RA 8371, RA 7279, RA 8435, and RA 7160 shall apply and Executive Order  
1398 111 s 1999 that provided for the National Ecotourism Strategy shall likewise  
1399 apply to all tourist zones and tourist development areas.

1400

1401 Designated areas for tourism development shall become part of the CLUPs and  
1402 Zoning Ordinances of the cities or municipalities where these are located.

1403

1404

1405 **Section 47. Identification and Preservation of Cultural Heritage.** In  
1406 accordance with Republic Act No. 10066 or the National Cultural Heritage Act  
1407 of 2009, the National Historical Commission of the Philippines (NHCP), the  
1408 National Museum (NM), and the National Commission for Culture and the Arts  
1409 (NCCA) in coordination with other concerned agencies, local communities, and  
1410 the private sector shall identify and declare areas and structures which shall  
1411 be protected and preserved as part of Philippine cultural heritage.

1412 The NHCP and the NM in consultation with the NCAA, and the HLURB shall  
1413 designate heritage zones to protect the historical and cultural integrity of a  
1414 geographical area that is significant to national history.

1415

1416 The LGUs in consultation with the NHCP, the NM and the NCCA shall  
1417 designate heritage zones to protect the historical and cultural integrity of  
1418 geographical areas and cultural spaces of intangible cultural properties which  
1419 are significant to a city or municipality and the community.

1420

1421 **Article Twelve. Infrastructure Development**

1422

1423 **Section 48. Allocation and Use of Land for Infrastructure Development.**  
1424 Land, whether public or private shall be allocated and utilized for priority  
1425 infrastructure projects that are supportive of national or local development  
1426 objectives. The National Economic and Development Agency (NEDA), in  
1427 consultation with the concerned national government agencies, LGUs and the  
1428 private sector shall identify and periodically review, update and/or revise the  
1429 list of priority infrastructure projects under an over-all national strategic  
1430 infrastructure development plan subject to the provisions of this RA 8435 and  
1431 RA 8371. *Provided*, That such national strategic infrastructure development  
1432 plan shall be consistent and integrated in the objectives and directions of the  
1433 NPFP.

1434

1435 In determining and evaluating the list of priority infrastructure projects,  
1436 consideration shall be given to those that:

- 1437
- 1438 1. Respond to immediate and vital requirements of the national and  
1439 regional economy with priority to improving production-market  
1440 integration, inter-modal transport, conveyance and logistics linkages,  
1441 rural infrastructure and the development of the agriculture and fisheries  
1442 sectors.
  - 1443 2. Upgrade existing facilities to international public safety standards;
  - 1444 3. Address the need for sustainable settlement development; and
  - 1445 4. Mitigate the destructive effects of natural disaster-causing phenomena or  
1446 those that shall serve as alternatives to existing infrastructure found in  
1447 natural hazard-prone areas.

1448 *Provided*, That the provision and implementation of infrastructure support  
1449 shall be made compatible with existing environmental conditions and the  
1450 physical whether natural or human-made and cultural character of the area.  
1451 Mandatory public consultations pursuant to existing laws and regulations shall  
1452 be held prior to the conduct of all infrastructure projects that will necessarily  
1453 involve dislocation or displacement of people in the area.

1454

1455 *Provided, further*, That the proponent of the infrastructure project shall the  
1456 rules on just and humane eviction or demolition under Section 28 of the RA  
1457 7279 as a last resort notwithstanding the provisions of RA 8975, prohibiting  
1458 lower courts from issuing temporary restraining orders, preliminary  
1459 injunctions, or preliminary mandatory injunctions and that the proponent  
1460 shall follow provisions of RA 8371, particularly those pertaining to the rights of  
1461 IPs/ICCs in case of displacement.

1462

1463 *Provided, finally*, That national government infrastructure projects shall  
1464 provide budgetary allocations for the adequate relocation of displaced  
1465 communities.

1467 **Section 49. Infrastructure Projects Within Geo-hazard Areas.**  
1468 Construction of priority infrastructure projects within hazard-prone areas shall  
1469 be allowed. *Provided*, That mitigating and/or preventive measures are adopted  
1470 and implemented to address the potential adverse economic, socio-cultural and  
1471 environmental impacts that will emanate from these infrastructure projects,  
1472 subject to the findings and recommendations of a feasibility study/EIA in  
1473 accordance with Presidential Decree No. 1586 (EIS System) and Republic Act  
1474 No. 4846 or the Cultural Properties Preservation and Protection Act.  
1475

1476 Existing projects that were undertaken without the required environmental  
1477 impact assessment and which pose a threat to the environment, or to the  
1478 integrity of historic, archeological or scientifically significant areas or impinge  
1479 on critical ecosystems may be terminated immediately, or gradually phased-out  
1480 and relocated, or maintained within their life span subject, however, to  
1481 mitigating measures; *Provided*, That the rules on mandatory public  
1482 hearings/consultations and just and humane eviction or demolition shall also  
1483 be observed prior to the termination, gradual phase-out, or relocation of  
1484 projects that will necessarily involve dislocations or displacement of the people  
1485 in the area.  
1486

#### **CHAPTER IV: PHYSICAL FRAMEWORK AND LAND USE PLAN**

1489 **Section 50. National Land Use Planning Process.** The physical framework  
1490 and land use planning shall be participatory following a combined bottom-up  
1491 and top-down approach with mandatory public hearings/consultations  
1492 conducted at all levels and shall consider available and updated multi-  
1493 disciplinary scientific information of land uses.  
1494

1495 A set of national policy guidelines and standards for physical planning shall be  
1496 formulated by the National Land Use Policy Council (NLUPC). These shall  
1497 guide the preparation and formulation of the National Physical Framework  
1498 Plan, Regional and Provincial Physical Framework Plans.  
1499

1500 These standards shall give due consideration to conflicting uses and areas  
1501 being used, declared or designated for agrarian reform, protected areas, coastal  
1502 resource management and/or ancestral domains.  
1503

1504 The National Physical Framework Plan (NPFP) shall define the national strategy  
1505 and objectives of the country's urban, rural and regional development. It shall  
1506 guide the rational distribution of population, access to economic opportunities  
1507 and social services, sustainable utilization of resources, and maintenance of  
1508 environmental integrity.  
1509

1510 Furthermore, it shall consider the existing Regional Physical Framework Plans  
1511 (RPFPs) and Provincial Physical Framework Plans (PPFPs).  
1512

1513 The RPFPs , the PPFPs and the CLUPs, which cover the physical development  
1514 of their respective territories shall be consistent with the NPFP. *Provided*, That  
1515 the integration and harmonization of physical framework plans at all levels  
1516 shall be iterative to ensure that the concerns of both top and bottom levels of  
1517 government are considered in the NDFP, RPFPs, PPFPs and CLUPs.  
1518

1519 The physical framework and land use plans prepared at all levels shall be  
1520 consistent with each other, specifically on the linkages of the major land use  
1521 categories to ensure their complementation in the utilization, development and  
1522 management of resources.  
1523

1523 The period of coverage of the national, regional and provincial framework plans  
1524 shall be thirty (30) years with regular review and updating every ten (10) years.  
1525

1526 **Section 51. National Physical Framework Plan.** The NPFP shall guide the  
1527 planning and management of the country's land and other physical resources  
1528 at the national and sub-national levels, and indicate broad spatial directions  
1529 and policy guidelines on protection land use production land use settlement  
1530 development and infrastructure development. The NPFP shall be the basis for  
1531 adopting the land use and physical planning-related guidelines, including  
1532 zoning and other land use control standards that will guide the formulation of  
1533 city/municipal zoning ordinances.  
1534

1535 The NLUPC, in consultation with concerned sectors and communities shall  
1536 update the NPFP after such period that objectives and goals set by the NPFP  
1537 have been substantially achieved it shall also formulate and issue the  
1538 appropriate planning guidelines and stands through which all physical  
1539 planning land use and management of resources shall be reviewed prepared  
1540 formulated and monitored.  
1541

1542 The resulting land use plan/physical framework shall be the basis for the  
1543 identification, formulation and development of national and local development  
1544 plans, programs, projects and activities of government at all levels.  
1545

1546 **Section 52. Regional Physical Framework Plan.** The RPFP shall provide  
1547 broad spatial directions and policy guidelines on protection, land use,  
1548 production land use, settlement development and infrastructure development  
1549 at the regional level and guide the formulation of the PPFPs. The RPFP shall  
1550 consider the existing PPFPs and the CLUPs of LGUs within the territorial  
1551 jurisdiction of the region.  
1552

1553 The Regional Land Use Policy Council (RLUPC) created under Section 59 of this  
1554 Act shall formulate and periodically update the RPFP based on the guidelines  
1555 issued by the NLUPC, in a manner consistent with and following the objective  
1556 of the NPFP. Likewise, the Medium-Term Regional Development Plan (MTRDP0  
1557 and the Medium-Term Regional Development Investment Program (MTRDIP)  
1558 shall be guided by and made consistent with the objectives identified in the  
1559 RPFP.  
1560

1561 **Section 53. Provincial Physical Framework Plan.** The PPFP shall determine  
1562 the physical development of the entire provincial territory, consolidate and  
1563 harmonize the comprehensive land use plans of component cities and  
1564 municipalities, consistent with the RPFP. It shall reflect the indicative land use  
1565 management and physical development direction of the province.  
1566

1567 Further, the PPFP shall serve as basis for other sectoral and development plans  
1568 related to land, natural resources, and infrastructure facilities, including the  
1569 development plan of the province, the reconciliation and rationalization of land  
1570 use, proposals among component cities and municipalities and with the higher  
1571 level framework plan, guiding development agencies and private developers,  
1572 particularly those that undertake large-scale projects, and providing a basis for  
1573 resolving conflicts arising from the implementation of land use plans and  
1574 development projects involving two or more municipalities.  
1575

1576 The PPFP shall serve as the basis for the preparation of the Provincial  
1577 Development Plan (PDP) and Provincial Development Investment Program  
1578 (PDIP). The PPFP, PDP, PDIP and/or Provincial Physical Framework and  
Development Plan (PPFD) shall serve as the basis for the formulation of  
1579

1579 sectoral action plans of national government agencies in the province and all  
1580 LGUs within its jurisdiction. The province may opt to prepare their PDP  
1581 alongside the preparation of PPFP and consolidate them into a PPFDP.  
1582 *Provided*, That PPFDP shall remain consistent with the PPFP. *Provided* further,  
1583 That any review or changes in the PPFP shall coincide with the over-all review  
1584 process of the NPFP.

1585  
1586 The Provincial Land Use Planning and Management Board (PLUPMB), created  
1587 under this Act shall ensure that the PPFP is consistent with the national and  
1588 regional planning framework and guidelines issued by the NLUPC/RLUPC. The  
1589 PPFP shall be presented to the Provincial Development Council (PDC) for  
1590 endorsement to the *Sangguniang Panlalawigan* which shall formally adopt and  
1591 approve the PPFP. The approved PPFP shall be submitted to the RLUPC for  
1592 consolidation and integration into the RPFP.

1593  
1594 Under the general supervision of the PLUPMB, the Provincial Planning and  
1595 Development Coordinator/Office (PPDC/PPDO) shall provide technical,  
1596 secretariat and administrative support in the preparation, consultation,  
1597 integration and formulation process of the PPFP.

1598  
1599 **Section 54. City and Municipal Land Use Plans (CLUPs).** All barangays  
1600 shall provide their sectoral, temporal and spatial data for the CLUP which shall  
1601 serve as the foundation for the formulation of the city/municipal CLUPs. The  
1602 data shall be provided by the *Sangguniang Pambarangay* through stakeholder  
1603 consultations. The Comprehensive Land Use Plan (CLUP) shall determine the  
1604 specific uses of land and other physical and natural resources both private and  
1605 public, within their territorial jurisdiction including areas co-managed with the  
1606 national government and as appropriate, management plans for ancestral  
1607 domains, crucial watersheds, river basins and protected areas.

1608  
1609 The CLUP shall delineate actual boundaries on the ground within the territorial  
1610 jurisdiction, embody the desired land use patterns of the barangay, city or  
1611 municipality, translate and integrate sectoral plans, and provide appropriate  
1612 policies for each of the four land use planning categories. The spatial  
1613 directions prescribed in the CLUP shall serve as the basis for the preparation  
1614 and formulation of the Comprehensive Development Plan (CDP) and Local  
1615 Development Investment Programs (LDIP) of the LGUs.

1616  
1617 Consistent with the national standards and guidelines prescribed in Section 50  
1618 in the cities and municipalities shall, in consultation with the concerned  
1619 sectors, prepare their respective CLUPs. The City/Municipal Land Use  
1620 Planning and Management Board (C/MLUPB), creating under the Act shall be  
1621 responsible for the preparation and formulation of the CLUOP and ensure the  
1622 consistency with national and regional/physical planning guidelines and  
1623 standards. Under the general supervision of the respective C/MLUPB, the  
1624 City/Municipal Planning and Development Coordinator/Office (C/MPDC/PDO)  
1625 shall provide technical, secretariat and administrative support in the  
1626 preparation, consultation, integration and formulation process of the respective  
1627 CLUPs of each city or municipality.

1628  
1629 The CLUPs shall be submitted by the city/municipal local development  
1630 councils (LDC) for adoption and approval of the *Sangguniang Bayan* (SB). The  
1631 approved CLUPs shall be submitted to the province for integration into the  
1632 PPFP.

1635  
1636 **Section 55. Creation of the National Land Use Policy Council (NLUPC).**

1637 The National Land Use Committee (NLUC) under the NEDA Board (NB) is  
1638 hereby abolished and in its stead, the NLUPC shall be created. It shall exercise  
1639 the powers and responsibilities identified under this Act and assume the  
1640 functions of the NEDA, Board-National Land Use Committee (NB-NLUC). It  
1641 shall further exercise the powers and functions pertaining to land use planning  
1642 vested by law on the HLURB, except the following which shall remain as official  
1643 functions of the HLURB:

- 1644
- 1645 a. Formulate land use planning guidelines in the preparation of the CLUPs  
1646 and zoning ordinances of local government unit to ensure compliance  
1647 with the national policies, objectives, priorities and directions set by the  
1648 NLUPC;
  - 1649 b. Provide technical and other forms of planning, assistance to, including  
1650 capacity-building for, local government units and zoning boards; and
  - 1651 c. Act as the appellate body on decisions of local zoning bodies on  
1652 locational clearance applications and/or oppositions thereto and other  
1653 zoning issues involving private rights.

1654  
1655 The NLUPC shall act as the highest policy making body on land use and shall  
1656 resolve land us policy conflicts between or among agencies, branches, or levels  
1657 of the government. It shall integrate efforts, monitor developments relating to  
1658 land use and the evolution of policies.

1659  
1660 **Section 56. Composition of the NLUPC.** The NLUPC shall be headed by the  
1661 Secretary of the NEDA, as Chairperson. It shall choose a Vice-Chairperson  
1662 from among the members of the Council, who shall assume the functions of the  
1663 Chairperson in case of absence. The NLUPC shall meet at least once every  
1664 quarter.

1665  
1666 The numbers of the Council shall be the following:

- 1667
- 1668 a. The Secretary of the Department of Agrarian Reform (DAR);
  - 1669 b. The Secretary of the Department of Agriculture (DA);
  - 1670 c. The Secretary of the Department of Environment and Natural Resources  
1671 (DENR);
  - 1672 d. The Secretary of the Department of Interior and Local Government  
1673 (DILG);
  - 1674 e. The Chairperson of the National Commission on Indigenous Peoples  
1675 (NCIP);
  - 1676 f. The Chairperson of the Housing and Urban Development Coordinating  
1677 Council (HUDCC);
  - 1678 g. The Chief Executive Officer of the Housing and Land Use Regulatory  
1679 Board (HLURB);
  - 1680 h. The Administrator of National Mapping and Resource Information  
1681 Authority (NAMRIA);
  - 1682 i. The President of the League of Cities of the Philippines (LCP);
  - 1683 j. The President of the League of Municipalities of the Philippines (LMP);
  - 1684 k. Two (2) representatives each from four (4) basic sectors directly involved  
1685 in land use namely: urban poor, peasants, fisherfolk and indigenous  
1686 peoples who shall be appointed by the respective National Anti-Poverty  
1687 Commission (NAPC) sectoral councils. Of the eight (8) sectoral  
1688 representatives, at least four (4) shall be women, provided that one whom  
1689 shall from the Moro sector.

- 1690 1. Four (4) representatives from the developers' associations, the accredited  
1691 associations of professionals dealing with land use such as, but not  
1692 limited to, urban and regional planners, environmental planners,  
1693 architects, geologists and geodetic engineers, the business or private  
1694 sectors; and  
1695 m. The Head of the NLUPC Secretariat who shall be a non-voting *ex-officio*  
1696 member.

1697  
1698 The members of the Council who are Cabinet Secretaries may designate their  
1699 duly authorized and permanent representatives whose ranks shall in no case  
1700 be lower than Undersecretary.

1701 **Section 57. Powers and Functions of the NLUPC.** The NLUPC shall have  
1702 the following powers and functions:

- 1703 a. Guide the determination and identification of the country's strategic land  
1704 use development and physical planning objectives priorities and  
1705 direction, as well as recommend the adoption, passage, or amendment of  
1706 laws to ensure that plans, programs, projects, and activities, including  
1707 local government initiatives affecting land use are consistent with  
1708 national development objectives;  
1709 b. Formulate the necessary national policy guidelines in the preparation of  
1710 the country's physical framework plans, including the settling of  
1711 limits/target key land uses needed for protection, production,  
1712 settlements and infrastructure for present and future needs;  
1713 c. Ensure that policies, guidelines and standards on land use and physical  
1714 planning including zoning, shall be followed by the RLUPC, local land  
1715 use boards and concerned national agencies, and that the RPFP, PPFP  
1716 and CLUPs shall be consistent with the NPFP;  
1717 d. Ensure the consistency of other national development and sectoral plans  
1718 and programs, including the medium-term Philippine Development Plan  
1719 (PDP) and Public Investment Program (PIP) with the NPFP;  
1720 e. Integrate and harmonize all laws and polices relevant to land use in  
1721 order to come up with a rational, cohesive, and comprehensive national  
1722 land use framework, and if warranted, recommend to Congress the  
1723 adoption, passage or amendment of laws to ensure that sectoral plans,  
1724 projects and activities, including local government initiatives affecting  
1725 land use are consistent with national development objectives;  
1726 f. Resolve policy conflicts on land uses between or among agencies,  
1727 branches or levels of government and unresolved land use policy  
1728 conflicts at the regional level;  
1729 g. Issue locational clearances for projects of national significance;  
1730 h. Call on any department, bureau, office, agency, or instrumentality of the  
1731 government and or private entities and organization for cooperation,  
1732 support and assistance in the performance of its functions;  
1733 i. Review the NPFP every ten (10) years;  
1734 j. Advise the President of the Philippines and the NEDA board on all  
1735 matters concerning land use and physical planning;  
1736 k. Adopt rules of procedures for the orderly and expeditious conduct of  
1737 meetings and other business of the council; and  
1738 l. Perform such other acts and functions and exercise such other power as  
1739 may be necessarily implied, inherent, incident, or related to the  
1740 foregoing.

1741 **Section 58. NLUPC Secretariat.** The existing unit of the NEDA in charge of  
1742 Land Use and Physical Planning Division shall act as the NLUPC Secretariat  
1743 which shall perform functions such as, but not limited to, managing  
1744 information, gathering of data, coordinate the monitoring of government

agencies and local government units, ensuring multi-stakeholder participation toward formation of local and use policy boards, sharing of data base and mapping systems, and reinforcing relevant assessment tools and capability building programs.

## **CHAPTER VI. REGIONAL AND LOCAL LAND USE POLICY BODIES**

**Section 59. Regional Land Use Policy Council (RLUPC).** At the regional level, the Regional Land Use Committee (RLUC) is hereby abolished and in its stead, the RLUPC shall be created. The RLUPC shall be institutionalized replicating the NLUPC structure and composition. It shall be chaired by the NEDA Regional Director and shall exercise the following functions:

- a. Formulate regional polices and guidelines which are consistent with the national planning guidelines issued by the NLUPC in the preparation and formulation of the respective provincial physical planning and comprehensive land use plans of LGUs within its jurisdiction;
- b. Prepare and periodically update the RPFP, taking consideration national policies and lower level plans;
- c. Review, prior to adoption by respective *Sangguinans*, the PPFPs and CLUPs of highly urbanized and independent component cities to ensure consistency with the RPFP and national polices set forth by NLUPC;
- d. Decide and resolve policy conflicts on land planning, classification, and allocation that may arise between or among regional line agencies, provinces and cities/municipalities;
- e. Monitor changes in land use and other physical resources in the region;
- f. Coordinate and monitor the land use activities of regional line agencies and LGUs;
- g. Evaluate consistency of major programs and projects of regional agencies and entities with the RPFP and their impact on land use and the environment; and
- h. Perform other related functions as may be directed by the NLUPC.

In forest land use management, where the watershed area/continuum covers several municipalities across different provinces an inter-LGU task force composed of representatives from RLUPC and the concerned MLGUs where the watershed area is located shall be formed. With the assistance of the DENR and upon mandatory consultations with the concerned sectors, the inter-LGU task force shall formulate the Watershed Management Plan for the said watershed area.

**Section 60. Provincial Land Use Planning and Management Board (PLUBPMB).** The Provincial Land Use Committee (PLUC) is hereby abolished. The Provincial Land Use Planning and Management Board or (PLUPMB) is created in all provinces under this Act to oversee the preparation, integration, adoption and approval of the Provincial Physical Framework Plan (PPFP) and shall ensure its consistency with approved national and regional planning guidelines. The PLUPMB shall also be directly responsible for the effective management and implementation of the approved PPFP and ensure that any existing and future development initiatives, programs and projects introduced within its jurisdiction are consistent with and supportive of the land use, resource management and physical planning objectives, directions and character identified in the approved PPFP.

1800      **Section 61. Powers and Responsibilities of the Provincial Land Use**  
1801      **Planning and Management Board.** The following are the powers and  
1802      responsibilities of the PLUPMB.

- 1804      a. Formulate necessary provincial planning guidelines and/or  
1805      implementing policies for the preparation and formulation of the  
1806      respective CLUPs within its jurisdiction consistent with approved  
1807      national and regional planning policies and guidelines.
- 1808      b. Submit to the PDC the draft CLUP for its transmission to the  
1809      *Sanggunian Panlalawigan* and for the PDC to use it as reference for  
1810      consistency and complementation with other development plans;
- 1811      c. Review, monitor and assess the implementation and operationalization  
1812      of the approved CLUP and its consistency with physical planning and  
1813      land use management objectives and goals identified in the CLUP;
- 1814      d. After an appropriate period of time or upon instruction and advice by the  
1815      NLUPC conduct and initiate a progress review of the PPFP and the  
1816      achievement of its stated objectives and goals and update the PPFP;
- 1817      e. Decide and resolve policy conflicts on land use planning, classification,  
1818      and allocation that may arise between or among cities/municipalities  
1819      and facilitate the resolution of any unresolved land use conflict,  
1820      including political boundary conflicts at the city/municipality level;
- 1821      f. Advice the *Sangguniang Panlawigan* on all matters pertaining to land  
1822      use and physical planning;
- 1823      g. Promote cooperation and sharing of resources between and among  
1824      component LGUs or the province or with neighboring LGUs to address  
1825      common land use and development issues including those related to  
1826      geo-physical hazards, watershed and river basin management, coastal  
1827      and marine waters, climate change impact and disaster risks; and
- 1828      h. Assist the *Sangguniang Panlawigan* in reviewing the submitted CLUPs  
1829      of component cities/municipalities to ensure consistency with the  
1830      Provincial Physical Framework Plan.

1831  
1832      In cases where the watershed areas transcend the boundaries of a  
1833      particular municipality, an inter-LGU task force composed of  
1834      representatives from PLUPMB of the MLGUs where the watershed area is  
1835      located shall be formed.

1836      **Section 62. Composition of the PLUPMB.** The PLUPMB shall be  
1837      composed of the following fifteen (15) members to be selected based on the  
1838      rules to be formulated by the NLUPC as provided in this Act:

- 1841      a. The Provincial Planning and Development Coordinator (PPDC);
- 1842      b. The Chairperson of *Sanggunian Panlalawigan* Committee on  
1843      Environment and Natural Resources;
- 1844      c. The Provincial Chapter President-League of Municipalities and /or  
1845      League of Cities;
- 1846      d. The Provincial Agrarian Reform Officer (PARO);
- 1847      e. The Provincial Environment and Natural Resources Officer (PENRO);
- 1848      f. The Provincial Agricultural Officer (PAO);
- 1849      g. The NCIP Provincial Officer;
- 1850      h. The HLURB Regional Officer;
- 1851      i. Three (3) representatives from the local business or private sector, the  
1852      developers association and accredited of professionals dealing with land  
1853      use such as but not limited to, urban and regional planners,  
1854      environmental planners, architects, geologists, geodetic engineers, and

chamber of commerce, who shall be appointed from among the accredited organizations within their respective development councils;

- j. Four (4) representatives from the basic sector groups (urban poor, fisherfolk, farmers, indigenous peoples). *Provided*, That at least two representatives shall be appointed from among the accredited organizations within their respective development councils; *Provided, finally*, That in predominantly Muslim areas, one of whom shall be from the Moro sector; and
  - k. The Designated Board Chairperson to be chosen among the members. Except for *ex-officio* members, the members of the PLUPMB shall be appointed for a term of three (3) years subject, however, to the elected office held government employment and/or other official designation of the local government unit, national agency and/ or local business/private sector association or basic sector group representation in the board. The NLUPC, within ninety (90) days from its establishment, shall formulate the rules for the selection of the Chairperson and the members in the PLUPMB. The Provincial Planning and Development Coordinator/Office (PPDC/O) shall provide technical secretariat and administrative support and resources for the effective operation of the PLUPMB.

Aside from the PPDO, the PLUPMB may call upon other local and national government offices and agencies such as the local Engineer, Assessor and local field representatives of the DA, DPWH, DOTC, DOT, DENR, DAR, DEPED, NCIP and other concerned national agencies to assist the PLUPMB in the performance of its roles and mandates.

The appropriations for the regular operation and activities of the PLUPMB shall be included in the annual budget proposal of the PPDO. *Provided*, That other funds and resources, including grants, applicable service fees and charges collected, contributions, donations and other funds to support its operations and activities may be accepted and received by the PLUPMB subject to existing auditing and reporting procedures.

## **Section 63. City/Municipal Land Use Planning and Management Board**

**(C/MLUPMB).** A City/Municipal Land Use Planning and Management Board or (C/MLUPMB) is hereby created under this Act in all municipalities and cities, including highly urbanized and component cities to oversee the preparation, integration, adoption and approval of their respective Comprehensive Land Use Plans (CLUPs). It shall issue a Certificate of Compliance prior to the submission of the CLUPO to the Sanggunian to ensure the consistency of such plans with approved national, regional and provincial planning guidelines. The C/MCLUPMB shall also be directly responsible for the effective management and implementation of the approved CLUP and for ensuring that existing and future local policies, including zoning ordinances, development initiatives, programs and projects introduced within its jurisdiction are consistent with and supportive of land use and projects introduced within its jurisdiction are consistent with and supportive of the land use resource management and physical planning objective, directions and character identified by the approved CLUP.

**Section 64. Powers and Responsibilities of the City/Municipal Land Use Planning and Management Board.** The C/MLUPMB shall exercise the following powers and functions:

- a. Ensure the inclusion of the input of the barangays within the jurisdiction of the respective City/Municipality on sectoral, temporal and spatial dimensions of the plan and its consistency with approved national, regional and provincial planning guidelines;
- b. Review, monitor and assess the implementation and operationalization of the approved CLUP and its consistency with physical planning and land use management objectives and goals identified in the CLUP;
- c. Issue a Certificate of Compliance to the *Sanggunian* as proof that the CLUP is compliant with national land use policies, guidelines and standards;
- d. Submit to the LDC the draft CLUP for its transmission to the Sanggunian for the LDC to use it as basis for consistency and complementation with other development plans;
- e. Decide and resolve policy conflicts on land use planning, classification, and allocation that may arise between or among barangays and facilitate the resolution of any unresolved land use conflict, including boundary conflicts involving barangays;
- f. Based on the CLUP review and endorse for approval/disapproval application for locational clearances building and zoning permits and/or other planning-related requirement for any project both private and public, that is submitted to the LGU for issuance;
- g. Advise the Sangguniang Bayan on all matter pertaining to land use and physical planning; and
- h. Promote cooperation and sharing of resources between and among its barangays and neighboring LGUs to address common land use and development issues including those related to geo-physical hazards, watershed and river basins, coastal and marine waters, climate change impact and disaster risks.

**Section 65. Composition of the C/MLUPMB.** The C/MLUMPPB shall be composed of the following thirteen (13) members and shall be headed by a Chairperson:

- a. The City/Municipal Planning and Development Coordinator (C/MPDC);
- b. The Chairperson, Sanggunian Bayan Committee on Environment and Natural Resources;
- c. The President of the Association of Barangay Captains (ABC);
- d. The Municipal Agrarian Reform Officer (MARO);
- e. The LGU Environment and Natural Resources Officer (City/Municipal ENRO);
- f. The Municipal Agriculture Office (MAO);
- g. Three (3) representatives from the local business/private sector the developers, associations and the accredited associations of professional dealing with land use such as, but not limited to, urban and regional planners, environmental planners, architects, geologists and geodetic engineers, and association/chamber of commerce who shall be appointed from among the accredited organization within their respective development councils;
- h. Four (4) representatives from the basic sector groups (urban poor, fisherfolk, farmers and indigenous peoples). Provided, That at least two representatives shall be women; *Provided, further,* that the representatives shall be appointed from among the accredited organizations within their respective development councils; *Provided,*

*finally, that in predominantly Muslim areas, one of whom shall be from the Moro sector; and*

- i. The Designated Board Chairperson to be chosen among the members.

Except for *ex-officio* members, the members of the C/MLUPMB shall be appointed to a term of three (3) years subject however to the elected office held government employment and/or official designation in the local government unit, national agency and/or local business/private sector association or basic sector group representation in the board. The NLUPC, within ninety (90) days from its establishment, shall formulate the rules for the selection of the Chairperson and members of the C/MLUPMB. The City/Municipal Planning and Development Coordinator/Office (C/MPDC/O) shall provide technical secretariat and administrative support and resources for the effective operation of the C/MLUMPPB.

Aside from the C/MPDO/C, the C/MLUPMB may call upon other local and national government offices and agencies such as the local Engineer, Assessor, and local field representatives of the DA, DPWH, DOTC, DOT, DENR, DAR, DEPED and other concerned national agencies to assist the C/MLUPMB in the performance of its roles and mandates.

The annual appropriations for the operation and activities of the C/MLUPMB shall be included in the annual budget proposal of the City/Municipal Planning and Development Office/Coordinator. *Provided*, That other funds and resources including grants, applicable service fees and charges collected, contributions, donations, and other funds to support its operations and activities may be accepted and received by the PLUPMB subject to existing auditing and reporting procedures.

Local government units shall create and /or activate their respective C/MLUPMB upon guidelines issued by the NLUPC for such purposes not later than six (6) months from the effectivity of this Act.

## **CHAPTER VII. ADOPTION, APPROVAL AND REVIEW OF LOCAL LAND USE AND PHYSICAL FRAMEWORK PLANS**

**Section 66. Approval and Review of PPFP and CLUPs.** The PPFP and CLUPs of the respective city/municipal LGUs, including highly urbanized cities and independent component cities shall be submitted by the local land use boards to the LDCs for transmission to the local Sanggunian for approval.

**Section 67. Approval of RPFP and NPFP.** The RPFP and NPFP shall be submitted for review and approval of the RLUPC and NLUPC respectively, upon the conduct of appropriate stakeholder and agency consultations. Provided, That such processes and guidelines shall be prepared and issued by the NLUPC within six (6) months from effectivity of this Act.

## **CHAPTER VIII. MAPPING AND DATA MANAGEMENT FOR LAND USE PLANNING**

**Section 68. National Mapping and Spatial Data Infrastructure Program (NMSDIP).** A national mapping program shall be implemented, coordinated and monitored by the Inter-Agency Technical Committee (ITC) which is hereby created. It shall be composed of the National Mapping and Resource

2021 Information Authority (NAMRIA) as the lead agency the Bureau of Soils and  
2022 Water Management (BSWM), the Forest Management Bureau (FMB), the Land  
2023 Management Bureau (LMB), the Land Registration Authority (LRA), the  
2024 Protected Areas and Wildlife Bureau (PAWB), the Mines and Geoscience Bureau  
2025 (MGB), the Philippine Institute of Volcanology and Seismology (PHIVOLCS), the  
2026 Department of Agrarian Reform (DAR), Department of Agriculture (DA),  
2027 National Commission on Indigenous People (NCIP), the National Water  
2028 Resources Board (NWRB), the Department of Energy (DOE), the National  
2029 Disaster Risk Reduction and Management Council (NDRRMC), the National  
2030 Economic Development Authority (NEDA), and other concerned government  
2031 agencies. The ITC shall be constituted and the mapping and spatial data  
2032 infrastructure program shall be initiated within thirty (30) days from the  
2033 effectivity of this Act. The program shall be responsible for the production of  
2034 base and decision maps and associated spatial databases for all planning levels  
2035 based on the guidelines of NLUPC.

2036

2037 Under the program all government stakeholders concerned in the production of  
2038 maps of various themes shall collaboratively formulate the government's spatial  
2039 data infrastructure master plan and respective government  
2040 agency/stakeholders' spatial data infrastructure plans which shall be the basis  
2041 for subsequent funding and eventual project implementation and /or  
2042 operation.

2043

2044 All pertinent and updated thematic maps/data from supporting agencies of the  
2045 program shall be submitted to NAMRIA for compilation and integration into a  
2046 national geospatial database established under the program.

2047

2048 The NAMRIA shall finish its base mapping program within two (2) years upon  
2049 the effectivity of this Act and provide updates thereof to support the  
2050 implementation of the spatial data infrastructure program.

2051

2052 The spatial and non-spatial data generated by these activities shall be  
2053 transmitted to the LGU as soon as practicable. Existing land information data  
2054 available to the national government agencies as of the effectivity of this Act  
2055 shall be immediately transmitted to the LGUs.

2056

2057 For purposes of uniformity and standardization, the LGUs assisted by the  
2058 appropriate agencies of the national government, shall likewise prepare their  
2059 respective maps using scales, symbols, and other indicators to be prescribed in  
2060 accordance with this act. The completed maps shall be integrated in the  
2061 National Physical Framework Plan pursuant to Section 51 of this act.

2062

2063 For purposes of uniformity and standardization, the LGUs assisted by the  
2064 appropriate agencies of the national government shall likewise prepare their  
2065 respective maps using scales, symbols and other indicators to be prescribed in  
2066 accordance with this Act. The completed maps shall be integrated in the  
2067 National Physical Framework Plan pursuant to Section 51 of this Act.

2068

2069 **Section 69. Maps for Planning.** Within one (1) year after the NLUPC's  
2070 approval of the Guidelines and Standard for planning at all levels, available  
2071 NAMRI maps and all maps made available to NAMRIA by supporting agencies  
2072 shall be submitted to the NLUPC for national, provincial, cities and  
2073 municipalities planning. The NLUPC shall forward these maps to the  
2074 respective PLUPMBs and C/MLUMPBs after it has reviewed and approved  
2075 them. Pertinent maps to be produced through the NMSDIP shall include  
2076 among others:

- a. Topographic Maps;
- b. Geologic Maps;
- c. Hydrologic Maps;
- d. Climate Maps;
- e. Soils Maps;
- f. Slope Maps;
- g. Mineral Resource Maps;
- h. Existing Land Use Maps;
- i. Land Suitability Maps for:
  - 1. Settlements;
  - 2. Agriculture;
  - 3. Industrial areas;
  - 4. Others
- j. Agricultural Maps
  - 1. Network of Protected Areas for Agricultural and Agro-Industrial Development;
  - 2. Commodity Specific Development Guide Maps;
  - 3. Land Limitation Maps;
  - 4. Cropping System Zones Maps;
  - 5. Hydro-ecological Conditions Map;
  - 6. Irrigation Systems Maps.
- k. Land Classification Maps;
- l. Municipal Waters Delineation Maps and MPAs;
- m. Geo-Hazard Maps:
  - 1. Flood Prone Areas;
  - 2. Hazard Zonation Maps for Volcanoes;
  - 3. Map of Fault Systems;
  - 4. *Tsunami* Prone Areas;
  - 5. Erosion Prone Areas.
- n. Tourism Maps;
- o. Transportation Maps;
- p. Traffic Flow;
- q. Maps Designating Areas Served by:
  - 1. Power;
  - 2. Telecommunications;
  - 3. Water.
- r. Maps indicating the following facilities:
  - 1. Health;
  - 2. Education;
  - 3. Power.
- s. Domestic Water Supply;
- t. Industrial Areas;
- u. Population Distribution Map;
- v. Ancestral Domain Map;
- w. NIPAS Areas;
- x. Areas Suitable for Urban Expansion;
- y. Watershed Areas;
- z. Forest Lands:
  - 1. Protection Areas;

- 2133           2. Production Areas;  
2134           3. Restoration Areas:  
2135              a. Key Biodiversity Areas  
2136              b. Marine Protected Areas

2137

2138 **Section 70. Ground Delineation of the Country's Permanent Forest Line.**

2139 Pursuant to the Constitution and as provided under this Act the final  
2140 determination and ground delineation of the country's permanent forest line  
2141 shall be completed within one (1) year from the effectivity of this Act. *Provided*,  
2142 That appropriation for the fulfillment of this provision shall be included in the  
2143 annual appropriations of the DENR. *Provided, Further*, That the complete  
2144 report of the delineation of the country's permanent forest line shall be  
2145 submitted to the NLUPC for appropriate integration in the country's strategic  
2146 land use development plan and policies.

2147 **Section 71. Completion and Updating of Existing Cadastral Surveys.** The  
2148 completion of incomplete cadastral surveys of the LGUs and the updating of  
2149 existing surveys of LGUs and the updating of existing surveys shall be given  
2150 priority consideration and allocation of resources in the implementation of this  
2151 Act. The DENR shall include in its annual appropriations the completion and  
2152 updating of all incomplete and existing cadastral surveys of all LGUs in the  
2153 country. *Provided*, That such surveys and maps shall be integrated into the  
2154 national spatial database information and mapping system.

2155 In cases of ancestral domains, self-delineation by ICCs/IPs of their ancestral  
2156 lands shall be employed to determine boundaries as provided for under RA  
2157 8371.

2159 **Section 72. Ground Delineation of Land Use.** For effective planning to take  
2160 place at the local level and for easy enforcement of the Zoning Ordinance of  
2161 each city/municipality, land uses must be identifiable both on the map and on  
2162 the ground. A Joint Committee comprised of the LGU as represented by its  
2163 M/CLUPMB and of the national government agency concerned, to be assisted  
2164 by the C/MPDC, shall identify and delineate on the ground the land uses  
2165 within their jurisdiction. The following shall be given priority:

- 2167
- 2168       a. Forest Lands
- 2169
- 2170           1. Protection
- 2171           2. Production
- 2172
- 2173       b. Ancestral Domains
- 2174       c. NIPAS Areas
- 2175
- 2176           1. Strict Protection Zone
- 2177           2. Multiple Use Zone
- 2178
- 2179       d. Watershed Areas
- 2180
- 2181           1. Critical
- 2182           2. Multiple Use
- 2183
- 2184       e. Network of Protected Areas for Agricultural and Agro-Industrial  
2185           Development (NPAAAD);
- 2186       f. Socialized Housing Sites and Settlement Expansion Areas;
- 2187       g. Extents of Environmentally-Constrained Areas;
- 2188       h. Easement Areas;

2189           i. Critical coastal areas:

- 2190           1. Mangroves  
2191           2. Sea grass

2192         Critical marine resources should also be delineated both on the map and in the  
2193         waters. Perimeters of critical offshore areas, such as coral reefs, shall be  
2194         marked in accordance with the coastal resource management plans concerned.

2195         All maps shall be updated as new important information and data become  
2196         available or as determined by urgent need. Updating of maps shall be  
2197         undertaken not more often than every ten (10) years.

2198         **Section 73. National Geo-hazard Mapping Program.** Within thirty (30) days  
2199         from the effectivity of this Act, a nationwide geo-hazard mapping program shall  
2200         be initiated jointly through the NLUPC by the PHIVOLCS, the Philippine  
2201         Atmospheric Geophysical and Astronomical Service Administration (PAGASA),  
2202         the NAMRIA, the Mines and Geosciences Bureau (MGB), and the DOE in  
2203         coordination with the NDRRMC, the Regional Disaster Risk Reduction  
2204         Management councils and other concerned government agencies. The program  
2205         shall include the generation of indicative geo-hazard zoning that will outline  
2206         areas in the Philippines which are prone to liquefaction, landslides, flooding,  
2207         lahar, ground rupturing, tsunami, river erosion, coastal erosion, sinkhole  
2208         collapse, earthquake, lava flow, base surge, and other natural hazards.

2209         For purposes of uniformity and standardization and in order to develop a safe-  
2210         built environment, the LGUs shall subsequently incorporate and integrate  
2211         generated geo-hazard zoning maps in their respective CLUPs and ZOs. Said  
2212         geo-hazard maps shall serve as guide for all the LGUs in the preparation of  
2213         their own hazards-constrained development plans. The NPPF shall incorporate  
2214         these geo-hazard maps.

2215         All entities conducting infrastructure activities including real estate and  
2216         subdivision projects and the development of tourist spots requiring an ECC  
2217         shall submit an Engineering Geological and Geo-Hazard Assessment Report  
2218         (EGGAR).

2219         **Section 74. Scope and Nature of Responsibilities of Other National  
2220         Government Agencies.** All concerned national government agencies/bodies  
2221         shall periodically report to the NLUPC on the various activities and  
2222         accomplishments on land use. Likewise, they shall provide their respective  
2223         sectoral/development plans and provide technical and administrative support  
2224         if called upon by the provisions of this Act.

2225         **Section 75. Submission of Annual Report on the Implementation of  
2226         CLUPs and ZOs.** The local land use boards shall submit their annual report  
2227         on the implementation of their land use plans to their respective Sanggunian  
2228         which shall submit the same to the RLUPCs for consolidation. The RLUPC  
2229         shall thereafter transmit the consolidated reports to the NLUPC for monitoring  
2230         and evaluation.

## 2231         CHAPTER IX. TRAINING, EDUCATION AND VALUES FORMATION

2232         **Section 76. Values Formation.** In order to develop a well-informed  
2233         responsible and committed citizenry who value the protection, conservation  
2234         and development of the country's limited land and other physical resources,

2245 the State shall mandate the inclusion of sustainable land use, education or any  
2246 subject related to thereto in the curricula of primary, secondary and tertiary  
2247 education.

2248  
2249 **Section 77. Information/Education Campaign and Capacity Building.** The  
2250 NLUPC shall undertake a nationwide information/education campaign on land  
2251 use and physical planning to be implemented by local and national government  
2252 agencies. The DILG and concerned agencies shall formulate and implement a  
2253 land use management capability building program for national and local  
2254 government officials, community leaders, representatives of NGOs, POs, the  
2255 religious sector and the general public.

2256

2257 **CHAPTER X. INCENTIVES, SANCTIONS AND PENALTIES**

2258 **Article One. Incentives and Awards**

2260  
2261 **Section 78. Formulation of a System of Incentives and Awards.** The  
2262 NLUPC shall come up with a system of incentives and awards to LGUs that  
2263 regularly update their CLUPs/ZOs once every eight (8) years.

2264  
2265 **Section 79. Priority in Giving Technical Assistance to LGUs.** In providing  
2266 technical assistance and other forms of support related to land use  
2267 management and implementation of development plans, national government  
2268 agencies shall give priority to cities and municipalities with approved CLUPs  
2269 and ZOs.

2270 **Article Two. Sanctions and Penalties**

2271  
2272 **Section 80. Fine for Failure to Commence or Complete the Development**  
2273 **of Agricultural Lands with Approved Conversion Order.** For agricultural  
2274 lands with approved conversion orders, line provisions of Republic Act 6657  
2275 (CARL), as amended by Republic Act 9700, shall apply. A landowner and/or  
2276 the designated developer or duly authorized representative who fail to  
2277 commence and/or complete the development plan defined in the conversion  
2278 order shall be jointly and severally penalized. The following fines based on the  
2279 zonal value of the fair market value of the land whichever is higher at the time  
2280 the fine shall be imposed:

- 2281
- 2282 a. Failure to commence within three (3) years from the date of the  
2283 conversion order:  
2284 1. Three percent (3%) for the first three (3) hectares;  
2285 2. Ten percent (10%) for the next three (3) hectares; and  
2286 3. Fifteen percent (15%) for the remaining area.

2287  
2288 In such case, the order of conversion shall be revoked by operation of  
2289 law. The land shall revert to its original use as agricultural land and  
2290 may be covered by the DAR through compulsory acquisition for  
2291 distribution to qualified beneficiaries.

- 2292 b. Failure to complete sixty percent (60%) of the approved conversion  
2293 plan within a specified time frame shall result to the automatic  
2294 revocation by the DAR of the conversion plan on the undeveloped  
2295 portion. The land shall be reverted to its original use as agricultural  
2296 land and may be covered under the CARP for land distribution.

2297  
2298 **Section 81. Persons Abetting Illegal Conversion.** Any person initiating,  
2299 causing, inducing or abetting illegal conversion with intent shall be punished

2300 with imprisonment or a fine in accordance with Act No. 3815 or Republic Act  
2301 3019 or both at the discretion of the court.

2302  
2303 If the offender is a public official or employee, whether elected or appointed, the  
2304 penalty shall also include dismissal from service, forfeiture of all benefits and  
2305 entitlements accruing to the public position and perpetual disqualification to  
2306 run or apply for any elective or appointive public office.

2307  
2308 If the offender is a juridical person, the penalty of imprisonment shall be  
2309 imposed on the president, chief executive officer, manager, chairperson and all  
2310 the members of the board, and other responsible officers thereof. The  
2311 imposable fine shall be equivalent to the zonal value of the land or forty percent  
2312 (40%) of the shareholders' equity, whichever is higher. Furthermore, the land  
2313 shall be forfeited in favor of the State and sold through public auction. The  
2314 proceeds of the sale shall automatically accrue to the Agrarian Reform Fund.

2315  
2316 **Section 82. Penalty for Reclassification of Protected Agricultural Lands**  
2317 and **Exceeding the Limit of Areas Allowed for Reclassification.** Any person  
2318 initiating, causing, inducing or abetting the reclassification to non-agricultural  
2319 uses of protected agricultural areas as defined in Section 13 hereof shall be  
2320 penalized with imprisonment of twelve (12) years or a fine of not less than One  
2321 hundred thousand Pesos (P100,000.00) or both at the discretion of the court.

2322  
2323 If the offender is a public official or employee, whether elected or appointed, the  
2324 penalty shall also include the dismissal from service, forfeiture of entitlements  
2325 accruing to the public position, and perpetual disqualification to run or apply  
2326 for any elective or appointive position.

2327  
2328 If the offender is a juridical person, the penalty shall be imposed on the  
2329 president, chief executive officer, manager, chairperson and all the members of  
2330 the board and other responsible officers thereof.

2331  
2332 The same penalty shall be applicable to persons who will be responsible for  
2333 exceeding the limits set forth under Section 20 of the Local Government code  
2334 pertaining to reclassification of lands.

2335  
2336 **Section 83. Payment of Disturbance Compensation.** Following the order of  
2337 priority stated in Section 22 of R.A. 9700, agricultural lessees and share  
2338 tenants, regular farm workers, seasonal farm workers, other farm workers,  
2339 actual tillers or occupants of public lands, collective or cooperative of the above  
2340 beneficiaries, and others directly working on the land affected by agricultural  
2341 land use conversion shall be entitled to the payment of disturbance  
2342 compensation equivalent to five (5) times the average of the gross harvests on  
2343 the landholding during the preceding five (5) calendar years or a certain  
2344 percentage of the converted land, whichever is higher, as determined by the  
2345 DAR.

2346  
2347 **Section 84. Authority to Impose Fine.** The DAR shall have the authority to  
2348 impose the fines provided under the preceding Section 80, 81, 82 and 83.

2349  
2350 **Section 85. Withdrawal of Local Development Permits and/or Licenses.**  
2351 Upon receipt of notice from the DAR, the concerned agencies, city or  
2352 municipality shall withdraw and/or revoke shall withdraw and/or revoke any  
2353 development permit and/or other licenses that may be necessary to develop the  
2354 agricultural land subject of conversion.

2355

2356     **Section 86. Utilization of Fines.** The fines collected under Section 84 hereof  
2357 shall automatically accrue to the Agrarian Reform Fund consistent with the  
2358 provisions of the Comprehensive Agrarian Reform Law.  
2359

2360     **Section 87. Failure to Formulate, Implement and/or Enforce the CLUPs**  
2361     **and Zoning Ordinances (ZOs).** Consistent with due process the NLUPC in  
2362 coordination with the DILG shall evaluate, review and recommend the filing of  
2363 charges against local chief executives and other local officials and employees  
2364 responsible for the formulation, implementation and/or enforcement of the  
2365 CLUPs for the following acts:  
2366

- 2367       a. Failure of the CLUPs/ZOs to conform to the guidelines provided on  
2368           the NPFP;
- 2369       b. Failure to complete the preparation of the CLUP despite the  
2370           availability of funds, resources, and support by the *Sanggunian*  
2371           concerned;
- 2372       c. Failure to provide appropriate budgetary allocation to effect its  
2373           implementation; and
- 2374       d. Failure to implement and enforce the CLUPO/ZO due to negligence of  
2375           duty.

2376 Any public official or employee, whether elected, appointed or holding  
2377 office/employment in a casual, temporary, holdover, permanent, or regular  
2378 capacity, found to be responsible for any the foregoing acts shall be punished  
2379 with forfeiture of salaries and allowances, and suspension from:  
2380

- 2381       a. Three (3) to six (6) months, in case of non-completion of the CLUP;  
2382           and
- 2383       b. Three (3) to six (6) months, in case of non-conformity with the NPFP;
- 2384       c. Six (6) to nine (9) months, in case of non-implementation of the CLUP.

2385 Failure to comply with the provisions of RA 8371, on the formulation of the  
2386 CLUP shall be penalized according to Section 72 of the RA 8371.  
2387

2388     **Section 88. Illegal Conversion of the City or Municipal Parks, Communal**  
2389     **Forests, and Tree Parks in Subdivisions.** Penalties in the amount of One  
2390 Hundred Thousand Pesos (P100,000.00) to Five Hundred Thousand Pesos  
2391 (P500,000.00), or imprisonment of six (6) years and one (1) day to twelve (12)  
2392 years, or both at the discretion of the court shall be imposed for each of the  
2393 following offenses:  
2394

- 2395       a. Illegally converting or causing the conversion of a city/municipal  
2396 park, communal forest or tree parks within subdivisions established  
2397 pursuant to Presidential Decree No. 953, requiring the planting of  
2398 trees in certain places, into other uses including the construction of  
2399 permanent buildings;
- 2400       b. Destroying or causing damage to the timber lands and other forest  
2401 products found in the abovementioned forest and parks;
- 2402       c. Setting the abovementioned forest and parks on fire, or negligently  
2403 permitting a fire to be set therein; ands
- 2404       d. Assisting, aiding or abetting another person to commit the offenses  
2405 stated in this Section.

2406 The offender shall likewise be imposed a fine equivalent to eight (8) times the  
2407 commercial value of the forest products destroyed without prejudice to  
2408

2467 appropriations of the NEDA Board-National Land Use Committee (NB-NLUC).  
2468 Thereafter, such sums as may be necessary for the continued implementation  
2469 of this act shall be included in the annual General Appropriations Act.  
2470

2471 **Section 96. Congressional Oversight Committee on the Land Use Act.** A  
2472 Congressional Oversight Committee on the Land Use act shall be created. It  
2473 shall be composed of seven (7) members from the Senate and seven (7)  
2474 members from the House of Representatives. The members from the Senate  
2475 shall be appointed by the Senate President based on proportional  
2476 representation of the parties or coalitions therein, with at least two (2) senators  
2477 representing the minority. The Members from the House of Representatives  
2478 shall be appointed by the Speaker of the House of Representatives, also based  
2479 on proportional representation of the parties or coalitions therein with at least  
2480 two (2) Members representing the minority.  
2481

2482 The Oversight Committee shall function for a period of not more than three (3)  
2483 years to oversee the implementation of this Act. The secretariat of the  
2484 Oversight Committee shall be drawn from the existing secretariat personnel of  
2485 the committees comprising the oversight.  
2486

2487 **Section 97. Non-impairment Clause.** Nothing in this Act shall be construed  
2488 as to diminish or impair rights recognized granted, or available to marginalized  
2489 or the basic sectors under existing laws including but not limited to Republic  
2490 Act Nos. 7279 and 6657 as amended by R.A. 7942, 8371,8550, and 9700.  
2491

2492 **Section 98. Repealing Clause.** Section 10 of RA 8435 and Sections 447  
2493 (a2vii) and 458 (a2viii) of RA 7160 and related laws and administrative  
2494 issuances are hereby modified by Section 13 hereof. The pertinent provisions  
2495 of Executive Order No. 648, Executive Order NO. 72, Series of 1993, and  
2496 Executive No. 770, Series of 2008, amending Letter of Instruction (LOI) 1350  
2497 are also modified accordingly. Section 11 of RA 8435 as to the penalty for  
2498 agricultural inactivity and premature conversion is also modified by Section 83  
2499 hereof. Letter of Instruction No. 1350 series of 1983; Presidential Proclamation  
2500 2282, Series of 1983; and all other general and special laws, acts, decrees,  
2501 executive orders, proclamations and administrative regulation, or any part  
2502 thereof which are inconsistent with this Act are hereby repealed or modified  
2503 accordingly.

2504 All republic acts, executive orders, rules and regulations, and other issuances,  
2505 or parts thereof, that are inconsistent with the provisions of this Act are hereby  
2506 repealed or amended accordingly.  
2507

2508 **Section 99. Separability Clause.** If, for any reason, any section or provision  
2509 of this Act is declared unconstitutional or invalid, the other sections or  
2510 provisions not affected thereby shall remain in full force and effect.  
2511

2512 **Section 100. Effectivity.** This Act shall take effect fifteen (15) days after its  
2513 publication in the Official Gazette or in at least two (2) national newspapers of  
2514 general circulation.  
2515

2516 Approved,