



Republic of the Philippines
Department of Environment and Natural Resources
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MEMORANDUM

TO : **The Directors**
Land Management Bureau
Policy and Planning Service
Legal Affairs Service

FROM : **The Assistant Secretary**
Field Operations- Mindanao and Legislative Affairs

SUBJECT : **INVITATION FROM THE COMMITTEE ON AGRARIAN REFORM**

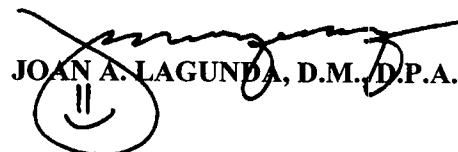
DATE : 20 January 2021

This pertains to the letter dated 19 January 2021, from Representative **SOLOMON R. CHUNGALAO**, Chairperson, Committee on Agrarian Reform, inviting DENR to a virtual Committee meeting on **27 January 2021 (Wednesday) at 1:30 PM via Zoom Video Conferencing with Meeting ID: 893 8659 9126 Password: 365990**, for consideration of the following proposed measures, to wit:

- **House Bill No. 367** – “AN ACT EXPANDING THE SCOPE OF AGRICULTURAL LANDS THAT CAN BE SUBJECT TO LAND REDISTRIBUTION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6657, OTHERWISE KNOWN AS THE COMPREHENSIVE AGRARIAN REFORM LAW OF 1988, AS AMENDED BY REPUBLIC ACT NO. 9700, introduced by Representative Victor A. Yap; and
- **House Bill No. 999** – “AN ACT CREATING THE NATIONAL LAND REFORM AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES, introduced by Representative Michael L. Romero.

Kindly inform this Office of your attendance before the scheduled date of the meeting and submit presentation, comments and/or position paper in hard and soft at the Legislative Liaison Office at telephone number 8920-1761 and e-mail address denrlegislative@yahoo.com, on or before **25 January 2020**, for consolidation

You may contact the Committee Technical Staff through email address horagrarianreform@gmail.com with telephone numbers (02) 89316888 and (02) 8931501 local 7140 or cellphone nos. 09177817127, 09178482065 and 09175863544.


JOAN A. LAGUNDA, D.M., D.P.A.

Encls:
As stated.

/juo003 MEMO NO.2021-51



Republic of the Philippines
HOUSE OF REPRESENTATIVES
COMMITTEE ON AGRARIAN REFORM
3rd Floor Ramon V. Mitra Building
Constitutional Hills, Quezon City

January 19, 2021

SECRETARY RET. GEN. ROY A. CIMATU
Department of Environment and Natural Resources
DENR Bldg., Visayas Avenue
Diliman, Quezon City

Dear **Secretary Cimat**:

The Committee on Agrarian Reform will hold a Virtual Committee Meeting via Zoom Platform on January 27, 2021 (Wednesday) at 1:30 pm for the initial deliberation of the following measures:

1. **House Bill No. 367** – "AN ACT EXPANDING THE SCOPE OF AGRICULTURAL LANDS THAT CAN BE SUBJECT TO LAND REDISTRIBUTION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6657, OTHERWISE KNOWN AS THE COMPREHENSIVE AGRARIAN REFORM LAW OF 1988, AS AMENDED BY REPUBLIC ACT NO. 9700, introduced by Representative Victor A. Yap; and
2. **House Bill No. 999** – "AN ACT CREATING THE NATIONAL LAND REFORM AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES, introduced by Representative Michael L. Romero.

In this regard, we would like to invite you to participate in the said meeting to share your views, comments and recommendations on the above-mentioned measures.

We most earnestly request for the submission of your position paper on the House Bills on or before January 27, 2021.

You can join the Committee Meeting thru the Zoom link as follows:
Meeting ID: 893 8659 9126
Passcode: 365990

For inquiries, you may communicate with the Committee Technical Staff through email address horagrarianreform@gmail.com with telephone numbers (02) 89316888 and (02) 8931501 local 7140 or cellphone nos. 09177817127, 09178482065 and 09175863544.

Very truly yours,

REP. SOLOMON R. CHUNGALAO
Chairman

FOR THE CHAIRMAN

Ma. Rita F. Macabulos
MA. RITA F. MACABULOS



Republic of the Philippines
HOUSE OF REPRESENTATIVES
COMMITTEE ON AGRARIAN REFORM
3rd Floor Ramon V. Mitra Building
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January 19, 2021

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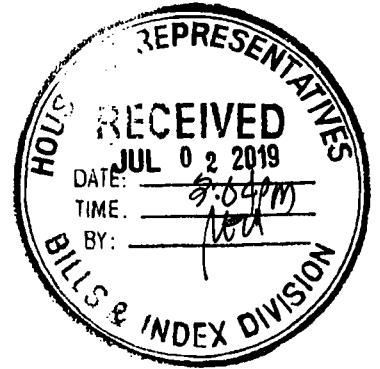
Very truly yours,

REP. SOLOMON R. CHUNGALAO
Chairman

FOR THE CHAIRMAN

Ma. Rita F. Macabulos
MA. RITA F. MACABULOS

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



18TH CONGRESS
First Regular Session

HOUSE BILL NO. 999

Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

Based on Republic Act 6657 or the Comprehensive Agrarian Reform Law of 1988, the Council is composed of the President of the Philippines as Chairman, the Secretary of Agrarian Reform as Vice-Chairman and the following as members; Secretaries of the Departments of Agriculture; Environment and Natural Resources; Budget and Management; Local Government: Public Works and Highways; Trade and Industry; Finance; Labor and Employment.

Also included in the council are the Director-General of the National Economic and Development Authority; President, Land Bank of the Philippines; Administrator, National Irrigation Administration; and three (3) representatives of affected landowners to represent Luzon, Visayas and Mindanao; six (6) representatives of agrarian reform beneficiaries, two (2) each from Luzon, Visayas and Mindanao, provided that one of them shall be from the cultural communities.

On the status of ownership of land by farmers, Mariano said nine out of 10 farmers do not own the land that they till.

As of December 2015, the DAR has distributed 4.7 million hectares but this comprises only ten (10%) percent of the total number of hectares that still have to be awarded to farmer-beneficiaries.

The problems of farmers, however, does not stop at receiving land because there are other issues and payments that have to be considered such as land amortization and real property tax.

There are flaws and loopholes in the existing agrarian reform law, but these will continue to be implemented.

The state must prioritize the inventory of lands that still have to be distributed, properties that were already turned over to farmer-beneficiaries, among others.

The state will also initiate a review of resolutions, exemptions, cancellation of land titles, emancipation patterns as well as agri-business venture agreements.

The biggest challenge is the resistance of land owners.

The Department of Agrarian reform (DAR) started distributing government owned lands, large tracts of private owned lands have yet to be reviewed under the DAR laws.

Thus, the early passage of this bill is earnestly requested.



MICHAEL L. ROMERO Ph.D.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

18TH CONGRESS
First Regular Session

HOUSE BILL NO. 999

Introduced by Representative Michael L. Romero

AN ACT
CREATING THE NATIONAL LAND REFORM AUTHORITY,
DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER
PURPOSES

*Be it enacted by the Senate and House of Representative of the Philippines
in congress assembled:*

SECTION 1. Short Title - This Act shall be known as the "***National Land Reform Authority Act of 2019.***"

SECTION 2. Creation of the National Land Reform Authority - There is hereby created a National Land Reform Authority, hereinafter which shall be composed of the following:

- Administrator of the Land Authority, who shall act as Chairman;
- Administrator of the Agricultural Credit Administration;
- Chairman of the Board of Trustees of the Land Bank of the Philippines (LBP);
- Commissioner of the Agricultural Productivity Commission;
- A member appointed by the President upon recommendation; and
- Agrarian Counsel (legal services)

The Chairman shall convoke the Council as its responsibilities are enumerated herein, and shall preside over its meetings.

SECTION 3. Declaration of Policy - It shall be the duty of the members to attend any meeting of the Council upon the call of the Chairman. In case of inability, a member may require the officer next in rank in his agency to attend the meeting on his behalf.

A majority vote of the members present if there is a quorum shall be necessary for the approval of a resolution. Upon such approval the resolution shall be final and binding upon all members of the Council and their respective agencies insofar as their functions, powers and duties required under this Act are concerned.

The refusal of any member to implement any resolution or part thereof falling within the scope of the powers granted to his agency shall be sufficient ground for the President of the Philippines to remove said member from office or to impose upon him disciplinary or administrative sanctions.

SECTION 4. Powers and Functions of the National Land Reform Authority

It shall be the responsibility of the Council to:

- (1) To construct the general program of land reform contemplated by this Act;
- (2) To establish guidelines, plans and policies for its member-agencies relative to any particular land reform project;
- (3) To formulate such rules and regulations as may be necessary to carry out the provisions of this Act for:

(a) the selection of agricultural land to be acquired and distributed under this Act;

(b) the determination of sizes of family farms as defined;

(c) the selection of beneficiaries to family farms available for distribution: *Provided*, That priority shall be given in the following order:

- First, to members of the immediate family of the former owner of the land within the first degree of consanguinity who will cultivate the land personally with the aid of labor available within his farm household;
- Second, to the actual occupants personally cultivating the land either as agricultural lessees or otherwise with respect to the area under their cultivation;
- Third, to farmers falling under the preceding category who are cultivating uneconomic-size farms with respect to idle or abandoned lands;
- Fourth, to owner-operators of uneconomic-size farms; and
- Fifth, to such other categories as may be fixed by virtue of this Act, taking into consideration the needs and qualifications of the applicants.

(4) To revise, approve, or reject any land reform proposal or project; and

(5) To proclaim in accordance with the provisions of this Act, which proclamation shall be considered as having been promulgated immediately after three successive weekly publications in at least two newspapers of general circulation in the region or locality affected by the proclamation, preference being given to local newspapers,

if any, that all the government machineries and agencies in any region or locality relating to leasehold envisioned in this Act are operating:

Provided, That the conversion to leasehold in the proclaimed area shall become effective at the beginning of the next succeeding agricultural year after such promulgation:

Provided, further, That the proclamation shall be made after having considered factors affecting feasibility and fund requirements and the other factors.

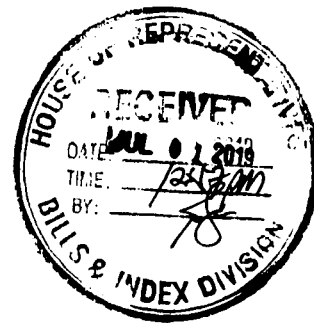
SECTION 5. Appropriation - There is hereby authorized to appropriate the necessary funds to carry-out into effect the provisions of this act. Therefore the budget shall be included in the General Appropriations Act.

SECTION 6. Repealing Clause. All laws, executive orders, issuances, rules and regulations inconsistent with this Act are hereby amended, repealed or modified accordingly.

SECTION 7. Separability Clause. If, for any reason or reasons, any portion or provision of this Act shall be held unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SECTION 8. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Approved,



HOUSE OF REPRESENTATIVES

House Bill No. 367

Introduced by Representative VICTOR A. YAP

EXPLANATORY NOTE


The Comprehensive Agrarian Reform Program (CARP) was introduced three decades ago with the approval of Republic Act 6657, also known as the Comprehensive Agrarian Reform Law of 1988. The law aims to improve farming efficiency, reduce poverty, and achieve equity. It lowered the ceiling on land ownership of agriculture lands from seven hectares under Presidential Decree 27 to five hectares with additional three hectares for each heir. The lower retention limits on ownership of agricultural lands effectively increased the scope of private farms or landholdings that the state could acquire for distribution among the landless.

Of a total area of 5.4 million hectares that fell under CARP's scope, the government has distributed 4.8 million hectares to around 2.8 million beneficiaries as of December 2017, according to a study by the Philippine Institute for Development Studies. However, landowners have allegedly filed petitions for exemptions or installed fraudulent beneficiaries on lands that are meant for the peasant farmers.

To address this, this bill aims to remove the retention limit and mandate owners of land covered by the program to give up their entire property so it can be distributed to the farmers. Under this measure, only small landowners will be allowed to keep five hectares to be personally cultivated by the landowner. They shall be given the option to sell their lands in excess of five hectares to the State.

This bill seeks to truly attain the redistributive land reform that was enacted more than 30 years ago, and bring about social justice that is long overdue to Filipino farmers.

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


VICTOR A. YAP
Representative, 2nd District of Tarlac

HOUSE OF REPRESENTATIVES

House Bill No. 367

Introduced by Representative VICTOR A. YAP

AN ACT
EXPANDING THE SCOPE OF AGRICULTURAL LANDS THAT CAN BE
SUBJECT TO LAND REDISTRIBUTION, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 6657, OTHERWISE KNOWN AS THE
“COMPREHENSIVE AGRARIAN REFORM LAW OF 1988”, AS AMENDED BY
REPUBLIC ACT NO. 9700

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

1 **SECTION 1.** Section 6 of Republic Act No. 6657, as amended, is hereby amended to
2 read as follows:

3

4 “Section 6. Retention Limits. — Except as otherwise provided in this Act,
5 no person may own or retain, directly or indirectly, any public or private
6 agricultural land, the size of which shall vary according to factors
7 governing a viable family-size farm, such as commodity produced, terrain,
8 infrastructure, and soil fertility as determined by the Presidential Agrarian
9 Reform Council (PARC) created hereunder[.].

10

11 IN ALL OTHER LANDS NOT EXCEEDING FIFTEEN (15)
12 HECTARES, INCLUDING THE LANDS OF RETIREES,
13 PROFESSIONALS, AND LOW AND MIDDLE-INCOME
14 EMPLOYEES, THE LANDOWNERS SHALL BE GIVEN THE
15 OPTION TO SELL THEIR LANDS IN EXCESS OF FIVE HECTARES
16 TO THE STATE: PROVIDED, THAT THE REMAINING FIVE (5)
17 HECTARES SHALL BE PERSONALLY CULTIVATED BY THE
18 LANDOWNER.

19

20 LANDS OF MIDDLE-INCOME AND HIGH-INCOME FARMERS
21 SHALL NOT BE EXPROPRIATED. IN THE CASE OF LANDS
22 BELOW FIVE (5) HECTARES WHOSE OWNERS DO NOT

1 PERSONALLY TILL THE LAND, THE LANDOWNER SHALL BE
2 ENCOURAGED TO SELL THE LAND.”

3

4 **SECTION 2.** Repealing Clause. – All laws, presidential decrees, executive orders,
5 proclamations and/or administrative regulations which are inconsistent with the
6 provisions of this Act are hereby amended, modified, superseded or repealed accordingly.

7

8 **SECTION 3.** Separability Clause. - If, for any reason, any section or provision of this
9 Act or any part thereof, or the application of such section, provision or portion is declared
10 invalid or unconstitutional, all the other provisions not affected thereby shall remain
11 valid.

12

13 **SECTION 4.** Effectivity Clause. – This Act shall take effect fifteen (15) days after its
14 complete publication in the Official Gazette or in at least two (2) newspapers of general
15 circulation.

16

17 Approved.

18