



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS NA YAMAN



MEMORANDUM

FOR : **The Directors**
Biodiversity Management Bureau
Climate Change Service
Ecosystems Research and Development Bureau
Environmental Management Bureau
Forest Management Bureau
Land Management Bureau
Mines and Geosciences Bureau
Legal Affairs Service

The Administrator
National Mapping and Resource Information Authority

FROM : **The OIC Director**
Policy and Planning Service

SUBJECT : **REQUEST FOR COMMENTS REGARDING THE NATIONAL LAND USE ACT (NALUA) BILL NO. 8162 ENTITLED "INSTITUTING A NATIONAL LAND USE POLICY, PROVIDING THE IMPLEMENTING MECHANISMS, CREATING FOR THE PURPOSE THE NATIONAL LAND USE COMMISSION, AND APPROPRIATING FUNDS THEREFOR"**

DATE : **26 JUL 2024**

This refers to the outcomes of the 4th Meeting of the Policy Advocacy Component Working Group (PA CWG) for 2024 under the National Convergence Initiative for Sustainable Rural Development (NCI-SRD) held on 12 July 2024 at the Department of Agriculture Central Office, Quezon City.

The in-person meeting was facilitated by the NCI-SRD National Secretariat, and was attended by representatives from the members of the PA CWG, namely, Department of Agriculture (DA), Department of Agrarian Reform (DAR), Department of Interior and Local Government (DILG) and DENR (Policy Studies Division, Land Management Bureau and Forest Management Bureau).

Please be informed that the PA CWG members were requested to provide inputs/comments to the draft position paper for the Proposed National Land Use Act (NaLUA) Bill No. 8162 entitled "*Instituting a National Land Use Policy, providing the implementing mechanisms, creating for the purpose the National Land Use Commission, and Appropriating Funds Therefor*" during the said meeting.

Relative thereto, this Office coordinated with the DENR Legislative Liaison Office (LLO) regarding the DENR's position and comments on the NaLUA Bill. It was

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Visayas Avenue, Diliman, Quezon City 1100, Philippines
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found out that the LLO had already endorsed comments for House Bill No. 7652, which were already incorporated into the Substitute Bill or House Bill No. 8162. The said Substitute Bill, which has been already transmitted to the Senate, is not yet scheduled for a public hearing by the Legislative Committee.

In this regard, we would like to request your comments/inputs on the following:

- 1.) NaLUA Bill draft Position Paper prepared by the National Secretariat (*attached as Annex A*); and
- 2.) Latest passage of NaLUA Substitute Bill No. 8162 (*attached as Annex B*), which may also be accessed using this link: <https://bit.ly/3zKWGn3>, for your easy reference.

We would appreciate receiving an advance copy of your comments/inputs on or before **July 31, 2024**, send through the following email address: psddivision@gmail.com, for the on time submission to NCI-SRD National Secretariat and copy furnished the denrilo@denr.gov.ph for their proper consolidation and transmittal to Congress.


CHERYL JOISE T. LEAL, EnP.



Republic of the Philippines
DA - DAR - DENR - DILG

National Convergence Initiative for Sustainable Rural Development (NCI-SRD)

REPORT

Reference Code:	NCI-SRD_FR_035_2
Reference No.:	
Page No.:	1 of 2

POSITION PAPER

Proposed National Land Use Act (NaLUA) Bill

The DA-DAR-DENR-DILG National Convergence Initiative for Sustainable Rural Development (NCI-SRD) supports the passage of the proposed National Land Use Act (NaLUA) Bill as a solution to the integrated and harmonized management of land resources.

The Philippines is confronted with issues on efficient and effective management of land resources from both public and private sectors due to the apparent lack of an overarching national legislation for land use planning and governance. The absence of a unified approach in addressing contradictory land uses and ineffective resource distribution requires the passage of National Land Use Act (NaLUA) to provide solutions on cohesive and sustainable land management.

Supporters of the bill acknowledge the need for a transdisciplinary approach and increasing the urgency of its passage among stakeholders and legislators. Central to NaLUA is its objective to oversee the establishment and implementation of a comprehensive land use system. Its primary goal is to set up a national-level framework to synchronize sectoral spatial land use policies and systematically address conflicting land use demands. By offering a structured approach to land use governance, NaLUA aims to reduce conflicts and foster sustainable development.

In the context of the NCI-SRD, our beneficiaries and stakeholders from the convergence areas have lamented issues on land use and governance and sought relief from various agencies and organizations. From land grabbing to conflicting land claims over agricultural lands, our convergence areas would greatly benefit from the implementation of a nationwide legislation that offers a mechanism for land use.

The NCI-SRD, which is anchored on AmBisyon Nation 2040 and the Philippine Development Plan (PDP) 2023-2028, identifies the strategies for improved coordination and coordination among government agencies in planning, programming, and budgeting. It also directs the institutionalization of the Integrated Coastal Management (ICM) Act to ensure the holistic and sustainable management of various ecosystems and natural resources through the "ridge-to-reef" approach, which is utilized by the NCI-SRD as one of its guiding principles in the creation of convergence areas.

The current legal basis of the DA-DAR-DENR-DILG NCI-SRD is the Joint Administrative Order (JAO) No. 01, series of 2020 (Revised JAO No. 1, series of 2015, Strengthening the Implementation Framework of the DA-DAR-DENR-DILG NCI-SRD). It underscores what sets the NCI-SRD apart from other convergence strategies of the government, and that is the implementation of the "ridge-to-reef" approach that is essential for climate change mitigation and adaptation. It also reiterates that the NCI-SRD as a governance strategy is operationalized through the convergence areas established in the rural areas through a Convergence Area Development Plan (CADP).

Convergence areas are faced with challenges on land use and development which can limit their rural development and expansion of opportunities. These are often raised during workshops or writeshops for the drafting of the CADP. As a wholesome solution that takes into consideration all land forms in



CONVERGENCE WORKS!



Republic of the Philippines
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National Convergence Initiative for Sustainable Rural Development (NCI-SRD)

REPORT

Reference Code:	NCI-SRD_FR_035_2
Reference No.:	
Page No.:	2 of 2

an ecosystem, the NCI-SRD stands with the proposed bill for the creation of the National Land Use Commission (NLUC) shall be created. The Commission shall integrate and harmonize all laws, guidelines, and policies relevant to land use and physical planning to come up with a rational, cohesive, and comprehensive national land use framework. Moreover, the NLUC will serve as the highest policy-making body on land use to resolve land use policy conflicts between or among agencies, branches, or levels of the government.

The DA-DAR-DENR-DILG NCI-SRD primarily recommends the following:

[For further inputs of the PA CWG]

Endorsed by:

ENGR. ROGER V. NAVARRO

Undersecretary for Operations and Agri-Fisheries Mechanization,
DA Permanent Alternate Representative, National Steering Committee (NSC) and
National Focal Person, NCI-SRD

APPROVED / DISAPPROVED:

FRANCIS TIU LAUREL

Secretary, DA and
National Steering Committee, NCI-SRD



HOUSE OF REPRESENTATIVES

H. No. 8162

BY REPRESENTATIVES MATUGAS, VERGARA, MACAPAGAL-ARROYO, SALCEDA, ROBES, ROMERO, GARCIA (A.), OLASO, CO-PILAR, TEVES (A.), RODRIGUEZ (R.), ACOP, MARIANO-HERNANDEZ, LIBANAN, SINGSON-MEEHAN, CAGAS, DUTERTE, YAP (ERIC), YAP (EDVIC), TAMBUNTING, TAN-TAMBUT, ROMUALDO, ONGCHUAN, MARIÑO, YAP (C.), CRUZ (A.), PRIMICIAS-AGABAS, HERNANDEZ, NOGRALES (M.), SINGSON (R.V.), VILLAFUERTE (L.R.), BERNOS, MAGSINO, YU (D.G.), SUAREZ, MARAÑON, HATAMAN, CARI, YU (J.V.), VILLARICA, ACHARON, RIVERA, BONGALON, GOMEZ, CAJAYON-UY, YAMSUAN, TAN (K.M.), DY (F.), BARBA, CHATTO, CO (E.), QUIMBO, GONZALES (A.), PUMAREN, PALMA, DELOS SANTOS, CO (A.N.), VIOLAGO, NAVA, BAUTISTA-LIM, TY, LACSON, ZAMORA (M.C.), ABANTE, LIMKAICHONG, CAMPOS, DEL MAR, VARGAS-ALFONSO, LARA, CUARESMA, CABREDO, AQUINO, CUA, ALONTE, ALVAREZ (J.), ARENAS, LOYOLA, ALVAREZ (M.), FUENTEBELLA, ZUBIRI, UMALI, ADVINCULA, ATAYDE, GARCIA (D.), GARCIA (M.A.), GARDIOLA, PANCHO, BASCUG, PLAZA, TAN (J.), SALI, CRUZ (R.), BALINDONG, EUDELA, PLEYTO, MATIBAG, ANG, REYES, TULFO (J.), LAGON (S.), CARDEMA, VERZOSA, FORTES, MACEDA, COJUANGCO (J.), AMANTE, FRESNEDI, LAZATIN, REVILLA (R.J.), KHONGHUN, PANALIGAN, TALLADO, VARGAS, GO (M.), OUANO-DIZON, LAGON (D.), AUMENTADO, SANTOS, RODRIGUEZ (E.), PADUANO, DAGOOC, GUTIERREZ, ABALOS, COJUANGCO (M.), FLORES, GATO, MARQUEZ, SOLON, DALIPE AND GALEOS, PER COMMITTEE REPORT No. 545

AN ACT

INSTITUTING A NATIONAL LAND USE POLICY, PROVIDING THE IMPLEMENTING MECHANISMS, CREATING FOR THE PURPOSE THE NATIONAL LAND USE COMMISSION, AND APPROPRIATING FUNDS THEREFOR

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

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CHAPTER I

INTRODUCTORY PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “*National Land Use Act*”.

1 **SEC. 2. *Declaration of Principles and Policies.*** – All lands of the public
2 domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of
3 potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other
4 natural resources are owned by the State. With the exception of agricultural
5 lands, all other natural resources shall not be alienated.

6 Pursuant to the constitutional provision or mandate, it is the policy of the
7 State to provide for a rational, holistic, and just allocation, utilization,
8 management, and development of the country's land to ensure their optimum
9 use to promote sustainable socioeconomic development and ecological
10 protection.

11 The State recognizes the need for rational, optimal and sustainable
12 settlements development, consistent with the principles of environmental
13 management and equitable access to land and security.

14 Toward this end, the State institutionalizes land use and physical planning
15 as mechanisms for identifying, determining, and evaluating appropriate land use
16 and allocation patterns that promote and ensure:

17 (a) Sustainable management and utilization of natural resources;

18 (b) Maintenance and preservation of environmental integrity and
19 stability specifically the perpetual protection of permanent forests and
20 watershed and ecosystem services for the attainment of food, water and energy
21 sufficiency;

22 (c) Disaster risk-reduction and climate change resiliency;

- 1 (d) Protection of prime agricultural lands for food security in basic
2 commodities with emphasis on self-sufficiency in rice and corn;
- 3 (e) Water security through sustainable development and management
4 of water resources towards water security;
- 5 (f) Provision of adequate and efficient settlements, transportation and
6 infrastructure development in support of urban, peri-urban, and rural linkages
7 towards regional development and inclusive growth;
- 8 (g) Harmony between the rights and the varied interests of every
9 Filipino within the framework of people empowerment, decentralization, social
10 justice, and equity;
- 11 (h) Respect for and protection of the sustainable traditional resource
12 rights of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)
13 to their ancestral domains to ensure their economic, social, and cultural well-
14 being as well as recognition of the applicability of customary laws and
15 sustainable traditional resource use and management, knowledge, and practices
16 in ancestral domains in compliance with free and prior informed consent of
17 ICC/IPs;
- 18 (i) Protection of the rights of basic sectors to equitable access to the
19 country's land;
- 20 (j) Protection, preservation, and development of the country's
21 historical, cultural, archaeological, and built heritage resources for the deeper
22 understanding of our history and culture as a people;

1 (k) Attainment of energy security and self-sufficiency;

2 (l) A whole-of-society and whole-of-government orientation, through
3 which thrusts and strategies espoused by different actors and sectors are heard
4 and brought together to achieve complex and interrelated goals, is encouraged
5 and adopted as a basic parameter in achieving efficiency in land use and
6 allocation, within the framework of ecological development and equity;

7 (m) Promotion of the integrated approach to land use and urban
8 transport planning to effectively manage growth in urban areas and ensure that
9 the capacity of transport facilities can accommodate the demand for movement
10 of passengers and goods to, from, and within the centers of socioeconomic
11 activities;

12 (n) Vertical and horizontal linkages or spatial strategies and the
13 potential for co-management and inter-locality cooperation across territorial
14 jurisdictions and government levels, highlighting the imperative for a ridge-to-
15 reef and ecosystem-based approach to land and water resource management and
16 governance; and

17 (o) Data and evidence-informed management and governance of land
18 and water resources, in line with the place-based aspirations and shared values
19 of the community.

20 It is also the policy of the State to ensure that local government units
21 (LGUs) share with the national government the responsibility of managing and
22 maintaining ecological balance within their territorial jurisdiction as stated in

1 the 1987 Constitution and Republic Act RA 7160, as amended, also known as
2 the "*Local Government Code of 1991*". Guided by the principle that the use of
3 land bears a social function and that all economic agents contribute to the
4 common good, landowners, land tenure holders, in the case of forestlands, be it
5 an individual, communal, corporate or group, is held responsible for developing
6 and conserving their lands, thereby making their lands productive and
7 supportive of environmental stability.

8 **SEC. 3. *Scope.*** – This Act applies to all lands and natural resources in
9 the country, whether public, private, government-owned or in the possession of
10 any person, whether natural or juridical, and serves as guide for the rational,
11 holistic and just allocation, utilization, development and management of the
12 land and water resources in the country, including such activities that bear
13 impact on those resources.

14 **SEC. 4. *Definition of Terms.*** – As used in this Act:

15 (a) *Agricultural land* refers to land of public domain which has been
16 classified as such and is devoted to agricultural activity as defined under RA
17 6657, as amended, otherwise known as the "*Comprehensive Agrarian Reform*
18 *Law of 1988,*" and not further classified for residential, commercial or industrial
19 use and such other uses as may be provided by law;

20 (b) *Agricultural land use conversion* refers to the act or process of
21 changing the current physical use of a piece of agricultural land into some other
22 use not comprising an agricultural activity as defined under RA 6657, as

1 approved exclusively by the Department of Agrarian Reform (DAR) in an order
2 of conversion;

3 (c) *Alienable and Disposable (A&D) lands* refer to lands of the public
4 domain which have been delineated, classified, and certified as open and
5 available for disposition under existing laws;

6 (d) *Ancestral domains* refer to all areas generally belonging to
7 indigenous cultural communities or indigenous peoples as defined in RA 8371,
8 otherwise known as "*The Indigenous Peoples' Rights Act of 1997*;"

9 (e) *Archaeological site* refers to any place, whether above or
10 underground, underwater or at sea level, containing fossils, artifacts and other
11 cultural, geological, botanical, zoological materials which depict and document
12 culturally relevant paleontological, prehistoric or historic events;

13 (f) *Basic sector* refers to a group of people not referring to any
14 organized groups, such as but not limited to women, youth, elderly, differently
15 abled, peasants and fisherfolk;

16 (g) *Coastal area or zone* refers to a band of dry land and the adjacent
17 ocean space, water and submerged land, in which terrestrial processes and uses
18 directly affect oceanic processes and uses and *vice versa*, the geographic extent
19 of which includes areas within a landward limit of one (1) kilometer from the
20 shoreline at high tide to include mangrove swamps, brackish water ponds, nipa
21 swamps, estuarine rivers, sandy beaches and other areas within a seaward limit

1 of two hundred (200) meters isobaths to include coral reefs, algal flats, seagrass
2 beds, and other soft-bottom areas;

3 (h) *Comprehensive Land Use Plan (CLUP)* refers to a plan embodying
4 a set of policies accompanied by maps and similar illustrations that serves as a
5 policy guide for determining the future use of lands and natural resources within
6 the territorial jurisdiction of the LGU, including municipal waters with due
7 consideration to the biogeographic region within which the locality belongs,
8 representing the community desired pattern of population distribution and
9 proposes future allocation of land and resources to various activities including
10 the processes and criteria employed in such determination of allocation of land
11 and resources for a long-term management of the local territory covering a
12 minimum period of twelve (12) years, reviewable not earlier than every
13 six (6) years;

14 (i) *Comprehensive land use planning* refers to the act of defining the
15 allocation, utilization, development and management of all lands and water
16 resources within a given territory or jurisdiction according to the inherent
17 characteristic and carrying capacities of the land itself and supportive of
18 sustainable economic, demographic, socio-cultural and environmental
19 objectives as an aid to decision-making and legislation;

20 (j) *Critical habitats* refer to areas outside protected areas as defined in
21 RA 7586, otherwise known as the "*National Integrated Protected Areas System*
22 *Act of 1992*", that are known habitats of threatened species and designated as

1 such based on scientific data taking into consideration species endemicity or
2 richness, presence of human-made pressures or threats to the survival of wildlife
3 living in the area;

4 (k) *Critical watershed* refers to a drainage area of a river system
5 supporting existing and proposed hydroelectric power, irrigation works or
6 existing water facilities needing immediate protection and rehabilitation to
7 minimize erosion and improve water yield;

8 (l) *Cultural heritage* refers to the totality of cultural properties,
9 whether natural or human made, preserved and developed through time and
10 passed on for posterity;

11 (m) *Cultural property* refers to all products of human creativity by
12 which a people and a nation reveal their identity, including churches, mosques
13 and other places of religious worship, schools and natural history specimens and
14 sites, whether public or privately-owned, movable or immovable, and tangible
15 or intangible;

16 (n) *Customary laws* refer to a body of written or unwritten rules,
17 usages, customs and practices traditionally and continually recognized,
18 accepted, and observed by respective ICCs/IPs, consistent with RA 8371;

19 (o) *Development plan* refers to the activities and measures that the
20 national government or LGUs intend to implement over a specified period of
21 time to achieve the defined set of development goals identified in the national or
22 local physical framework plans integrating socio-economic, financial, fiscal,

1 legal and legislative institutional and sectoral plans of the national government
2 or any of its instrumentalities or a particular LGU, consistent with the objectives
3 identified in spatial plans, such as land use plans or physical framework plans
4 including an analysis of problems and resources, definition of goals and
5 objectives, policy guidelines, programs and projects, and an implementation
6 mechanism which defines the roles and contributions expected from the
7 government and the private sector;

8 (p) *Ecologically fragile areas* refer to areas within critical watersheds,
9 brackish and freshwater wetlands, pasture lands, inland rivers and waterways
10 coastal and settlement areas, and croplands which require rehabilitation,
11 protection and whose continued unsustainable use may result in physical risks
12 and threats to life and property, public health and safety as well as adversely
13 affect the productivity of lowland agricultural areas and stability of the upland
14 system;

15 (q) *Ecotourism* refers to a form of sustainable tourism within a natural
16 or cultural heritage area where community participation, protection and
17 management of natural resources, culture and indigenous knowledge and
18 practices, environmental education and ethics, as well as economic benefits are
19 fostered and pursued for the enrichment of host community and satisfaction of
20 visitors;

21 (r) *Energy resources* refer to surface or subsurface substances that
22 serve as energy resources including traditionally mineral fuel deposits such as

1 coal petroleum, natural gas or renewable resources from geothermal, hydro
2 reservoirs or non-conventional sources such as ocean waves, solar, wind,
3 biomass, and other similar resources which serve the same purpose;

4 (s) *Energy resource lands* refer to lands where naturally occurring or
5 indigenous energy resources exist in sufficient quantity or quality as to be
6 economically viable for exploration, development production, utilization and
7 distribution purposes;

8 (t) *Exhausted mineral resources* refer to specific sites where the
9 mineral resources are no longer in sufficient quantity or quality to justify
10 additional expenditure for extraction or utilization as determined by the Mines
11 and Geosciences Bureau and approved by the Department of Environment and
12 Natural Resources (DENR);

13 (u) *Flood plain* refers to relatively smooth valley floors adjacent to and
14 formed by rivers which overflow its banks at flood stages. The plain usually
15 consist of unconsolidated fine sediments such as sand, silt, and clay;

16 (v) *Flood-prone areas* refer to low lying areas usually adjacent to large
17 or active water bodies and which therefore experience regular or seasonal
18 inundation as a result of changes in the mean water level of these bodies or
19 because of land reclamation and other artificial interference with the natural
20 processes;

21 (w) *Foreshore land* refers to a string of land margining a body of
22 water, the part of a seashore between the low-water line usually at the seaward

1 margin of a low tide terrace and the upper limit of wave wash at high tide
2 marked by a beach scarp or berm;

3 (x) *Forest* refers to an ecosystem or an assemblage of ecosystems
4 dominated by trees and other woody vegetation or a community of plants and
5 animals interacting with one another and its physical environment;

6 (y) *Forest lands* refer to one of the four classifications of land defined
7 in the Constitution under the public domain determined as suitable for forest
8 purposes and not classified as mineral land, national park or agricultural land
9 such as all permanent forest reserves, forest reservations, and all the remaining
10 unclassified lands of the public domain;

11 (z) *Geo-hazards* refer to a geological process or phenomenon that may
12 cause loss of life, injury or other health impacts, property damage, loss of
13 livelihoods and services, social and economic disruption or environmental
14 damage. This includes internal earth processes such as earthquakes and
15 volcanic activities, and geophysical processes like mass movements landslides,
16 surface collapses, debris and mud flow;

17 (aa) *Geo-hazard prone areas* refer to areas frequently affected and/or
18 are vulnerable or at risk to weather/climatic, hydrologic, geologic and other
19 natural calamities;

20 (bb) *Heritage zone* refer to historical, anthropological, archaeological,
21 artistic geographical areas and settings that are culturally significant to the

1 country, as declared by the National Commission for Culture and the Arts
2 (NCCA) and/or the National Historical Commission of the Philippines (NHCP);

3 (cc) *Illegal conversion* refers to an attempt to or an actual change in the
4 use of land from agricultural to a residential, commercial, or industrial and other
5 non-agricultural activity, without a conversion grant or clearance based on the
6 requirements under Section 65 of RA 6657, as amended, and to dispossess a
7 tenant as provided under Section 73 (c) of RA 6657, as amended, when
8 established from the following instances:

9 (1) an agricultural land is developed for use in non-agricultural activities
10 without a DAR Conversion Order;

11 (2) the agricultural land being converted is irrigated or irrigable;

12 (3) there is land activity such as, but not limited to, earth
13 filling/dumping, earth moving/digging, and quarrying, and in each
14 case, bona fide conduct of agricultural activities on a greater portion
15 of the land developed has ceased; and

16 (4) Other analogous activities.

17 (dd) *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPPs)*

18 refer to groups of people or homogenous societies identified by self-ascription
19 and ascription by others, who have continuously lived as organized community
20 on communally bounded and defined territory, and who have, under claims of
21 ownership since time immemorial, occupied, possessed, and utilized such
22 territories, sharing common bonds of language, customs, traditions, and other

1 distinctive cultural traits, or who have, through resistance to political, social,
2 and cultural inroads of colonization, non-indigenous religions and cultures,
3 became historically differentiated from the majority of Filipinos including
4 peoples who are regarded as indigenous on account of their descent from the
5 populations which inhabited the country at the time of conquest or colonization,
6 or at the time of inroads of non-indigenous religions and cultures, or the
7 establishment of present state boundaries, who retain some or all of their own
8 social, economic, cultural, and political institutions, but who may have been
9 displaced from their traditional domains, or who may have resettled outside
10 their ancestral domains;

11 (ee) *Key Biodiversity Areas (KBAs)* refer to the present most important
12 sites for biodiversity conservation worldwide which are considered places of
13 international importance for the conservation of biodiversity through protected
14 areas and other governance mechanisms and which are identified nationally
15 using simple standard criteria based on their importance in maintaining species
16 populations;

17 (ff) *Land* refers to resources, both artificial and natural, found on the
18 surface, below, and above the ground, including inland waters and the air
19 therein;

20 (gg) *Land use* refers to the manner of allocation, utilization,
21 management and development of land;

1 (hh) *Land use classification* refers to the act of delineating or
2 allocating lands according to protection land use, production land use,
3 settlements development and infrastructure development as provided for in this
4 Act;

5 (ii) *Land use planning* refers to the rational and judicious approach of
6 allocating available land resources to different land-using activities, such as but
7 not limited to agricultural, residential, industrial, commercial, institutional,
8 forest land uses, and for different functions consistent with the overall
9 development vision/goal of a particular locality;

10 (jj) *Mandatory public hearings or consultations* refer to the
11 mechanism of involving the concerned stakeholders and communities in land
12 use planning, from the barangay to the national level, to ensure the social
13 acceptability of the plans including giving notice of hearing or consultation to
14 the concerned stakeholders through publication or posting in conspicuous
15 places, conducting a reasonable number of hearings, and soliciting positions to
16 arrive at a consensus through public presentations and validation of the planning
17 results undertaken before the final adoption of the plans;

18 (kk) *Marine protected area* refers to a defined area of the sea
19 established and set aside by law, administrative regulation or any other effective
20 means to conserve and protect a part of the entire enclosed environment,
21 through the establishment of management guidelines;

1 (II) *Minerals* refer to naturally occurring inorganic substance beneath
2 or at the surface of the earth, whether or not under water, and includes all
3 metallic minerals, and non-metallic minerals such as precious stones, industrial
4 rocks, and building stones;

5 (mm) *Mineral lands* refer to any area where mineral resources are found,
6 including areas that are established as mineral reservations, areas with active
7 mining operations; areas with projected mining tenurial rights; and areas
8 declared by court decisions as mineral lands;

9 (nn) *Mineral reservations* refer to areas established and proclaimed as
10 such by the President of the Philippines upon the recommendation of the
11 Director of the Mines and Geosciences Bureau through the DENR Secretary
12 including all submerged lands within the contiguous zone and exclusive
13 Economic Zone.

14 (oo) *National Integrated Protected Areas System (NIPAS)* refers to the
15 classification and administration of all designated protected areas to maintain
16 essential ecological processes and life-support systems, to preserve genetic
17 diversity, to ensure sustainable use of resources found therein, and to maintain
18 their natural conditions to the greatest extent possible;

19 (pp) *National park* refers to forest reservation, essentially of natural
20 wilderness character, which has been withdrawn from settlement, occupancy or
21 any form of exploitation, except in conformity with the approved management
22 plan and set aside as such exclusively to conserve the area or preserve the

1 scenery, natural and historic objects, wild animals and plants therein, and to
2 provide enjoyment of these features in such areas including lands and waters of
3 the public domain classified as such in the Constitution such as all areas under
4 the NIPAS primarily designated for the conservation of native plants and
5 animals and associated habitats and cultural diversity;

6 (qq) *Network of Protected Areas for Agriculture and Agro-Industrial*
7 *Development* (NPAAAD) refers to agricultural areas identified by the
8 Department of Agriculture (DA), through the Bureau of Soils and Water
9 Management in coordination with the National Mapping and Resource
10 Information Authority (NAMRIA), in order to ensure the efficient utilization of
11 land for agriculture and agro-industrial development and to promote sustainable
12 growth, covering all irrigated areas, all irrigable lands already covered by
13 irrigation projects, all alluvial plains, lands highly suitable for agriculture,
14 whether irrigated or not, agro-industrial croplands or lands planted with
15 industrial crops that support the validity of existing agricultural infrastructure
16 and agro-based enterprises, highlands or areas located at an elevation of five
17 hundred (500) meters or above and have the potential for growing semi-
18 temperate and high value crops, all agricultural lands that are ecologically
19 fragile, the conversion of which may result in serious environmental
20 degradation, and all mangrove areas and fish sanctuaries;

21 (rr) *Physical framework plans* refer to the national, regional or
22 provincial indicative plans that outline the over-all and macro-level spatial and

1 physical development objectives, priorities, directions and strategies in its
2 respective levels as prepared, reviewed, integrated and finalized by the national,
3 regional and provincial land use councils or boards respectively based on the
4 CLUPs of the LGUs and the national policy guidelines relating to land use,
5 infrastructure development and environmental management to prevent or
6 mitigate the adverse effects of inappropriate resource utilization on food
7 security, the welfare of the people and their environment;

8 (ss) *Physical Planning* is the process of organizing physical activities
9 and land uses, including settlements, environmental protection, economic
10 activities, and infrastructure to ensure sustainable, orderly, and optimal siting
11 and coordination of land uses;

12 (tt) *Prime agricultural lands* refer to all contiguous irrigated
13 lands/areas and irrigable lands already covered by irrigation projects, including
14 all alluvial plain lands highly suitable for agriculture, not irrigated that have
15 been identified to satisfy the need for food self-sufficiency and food security
16 and agro-industrial croplands or lands presently planted to industrial and high
17 value crops that support the viability of existing agricultural infrastructure and
18 agro-based enterprises, highlands or areas located at an elevation of five
19 hundred (500) meters or above, highly suitable for growing semi-temperate and
20 high value crops outside of declared permanent forestlands and protections
21 forests, and are not located in ecologically fragile and environmentally
22 critical areas;

1 (uu) *Production land use* refers to the most efficient, sustainable, and
2 equitable utilization, development and management of land for productive
3 purposes which are not classified for protection land use;

4 (vv) *Protected areas* refer to portions of land and water set aside by
5 reason of their unique physical and biological diversity and protected against
6 human exploitation including all natural forests and agricultural lands identified
7 and delineated under this Act;

8 (wv) *Reclassification of agricultural lands* refer to the act of specifying
9 how agricultural lands are classified or used for non-agricultural uses such as
10 residential, industrial or commercial purposes, as embodied in the land use plan
11 subject to the requirements and procedure for reclassification undertaken by the
12 LGU in accordance with Section 20 of RA 7160, as amended;

13 (xx) *Resettlement areas* refer to areas identified by the appropriate
14 national agency or by the LGU with respect to areas within its jurisdiction
15 which are used for the relocation of the underprivileged and homeless, as
16 defined under RA 7279, otherwise known as the “*Urban Development and*
17 *Housing Act of 1992;*”

18 (yy) *Strategic Agriculture and Fisheries Development Zones (SAFDZ)*
19 refers to the areas within the NPAAAD identified for production, agro-
20 processing, and marketing activities to help develop and modernize, with the
21 support of government, the agriculture and fisheries sectors in an

1 environmentally and socio-culturally sound manner pursuant to Section 4 of RA
2 8435 or "*Agriculture and Fisheries Modernization Act of 1997*";

3 (zz) *Settlements* refer to communities or built-up environment areas
4 where people prefer to live in;

5 (aaa) *Settlements development* refers to any improvement on existing
6 settlements or any proposed development of certain areas for settlement
7 purposes involving the spatial distribution of population, identification of the
8 roles and functions of key urban centers, determination of relationships among
9 settlement areas, and the provision of basic services and facilities of identified
10 major settlement areas of growth centers;

11 (bbb) *Shoreline* refers to a strip of land covering of at least one (1)
12 kilometer from the point where seawater reaches during the highest high tide;

13 (ccc) *State universities and colleges (SUCs)* refer to public higher
14 education institutions in the Philippines created and established by law which
15 constitutes their charter and which have independent and separate governing
16 boards;

17 (ddd) *SUC Land Use Plan* refers to a campus master plan mandated
18 under RA 11396, otherwise known as the "*SUCs Land Use Development and*
19 *Infrastructure Plan Act*" that contains the allocation and utilization of the land
20 within a campus' geographic boundary to meet the required academic and non-
21 academic support services and facilities as well as the campus development
22 programs and projects and the investment needed to implement them;

1 (eee) *Sustainable development* refers to the development objective of
2 meeting the needs of the present generation without compromising the ability of
3 future generations to meet their own needs consistent with the principles of
4 social equity, efficiency and environmental integrity;

5 (fff) *Tourism development areas* refer to specific sites for tourism
6 development located in areas identified as priorities in the national and regional
7 tourism master plans and those designated through legislative and executive
8 issuances as tourist spots and tourist zones which may be developed into
9 tourism estates or integrated resort, leisure, recreation complexes, and other
10 tourism related facilities;

11 (ggg) *Tourism ecozone* refers to tourism development areas, outside of
12 protection lands which have been granted special economic zone status through
13 the Philippine Export Zone Authority registration and issuance of the required
14 Presidential Proclamation, with its metes and bounds, delineated by said
15 proclamation, pursuant to RA 7916, as amended, otherwise known as "*The*
16 *Special Economic Zone Act of 1995*";

17 (hhh) *Tourism estates* refer to large tracts of land with well-defined
18 boundaries in any area, excluding those protection lands, identified in the
19 Philippine tourism master plan and regional tourism by proclamation of the
20 President of the Philippines or by acts of Congress or by local legislation and
21 declared suited for the development of an integrated tourism and resort complex
22 with prescribed carrying capacities and limits for its facilities and activities;

1 (iii) *Tourist spot* refers to a particular area, site or spot, man-made or
2 natural, known for its unique tourist or visitor-drawing attributes and activities
3 and which may be classified according to its social, cultural, natural, historical,
4 aesthetic, visual, scientific, religious, or recreational significance;

5 (ijj) *Tourist zone* refers to a geographic area with well-defined
6 boundaries proclaimed as such by the President of the Philippines or by acts of
7 Congress where development projects for any purpose are initiated and
8 introduced prior to formulation of a tourism master development plan which are
9 undertaken in coordination with the Department of Tourism (DOT) and the
10 Tourism Infrastructure Enterprise Zone (TIEZA) for the enhancement or the
11 conservation of cultural and historical heritage, and for the appreciation and
12 enjoyment of the local population and its visitors;

13 (kkk) *Transmission line corridor* refers to the land beneath, the air spaces
14 surrounding, and the area traversed by electric power transmission lines
15 including its horizontal, vertical, and similar clearance requirements;

16 (III) *Urban areas* refer to all cities regardless of their population density
17 and to municipalities with a population density of at least five hundred (500)
18 persons per square kilometer;

19 (mmm) *Urbanizable areas* refer to sites and lands which,
20 considering present characteristics and prevailing conditions, display great
21 potential of becoming urban areas within a period of five (5) years;

1 (nnn) *Urban forest or green space* refers to the establishment or setting
2 up of areas for mini-forest, eco-parks or small nature parks, in both public and
3 private lands, wetlands, man-made lagoons and lakes systems, riverbanks and
4 shores, grasslands, roof and rock gardens, lining roads and highways with trees,
5 shrubs, or ornamental plants, and ground landscaping of schools, hospitals, and
6 other government agencies in order to improve the environment in urban areas;

7 (ooo) *Water security* refers to the sufficient access throughout the year to
8 the minimum daily requirement of clean water to maintain a healthy life;

9 (ppp) *Water use* refers to the appropriation of water for domestic,
10 municipal, irrigation, power generation, inland fisheries, poultry and livestock,
11 industrial and commercial, environmental, and recreational use;

12 (qqq) *Watershed* refers to a topographically delineated area of land from
13 which rainwater can drain as surface run-off *vis-a-vis* a specific stream or river
14 system to a common outlet point which may be a dam, irrigation system or
15 urban water supply take off point, or where the stream discharges into a river,
16 lake, or the sea;

17 (rrr) *Zoning* refers to the regulatory tool for delineating the specific land
18 uses in accordance with the approved CLUP within the territorial jurisdiction of
19 a city or municipality and specifying the conditions for their regulation, subject
20 to the limitations imposed by law and competent authority; and

21 (sss) *Zoning ordinance* refers to a local law passed by the *Sangguniang*
22 *Bayan* or *Panlungsod* approving the development control or zoning plan in

1 accordance with an approved or adopted CLUP of the city or municipality,
2 providing for the regulations and other conditions on the land uses, including
3 the limitation on the infrastructure that may be placed within the territorial
4 jurisdiction of the city or municipality, incorporating the protected areas,
5 protected agricultural lands and ancestral lands as provided for in this Act.

6 CHAPTER II

7 PHYSICAL FRAMEWORK AND LAND USE PLAN

8 SEC. 5. *National Physical Framework Plan.* – The National Land Use
9 Commission (NLUC) created under Section 18 herein shall draft the National
10 Physical Framework Plan (NPFPP), which shall have a timeframe of thirty (30)
11 years, with regular review and updating every ten (10) years. The NPFPP, which
12 guides the planning and management of the country's land and other physical
13 resources at the national and sub-national levels, shall indicate broad spatial
14 directions and policy guidelines on settlements development, production land
15 use, protection land use, social services and utilities, transmission line corridor,
16 and transportation and communication.

17 The Regional Physical Framework Plans (RPFPPs), Provincial Physical
18 Framework and Development Plans (PPFDPs), and CLUPs shall cover the
19 physical development of their respective territories and shall be consistent with
20 the NPFPP: *Provided*, That the integration and harmonization of the physical
21 framework plans at all levels shall be iterative to ensure that the concerns of
22 both top and bottom levels of government are considered. The physical and land

1 use plans prepared at all levels shall have internal consistency specifically on,
2 but not limited to, the development, management and conservation of
3 forestlands, watersheds, and all terrestrial, aquatic, and marine ecosystems
4 found within a given territory and the linkages of the major land use categories
5 to ensure their complementation in the utilization, development, management,
6 protection and conservation of all natural – resources. The NLUC shall issue
7 procedural guidelines which shall guide the formulation and integration or
8 harmonization of land use plans at all levels: *Provided*, That the National
9 Economic Development Authority (NEDA), DENR, Department of Human
10 Settlements and Urban Development (DHSUD), Department of the Interior and
11 Local Government (DILG) and other agencies will continue to issue specific
12 guidelines on the planning process and content of the plans consistent with the
13 NLUC guidelines and their respective agency mandates.

14 **SEC. 6. *Regional Physical Framework Plans.*** – In consultation with
15 concerned sectors, the Regional Land Use Policy Council (RLUPC) shall define
16 the desired spatial arrangement of land and – land-use activities in the entire
17 region, based on the consolidated and harmonized PPFDPs of provinces and
18 independent cities within the territorial jurisdiction of the region. The RPPF,
19 which depicts an end-state scenario toward which efforts and activities are
20 directed, shall consist of spatially-based and area-focused policies, consistent
21 with those in the national framework for physical planning, to guide detailed
22 physical, socio-economic, sectoral and investment planning. The RPPF shall

1 have a planning period of twelve (12) years to be updated every six (6) years or
2 when deemed necessary.

3 **SEC. 7. *Provincial Physical Framework and Development Plans.*** – In
4 consultation with concerned sectors, the Provincial Planning and Development
5 Office (PPDO) shall prepare a Provincial Physical Framework and
6 Development Plans (PPFDP), which shall define the province's development
7 vision, economic and social development policies, environmental and ecological
8 protection policies, general land uses, and inter-city/municipal transportation
9 system. The PPFDP shall integrate and harmonize the land use plans of
10 component cities and municipalities using the ridge-to-reef (R2R) or watershed
11 ecosystem management (WEM) approach taking into consideration shared
12 watersheds, ecosystems and natural resources and planning concerns, and define
13 the uses of land and other resources within the province consistent with the
14 policies in the regional physical framework plan. The programs, projects and
15 activities prescribed in the PPFDP shall be integrated into the provincial
16 development investment program. The PPDO shall submit the PPFDP to the
17 Provincial Land Use Policy Council (PLUPC), created under Section 24 of this
18 Act, for review and endorsement to the *Sangguniang Panlalawigan*, which shall
19 adopt the same pursuant to Section 468 (2) (vii) of RA 7160. The PPFDP shall
20 have a planning period of twelve (12) years to be updated every six (6) years or
21 when deemed necessary.

1 **SEC. 8. *City/Municipal Land Use Plans.*** – The City/Municipal Planning
2 and Development Office (C/MPDO) shall prepare the comprehensive land use
3 plan (CLUP) to determine the specific uses of land and other physical resources
4 therein including areas co-managed with the national government and, as
5 appropriate, the ancestral domain areas. This shall be done in consultation with
6 concerned sectors through mandatory conduct of public hearings and with the
7 use of technology-based systems such as, but not limited to, the Community-
8 Based Monitoring System (CBMS) required to be established in every city and
9 municipality under RA 11315 or the “*Community-Based Monitoring System*
10 *Act*”. The CLUP shall be consistent with the R2R/WEM-based PPFDP and
11 shall define the city or municipal development vision, appropriate economic,
12 environmental and social development policies, densities and transportation
13 system using the R2R/WEM approach. The CLUP shall have a planning period
14 of twelve (12) years to be updated every six (6) years or when deemed
15 necessary. The C/MPDO shall also use, among others, the CBMS in the
16 updating of the CLUPs.

17 The R2R/WEM-based CLUP will be used as the common reference
18 framework for the preparation of all sectoral development plans that will form
19 part of the Comprehensive Land Use and Development Plan which merges the
20 traditionally separate CLUP and comprehensive development plan to address
21 the disconnect between spatial development and sectoral programs and to
22 ensure the complementation between the medium- and long-term concerns and

1 shall be the basis of the formulation of the local development investment
2 program. The CLUP shall be translated into a zoning ordinance by the
3 concerned *Sanggunian* to regulate the uses of land, including the limitations on
4 height, density and bulk of buildings and other infrastructure that may be placed
5 thereon.

6 **SEC. 9. *Physical Framework and Land Use Planning Process.*** – The
7 land use and physical planning process shall be formulated following a
8 combined bottom-up and top-down approach. The NLUC, in consultation with
9 the concerned sectors through the mandatory conduct of public hearings, shall
10 formulate, periodically update and ensure the implementation of the NPPF that
11 shall prescribe and influence the country’s land use and physical development.
12 The NPPF shall operationalize the policies provided in this Act and shall be the
13 basis for adopting land use and physical planning-related guidelines and
14 standards, including zoning and other land use control standards that shall guide
15 the formulation of city/municipal zoning ordinances. The policies prescribed in
16 the NPPF shall be integrated into the Medium-Term Philippine Development
17 Plan and Medium-Term Philippine Investment Program.

18 In the formulation of the respective National, Regional Provincial or
19 City/Municipal Land Use Plans, the respective SUC Land Use Plans approved
20 by the CHED prior to the approval of this Act shall be taken into consideration
21 in the approval of the plans. As such, the President of the SUCs shall be
22 consulted prior to the approval of the said plans.

1 an overall vision, policies on social and economic development and
2 environmental protection and supporting transportation and other infrastructure
3 facilities, that shall define future development. Its output includes the
4 identification of programs, projects and activities needed to achieve the desired
5 development, without compromising environmental and ecological stability,
6 and which shall serve as inputs to the investment program. In the case of the
7 CLUP, it is also intended to provide specific development and building
8 guidelines and parameters that be implemented through a zoning ordinance.

9 **SEC. 13. *Priorities in Land Use Allocation and Planning.*** – Using the
10 R2R/WEM approach in projecting spatial allocation for different land uses, the
11 LGUs shall first exclude areas under protection land use in Section 17 (a)
12 hereof, national parks, energy resource lands, and prime agricultural lands to
13 ensure ecological integrity, energy supply, and promote food security. Areas
14 with prior rights and those with site-specific resources for basic services, such
15 as but not limited to, water and indigenous energy resources, shall also be
16 excluded. All land use activities inside the excluded areas that are not consistent
17 with the general purposes of the excluded areas shall be assessed, regulated,
18 and/or modified to ensure that these activities do not compromise the general
19 purposes of the excluded areas. Spatial allocation and planning shall then
20 proceed in accordance with Sections 16 and 17 hereof with priorities given to
21 integrated watershed management areas, socialized housing sites, fisherfolk
22 settlement in coastal areas, and waste disposal sites.

1 **SEC. 14. *Approach to Land Use and Physical Framework Planning.*** –

2 The R2R/WEM approach shall be used in land use and physical framework
3 planning to promote a holistic, integrated, equitable and inclusive development,
4 and a flourishing environment, watersheds and ecosystems. It shall include a
5 description of existing land uses and land use trends, as well as the physical,
6 demographic, economic, social, political, environmental, and ecological
7 conditions that have shaped and are likely to shape future land use and physical
8 developments. It shall then derive a land use plan or physical framework by
9 matching, reconciling or integrating the demand for land with the supply of land
10 in a holistic manner to optimize socioeconomic development and minimize the
11 total impacts of the land use plan on watersheds and ecosystems. The resulting
12 land use plan or physical framework shall be the basis for identifying necessary
13 policies, programs, projects and activities, and development controls to guide
14 future development. The land use plan or physical framework shall be holistic
15 in nature and not emanate from specific individual or corporation which, in
16 essence, constitutes as spot zoning.

17 **SEC. 15. *Adoption of Multiple Uses of Land Resources.*** – The primary

18 and alternative uses of a specific unit of land resource based on its capability to
19 support certain uses sustainably shall be determined and evaluated prior to any
20 decision for the assignment of its use. Areas feasible for sustainable land
21 resource use may be considered multiple-use zones wherein settlements ,
22 tourism, agriculture, forestry, agro-forestry and extraction activities and other

1 income-generating or livelihood activities may be allowed by concerned
2 agencies: *Provided*, That multiple uses of land resources shall be excluded in
3 areas identified as protection land use: *Provided, further*, That such land uses
4 shall maximize the socioeconomic benefits without compromising the desired
5 levels of ecosystem services within a ridge to reef unit: *Provided, finally*, That
6 such land uses shall be in accordance with priorities in land use allocation and
7 planning and that no reclassification shall be allowed.

8 **SEC. 16. *Basic Land Use Planning Considerations.*** – In determining the
9 various land uses, the people and their productive activities and the need for
10 functional open spaces and preservation areas as well as the various
11 interrelationships of the physical characteristics of the land and other elements
12 therein shall be considered, among others, including the following:

13 (a) Availability of natural resources including indigenous energy
14 resources for energy security and self-sufficiency;

15 (b) Geology, geomorphology, current and emerging geologic climate-
16 related hazards and risks, soil, vegetative cover, demography and slope;

17 (c) Economic, environmental, cultural, social and related development
18 activities;

19 (d) Existing government policies on land and natural resources
20 allocation, utilization, management and disposition;

21 (e) Technological changes or advancement;

1 (f) Existing customary rights for the protection of indigenous peoples
2 and vulnerable groups including women, rural and urban poor;

3 (g) Desired levels of ecosystem services like water quality and
4 quantity, soil stability, biodiversity, agricultural and fishery productivity, among
5 others; and

6 (h) Inventory of prior and existing rights, to harmonize determination
7 of land use.

8 **SEC. 17. *Categories of Land Uses for Planning Purposes.*** – In
9 determining and defining the national, regional and provincial framework plans,
10 and CLUPs, land uses shall be grouped into four major functional uses as
11 follows:

12 (a) *Protection land use* which include the use of land primarily for
13 food, water and energy security, rehabilitation, conservation, and protection
14 purposes to promote the country's ecological and life-support systems. Planning
15 for protection land use intends to achieve food self-sufficiency in rice and corn,
16 water and energy security, environmental stability and ecological integrity,
17 ensure a balance between resource use and the preservation of some areas with
18 environmental, aesthetic, educational, cultural, heritage and historical
19 significance, and protect people and human-made structures from the ill-effects
20 of natural hazards. All lands, either public or private, under protection land use
21 shall be permanently conserved, preserved, rehabilitated and protected from all
22 other land uses, disposition, intrusion, utilization and development that is not

1 consistent with its existing uses. Areas under this category also include those
2 covered by RA 7586, as amended by RA 11038 or the “*Extended National*
3 *Integrated Protected Areas Act of 2018*”, and other coastal and marine
4 protected areas, those areas outside NIPAS but nonetheless require protection
5 because of their outstanding physical and aesthetic features, anthropological
6 significance, and biological diversity, and those areas prone to natural hazards,
7 such as but not limited to the following:

8 (1) Natural forests and mossy areas with more than 50% in slope
9 gradient;

10 (2) Mangrove and fish sanctuaries, pursuant to RA 8435, and
11 RA 8550, or “*The Philippine Fisheries Code of 1998*”;

12 (3) Buffer zones or strips/easements, pursuant to Presidential
13 Decree (PD) 389, otherwise known as the “*Forestry Reform Code of the*
14 *Philippines*”, as amended by PD 705, or the “*Revised Forestry Reform*
15 *Code of the Philippines*” and PD 1067, or the “*Water Code of the*
16 *Philippines*”;

17 (4) Salvage zones along foreshore areas, freshwater swamps and
18 marshes, plazas, archaeological, and heritage or historic sites, pursuant to
19 Presidential Proclamation No. (PP) 2146, series of 1981 entitled
20 “Proclaiming Certain Areas and Types of Projects Environmentally
21 Critical and within the Scope of Environmental Impact Statement System
22 Established under Presidential Decree No. 1586”;

- 1 (5) Watersheds supporting bulk or domestic water supply;
- 2 (6) Utility easement like power lines of electric power
3 generators, transmission and distributors, oil and gas facilities, cell sites,
4 and bulk/domestic water lines;
- 5 (7) Amenity areas or those with high aesthetic values, pursuant
6 to PP 2146;
- 7 (8) Natural and human-made areas/sites of cultural, historical
8 and anthropological significance, which are declared as such by
9 internationally recognized organizations and concerned national agencies;
- 10 (9) Critical habitats as provided in RA 9147, otherwise known
11 as the *“Wildlife Resources Conservation and Protection Act”*;
- 12 (10) Significant caves under RA 9072, otherwise known as the
13 *“National Caves and Cave Resources Management and Protection Act”*;
14 or
- 15 (11) Key biodiversity areas under Executive Order No. 578,
16 series of 2006, entitled *“Establishing the National Policy on Biodiversity,
17 Prescribing its Implementation Throughout the Country, Particularly in
18 the Sulu Sulawesi Marine Ecosystem and the Verde Island Passage
19 Marine Corridor”*.

20 Existing property and private rights shall be recognized and respected on
21 the condition that these rights are harmonized with the intent of the identified
22 protected land use.

1 (b) *Production Land Use* wherein there is a direct and indirect
2 utilization of land resources for crop, fishery, livestock and poultry production,
3 forestry, agroforestry, mining, industry, energy development, indigenous energy
4 exploration and development, and tourism. Planning for production land
5 determines the most efficient, sustainable, and equitable manner of utilizing,
6 developing and managing land for productive purposes. Areas included in this
7 category are agricultural lands, fishing grounds, coastal and marine zones,
8 production forest, which can be made available for timber and agroforestry
9 production, rangelands for grazing, forest lands for special uses including for
10 energy and reforestation projects, mineral lands or mining areas and
11 reservations, energy resource lands, industrial development areas, and tourism
12 development areas where productive activities may be undertaken to meet the
13 country's requirements for food security, economic growth and development.

14 (c) *Settlements development* wherein any improvement on existing
15 settlements in urban and rural areas or any proposed development of certain
16 areas for settlement purposes involves the spatial distribution of population,
17 identification of the roles and functions of key urban centers, determination of
18 relationships among settlement areas, and the provision of basic services and
19 facilities to such settlement. The settlements development plan ensures for the
20 present and future generation the following: (1) effective integration of
21 activities within and among settlements, allowing efficient movement of people
22 and production of commodities through the provision of appropriate land,

1 infrastructure, and facilities; (2) access of the population to housing, education,
2 health care, recreation, transportation and communication, sanitation, and basic
3 utilities such as water, power, waste disposal, and other services; and (3)
4 security against risks associated with climate change and other natural hazards.

5 (d) *Infrastructure development* includes the availability or supply of
6 basic services and fostering of economic and other forms of integration
7 necessary for producing or obtaining the material requirements of Filipinos, in
8 an efficient, responsive, safe and ecologically friendly built environment. It
9 covers sub-sectors of transportation, communications, energy, water resources,
10 and social infrastructure: *Provided*, That the determination of functional uses of
11 lands within ancestral domains shall consider traditional resource and
12 management systems that do not endanger the lives of the people and property
13 of the local community and neighboring areas or increase the vulnerability of
14 the natural environment to the effects of natural and human-induced geological
15 processes.

16 CHAPTER IV

17 IMPLEMENTING STRUCTURE AND MECHANISM

18 SEC. 18. *Creation of the National Land Use Commission.* – The
19 National Land Use Commission (NLUC) is hereby created as a Commission
20 under the Office of the President. It shall exercise the powers and
21 responsibilities of the current National Land Use Committee, which is hereby
22 abolished. The NLUC shall be chaired by a Commissioner to be appointed by

1 the President. The Commissioner will have the rank of a Cabinet Secretary. The
2 Commissioner shall be a qualified professional in any of the fields of land use,
3 physical planning, environmental management, engineering, public governance
4 or law.

5 The NLUC shall act as the highest policy making body on land use and
6 resolve land use policy conflicts between or among agencies, branches, or levels
7 of the government. It shall coordinate efforts towards the development of
8 integrated land use plans at the national, regional, provincial, and municipal/city
9 levels, and monitor the implementation of all land use plans including relevant
10 policies.

11 SEC. 19. *Composition of the NLUC.* – The NLUC will be composed of
12 the following:

13

14 (a) Commissioner of NLUC as Chairperson;

15 (b) Secretary of NEDA as Vice-Chairperson;

16 *As Ex-Officio Members:*

17 (c) Secretary of DENR;

18 (d) Secretary of DHSUD;

19 (e) Secretary of DA;

20 (f) Secretary of DAR;

21 (g) Secretary of Department of Public Works and Highways

22 (DPWH);

1 (h) Secretary of DILG;

2 (i) A Representative from the LGUs;

3 (j) Chairperson of National Commission on Indigenous Peoples
4 (NCIP); and

5 (k) Commissioner of the Bureau of Internal Revenue.

6 The Department Secretaries may designate a representative with a rank
7 not lower than Assistant Secretary: *Provided*, That the designated representative
8 shall be on a permanent basis. The representative from the LGUs shall come
9 from the Leagues of Provinces, Cities and Municipalities.

10 SEC. 20. *Powers and Functions.* – The NLUC shall have the following
11 powers and functions:

12 (a) Advise the President of the Philippines on all matters concerning
13 land use and physical planning;

14 (b) Integrate and harmonize all laws, guidelines and policies relevant
15 to land use and physical planning to come up with a rational, cohesive, and
16 comprehensive national land use framework;

17 (c) Formulate policies and endorse land use and physical planning-
18 related policies that may be formulated by the RLUPC, created under Section
19 23 of this Act, and concerned agencies as well as promulgate zoning and other
20 land use control standards and guidelines which shall guide the formulation of
21 land use plans and zoning ordinances by local governments;

- 1 (d) Prepare, periodically review and if necessary, update the national
2 framework for physical planning to provide the general framework for the
3 spatial development directions for the entire country and sub-national levels;
- 4 (e) Review and endorse all land use and physical planning related
5 guidelines;
- 6 (f) Monitor and coordinate the gathering of data, the conduct of
7 studies pertaining to land use planning including studies on the management of
8 identified land uses and such other studies not undertaken by other government
9 agencies;
- 10 (g) Recommend to the President of the Philippines the adoption,
11 passage, or amendment of laws to ensure that sectoral programs, plans, projects,
12 and activities, including local government initiatives affecting land use are
13 consistent with national development objectives;
- 14 (h) Coordinate with and assist other government agencies and LGUs in
15 planning, developing, and implementing their land use classification programs,
16 and provide, to the extent possible, technical assistance and guidance;
- 17 (i) Monitor and coordinate the activities of concerned agencies and
18 entities of the government, as well as LGUs, in the enforcement and
19 implementation of land use plans, policies and regulations relating to land use
20 and resource management and development;
- 21 (j) Monitor and coordinate activities in the establishment of a national
22 land resource information and management system of concerned agencies that

1 shall integrate and process information on land use and allocation generated by
2 the various national government agencies; define information requirements at
3 various levels; and standardize information inputs and outputs including scales
4 and symbols used in territorial and sectoral maps;

5 (k) Be the repository of all RPFs, PFDs and CLUPs and all data
6 and information pertaining to land and land use;

7 (l) Call on any department, bureau, office, agency, or instrumentality
8 of the government, and or private entities and organization for cooperation,
9 support, and assistance in the performance of its functions;

10 (m) Decide and resolve policy conflicts and territorial jurisdiction on
11 land use between or among agencies, branches, or levels of the government and
12 act on unresolved land use policy conflicts at the regional level elevated by the
13 RLUPC;

14 (n) Adopt rules of procedures for the orderly and expeditious conduct
15 of meetings and other business of the Council; and

16 (o) Perform such other acts and functions and exercise such other
17 powers as may be necessarily implied, inherent, incident, or related to the
18 foregoing.

19 SEC. 21. *National Land Use Office (NLUO)*. – The National Land Use
20 Office (NLUO) is hereby created under the Office of the President, which will
21 serve as technical secretariat to the NLUC. The NLUO shall be headed by the

1 NLUC Commissioner with two (2) Deputy Commissioners with the rank of
2 Undersecretary.

3 The DHSUD – Environmental, Land Use and Urban Planning and
4 Development Bureau (DHSUD-ELUPDB) shall be converted into a line bureau
5 that shall serve as the NLUO.

6 Further, the DHSUD-ELUPDB shall have service units for the planning
7 and policy formulation, operations, monitoring and information systems
8 management, technical assistance, legal, and special land use concerns. The
9 staffing pattern of the NLUO shall be approved by the Department of Budget
10 and Management.

11 **SEC. 22. *Regional Land Use Office.*** – A Regional Land Use Office
12 (RLUO) is hereby created in each Region.

13 **CHAPTER V**

14 **REGIONAL AND LOCAL LAND USE POLICY BODIES**

15 **SEC. 23. *Regional Land Use Policy Council (RLUPC).*** – At the regional
16 level, the RLUPC shall be institutionalized, replicating the NLUC structure and
17 composition with DHSUD representative as Chairperson, NEDA representative
18 as Vice-Chairperson and with a duly authorized representative from the DENR,
19 DA, DAR, DPWH, DILG, NCCA, and LGU as members. The RLUPC shall
20 have the following functions:

21 (a) Formulate and adopt regional policies on land use and physical
22 planning;

- 1 (b) Prepare and periodically update an RPPF taking into consideration
2 national polices and lower-level plans;
- 3 (c) Assist the provinces in preparing and periodically updating its
4 physical framework plans to ensure consistency with the regional and national
5 plans and policies and to facilitate its integration with the regional plans;
- 6 (d) Review, prior to adoption by respective *Sanggunians*, the PPFDP,
7 and CLUPs of highly urbanized and independent component cities, to ensure
8 consistency with the RPPF and national policies set forth by the NLUC and
9 compliance with limits prescribed under RA 7160, as amended, for
10 reclassifying agricultural lands;
- 11 (e) Decide and resolve policy conflicts on land use planning,
12 classification, and allocation that may arise between or among regional line
13 agencies, provinces and cities or municipalities;
- 14 (f) Monitor changes in land use and other physical resources in the
15 region;
- 16 (g) Evaluate consistency of major programs and projects with the
17 regional physical framework plans and their impact on land use and the
18 environment;
- 19 (h) Undertake the gathering of regional data for the land resource
20 information and management system; and
- 21 (i) Perform other related functions as may be directed by the NLUC.

1 **SEC. 24. *Provincial Land Use Policy Council.*** – The Provincial
2 Development Council, created under Section 106 of RA 7160, shall act as the
3 PLUPC that will tackle land use concerns whenever necessary. A duly
4 authorized representative from the DENR, DHSUD, DAR, DA, DILG, and
5 DPWH shall be included in the composition of the PLUPC. In addition to the
6 functions enumerated in Section 109 of RA 7160, the PLUPC shall:

7 (a) Advise the *Sangguniang Panlalawigan* on all matters pertaining to
8 land use and physical planning;

9 (b) Review and endorse to the *Sangguniang Panlalawigan* for
10 adoption, the provincial physical framework plans, prepared and periodically
11 updated by the PPDO and other land use and physical planning-related policies;

12 (c) Decide and resolve policy conflicts on land use planning,
13 classification, and allocation that may arise between or among cities or
14 municipalities and any unresolved land use conflicts at the city or municipal
15 level. The PLUPC may call upon any local official concerned such as provincial
16 planning and development coordinator, provincial agriculturist, provincial
17 environment and natural resources officer, provincial engineer, provincial
18 assessor, or any official of national agencies and other relevant agencies during
19 discussions on land use and physical planning concerns; and

20 (d) Assist the *Sangguniang Panlalawigan* in reviewing the CLUPs of
21 component cities or municipalities to ensure consistency with the provincial

1 physical framework plans and compliance with the limits prescribed under RA
2 7160, as amended, for reclassifying agricultural lands.

3 **SEC. 25. *City/Municipal Land Use Policy Council*** – The City/Municipal
4 Development Council (C/MDC), created under Section 106 of RA 7160, shall
5 act as the C/MLUPC that will tackle land use concerns whenever necessary. A
6 duly authorized representative from the DHSUD, DAR, DA, DENR, DPWH
7 and DILG shall be included in the composition of the C/MLUPC. In addition to
8 the functions enumerated in Section 109 of RA 7160, the C/MLUP shall:

9 (a) Advise the *Sangguniang Bayan* or *Sangguniang Panlungsod* on all
10 matters pertaining to land use and physical planning;

11 (b) Review and endorse to the *Sangguniang Bayan* or *Sangguniang*
12 *Panlungsod* for adoption, the CLUP prepared and periodically updated by the
13 City/Municipal Planning and Development Office and other land use and
14 physical planning-related policies;

15 (c) Decide and resolve policy conflicts on land use planning,
16 classification, and allocation that may arise between and among barangays and
17 any unresolved land use conflict at the barangay level regarding the violation of
18 zoning ordinances including opposition to applications for locational clearances,
19 permits or certificates; and

20 (d) Advise the local zoning board of appeals and adjustments on all
21 issues and conflicts relating to zoning.

1 For purposes of this Act, the City/Municipal Planning and Development
2 Coordinator (C/MPDC) shall: (a) act on all applications for locational
3 clearances for all projects except those of vital and national economic or
4 environmental significance; and (b) monitor on-going/existing projects within
5 their respective jurisdictions and issue notices of violation to owners,
6 developers, or managers of projects that are violative of zoning ordinances.

7 The C/MLUPC may call upon any local official concerned such as
8 C/MPDC, city/municipal agriculturist, city/municipal environment and natural
9 resources officer, city/municipal engineer, city/municipal assessor, or any
10 official of national agencies during discussions on land use and physical
11 planning concerns. LGUs without operational C/MPDC as mandated by RA
12 7160, as amended, shall activate their respective councils within six (6) months
13 from the effectivity of this Act.

14 CHAPTER VI

15 ADOPTION, APPROVAL AND REVIEW OF LOCAL LAND USE 16 AND PHYSICAL FRAMEWORK PLANS

17 SEC. 26. *Approval and Review of PPFDP and CLUPs.* – The PPFDP,
18 CLUPs and zoning ordinances (Zos) of the respective LGUs, including
19 provinces, highly urbanized cities and independent component cities, shall be
20 submitted by the local land use committees to the local development councils
21 for transmission to their respective local *Sanggunian* for approval.

22 SEC. 27. *Provinces and Independent and Highly Urbanized Cities.* –
23 Provinces and independent and highly urbanized cities shall have the power and

1 authority to adopt and approve their respective CLUPs, zoning ordinances or
2 provincial physical framework plan, as the case may be, through their
3 respective *Sanggunian* but subject to the review of the RLUPC as provided in
4 Section 23 (d).

5 CHAPTER VII

6 MAPPING AND DATA MANAGEMENT FOR LAND USE 7 PLANNING

8 SEC. 28. *National Base Mapping Program.* – A national mapping
9 program shall be implemented, coordinated, and monitored through the creation
10 of an Inter-agency Technical Committee (ITC) composed of the NAMRIA, as
11 the lead agency, BSWM, the Forest Management Bureau (FMB), the Land
12 Management Bureau (LMB), the Biodiversity Management Bureau (BMB), the
13 Mines and Geosciences Bureau (MGB), the Philippine Institute of Volcanology
14 and Seismology (PHIVOLCS), DAR, the National Water Resources Board
15 (NWRB), Department of Energy (DOE), NEDA, Philippine Statistics Authority
16 (PSA) , University of the Philippines Resilience Institute (UPRI), NCIP, and
17 other concerned government agencies/bureaus. The ITC shall be constituted,
18 and the mapping program shall be initiated, within thirty (30) days from the
19 effectivity of this Act. The agencies mentioned in this Section shall finish their
20 base mapping program within one (1) year upon the effectivity of this Act.

21 For purposes of uniformity and standardization, the LGUs, to be assisted
22 by the appropriate agencies of the national government, shall likewise prepare
23 their respective territorial maps using scales, symbols, and other indicators to be

1 prescribed in accordance with this Act. The completed maps shall be integrated
2 in the NPPF pursuant to Section 5 of this Act.

3 **SEC. 29. *National Geospatial Information Program.*** – Within one (1)
4 year upon the effectivity of this Act, the NAMRIA, in coordination with
5 BSWM, FMB, LMB, BMB, MGB, PHIVOLCS, DAR, NWRB, NCIP, DOE,
6 NEDA, PSA, UPRI, and other concerned government agencies or bureaus shall
7 complete the updating of base maps including national disaster risk maps. These
8 base maps and corresponding geospatial data shall be shared and disseminated
9 to all agencies and LGUs to serve as reference in plan preparation and other
10 planning activities.

11 **SEC. 30. *National Hazard Mapping Program.*** – Within thirty (30) days
12 from the effectivity of this Act, a nationwide hazard mapping and probabilistic
13 hazard risk assessment program shall be initiated jointly through the NLUC by
14 the PHIVOLCS, the Philippine Atmospheric Geophysical and Astronomical
15 Services Administration (PAGASA), NAMRIA, MGB, BSWM, DOE, and
16 UPRI, in coordination with the National Disaster Risk Reduction and
17 Management Council (NDRRMC), the Regional Disaster Risk Reduction and
18 Management Council (RDRRMC), NCIP, NCCA, and other concerned
19 government agencies. The program shall include the generation of indicative
20 hazard zoning maps that will outline areas in the Philippines which are prone to
21 liquefaction, landslides, severe flooding, lahar, ground rupturing, tsunami, river

1 erosion, coastal erosion, sinkhole collapse, earthquake, lava flow, pyroclastic
2 flow, base surge, and other natural hazards.

3 For purposes of uniformity and standardization and in order to develop a
4 safe-built environment, the LGUs shall subsequently incorporate and integrate
5 the generated hazard zoning maps in their respective CLUPs. Said hazard maps
6 shall serve as guide for all the LGUs in the preparation of their own hazards-
7 constrained development plans. The NPPF, pursuant to Section 5 hereof, shall
8 incorporate these hazard maps.

9 All infrastructure activities including real estates and subdivision projects
10 and the development of tourist spots requiring an Environmental Compliance
11 Certificate (ECC) shall be required to submit an Engineering Geological and
12 Geo-hazard Assessment Report (EGGAR).

13 **SEC. 31. *Basic and Applied Research for Science and Technology***
14 ***Development.*** – Within one (1) year from the effectivity of this Act, the
15 Department of Science and Technology (DOST), in coordination with
16 concerned agencies, academe, and research organizations, shall formulate a
17 research agenda that will support physical framework and land use planning.

18 **SEC. 32. *Scope and Nature of Responsibilities of Other National***
19 ***Government Agencies.*** – All concerned national government agencies shall
20 periodically report to the NLUC on the various activities and accomplishments
21 on land use, including their respective sectoral or development plans. The
22 NLUC may call upon the agencies for technical and administrative support.

1 disposable lands of the public domain or portion thereof to forestlands, unless
2 they are covered by existing titles; or actually occupied openly, continuously,
3 adversely, and publicly for a period required by law: *Provided*, That, when
4 public interest so requires, steps shall be taken to expropriate such lands, cancel
5 defective titles, or eject occupants thereof. Thereafter, said lands shall be
6 included in the preparation of land use plans within forestlands.

7 **SEC. 36. *Critical Watershed Areas.*** – The DENR, in coordination with
8 the DA, LGUs and other government agencies, including government-owned
9 and controlled corporation, and after mandatory public hearings or
10 consultations, shall identify and delineate critical watershed areas that need to
11 be protected, rehabilitated, enhanced or withdrawn from uses that contribute to
12 their further degradation.

13 **SEC. 37. *Formulation and Implementation of Integrated Watershed***
14 ***Management Plans.*** – A Watershed Management Council (WMC), which is a
15 multi-agency, inter-LGU, and multi-sectoral consortium, chaired by the DENR
16 and co-chaired by the duly designated representative of the LGUs, shall be
17 created at the provincial level to ensure effective and sustainable resource
18 management of a particular watershed and provide the development needs of
19 local communities. in cases where a watershed transcends more than one
20 province, a WMC at the regional level shall be created.

1 The WMC shall prepare the Integrated Watershed Management Plans
2 (IWMP) consistent with the existing DENR laws, guidelines, and rules and
3 regulations. The said IWMPs shall be integrated into the CLUPs of the LGUs.

4 The DENR and the concerned LGUs shall jointly implement the
5 Watershed Management Plan subject to regular consultations with and
6 involvement of the community and other stakeholders.

7 **SEC. 38. *Establishment and Management of National Parks.*** – All
8 areas proclaimed by the President of the Philippines and Congress of the
9 Philippines to be under the NIPAS, unless disestablished, including those
10 identified as initial components of the NIPAS as KBAs, shall comprise the
11 national parks classification of the public domain. The DENR and concerned
12 LGUs shall ensure that such areas are integrated in the CLUP and physical
13 framework plans. The preparation of management plans of protected areas and
14 national parks shall be in accordance with the provisions of RA 7586, as
15 amended, and other laws establishing or declaring specific areas as protected
16 areas.

17 **Article 2**

18 **Coastal Zones**

19 **SEC. 39. *Criteria on the Allocation and Utilization of Lands within the***
20 ***Coastal Zones.*** – The allocation and utilization of lands within the coastal zones
21 shall be guided by the following:

1 (a) Areas vegetated with mangrove species shall be preserved for
2 mangrove - protection and shall not be converted to other uses;

3 (b) Areas which meet all accepted criteria on elevation, soil type, soil
4 depth, topography, supply for successful fishpond development, and are not
5 identified as mangrove protection areas, shall be utilized for aquaculture
6 purposes;

7 (c) Areas sub-classified as mangrove and still suitable for use as such,
8 or due to environmental conditions need to be preserved as mangrove, but is
9 devoid of mangrove stands shall not be converted to other uses. The DENR
10 shall ensure that these lands shall be reforested within a given period of time;

11 (d) Areas accessible to the sea and identified for fisherfolk settlement
12 and housing shall be allocated to traditional fisherfolk who are inhabitants of the
13 coastal communities and members of legitimate fisherfolk organizations and/or
14 holders of stewardship lease contracts or titles to ancestral domains or any form
15 of property right arrangements who participate in coastal resource management
16 initiatives, subject to the usual census procedures of the DHSUD.

17 (e) Areas which does not fall under (a) to (d) above may be devoted to
18 recreational or tourism purposes: *Provided*, That such undertaking will not
19 result in environmental degradation and displacement of small fishers;

20 (f) Areas which are considered as traditional fishing grounds shall be
21 used primarily for such purpose;

1 (g) Areas which have been allocated for small infrastructure needed by
2 fisherfolk shall be allowed;

3 (h) Areas which form part of foreshore lands as defined in this Act
4 including those which are under lease agreements or arrangements shall
5 undergo zoning and evaluation to determine their boundaries and actual sizes
6 and corresponding uses: *Provided*, That vested rights under the lease
7 agreements or arrangements shall be respected. Evaluation of the said lands
8 shall also consider the natural, geologic and geomorphic conditions of the coast;
9 and

10 (i) The free and prior informed consent of the concerned ICCs/IPs and
11 the necessary certification from the NCIP shall be secured before any allocation
12 and utilization of lands within the coastal zones that are found to be within
13 ancestral domains.

14 **SEC. 40. *Coastal Land Zone Sub-classification.*** – All public lands in
15 the coastal zones are sub-classified into any of the following: fishponds,
16 mangroves for protection from tidal surge and for preservation of biodiversity,
17 habitats and sanctuaries for endangered wildlife, fisherfolk settlement, or
18 recreational or tourism areas. No sub-classification of coastal zones to different
19 uses may be done without the following:

20 (a) Conduct of a comprehensive inventory and resource and
21 environmental assessment by the DENR with the respective LGUs and
22 accredited non-government organizations (NGOs) or peoples organizations

1 (POs) within their territorial jurisdiction. The result of the assessment along
2 with a list of all existing applications and expired foreshore lease agreements
3 must be posted in three (3) conspicuous places in the affected localities; and

4 (b) Prior consultation with the local Fisheries and Aquatic Resource
5 Management Councils pursuant to RA 8550 as amended.

6 SEC. 41. *Zoning of Foreshore Areas.* – LGUs, in coordination with the
7 DENR, shall conduct zoning of their respective foreshore areas to assist
8 government and community fishers identify priority areas for conservation and
9 development, and to enable them to set targets for mangrove reforestation and
10 rehabilitation.

11 SEC. 42. *Protection of Waterways, Easements and Flood Plains.* –
12 Structures of any kind may not be built in waterways and easements. Pursuant
13 to PD 1067, the banks of rivers and streams and the shores of the seas and lakes
14 throughout their entire length and within a zone of three (3) meters in urban
15 areas, twenty (20) meters in agricultural areas and forty (40) meters in forest
16 areas along their margins are subject to easement of public use only in the
17 interest of recreation, navigation, floatage, fishing and salvage.

18 The protection of flood plains shall use the watershed management plan
19 as the reference framework in formulating flood mitigation plan. Development
20 within flood plains and other flood-prone areas must be controlled or, if
21 allowed, must be so sited, constructed and serviced that the lives of occupants
22 are not put at risk and that disruptions during floods are minimized. The

1 identification and characterization of flood-prone areas and flood plains must be
2 an integral part of Watershed Management Plan that shall guide the preparation
3 of CLUPs, local climate change action plans local disaster risk reduction and
4 management plans and other prescribed thematic plans. The LGUs shall
5 establish land use regulations to mitigate flood risks through the CLUPs and
6 zoning ordinances.

7 To promote the best interest and coordinated protection of flood plains,
8 the DPWH, in coordination with the DOST and DENR shall declare flood
9 control areas as necessary and shall prohibit or control activities that may
10 damage or cause deterioration of lakes and dikes, obstruct the flow of water,
11 change the natural flow of rivers, increase flood losses or aggravate flood
12 problems, pursuant to PD 1067.

13 Article 3

14 Settlements Development

15 SEC. 43. *Municipalities, Cities, and Settlements Development.* – The
16 development of municipalities, cities and settlements through CLUP and
17 implemented by the zoning ordinances of cities and municipalities are guided
18 by the urban zoning standards designed to maximize existing urban spaces,
19 taking into account the studies of pertinent government agencies on climate
20 change. The new and existing government buildings within the cities and
21 municipalities shall comply with the government energy management program

1 and the Inter-Agency Energy Efficiency and Conservation Committee
2 resolutions.

3 **SEC. 44. *Settlements within Hazard Areas.*** – Settlements, in particular,
4 housing or residential developments, within hazard areas may be allowed:
5 *Provided,* That mitigating or protective measures are adopted to address the
6 potential danger or risk to lives and property within such settlements. In
7 coordination with the concerned agencies of the government such as the
8 PHIVOLCS, PAGASA, and MGB, the NLUC shall provide assistance to
9 concerned LGUs and settlers in instituting safety and corrective measures to
10 address the potential danger or risk. Residential zones as designated in the
11 CLUP shall not be considered as outside the hazard areas. However, for this
12 purpose, housing projects within such areas with less than or equal to one (1)
13 hectare of project area shall be exempt from the ECC as well as the EGGAR
14 and may be implemented without the need for any further certificate of
15 exemption from the DENR or any other government regulatory agency.

16 **SEC. 45. *Designation of Waste and Environment Management Site.*** –
17 Each city or municipality shall identify, designate and allocate a suitable area as
18 indicated in the watershed management plan within their territorial jurisdiction
19 to serve as sanitary landfill or solid waste disposal site as established in its solid
20 waste management plan pursuant to RA 9003 or the “*Ecological Solid Waste*
21 *Management Act of 2000*” within one (1) year from the effectivity of this Act.

1 **SEC. 46. *Network of Settlements.*** – The framework and policies for the
2 development of network of settlements shall be provided by the National
3 Physical Framework Plan formulated by the NLUC. Individual settlements shall
4 be planned as part of a national network of settlements. The network shall be
5 based on existing and potential settlements; production activities, particularly
6 those that involve highly competitive industries and services and generate local
7 employment; environmental constraints and sustainability considerations.
8 Individual cities and municipalities shall be integrated through transportation
9 and other infrastructure support facilities.

10 **SEC. 47. *Criteria for Settlement Sites.*** – The following shall be the
11 criteria for identifying settlement areas:

12 (a) Within A&D lands but not in environmentally-critical, hazard-
13 prone or other protection areas as assessed, identified and indicated in the
14 Watershed Management Plans;

15 (b) Along established urban growth directions;

16 (c) Are already or can be provided with basic services and utilities;

17 (d) Ideally within the 0-8% slope range, but with mitigating measures
18 from slope 9-17%;

19 (e) Reasonably accessible from existing built up areas and other
20 employment centers through existing or proposed roads and other transportation
21 facilities; and

1 (f) Identified ICCs/IPs settlement areas shall be located within
2 ancestral domains.

3 Hazard-prone areas shall be defined, delineated and mapped by the
4 DENR and other the mandated government agencies, together with LGUs
5 during the preparation of management plans of the watersheds that are partially
6 or wholly inside the jurisdiction of municipality or city. As such, new
7 settlements within high-risk areas shall not be allowed. In cases where there are
8 existing settlements within geo-hazard areas or high-risk areas, mitigating or
9 protective measures shall be adopted to address the potential danger or risk to
10 lives and property within such settlements. In coordination with the concerned
11 agencies of the government, the NLUC, through the RLUPC and PLUPC, shall
12 provide assistance to concerned LGUs and settlers in instituting safety and
13 corrective measures to address the potential danger or risk. New developments
14 within geo-hazard areas shall be required to submit an ECC and EGGAR
15 consistent with the Revised Procedural Manual for DENR Administrative Order
16 (DAO) No. 2003-30 otherwise known as the *“Implementing Rules and
17 Regulations (IRR) for the Philippine Environmental Impact Statement (EIS)
18 System”* and DAO No. 2000-28 otherwise known as the *“Implementing
19 Guidelines on Engineering Geological and Geohazard Assessment as
20 Additional Requirement for ECC Applications covering Subdivision, Housing
21 and other Land Development and Infrastructure Projects”*.

1 **SEC. 48. *Sustainable Communities.*** – Each city or municipality or
2 cluster of cities or municipalities, as appropriate, shall seek to follow the basic
3 features of sustainable communities, as guided by the National Urban
4 Development and Housing Framework: transit-oriented, pedestrian-biased, and
5 multiple use, with systems and practices that promote water use efficiency,
6 energy efficiency, waste segregation, recycling, and adequate community
7 facilities. Cities and municipalities or clusters thereof shall identify, designate
8 and allocate areas within their territorial jurisdiction to serve as waste disposal
9 site following the provisions of RA 9003.

10 For energy efficiency, cities and municipalities or clusters thereof shall
11 utilize energy consuming products which comply with the DOE’s efficiency
12 rating and energy labeling system pursuant to the provision of RA 11285 or the
13 “*Energy Efficiency and Conservation Act*”.

14 **SEC. 49. *Designation and Zoning of Socialized Housing Zones.*** – Each
15 city or municipality in urban, urbanizable and rural areas shall designate
16 through the CLUP adequate lands for housing or residential purposes, including
17 socialized housing and resettlement areas for the immediate and future needs of
18 the local population as well as the underprivileged and homeless in their
19 territory, pursuant to existing laws and regulations. In order to ensure adequate
20 availability of lands for the housing needs of the local population, the CLUP
21 shall be updated, at maximum, every twelve (12) years for provinces, cities and
22 municipalities.

1 The designated sites for socialized housing shall be located in residential
2 zones, and shall be zoned as socialized housing zones that are integrated in the
3 city or municipality's zoning ordinance, pursuant to existing laws and
4 regulations.

5 Fisherfolk settlements and housing in coastal municipalities shall be
6 zoned near the sea for easy access to their livelihood as provided under Section
7 39 (d) of this Act.

8 The housing or residential lands designated in the CLUPs and zoning
9 ordinances of cities and municipalities shall, on one hand, not be subject to
10 further land reclassification by the LGU or land conversion procedure under
11 DAR. On the other hand, agricultural lands as designated in the CLUP which
12 are no longer economically feasible for agricultural use may be subject to land
13 reclassification or land use conversion to housing or residential purposes and
14 such land use conversion, as the case may be, shall be exempt from the
15 coverage of any moratorium on land use conversion, provided such conversion
16 shall not conflict with the prescriptions of watershed management plans and
17 shall not result in serious environmental and ecological problems.

18 **SEC. 50. *Urban Forest or Green Space.*** – Each city or highly urbanizing
19 municipality shall identify, designate, and allocate lands owned by the city or
20 municipality as urban forest or green space based on the guidelines and
21 standards to be issued by the DENR and approved by the NLUC.

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Article 4

NIPAS Areas

SEC. 51. *Integrated Management Strategy.* – For a more effective planning, management, and protection of protected areas at the provincial, city or municipal levels, the Protected Area Management Plan referred to in RA 7586, as amended, must be incorporated in the provincial physical framework plan and CLUPs, if applicable, wherein the protected area zoning must be reflected.

Article 5

Agricultural Lands

SEC. 52. *Priority Areas for Agricultural Development.* – Priority areas for agricultural development shall be those agricultural areas covered under RA 6657 and those covered under NPAAAD and SAFDZ, defined in Section 4 of this Act and in RA 8435 or the “*Agriculture and Fisheries Modernization Act*”.

SEC. 53. *Conversion of Agricultural Lands.* – Prime agricultural lands and specific types of lands to the extent necessary for attaining food self-sufficiency in rice and food security in other basic commodities, as determined by the DA, subject to mandatory consultation with the LGUs, the private sector, the NGOs, and POs, shall be protected from conversion, which shall include but not limited to areas under the NPAAAD and SAFDZ: *Provided,* That all irrigated and irrigable lands, all lands developed or possessing the potential for development of high value crops, and all agricultural lands that are ecologically

1 fragile and whose conversion will result in serious environmental problems
2 shall be given full protection from conversion, the areas under which are subject
3 to review every – six (6) years by the DA, with the mandatory public
4 consultations: *Provided, further,* That consistent with the State policy on giving
5 priority to the completion of the comprehensive agrarian reform program, all
6 lands subject to the comprehensive agrarian reform program including those
7 lands covered under notice of compulsory acquisition or voluntary offer to sell,
8 production or profit-sharing, or commercial farm deferment shall also be
9 protected from conversion pending the distribution and installation of the farmer
10 beneficiaries, but thereafter, Section 22 of RA 9700 shall apply: *Provided,*
11 *furthermore,* That the conversion of prime agricultural lands for use in priority
12 government projects for basic services such as, but not limited to, irrigation and
13 power shall be allowed only upon the recommendation of the Secretaries of the
14 DA and the DAR: *Provided, finally,* That the mapping of the NPAAAD under
15 the RA 8435 shall be completed within one (1) year from the effectivity of this
16 Act. Lands defined under Section 10 of RA 6657 shall remain exempted and
17 excluded from the coverage of the comprehensive agrarian reform program.
18 With due consideration of the above-mentioned conditions that provides for the
19 full protection of prime agricultural land, only then, upon approval by the DAR
20 of the application for conversion, agricultural lands are deemed converted to
21 non-agricultural uses.

1 **SEC. 54. *Sub-classification or Re- classification of Agricultural Lands***

2 **by LGUs.** – Sub-classification or re-classification of agricultural lands to other
3 uses under Section 20 of RA 7160 shall exclude the protected agricultural lands
4 as stated in the preceding section. Moreover, such sub-classification or
5 reclassification is not synonymous to conversion. Further, such sub-
6 classification or re-classification shall not result to land uses that are in conflict
7 with the prescriptions of the watershed management plans. The DA and DAR
8 shall provide the LGUs with complete list and maps of protected agricultural
9 lands within their territorial jurisdictions.

10 **SEC. 55. *Criteria for the Utilization and Allocation of Land for Mining***

11 **Purposes.** – Consistent with this Act and the provisions of RA 7942, otherwise
12 known as the “*Philippine Mining Act of 1995*”, and to ensure that the objectives
13 of maintaining ecological balance and maximizing economic returns to mining
14 operations are realized, the allocation and utilization of lands for mining
15 purposes shall be guided by the following:

16 (a) The principles of sustainable development and responsible mining;

17 (b) In case of small-scale mining, adequate and acceptable safeguards
18 shall be instituted by the holders of mining rights or permits to prevent
19 environmental degradation of the mining sites and adjacent areas;

20 (c) Mineral reservations which have become non-operational as
21 determined by the MGB shall be placed under appropriate surface management
22 by the DENR after conducting scientific, geological, and environmental studies

1 in accordance with relevant laws on mineral reservation establishment and de-
2 establishment;

3 (d) Natural forests, proclaimed watershed forest reserves, mangrove
4 forests, and mossy forests are closed to mining operations pursuant to RA 7942,
5 and other pertinent laws;

6 (e) Consistent with RA 7942, areas closed to mining operations like
7 natural forests, proclaimed watershed forest reserves, mangrove forests, and
8 mossy forests shall be periodically reviewed through mineral exploration to be
9 undertaken by the DENR for the purpose of determining whether or not their
10 continued closure is consistent with the national interest and with the
11 prescriptions of watershed management plans and, if warranted, recommend
12 their reclassification as mineral lands; and

13 (f) Protection forestlands and agricultural lands shall be exempt from
14 mining activities to minimize the effect of natural calamities and to protect food
15 security respectively. The small to large scale mining operations shall yield
16 from and recognize the tenorial instrument given by the government such as
17 original certificate of title, transfer certificate of title, certificate of ancestral
18 domain title, emancipation patent-certificate of land ownership award and other
19 instruments. If these be present, mining activity shall be allowed subject to
20 clearances and consent, and: *Provided*, That mining activity shall not conflict
21 with the prescriptions of watershed management plans and shall not have
22 serious environmental and ecological problems.

1 processes of the Environmental Impact Statements (EIS) system. Each project
2 must secure an ECC prior to project implementation to ensure that adequate and
3 appropriate environmental management measures and optimum methods for
4 resource access and recovery are used;

5 (c) Protected areas defined in Section 17 of this Act are closed to any
6 kind of energy resource development except for installation or erection of
7 power lines therein *Provided*, That vested rights granted through the Special
8 Use Agreements in Protected Areas as granted by the DENR are respected;

9 (d) Energy reservations or portions thereof which have become or have
10 been established to be non-economically viable to operate or are no longer used
11 for energy purposes must be reclassified to other land uses, subject to existing
12 laws covering energy reservations and to prescriptions of watershed
13 management plans; and

14 (e) Renewable energy is preferred over other energy resource.

15 **SEC. 58. *Reversion of Energy Resource Lands.*** – All exhausted
16 indigenous energy resource lands, as determined by the DOE, which are not
17 covered by proclamations must automatically revert to the category of
18 forestlands or agricultural lands, open to disposition, whichever is appropriate,
19 unless the DENR classifies such areas for other purposes consistent with the
20 prescriptions of watershed management plans. Exhausted energy resource lands
21 are specific energy resource sites that the energy reserves of the desired type or

1 types are no longer in sufficient quantity or quality to justify additional
2 expenditure for its extraction and utilization.

3 **Article 7**

4 **Industrial Development Areas or Sites**

5 **SEC. 59. *Criteria for Designating Industrial Development Areas.*** – The
6 identification and establishment of industrial development areas shall conform
7 to the provisions of RAs 7916, 6657, 8371, 7279, 8550, and 8435, taking into
8 consideration the following:

9 (a) Identified network of areas for agricultural development and
10 protected agricultural areas pursuant to the RA 8435;

11 (b) National policies on the regional dispersal of industries and agri-
12 based industrial development;

13 (c) Identified growth areas and corridors in the National Development
14 Plan;

15 (d) NIPAS and non-NIPAS areas such as KBAs and restored areas that
16 require protection;

17 (e) National and Urban Development and Housing Framework;

18 (f) Identified socialized housing zones;

19 (g) National framework for physical planning and other existing
20 national programs and policies; and

21 (h) Prescriptions of watershed management plans.

1 The designated industrial development areas must be located only in
2 production land uses areas and shall form an integral part of the land use plan
3 and zoning ordinance of the city or municipality where these areas are located
4 pursuant to RAs 6657, 8371, 7279, 855, 8435, and 7160, as amended.

5 Article 8

6 Tourism Development Areas

7 SEC. 60. *Designating Tourism Development Areas.* – The
8 identification, selection, and development of tourism development areas, and
9 Tourism Enterprise Zones shall be done in consultation and coordination with
10 the LGUs, TIEZA, DOT and other national government agencies, the private
11 sector and the affected communities subject to the provisions of RA 9593,
12 otherwise known as "*The Tourism Act of 2009.*" Tourism development areas
13 include those covered by legislative and executive issuances such as tourist
14 spots, tourist zones and tourism ecozones which can be developed into tourism
15 estates or integrated resort, or integrated resort leisure and recreation
16 complexes. Other tourism-related facilities and those identified in the national,
17 regional and area-specific tourism master plans and other sector plans, such as
18 ecotourism and agri-tourism sites are also considered as tourism development
19 areas. The sites designated for tourism development must be outside of the
20 areas identified for protection land use. As much as practicable, community-
21 based tourism shall be the principal mode of tourist spot operation. RAs 6657,
22 8371, 7279, 8435, 7160, and EO 111, series of 1999, which provided for the

1 sustainable multimodal transport network that provides connectivity within the
2 national network of settlements. Such connectivity shall include linkages
3 among existing and proposed priority urban centers, rural areas, production
4 hubs and tourism zones, distribution centers and markets, and key international
5 points of entry. It shall be developed to promote network efficiency and social
6 service delivery, to catalyze areas identified critical for economic growth, while
7 minimizing negative impacts to environmentally-critical and protected areas as
8 identified in the watershed management plans.

9 The national network of settlements, as defined in the NPPF, shall guide
10 the development of a multi-modal transportation network. The network shall be
11 designed and implemented to provide seamless connectivity among the various
12 modes of transportation. The RPPFs, PPFDPs and city or municipal CLUPs
13 shall focus on the transportation network that corresponds to their respective
14 jurisdictions while maintaining consistency with the overall national networks.

15 **SEC. 63. *Allocation and Use of Land for Infrastructure Development.***
16 – Land, whether public or private, shall be allocated and utilized for priority
17 infrastructure projects that are supportive of national or local development
18 objectives. The NEDA, in consultation with the national government agencies,
19 LGUs and the private sector, shall identify and periodically review, update or
20 revise the list of priority infrastructure projects under an over-all national
21 strategic infrastructure development plan subject to the provisions of this Act,

1 RA 8435 and RA 8371. The national strategic infrastructure development plan
2 must be consistent and integrated in the objectives and directions of the NPFP.

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

5 (a) Respond to immediate and vital requirements of the national and
6 regional economy with priority to improving production-market integration,
7 inter-modal transport, conveyance and logistics linkages, rural infrastructure
8 and the development of the agriculture and fisheries sectors;

9 (b) Upgrade existing facilities to international public safety standards;

10 (c) Address the need for sustainable settlement development; and

11 (d) Mitigate the destructive effects of natural disaster-causing
12 phenomena or serve as alternatives to existing infrastructure found in natural
13 hazard-prone areas.

14 The provision and implementation of infrastructure support must be made
15 compatible with existing environmental conditions and the physical, whether
16 natural or human-made, and cultural character of the area. Mandatory public
17 consultations pursuant to existing laws and regulations must be held prior to the
18 conduct of all infrastructure projects that necessarily involve dislocation or
19 displacement of people in the area.

20 The proponent of the infrastructure project shall follow the rules on just
21 and humane eviction or demolition under Section 28 of RA 7279 as a last resort,
22 notwithstanding the provisions of RA 8975, prohibiting lower courts from

1 issuing temporary restraining orders, preliminary injunctions or preliminary
2 mandatory injunctions. The proponent shall also follow the provisions of RA
3 8371, particularly those pertaining to the rights of IPs or ICCs in case of
4 displacement. The national government infrastructure projects shall, after
5 determining that displacement is unavoidable, include the budgetary
6 requirements for the adequate relocation of displaced communities.

7 **SEC. 64. *Infrastructure Projects within Geo-hazard Areas.*** –
8 Construction of priority infrastructure projects within hazard-prone areas are
9 allowed. However, mitigating or preventive measures must be adopted and
10 implemented to address the potential adverse economic, socio-cultural and
11 environmental impacts that emanate from these infrastructure projects, subject
12 to the findings and recommendations of a feasibility study or environment
13 impact assessment in accordance with PD 1586 and RA 4846, otherwise known
14 as the "*Cultural Properties Preservation and Protection Act.*"

15 Existing projects that were undertaken without the required
16 environmental impact assessment and which pose a threat to the environment,
17 or to the integrity of historic, archeological or scientifically significant areas, or
18 impinge on critical ecosystems, and other areas identified in the watershed
19 management plans may be terminated immediately or gradually phased-out and
20 relocated. If the existing project is to be maintained within their life span,
21 mitigating measures must be adopted and implemented. The rules on mandatory
22 public hearings or consultations and just and humane eviction or demolition

1 shall also be observed prior to the termination, gradual phase-out, or relocation
2 of projects that necessarily involve dislocations or displacement of the people in
3 the area.

4 **Article 10**

5 **Agro-Industrial Development**

6 **SEC. 65. *Land Consolidation for Agro-industrial Development.*** - The
7 consolidation of small-scale agricultural landholdings shall be promoted to take
8 advantage of economies of scale in agricultural production, to promote value
9 chain development, and to increase farm incomes and improve the quality of
10 life of farmers. A Land Consolidation and Utilization Program under the DA
11 shall be established. The program shall implement the following:

12 (a) Consolidation of small contiguous landholdings into bigger
13 agricultural estates for farm operations and agro-industries;

14 (b) Crafting of a comprehensive plan and study of the optimum
15 utilization and long-term productivity of bigger landholdings;

16 (c) Private sector participation in agricultural production and
17 management through adequate security, incentives and reasonable return on
18 investments, within limits set by existing laws;

19 (d) Development and adoption of cooperative systems that will
20 increase the participation and protection of small farmers; and

1 (e) Provision of support to consolidated farms in such forms as
2 farm-to-market roads, irrigation, utilities, logistics, processing facilities,
3 upgrading of basic social amenities, and marketing assistance to farmers.

4 CHAPTER IX

5 TRAINING, EDUCATION AND VALUES FORMATION

6 SEC. 66. *Values Formation.* – In order to develop a well-informed,
7 responsible and committed citizenry, who value the protection, conservation
8 and development of the limited land and other physical resources of the country,
9 the CHED, with prior consultation with concerned stakeholders, may include a
10 subject or topic on sustainable land use in the general education curriculum of
11 higher education institutions.

12 SEC. 67. *Information or Education Campaign and Capacity Building.*

13 – The NLUC shall spearhead a nationwide information or education campaign
14 on land use and physical planning together with the local and national
15 government agencies. The DHSUD, in coordination with DILG, CHED and
16 other concerned agencies shall formulate and implement a land use management
17 capability building program for national and local government officials,
18 community leaders, representatives of NGOs, POs, the religious sector and the
19 general public.

1 **Article 2**

2 **SANCTIONS AND PENALTIES**

3 **SEC. 70. *Failure to Formulate, Enforce, or Implement the CLUPs.***

4 – Within three (3) years from the effectivity of this Act, all LGUs shall
5 complete the formulation of their CLUPs.

6 Failure to formulate, enforce or implement the CLUPs shall be subject to
7 the penalties and sanctions to be imposed by DHSUD pursuant to RA 11201,
8 otherwise known as the “*Department of Human Settlement and Development*
9 *Act*” and its Implementing Rules and Regulations. The DILG, consistent with
10 due process, shall investigate, review, and impose appropriate action regarding
11 local chief executives and other local officials and employees responsible for
12 the formulation, enforcement, and/or implementation of the CLUPs in case of
13 any of the following:

14 (a) Failure to implement and enforce the CLUP due to negligence of
15 duty;

16 (b) Failure to provide appropriate budgetary allocation to effect its
17 implementation; and

18 (c) Failure to complete the preparation and undergo review and
19 approval process of the CLUP despite the availability of funds, resources, and
20 support by the *Sanggunian* concerned.

21 **SEC. 71. *Causing Irrigated Agricultural Lands to be Idle.*** – Any
22 person or juridical entity who shall cause any irrigated lands whether

1 contiguous or not, within the protected areas for agricultural development, to lie
2 idle and unproductive for a period exceeding one (1) year, unless due to force
3 majeure, shall be subject to an idle land tax equivalent to five percent (5%) of
4 the value of the agricultural land as appearing in its real property tax
5 declaration. In addition, the violator shall be required to put back such lands to
6 productive agricultural use. Should the continued agricultural inactivity, unless
7 due to force majeure, exceed period of two (2) years, the land shall be subject to
8 escheat proceedings.

9 **SEC. 72. *Person Abetting Illegal Conversion.*** – Any person initiating,
10 causing, inducing, or abetting illegal conversion as defined in Section 73(c) of
11 RA 6657, as amended, and Section 4(cc) of this Act shall, upon conviction, be
12 imprisoned from seven (7) to twelve (12) years and imposed a fine of not less
13 than One hundred thousand (P100,000.00) pesos, or both at the discretion of the
14 court: *Provided*, That if the offender is a public official or employee, whether
15 elected or appointed, the penalty shall, in addition thereto, include dismissal
16 through permanent separation from the service and forfeiture of all benefits and
17 entitlements accruing to the public position and perpetual disqualification to run
18 or apply for any elective or appointive public office: *Provided, further*, That if
19 the offender is a juridical person, the penalty of imprisonment shall be imposed
20 on the president, chief executive officer, manager, chairperson and all the
21 members of the board, and other responsible officers thereof, and the fine shall
22 be equivalent to the zonal value of the land or forty percent (40%) of the

1 shareholders equity, as determined at the time of judgment whichever is higher,
2 plus forfeiture of the land in favor of the State for sale through public auction,
3 the proceeds of which shall automatically accrue to the Agrarian Reform Fund
4 as provided for in Section 79 of this Act.

5 **SEC. 73. *Fine for Non-Completion and Non-Commencement of***
6 ***Development of Agricultural Lands with Approved Order of Conversion.*** – A
7 landowner and designated developer or duly authorized representative who,
8 without justifiable cause, fails to commence or complete the development of
9 agricultural lands with approved order of conversion shall be penalized, jointly
10 or severally, with any of the following fines based on the zonal value of the land
11 at the time the fine is imposed:

12 (a) On failure to commence within one (1) year from the date of
13 conversion order:

14 (1) Six percent (6%) of the zonal value of the subject land for
15 the first three (3) hectares;

16 (2) Fifteen percent (15%) of the zonal value of the subject land
17 for the next three hectares, and

18 (3) Thirty percent (30%) of the zonal value of the subject land
19 for the remaining area: *Provided*, That the order of conversion shall be
20 deemed revoked automatically and the land shall revert to its original
21 agricultural use and covered automatically and the land shall revert to its
22 original agricultural use and covered.

1 (b) On failure to complete fifty percent (50%) of the approved
2 conversion plan within a specified time frame. Fifty percent (50%) of the zonal
3 value of the subject land and the revocation of the conversion plan on the
4 undeveloped portion which shall automatically revert to its original use as
5 agricultural land. The same shall be covered under the CARP and processed for
6 land distribution as soon as possible.

7 **SEC. 74. *Change of Use from the Previously Authorized Conversion***

8 **Order.** – The landowner and future landowners of the property approved for
9 conversion shall not change its use to another use not authorized under the
10 Conversion Order without prior consent from the DAR. This prohibition
11 extends to changes in housing standards, changes in selling schemes, changes
12 from social housing to open market housing or vice-versa, and all other similar
13 changes. Violation of which shall be penalized with revocation of Conversion
14 Order and forfeiture of cash bond.

15 **SEC. 75. *Payment of Disturbance Compensation.*** – Following the order
16 of priority as enumerated in Section 22 of RA 6657, as amended, qualified
17 beneficiaries such as agricultural lessees and share tenants, regular farm
18 workers, seasonal farm workers, other farm workers, actual tillers or occupants
19 of public lands, collective, or cooperative of the above-mentioned beneficiaries,
20 and others directly working on the land affected by agricultural land use
21 conversion shall be entitled to the payment of disturbance compensation
22 equivalent to five (5) times the average of the gross harvests on the landholding

1 during the last five (5) preceding calendar years or a certain percentage of the
2 converted land, whichever is higher, as determined by the DAR.

3 **SEC. 76. *Authority to Impose Fine.*** – The DAR shall impose the penalty
4 provided for under the preceding section.

5 **SEC. 77. *Withdrawal of Local Development Permits or Licenses.*** –
6 Upon receipt of notice from the DAR of illegal conversion, the concerned
7 agencies, city or municipality shall withdraw or revoke any development permit
8 or license issued to illegally converted agricultural lands.

9 **SEC. 78. *Penalty for Reclassification of Protected Agricultural Lands***
10 ***and Exceeding the Limit of Areas Allowed for Reclassification.*** – Any person
11 initiating, causing, inducing or abetting the reclassification to non-agricultural
12 uses of protected agricultural areas as defined in this Act shall be punished with
13 imprisonment of twelve (12) years or a fine of not less than One hundred
14 thousand Pesos (P100,000.00), or both, at the discretion of the court.

15 If the offender is a public official or employee, whether elected or
16 appointed, the penalty includes dismissal from the service, forfeiture of
17 entitlements accruing to the public position, and perpetual disqualification to
18 run or apply for any elective or appointive position.

19 If the offender is a juridical person, the president, chief executive officer,
20 manager, chairperson, members of the board and other officers who directly
21 participated in the violation of this Section shall be held liable.

1 The same penalty is applicable to persons who are responsible for
2 exceeding the limits set forth under Section 20 of RA 7160 pertaining to
3 reclassification of lands.

4 **SEC. 79. *Utilization of Fines.*** – The fines collected under Sections 72,
5 73 and 78 of this Act shall accrue to the Agrarian Reform Fund and shall be
6 used for the purpose for which the fund is established.

7 **CHAPTER XI**

8 **TRANSITORY AND FINAL PROVISIONS**

9 **SEC. 80. *Convening of the NLUC.*** – Within thirty (30) days from the
10 effectivity of this Act, the chairperson shall convene the NLUC.

11 **SEC. 81. *Implementing Rules and Regulations.*** – Within six (6) months
12 from the effectivity of this Act, the NLUC shall promulgate the rules and
13 regulations to implement the provisions of this Act.

14 **SEC. 82. *Congressional Oversight Committee on the Land Use Act.*** –
15 There is hereby created a joint congressional oversight committee to monitor
16 the implementation of this Act. The committee shall be composed of seven (7)
17 senators and seven (7) representatives to be appointed by the Senate President
18 and the Speaker of the House of Representatives, respectively. The members
19 from the Senate shall be appointed based on proportional representation of the
20 parties or coalitions therein, with at least two (2) senators representing the
21 minority. Likewise, the representatives from the House of Representatives shall

1 be appointed based on proportional representation of the parties or coalitions
2 therein with at least two (2) Members representing the minority.

3 The mandate given to the joint congressional oversight committee under
4 this Act shall be without prejudice to the performance of the duties and
5 functions by the respective existing oversight committees of the Senate and the
6 House of Representatives. The secretariat of the committee shall be drawn from
7 the existing secretariat personnel of the committees comprising the oversight.

8 SEC. 83. *Appropriations.* – The amount necessary for the initial
9 implementation of this Act shall be charged against the current year's
10 appropriations of the departments and agencies concerned. Thereafter, such
11 amount shall be included in the annual General Appropriations Act.

12 SEC. 84. *Review of the Existing Land Use Plans.* – Provinces, cities,
13 and municipalities with existing land use plans shall review, revise, reconcile,
14 and harmonize their respective land use plans in accordance with the guidelines
15 and standards issued by the National Land Use Commission (NLUC) within one
16 (1) year from the effectivity of this Act.

17 All other laws, orders issuance, rules and regulations inconsistent
18 herewith are repealed or modified accordingly.

19 SEC. 85. *Non-impairment Clause.* – Nothing in this Act shall be
20 construed as to diminish or impair the rights recognized granted, or available to
21 marginalized or the basic sectors under existing laws or to diminish or impair

1 vested rights generally, including the rights of indigenous cultural communities
2 and indigenous peoples as provided under RA 8371.

3 **SEC. 86. *Separability Clause.*** – If any provision of this Act is declared
4 unconstitutional, the remainder of this Act or any provisions not affected
5 thereby shall remain in full force and effect.

6 **SEC. 87. *Repealing Clause.*** – Sections 10 and 11 of RA 8435, Sections
7 447 (a2vii) and 458 (a2viii) of RA 7160, the pertinent provisions of EO 648,
8 series of 1991, EO 72, series of 1993, EO 770, series of 2008, Letter of
9 Instruction No. 1350, series of 1983, PP 2282, series of 1983 are hereby
10 repealed, amended or modified accordingly.

11 **SEC. 88. *Effectivity.*** – This Act shall take effect fifteen (15) days after
12 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,