

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

Thirteen Congress
First Regular Session

HOUSE BILL NO. 1651

Introduced by Honorable Eileen Ermita-Buhain

EXPLANATORY NOTE

This bill seeks to segregate the areas in the generally declared tourist zones which are more suitable for agricultural use and declare the same as alienable and disposable.

Section 4, Article XIII of the Constitution provides that " the State shall, by law, undertake an agrarian reform program founded on the right of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till or, in the case of other farmworkers, to receive a just share of the fruits thereof. To this end, the State shall encourage and undertake the just distribution of all agricultural lands, subject to such priorities and reasonable retention limits as the Congress may prescribe, taking into account ecological, developmental, or equity considerations, and subject to the payment of just compensation."

Consistent with the mandate of the Constitution, Congress enacted into law Republic Act No. 6657, known as the "Comprehensive Agrarian Reform Law of 1988". This law instituted the Comprehensive Agrarian Reform Program (CARP) and declared it a policy of the State to pursue the CARP in order that the welfare of landless farmers and farmworkers will receive the highest consideration and that the nation can move toward sound rural development, industrialization, and social justice.

However, there are various laws and proclamations declaring some areas in the country such as a certain island, province, or municipality as tourist zones consequently reserving said areas for tourism purposes and

placing them under the administration and control of the Philippine Tourism Authority (PTA). This move of the government tends to deprive the CARP beneficiaries the right to own the land they till.

Evidently, the landless farmers and farmworkers tilling lands inside areas declared as tourist zones are as entitled to the rights and benefits provided for by the Comprehensive Agrarian Reform Law as are all the landless farmers and farmworkers of the country. To solve their dilemma, those portions of land which are more suitable for agricultural purposes but within declared tourist zones must be identified and segregated. The DAR shall then acquire those segregated lands and distribute them to qualified beneficiaries of the CARP. This solution will not only improve and develop the rural areas around the country but will also promote social justice by providing land to our country's landless farmers and farmworkers.

This bill seeks to remedy the problem of landless farmers and farmworkers tilling lands in tourist zones who are unable to benefit from the provisions of Republic Act 6657. All lands more suitable for agriculture and not actually, directly and exclusively used or necessary for tourism purposes, as determined by the DAR in coordination with the PTA, shall be available for acquisition and distribution to qualified beneficiaries in accordance with the Comprehensive Agrarian Reform Law.

In the interest of social justice and sound rural development, approval of this bill is earnestly encouraged

EILEEN ERMITA-BUHAIN

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AN ACT
PROVIDING THAT AREAS WITHIN THE DECLARED TOURIST ZONES SUITABLE FOR AGRICULTURAL PURPOSES SHALL BE DECLARED ALIENABLE AND DISPOSABLE UNDER CERTAIN CONDITIONS

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

SECTION 1. All portions of lands which are declared by laws and proclamations to be within tourist zones but are more suitable for agricultural purposes and not actually, directly and exclusively used or necessary for tourism purposes, shall be determined and segregated from the zones reserved for tourism purposes. These lands shall be made available for acquisition and distribution to qualified beneficiaries in accordance with the Comprehensive Agrarian Reform Law.

SEC. 2. The Department of Agrarian Reform (DAR), in coordination with the Philippine Tourism Authority (PTA), shall determine and segregate the areas suitable for agricultural purposes and promulgate the rules and regulations for the transfer thereof to qualified farmer beneficiaries.

SEC. 3. All existing and proposed national parks, game refuge and bird sanctuaries, wildlife reserves, identified wilderness areas shall be excluded from the coverage of this Act.

SEC. 4. All laws, proclamations, executive orders, rules and regulations, or any part thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 5. This Act shall take effect upon its approval.

Approved,