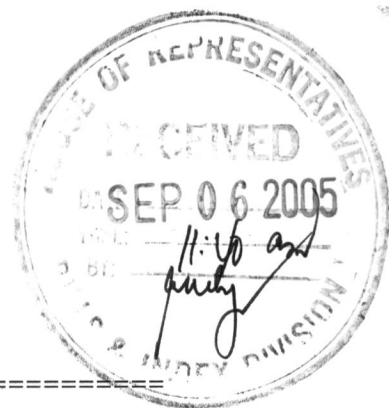


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 4679



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**INTRODUCED BY REPRESENTATIVES RAFAEL V. MARIANO,
CRISPIN B. BELTRAN, SATUR C. OCAMPO, LIZA LARGOZA-MAZA,
TEODORO A. CASIÑO AND JOEL G. VIRADOR**

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EXPLANATORY NOTE

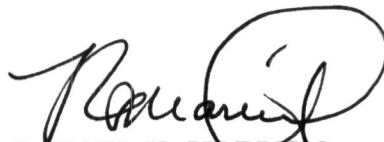
This proposed legislative measure is in accordance with the State policy that the welfare of the landless farmers and farmworkers shall receive the highest consideration to promote social justice and to move the nation toward sound rural development and industrialization and the establishment of owner cultivatorship of economic-size farms as the basis of Philippine agriculture.

The State has found it necessary to provide educational institutions, particularly state colleges and universities (SCUs), tracts of lands to serve as their campus sites and for other purposes such as maintaining experimental farm stations, seed and seedling research and pilot production centers in pursuance of their educational mandates. However, these charter reservations were legislated without taking into account that reserved lands have been occupied by farmers for generations. Moreover, most of these lands were reserved in excess of the actual needs of state colleges and universities (SCUs). Due to budgetary constraints, most of the reserved lands have remained undeveloped and lain idle until farmers came to cultivate them. These areas have become their habitat and means of livelihood. In spite of these facts, these farmers-cultivators were unable to own the land they have been tilling. They are even considered as squatters or informal settlers for the sole reason that the lands they have been cultivating are part of the property of educational institutions.

This situation has caused intense conflict between the farmers and SCUs, as exemplified by the landmark case involving farmers belonging to Bukidnon Free Farmers and Agricultural Laborers Organizations (BUFFALO) and the Central Mindanao University (CMU).

In particular, this measure is being proposed to avoid similar situations in the future and to ensure that farmers and farmworkers can enjoy their right to the equitable distribution of lands of public domain and right to security of tenure to the land that they are tilling considering their indispensable role in attaining food security for the country. As educational institutions, SCUs are also called upon to help attain social justice for landless farmers to help society eradicate landlessness and poverty.

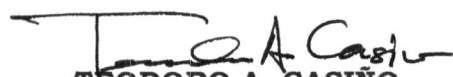
In view of the foregoing, the early passage of this bill is earnestly requested.


RAFAEL V. MARIANO
ANAKPAWIS Party-list


CRISPIN B. BELTRAN
ANAKPAWIS Party-list


SATUR C. OCAMPO
BAYAN MUNA Party-list


LIZA LARGOZA-MAZA
GABRIELA Women's Party-list


TEODORO A. CASINO
BAYAN MUNA Party-list


JOEL G. VIRADOR
BAYAN MUNA Party-list

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**AN ACT SEGREGATING FROM STATE COLLEGES AND
UNIVERSITIES IN THE COUNTRY PORTIONS OF LAND THAT ARE
IN EXCESS OF THEIR ACTUAL USE, NEEDS AND REQUIREMENTS**

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

SECTION 1. All portions of the reserved lands for state colleges and universities that are in excess of their actual use, needs and requirements are hereby declared segregated from the mass of lands owned and administered by state colleges and universities.

SECTION 2. The Director of Lands in coordination with state colleges and universities shall conduct an inventory of the lands reserved for state colleges and universities and determine those portions that are in excess of the actual use, needs and requirements for development of state colleges and universities.

SECTION 3. The Director of Lands, in coordination with state colleges and universities, is hereby directed to segregate the lands that are found to be in excess of the actual use, needs and requirements of state colleges and universities and distribute the same to the actual tillers or occupants therein. Each actual tiller shall receive not less than three hectares. *Provided, however,* That actual tillers or occupants who own lands of less than three hectares shall receive only portions of land necessary to meet the not less than three hectares requirement. *Provided, further,* That lands so segregated by this Act which do not have actual tillers or occupants shall be distributed to farm workers of the state college or university. *Provided, finally,* That where there are no farm workers, the lands so segregated shall be distributed to farmers from adjacent barangays or municipalities who are landless or who own lands of less than three hectares.

Actual tiller shall mean "any person who is actually tilling the land at the time of the effectivity of this Act".

SECTION 4. After the lands have been distributed to the actual tillers or actual occupants or other landless farmers, the Director of Lands shall issue free patents or certificates for lands granted under this Act.

SECTION 5. The lands that remain after the segregation shall continue to be owned, administered and managed by state colleges and universities. Provided That, if there are farmers within these lands, their right to till shall be respected and their tenure secured through production or resource management contract and other similar tenurial schemes.

SECTION 6. Lands acquired under this Act may not be sold, transferred or conveyed for a period of ten (10) years except through hereditary succession: Provided, however, That in cases wherein the beneficiary has no legitimate and/or illegitimate heirs, the land shall be managed by the farmer's organization or in its absence, any organization wherein the beneficiary is a member until such time that the managing farmer's organization or in its absence, any organization, has selected a qualified person to whom the land shall be granted.

The person to whom the land is granted shall have the same rights and privileges accorded to the original beneficiary.

SECTION 7. The distribution of all lands covered by this Act shall be implemented immediately and completed within two (2) years from the effectivity thereof.

SECTION 8. The Department of Environment and Natural Resources (DENR) shall formulate the implementing rules and regulations (IRR) of this Act within ninety (90) days after its effectivity.

SECTION 9. The amount necessary to implement the provisions of this Act shall be charged against the current year's appropriations of the concerned national agency. Thereafter, such funds as may be necessary for the continued implementation of this Act shall be included in the budget of the concerned national agency under the annual General Appropriations Act.

SECTION 10. All existing laws, decrees, executive orders, rules and regulations not inconsistent with this Act shall have supplementary effect.

SECTION 11. All existing laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SECTION 12. If, for any reason, any section or provision of this Act is declared null and void, no other section, provision, or part thereof shall be affected and the same shall remain in full force and effect.

SECTION 13. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,