

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 791



Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

A series of fires gutted down highly populated areas in Quezon City thereby dislocating a significant number of victim-families whose lives, house, and other properties were razed by fire of often un-validated origin or cause.

Apparently, an emerging scenario show some property owners, without appropriate court order, fence, secure or acquire immediately after the fire the area inhabited by formal settlers thus placing them in much more humiliating conditions of misfortune and uncertainty.

Indeed, when an area or property that used to be the place of residence to many urban poor families will be automatically cordoned off to prevent informal settlers from occupying them again raises serious constitutional issues worthy of review.

In this light, the immediate passage of this bill is earnestly sought since many urban poor families, easily in the millions might be adversely affected if owners of otherwise idle, unproductive lands or property can automatically secure for themselves the absolute use of the same to the detriment of a general population.

Under this bill, no purported owner can isolate the area or property to his exclusive use until the court has disposed of the case and allowed him to do so by way of court order.

The swift passage of this bill is thus earnestly prayed for.

A large, stylized handwritten signature in black ink, which appears to be 'Winnie Castelo'. The signature is written over a large, faint circular outline.

WINNIE CASTELO

Republic of the Philippines
HOUSE OF REPRESENTATIVES

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3791

Introduced by Rep. Winston "Winnie" Castelo

AN ACT
PROHIBITING PERIMETER FENCING, SECURING, AND ACQUIRING AREA OF
PROPERTY OCCUPIED BY INFORMAL SETTLERS AFTER A FIRE UNTIL CASE IS
PENDING IN COURT AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as "Informal Settlers Protection Act of 2016."

SEC. 2. *Declaration of Policy.* – The State recognizes that the maintenance of peace and order, the protection of life, liberty and property, and the promotion of the general welfare are essential to the enjoyment by all the people of the blessings of democracy.

SEC. 3. *Prohibition.* – Any person is prohibited to fence a perimeter over an area or property inhabited by informal settlers after the same is gutted by fire or otherwise secure and acquire it without cause until case is pending in court.

SEC. 4. *Exception.* – However, exceptions may be made if the owner of such area or property or its purported owner can show a duly-signed court order allowing fencing, securing, and acquiring the same.

SEC. 5. *Penalties.* – Any violation of this Act shall be punished accordingly by judgment of competent court.

SEC. 6. *Separability Clause.* – If any provision of this Act is declared unconstitutional, other provisions hereof not affected thereby shall continue to be in full force and effect.

SEC. 7. *Repealing Clause.* – Any law, decree, rule and regulation which may be inconsistent with or contrary to the provisions of this Act is hereby amended or repealed.

SEC. 8. *Effectivity Clause.* – This Act shall take effect upon its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,