



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Republic of the Philippines
REPUBLIC OF THE PHILIPPINES
Quezon City

15th Congress
1st Regular Session

COMMITTEE REPORT NO. 904

10 MAY 2011

Submitted by ~~the~~ Committee on Housing and Urban Development on _____
Re: House Bill No: **4578**
Recommending its approval in substitution of House Bill Nos. 1041, 1818, 2907, & 3040
Sponsors: Representatives Valencia, Violago, Singson, Castelo and Biazon

Mr. Speaker:

The Committee on Housing and Urban Development to which were referred House Bill No. 1041 introduced by Reps. Joseph Gilbert F. Violago and Rodante Marcoleta entitled:

"AN ACT DECLARING ALL DISPOSABLE LANDS OF THE GOVERNMENT WHICH HAVE REMAINED IDLE AND SUITABLE FOR RESIDENTIAL PURPOSES SHALL BE DEVELOPED INTO SOCIALIZED HOUSING SITE FOR LOW-SALARIED GOVERNMENT AND PRIVATE EMPLOYEES AND SQUATTERS";

House Bill No. 1818 introduced by Reps. Eric Owen G. Singson, Jr. and Lani Mercado-Revilla, entitled:

"AN ACT DECLARING ALL DISPOSABLE LANDS OF THE GOVERNMENT WHICH HAVE REMAINED IDLE AND SUITABLE FOR RESIDENTIAL PURPOSES SHALL BE DEVELOPED INTO SOCIALIZED HOUSING SITE FOR LOW-SALARIED GOVERNMENT AND PRIVATE EMPLOYEES AND SQUATTERS";

House Bill No. 2907 introduced by Rep. Winston T. Castelo, entitled:

"AN ACT MANDATING THAT AT LEAST TEN PERCENT (10%) OF GOVERNMENT-OWNED LANDS TO BE SOLD, ALIENATED OR OTHERWISE ENCUMBERED FOR DEVELOPMENT PURPOSES, BE SEGREGATED FOR SOCIALIZED HOUSING PROJECTS";

and House Bill No. 3040 introduced by Reps. Rodolfo G. Biazon and Romeo M. Acop, entitled:

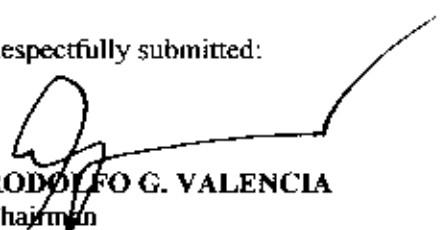
"AN ACT MANDATING THAT AT LEAST TEN PERCENT (10%) OF GOVERNMENT-OWNED LANDS TO BE SOLD, ALIENATED OR OTHERWISE ENCUMBERED FOR DEVELOPMENT PURPOSES, BE SEGREGATED FOR SOCIALIZED HOUSING PROJECTS"

has considered the same and recommends that the attached House Bill No. 4578, entitled:

**"AN ACT PRESCRIBING THE MECHANISMS TO FACILITATE THE DISPOSITION OF
GOVERNMENT-OWNED LANDS FOR SOCIALIZED HOUSING"**

be approved in substitution of House Bill Nos. 1041, 1818, 2907 and 3040 with Reps. Violago, Marcoleta, Singson, Mercado-Revilla, Castelo, Biazon, Acop, Valencia, Leonen-Pizarro, Olivares, Bagatsing, Ocampo, Palmones, Ty, Lico, Magsaysay(M.M.), Panotes, Calimbas-Villarosa, Quimbo, De Jesus, Acharon, Kho, Herrera-Dy, Mariano, Sy-Alvarado, Padilla and Ejercito as authors thereof.

Respectfully submitted:



RODOLFO G. VALENCIA
Chairman

Committee on Housing and Urban Development

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

First Regular

House Bill No. **4578**

Introduced by: Representatives Joseph Gilbert F. Violago, Rodante D. Marcoleta, Eric G. Singson, Jr., Lani Mercado-Revilla, Winston T. Castelo, Rodolfo G. Biazon, Romeo M. Acop, Rodolfo G. Valencia, Catalina G. Leonen-Pizarro, Edwin L. Olivares, Amado S. Bagatsing, Rosenda Ann Ocampo, Angelo B. Palmones, Amel U. Ty, Isidro Q. Lico, Ma. Milagros H. Magsaysay, Elmer E. Panotes, Ma. Amelita A. Calimbas-Villarosa, Romero Federico "Miro" S. Quimbo, Emerenciana De Jesus, Pedro b. Acharon, Jr., David L. Kho, Bernadette Herrera-Dy, Rafael V. Mariano, Ma. Victoria R. Sy-Alvarado, Carlos M. Padilla and Joseph Victor G. Ejercito

AN ACT

**PRESCRIBING THE MECHANISMS TO FACILITATE THE DISPOSITION OF GOVERNMENT-OWNED
LANDS FOR SOCIALIZED HOUSING**

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

1 **SECTION 1. Short Title.** - This Act shall be known and cited as the "Idle Government-
2 Owned Lands Disposition Act of 2011".
3

4 **SEC. 2. Declaration of Policy.** - It is hereby declared the policy of the State to ensure
5 availability of sufficient lands for socialized housing purposes and to improve the capability of
6 local government units (LGUs) in undertaking housing and urban development programs
7 and projects.
8

9 **SEC. 3. Inventory, Identification and Setting Aside of Lands for Socialized Housing.** - To
10 carry out the provisions of this Act, an inventory of all government-owned lands shall be
11 conducted. Toward this end:

12 (a) all LGUs are hereby directed to identify and set aside all local government-owned
13 lands suitable for socialized housing; and

14 (b) the National Housing Authority (NHA), in coordination with the Department of
15 Environment and Natural Resources (DENR), is likewise directed to identify lands owned by
16 the national government or any of its subdivisions, instrumentalities or agencies, including
17 government-owned or -controlled corporations and their subsidiaries which have not been

1 used for the purpose for which they have been reserved for the past ten (10) years to be set
2 aside for socialized housing: *Provided*, That such lands have been declared open for
3 disposition whether through an act of Congress or other related laws.

4
5 Except for local government-owned lands, all lands owned by the national
6 government or any of its subdivisions, instrumentalities or agencies, including government-
7 owned or -controlled corporations and their subsidiaries identified for socialized housing, shall
8 immediately be transferred to the NHA to be set aside for the purpose subject to the
9 approval of the President of the Philippines.

10
11 **SEC. 4. Sale, Alienation or Encumbrance of Other Government-owned Lands Not Set**
12 **Aside for Socialized Housing.** - Whenever a government-owned land not set aside for
13 socialized housing, whether owned by the LGUs or the national government or any of its
14 subdivisions, instrumentalities or agencies, including government-owned or -controlled
15 corporations, is sold, alienated or otherwise encumbered in favor of private individuals or
16 entities for its development into industrial, commercial or other similar estates, there shall be
17 set aside, as may be necessary, at least ten percent (10%) of the proceeds thereof for the
18 development of socialized housing projects within, adjacent to the affected areas or in
19 nearby areas within the city or municipality in accordance with the local development land-
20 use plan.

21
22 **SEC. 5. Conveyance of Segregated Land or Fund.** - For a land owned by the national
23 government or any of its subdivisions, instrumentalities or agencies, including government-
24 owned or -controlled corporations and their subsidiaries, the segregated land or fund shall
25 be conveyed at no cost to the NHA which shall be directly responsible for the development
26 of socialized housing projects.

27
28 However, for a land owned by an LGU, the segregated land or fund shall be retained
29 by the LGU concerned to be utilized exclusively for its socialized housing projects.

30
31 **SEC. 6. Implementation of Socialized Housing Projects.** - For purposes of
32 implementing socialized housing projects on lands set aside for socialized housing and of
33 utilizing the funds set aside from the sale, alienation and encumbrance of other lands not set
34 aside for socialized housing:

35 (a) the LGU concerned shall undertake the development of socialized housing
36 projects for lands or funds set aside for socialized housing pursuant to Sections 3(a) and 4,
37 and the second paragraph of Section 5; and

1 (b) the NHA shall undertake the provision of socialized housing for the underprivileged
2 and homeless citizens for such lands or funds set aside for socialized housing pursuant to
3 Sections 3(b) and 4, and the first paragraph of Section 5.

4
5 Toward this end, the NHA and the LGU concerned are hereby authorized to enter
6 into joint venture agreements or other similar arrangements with private developers or
7 nongovernmental organizations (NGOs) engaged in housing production: *Provided, That the*
8 *cost of housing unit, if constructed within the affected area or locality pursuant to Section 4*
9 *hereof, shall exclude the cost of land.*

10
11 In both cases, the NHA and the LGU concerned shall coordinate with each other in
12 the development of socialized housing projects in the areas mentioned in Section 4 of this
13 Act.

14
15 **SEC. 7. *Incentives for Private Developers and NGOs.*** - To encourage private sector
16 and NGO participation in the socialized housing projects described in Section 6 hereof, the
17 incentives provided in Section 20, on Incentives for Private Sector Participating in Socialized
18 Housing, of Republic Act No. 7279, otherwise known as the Urban Development and Housing
19 Act of 1992, shall apply.

20
21 **SEC. 8. *Implementing Rules and Regulations.*** - Within six (6) months after the
22 effectivity of this Act, the Housing and Urban Development Coordinating Council (HUDCC)
23 and the DENR are hereby directed to promulgate the necessary rules and regulations to
24 effectively implement the provisions of this Act. In drafting the implementing rules and
25 regulations, the National Urban Development and Housing Framework described in Republic
26 Act No. 7279 shall be taken into consideration.

27
28 **SEC. 9. *Separability Clause.*** - If any part or provision of this Act is declared invalid for
29 any reason, the remainder of this Act not affected thereby shall remain valid and effective.

30
31 **SEC. 10. *Repealing Clause.*** - All laws, decrees, executive orders, letters of instruction,
32 rules and regulations or parts thereof inconsistent with any of the provisions of this Act are
33 hereby repealed, modified, superseded or amended accordingly.

34
35 **SEC. 11. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
36 complete publication in the Official Gazette or in at least two (2) newspapers of general
37 circulation.

38
39 Approved,

FACT SHEET

House Bill No. 4578
(As Approved on March 23, 2011)

DISPOSITION OF GOVERNMENT-OWNED LANDS FOR SOCIALIZED HOUSING

Introduced by: REPS. VIOLAGO, MARCOLETA, SINGSON, MERCADO-REVILLA, CASTELO, BIAZON, ACOP, VALENCIA, LEONEN-PIZARRO, OLIVARES, BAGATSING, OCAMPO, PALMONES, TY, LICO, MAGSAYSAY (M.M.), PANOTES, CALIMBAS-VILLAROSA, QUIMBO, DE JESUS, ACHARON, KHO, HERRERA-DY, MARIANO, SY-ALVARADO, PADILLA AND EJERCITO

*Committee Referral: COMMITTEE ON HOUSING AND URBAN DEVELOPMENT
Committee Chairperson: REP. RODOLFO G. VALENCIA*

OBJECTIVES:

- To ensure the availability of sufficient land for socialized housing
- To improve the capability of local government units (LGUs) in undertaking urban development and housing projects

KEY PROVISIONS:

- Declares that at least ten percent (10%) of government-owned lands to be sold, alienated & encumbered for development purposes, or at least ten percent (10%) of the proceeds of the sale thereof, be segregated or allocated for socialized housing projects
- Directs the conveyance of the segregated land or fund to the National Housing Authority (NHA), for lands owned by the national government, for the development of socialized housing projects but, for lands owned by the LGU, mandates the retention by the LGU the segregated land or fund to be utilized exclusively for its socialized housing projects
- Authorizes the NHA and the local government unit to enter into a joint venture agreement or other similar agreements with private developers and nongovernmental organizations engaged in housing production

RELATED LAW:

- Republic Act No. 7279 – Urban Development and Housing Act

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. **1041**

Introduced by **Honorable Joseph Gilbert F. Violago**

EXPLANATORY NOTE

The right to a decent housing of every Filipino is enshrined in our Constitution. Section 9 of Article XIII states that "the State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas." This is one basic need that every Filipino family hopes to achieve – a decent home they could call their own. While there are many government programs being implemented to address this problem, still, it is not enough to cope with the increasing demand for housing units. Aside from financing, the lack of available land for residential purposes also poses a big stumbling block to fully implement housing programs.

Hence, this bill to identify and declare all disposable government lands which have remained idle and suitable for residential purposes, to develop the same into socialized housing site for low salaried government and private employees and squatters as well.

Approval of this Bill is earnestly enjoined.


JOSEPH F. VIOLAGO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 1041

Introduced by Honorable Joseph Gilbert F. Violago

AN ACT
DECLARING ALL DISPOSABLE LANDS OF THE GOVERNMENT WHICH HAVE REMAINED
IDLE AND SUITABLE FOR RESIDENTIAL PURPOSES SHALL BE DEVELOPED INTO
SOCIALIZED HOUSING SITE FOR LOW-SALARIED GOVERNMENT AND PRIVATE
EMPLOYEES AND SQUATTERS

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

SECTION 1. This Act shall be known as "The Idle Disposable Public Land Conversion Act."

SEC. 2. It is hereby declared the policy of the State to promote the housing needs of its inhabitants specifically the low-salaried employees in both the public and urban areas who can hardly afford a decent dwelling other than a socialized housing program.

SEC. 3. To carry out the provisions of this Act, the National Housing Authority is hereby directed to conduct a survey of idle government lands in coordination with the Department of Environment and Natural Resources which shall be opened for socialized housing;

The National Housing Authority (NHA) after identifying the idle disposable public lands shall publish the areas of socialized housing projects and thereafter allocate such lands to the qualified applicants for their housing needs.

The Bureau of Lands shall furnish the list of all disposable idle public lands within two (2) months from the approval of this Act to the NHA and issue the necessary transfer of certificate of title (TCT) accordingly to fast-track the implementation of the socialized housing programs.

SEC. 4. If any provision of this Act shall be declared unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect;

SEC. 5. All laws, decrees, order, rules and regulations or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly;

SEC. 6. This Act shall take effect after fifteen (15) days from its publication in at least two (2) newspapers of general circulation.

Approved,

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

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1818

Introduced by Honorable Eric Owen G. Singson, Jr.

Explanatory Note

During the last elections, the candidates in unison stressed the need to improve the government's housing program in order to make available at affordable prices decent housing and basic services to poor and homeless families all over the country.

The acute housing problem compounded by indiscriminate squatting in the urban areas necessitates a forward-looking approach to answer this basic need of the people.

This bill seeks the declaration of all idle public lands that have remained idle and suitable for residential purposes so that they may be developed into socialized housing for low-salaried government and private employees and squatters. The National Housing Authority is proposed to take over the said idle public lands for development into a residential project to be reserved for the purpose.

Since the objective of providing decent homes for our people is very close to the hearts of the new administration as well as the opposition, I earnestly hope for the approval of this bill.

Eric Singson Jr
ERIC OWEN G. SINGSON, JR.

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

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1818

Introduced by Honorable Eric Owen G. Singson, Jr.

AN ACT
DECLARING ALL DISPOSABLE LANDS OF THE GOVERNMENT WHICH HAVE
REMAINED IDLE AND SUITABLE FOR RESIDENTIAL PURPOSES SHALL BE
DEVELOPED INTO SOCIALIZED HOUSING SITE FOR LOW-SALARIED
GOVERNMENT AND ~~SALARIED GOVERNMENT AND~~ PRIVATE EMPLOYEES
AND SQUATTERS

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

SECTION 1. This Act shall be known as "The Idle Disposable Public Land Conversion Act."

SECTION 2. It is hereby declared the policy of the State to promote the housing needs of its inhabitants specifically the low-salaried employees in both the public and urban areas who can hardly afford a decent dwelling other than a socialized housing program.

SECTION 3. To carry out the provisions of this Act, the National Housing Authority is hereby directed to conduct a survey of idle government lands in coordination with the Department of Environment and Natural Resources which shall be opened for socialized housing.

The National Housing Authority after pinpointing the idle disposable public lands shall publish the areas for socialized housing projects and thereafter allocate such lands to the qualified applicants for their housing needs.

The Bureau of Lands shall furnish the list of all disposable idle public lands within two (2) months from the approval of this Act to the National Housing Authority and issue the necessary Transfer Certificate of Title (TCT) accordingly to speed up attainment of the targeted housing development program.

SECTION 4. All laws, decrees, orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 5. In case any provision or part of this Act is declared invalid or unconstitutional, all other provisions not affected thereby shall remain valid.

SECTION 6. This Act shall take effect after its publication in at least two (2) newspapers of general circulation.

Approved,

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**FIFTEENTH CONGRESS
First Regular Session**

HOUSE BILL NO. 2907

Introduced by Hon. Winston "Winnie" T. Castelo

EXPLANATORY NOTE

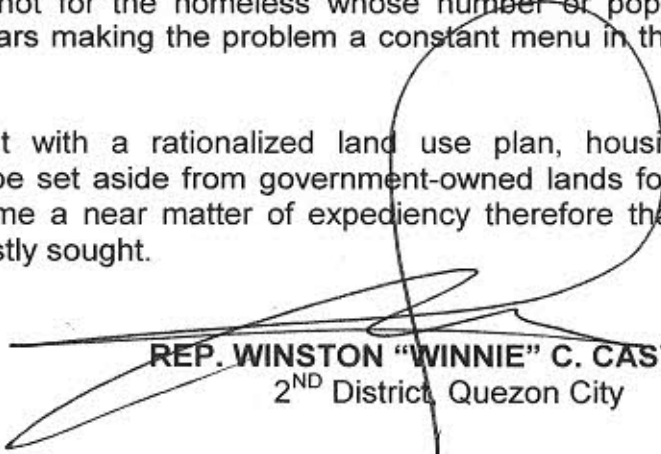
Perhaps, the overarching provisions in the Constitution supportive of this proposed bill are Section 9 and 10 of Article XIII which states that:

"Sec. 9 The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas. xxx"

This is consistent with the broader social justice and human rights provisions of the fundamental law.

Against this constitutional backdrop alone, there ought to be a continuing espousal of legislative measures designed to address the problem of housing for the underprivileged if not for the homeless whose number or population has swelled through the years making the problem a constant menu in the country's development agenda.

Thus, consistent with a rationalized land use plan, housing for the underprivileged could be set aside from government-owned lands for homeless Filipinos. It has become a near matter of expediency therefore that this bill's passage is most earnestly sought.



REP. WINSTON "WINNIE" C. CASTELO
2ND District, Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2907

Introduced by Hon. Winston "Winnie" T. Castelo

AN ACT
MANDATING THAT AT LEAST TEN PERCENT (10%) OF GOVERNMENT-
OWNED LANDS TO BE SOLD, ALIENATED OR OTHERWISE
ENCUMBERED FOR DEVELOPMENT PURPOSES, BE SEGREGATED FOR
SOCIALIZED HOUSING PROJECTS

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

SECTION 1. *Declaration of Policy.* It is hereby declared the policy of the State to ensure that sufficient land housing purposes are maintained and to improve the capability of local government units in undertaking urban development and housing programs and projects.

SEC. 2 *Sale, Alienation or Encumbrance of Government-Owned Land.* Whenever government-owned land, whether owned by the National Government or any of its instrumentalities, agencies, including government-owned or controlled corporations and local government units, is sold, alienated or otherwise encumbered in favor of private individuals or entities for its development into industrial, commercial or other similar estates, there shall be set aside at least ten percent (10%) of such land or at least ten percent (10%) of the proceeds thereof for the development of socialized housing projects in the affected area or locality.

SEC. 3 *Delivery/Remittance of Segregated Lands or Funds.* The segregated land or fund mentioned in Section 2 hereof shall be delivered/remitted in the following manner:

- A. For lands owned by the National Government or any of its instrumentalities, agencies, including government-owned or controlled corporations – the segregated land or fund shall be delivered/remitted to the National Housing Authority who shall be

directly responsible for the development of socialized housing projects in the affected area or locality.

- B. For lands owned by local government units – the segregated land or fund shall be retained by the local government unit concerned to be utilized exclusively for its socialized housing projects.

SEC. 4. *Utilization of Segregated Lands or Funds.* The National Housing Authority (NHA), being the primary government in charge of providing housing for the underprivileged and homeless, or in case of land owned by local government units, the local government unit concerned, shall undertake the development of socialized housing projects within or adjacent to the affected areas in accordance with the local development plan of the affected area or locality. For this purpose, the NHA and local government unit concerned are hereby authorized to enter into joint venture agreements or other similar arrangements with private developers.

In both cases, the NHA and the local government unit concerned shall coordinate with each other in the development of socialized housing projects in the affected area or locality.

SEC. 5 *Incentives for Private Developers.* To encourage private sector participation in the socialized housing projects described in Section 2 hereof, the incentives provided in Section 20 of Republic Act No. 7279 shall likewise be extended to participating private developers.

SEC. 6 *Implementing Rules and Regulations.* Within six (6) months after the effectivity of this Act, the Housing and Urban Development Coordinating Council (HUDCC) is hereby directed to promulgate the necessary rules and regulations to effectively implement the provisions of this Act. In drafting the implementing rules and regulations, the HUDCC shall take into consideration the National Urban Development and Housing Framework described in R.A. 7279.

SEC. 7. *Separability Clause.* If any part or provision of this Act is declared invalid for any reason, the remainder of this Act not affected thereby shall remain valid and effective.

SEC. 8. *Repealing Clause.* All laws, decrees, Executive Orders, Letters of Instruction, Rules and Regulations or parts thereof inconsistent with any provision of this Act are hereby repealed, modified, superseded or amended accordingly.

SEC 9. *Effectivity.* This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

First Regular Session

House Bill No. 3049

Introduced by **Hon. Rodolfo G. Biazon**

EXPLANATORY NOTE

The housing needs of the underprivileged and homeless in our country is a problem that continuously paints a stark picture for our country's economic managers, and housing czars.

While the 1987 Constitution provides a mandate that seeks to address this ever-growing problem, each administration, faced with the perennial problem of budget deficit that in turn threatens the provision and administration of social benefits to its citizens, is beset with the dilemma of how to allocate its meager resources for this purpose, especially for those who need it most.

Article 13, Section 9 partly reads, "*The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas.*"

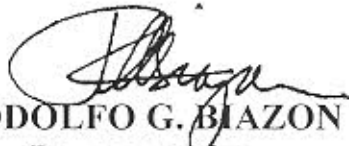
The State, in its desire to pursue the development of our country, has embarked on an unprecedented program of developing certain areas for priority development. This involves the identification of certain areas as "growth centers" for industrial, commercial and similar forms of development. The program includes the alienation of government-owned lands in favor of private individuals and entities for purposes of developing such lands into industrial or commercial centers.

Our country is fast running out of available residential land for its huge and ever-increasing population. The government has to pursue a rational land

use plan that will entail the rational allocation of the government's scarce land resources to include housing for the underprivileged.

This bill seeks to require the setting aside of a portion of government-owned lands that are to be disposed of for purposes of developing "growth centers" in the country for the development of socialized housing projects for the benefit of the underprivileged and homeless Filipinos.

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



RODOLFO G. BIAZON
Representative
Lone District, Muntinlupa City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

First Regular Session

House Bill No. **3049**

Introduced by Hon. Rodolfo G. Biazon

AN ACT

MANDATING THAT AT LEAST TEN PERCENT (10%) OF GOVERNMENT-OWNED LANDS TO BE SOLD, ALIENATED OR OTHERWISE ENCUMBERED FOR DEVELOPMENT PURPOSES, BE SEGREGATED FOR SOCIALIZED HOUSING PROJECTS

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

Section 1. Declaration of Policy. It is hereby declared the policy of the State to ensure that sufficient land for housing purposes are maintained and to improve the capability of local government units in undertaking urban development and housing programs and projects.

Sec. 2. Sale, Alienation or Encumbrance of Government-Owned Land. Whenever government-owned land, whether owned by the National Government or any of its instrumentalities, agencies, including government-owned or controlled corporations and local government units, is sold, alienated or otherwise encumbered in favor of private individuals or entities for its development into industrial, commercial or other similar estates, there shall be set aside at least ten percent (10%) of such land or at least ten percent (10%) of the proceeds thereof for the development of socialized housing projects in the affected area or locality.

Sec. 3. Delivery/Remittance of Segregated Lands or Funds. The segregated land or fund mentioned in Section 2 hereof shall be delivered/remitted in the following manner:

- A. For lands owned by the National Government or any of its instrumentalities, agencies, including government-owned or controlled corporations – the segregated land or fund shall be delivered/remitted to the National Housing Authority who shall be directly responsible for the development of socialized housing projects in the affected area or locality.

- B. For lands owned by local government units – the segregated land or fund shall be retained by the local government unit concerned to be utilized exclusively for its socialized housing projects.

Sec. 4. *Utilization of Segregated Lands or Funds.* The National Housing Authority (NHA), being the primary government agency in charge of providing housing for the underprivileged and homeless, or in case of land owned by local government units, the local government unit concerned, shall undertake the development of socialized housing projects within or adjacent to the affected areas in accordance with the local development plan of the affected area or locality. For this purpose, the NHA and local government unit concerned are hereby authorized to enter into joint venture agreements or other similar arrangements with private developers.

In both cases, the NHA and the local government unit concerned shall coordinate with each other in the development of socialized housing projects in the affected area or locality.

Sec. 5. *Incentives for Private Developers.* To encourage private sector participation in the socialized housing projects described in Section hereof, the incentives provided in Section 20 of Republic Act No. 7279 shall likewise be extended to participating private developers.

Sec. 6. *Implementing Rules and Regulations.* Within six (6) months after the effectivity of this Act, the Housing and Urban Development Coordinating Council (HUDCC) is hereby directed to promulgate the necessary rules and regulations to effectively implement the provisions of this Act. In drafting the implementing rules and regulations, the HUDCC shall take into consideration the National Urban Development and Housing Framework described in R.A. 7279.

Sec. 7. *Separability Clause.* If any part or provision of this Act is declared invalid for any reason, the remainder of this Act not affected thereby shall remain valid and effective.

Sec. 8. *Repealing Clause.* All laws, decrees, Executive Orders, Letters of Instruction, Rules and Regulations or parts thereof inconsistent with any provisions of this Act are hereby repealed, modified, superseded or amended accordingly.

Sec. 9. *Effectivity.* This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

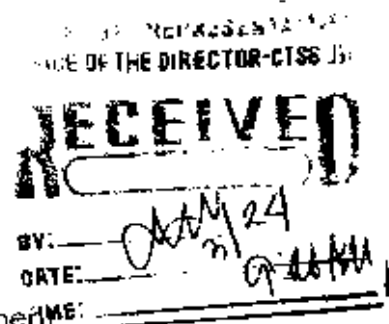
Approved.

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

15th Congress

1st Regular Session

Committee on Housing and Urban Development



FOR : **THE HONORABLE SPEAKER**

THRU : **THE DEPUTY SECRETARY GENERAL
FOR COMMITTEE AFFAIRS**

RE : **SPOT REPORT ON THE MEETING OF THE COMMITTEE
ON HOUSING AND URBAN DEVELOPMENT HELD ON MARCH 23, 2011 AT
RVM CONFERENCE ROOM NOS. 1 & 2**

DATE : **23 MARCH 2011**

A. Approval of Committee Reports:

1. Committee report on the substitute bill to HB Nos. 154, 1161 & 3278 (Creation of A Local Housing Board);
2. Committee report on HB No. 4101 in consolidation with HB No. 2145 (Anti-Professional Squatters and Squatting Racketeer/s or Syndicates Drive Reforms Act of 2011); and
3. Committee report on the substitute bill to HB Nos. 1041, 1818, 2907, and 3040 (Prescribing the Mechanisms to Facilitate the Disposition of Government-Owned Lands for Socialized Housing)

B. Deliberation on Measures:

- I. HR No. 535 (Urging the Full Implementation of the Local Housing Program); HB No. 3512 (Amending the Comprehensive and Integrated Shelter Financing Act to Implement Free Housing Projects in Selected Urban and Urbanizable Areas); and Privilege speech of Rep. Rodolfo Valencia re: Guidelines of the Local Housing Program
 - a. Major issues/positions and views aired
 - the National Housing Authority and the Housing and Urban Development Coordination Council expressed their full support to the foregoing measures, suggesting that there is a need to review the non-cost recoverable provision of HB No. 3512 and for the Department of Budget and Management to release the remaining allocation for the Local Housing Program (LHP) which amounts to more than P2 Billion
 - the National Housing Authority suggested to amend the Comprehensive and Integrated Shelter Financing Act to accommodate party-list representatives in the allocation of LHP

b. Agreements reached/Decisions made

- the committee requested the National Housing Authority to look into the possibility of utilizing the accrued interest of the LHP trust fund to augment the allocation for congressional districts in need of funds for relocation and resettlement
- the committee deferred further deliberation subject to the submission of a position paper on the matter by and the appearance of a representative each of the Department of Budget and Management and the Department of Finance in a subsequent meeting that will be called for the purpose

2. HB Nos. 3188 and 3189 (Requiring Developers of Condominium Projects to Develop an Area for Socialized Housing); HB No. 3451 (Amending Section 18 of RA 7279); and HB No. 4371 (Amending Sections 18 and 21 of RA 7279 or the UDHA to Include the Construction of Education Facilities)

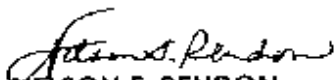
a. Major issues/positions and views aired

- all the agencies invited to the meeting, as well as the Subdivision and Housing Developers Association, posed no objection to the passage of the proposed measures with the exception of the Chamber of Real Estate and Builders Association which suggested instead the imposition of a new tax for socialized housing or the equitable distribution among developers of high-end real estate properties such as hotels, golf courses, and resorts the burden of shouldering the 20% requirement for developers to develop an area for socialized housing
- Rep. David Kho suggested that HB Nos. 3188 and 3189 be made applicable only to high-end condominium developers and not to low-end condominium developers

b. Agreement reached/Decision made

- the Committee approved the drafting of a substitute bill on the proposed measures

Prepared by:


NELSON F. RENDON
Committee Secretary

cc: The Deputy Speaker
The Chairperson, Committee on Rules
The Secretary General

Noted by:


ATTY. BENJAMIN M. TAGAYUNA, JR.
Service Director

The Executive Director, CAD
The Deputy Executive Director, CAD
The Service Director, CASS