

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

**FIFTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 4698**

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**INTRODUCED BY ANAKPAWIS PARTY-LIST REPRESENTATIVE  
RAFAEL V. MARIANO**

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**EXPLANATORY NOTE**

The objective of this measure is to grant relief to the farmers in the country who are regarded as the backbone of the economy and key player in attaining food self-sufficiency of our country.

Seven (7) out of ten (10) farmers in the country do not own the land they are tilling. Some of them have been awarded a piece of land through the so-called "agrarian reform" but they have to pay the corresponding amortizations either to the government or to the landowners.

Farmers are said to be the most neglected sector in our country. They have been deprived of the necessary support from the government in terms of capital, necessary facilities for their produce and other support services.

But being farmer-beneficiaries of agrarian reform do not mean that farmers have security of tenure to the land they are tilling. Failure to pay land amortizations will result to the foreclosure of land which eventually will lead to the deprivation of their land that they have been long tilling, and worse displacement. In case of farmer-beneficiaries of agrarian reform paying amortizations directly to the landowners, failure to pay will also result to their displacement.

Farmers, as much as possible and for whatever means, will keep and fight for their land. To them, land is their life. Because of this, failure to pay their exorbitant land amortizations cannot be said to be willful on their part since they believe that such payments is a way of retaining their land.

Farmers, alone, cannot be blamed for failing to pay amortizations. There are factors that caused their inability to comply with their obligations like the natural calamities such as typhoons, drought, pest attacks, floods, landslides and La Niña. For instance, from 1948-2007, the country experienced one thousand one hundred sixty-one (1,161) tropical cyclones (255 tropical depressions, 326 tropical storms and 580 typhoons). (PAGASA and [www.typhoon2000.com](http://www.typhoon2000.com)).

Among the costliest of the tropical cyclones (1947-2006) are as follows:

| NAME                                      | PERIOD OF OCCURRENCE         | DAMAGE IN PESOS* (in Billion Php) |
|-------------------------------------------|------------------------------|-----------------------------------|
| 1. RUPING (Mike)                          | November 10-14, 1990         | 10.846                            |
| 2. ROSING (Angela)                        | October 30-November 4, 1995  | 10.829                            |
| 3. KADIANG (Flo)                          | September 30-October 7, 1993 | 8.752                             |
| 4. LOLENG (Babs)                          | October 15-24, 1998          | 6.787                             |
| 5. MILENYO (Xangsane)                     | September 25-30, 2006        | 6.61                              |
| 6. UNSANG (Ruby)                          | October 21-26, 1998          | 5.636                             |
| 7. ILIANG (Zeb)                           | October 7-18, 1998           | 5.375                             |
| 8. REMING (Durian)                        | November 26-December 1, 2006 | 5.086                             |
| 9. NITANG (Ike)                           | August 31-September 4, 1984  | 4.1                               |
| 10. REMING (Xangsane)                     | October 26-November 1, 2000  | 3.944                             |
| 11. FERIA (Utor)                          | July 2-7, 2001               | 3.586                             |
| 12. HARUROT (Imbudo)                      | July 19-23, 2003             | 3.24                              |
| Source: PAGASA and<br>www.typhoon2000.com | November 6-9, 2001           | 3.2                               |
| 14. MAMENG (Sybil)                        | September 27-October 1, 1995 | 3.17                              |
|                                           | October 16-31, 1991          | 3.072                             |
| 16. YONING (Skip)                         | November 5-8, 1988           | 2.767                             |
| 17. MONANG (Lola)                         | December 2-7, 1993           | 2.463                             |
| 18. SALING (Dot)                          | October 15-20, 1985          | 2.133                             |
| Source: PAGASA and<br>www.typhoon2000.com | August 7-14, 1987            | 2.066                             |
| 20. YOYONG (Nanmadol)                     | November 29-December 4, 2004 | 2.036                             |

In 2009, the country was visited by twenty-two (22) tropical cyclones (seven (7) tropical depressions; eight (8) tropical storms and seven (7) typhoons). Tropical storm Ondoy and Typhoon Pepeng are the two (2) of the most destructive tropical cyclones in 2009. (2009 Annual Report of PAGASA).

According to former Department of Agriculture (DA) Secretary Arthur C. Yap, damage to crops and agriculture infrastructure caused by the one-two-punch delivered by Tropical Storm "Ondoy" (international codename: Ketsana) and Typhoon "Pepeng" (Parma) has exceeded P6 billion. (Inquirer.Net, October 6, 2009)

Floods and landslides likewise caused tremendous damage to agriculture. Just recently it was reported that National Disaster Risk Reduction Management Council (NDRRMC) said that damages in agriculture have reached P62.47 million. This includes the damaged

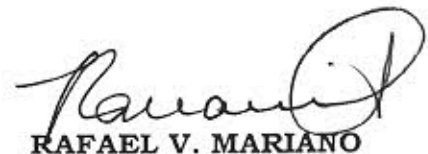
crops, livestock and fisheries in the provinces of Agusan del Norte, Agusan del Sur, Surigao del Norte, Surigao del Sur, Dinagat Islands, Lanao del Norte, Southern Leyte and Albay. (*Inquirer.Net, January 11, 2011*).

As of February 17, 2010, crop damage caused by the continuing El Niño phenomenon has reached P3.77 billion. Department of Agriculture (DA) Undersecretary Joel Rudinas said that corn damage has reached P2 billion, while palay (paddy rice) damage has reached P1.7 billion. Damage to high-value commercial crops (HVCC), on the other hand, reached P1.3 million due to drought. (*Philippine Headline News Online Website, February 25, 2010*).

The devastation of the crops, farmlands and related infrastructures caused by the aforesaid calamities affect the farmers' financial status which will then result to failure to make the necessary payments. High prices of basic commodities and farm inputs, and expensive social services are also additional expenses for farmers and their families that contribute to their inability to pay land amortizations.

Left and right foreclosure cases, threat of displacement, huge amount of indebtedness, high interest rates on farm capital and unpaid amortizations including the compounding interests and penalties worsen the situation of the farmers in our country.

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

  
RAFAEL V. MARIANO

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**AN ACT**  
**CONDONING THE ARREARS IN LAND AMORTIZATION INCLUDING**  
**THE INTERESTS AND PENALTIES THEREOF OF FARMERS IN THE**  
**COUNTRY**

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

**SECTION 1. Title** - This Act shall be known as the "Land Amortization Condonation Act of 2011."

**SECTION 2. Condonation Clause** - Upon the effectivity of this Act, the State shall condone the arrears in land amortization, being paid to the government and/or directly to the landowner, including the interests and penalties thereof in the following manner:

1. One hundred percent (100%) condonation of arrears in land amortization, being paid to the government and/or directly to the landowner, including the interests and penalties thereof shall be granted to the following:
  - a. Farmers whose lands are subject of foreclosure cases or proceedings;
  - b. Farmers whose arrears in land amortization, being paid to the government and/or directly to the landowner, including the interests and penalties thereof amounted to Fifty thousand pesos (P50,000.00) and above;
2. Farmers whose arrears in land amortization, being paid to the government and/or directly to the landowner, including the interests and penalties thereof amounted to Twenty thousand pesos (P20,000.00) and above but less than Fifty thousand pesos (P50,000.00) shall be granted condonation of fifty percent (50%) of their arrears;
3. Farmers whose arrears in land amortization, being paid to the government and/or directly to the landowner, including interests and penalties thereof amounted to Five thousand pesos

(P5,000.00) and above but less than Twenty thousand pesos (P20,000.00) shall be granted condonation of twenty-five percent (25%) of their arrears.

**SECTION 3. *Power to Condone*** - The Department of Agrarian Reform (DAR) and the Land Bank of the Philippines (LBP) are hereby granted the power to condone the arrears in land amortization including the interests and penalties thereof in accordance with the provisions of this Act.

A landowner directly receiving land amortization from farmers is hereby required to condone their arrears in accordance with the provisions of Section 2 of this Act.

**SECTION 4. *Implementing Rules and Regulations*** - The Department of Agrarian Reform (DAR), Land Bank of the Philippines (LBP) and all government institutions involved in the distribution of land are hereby required to promulgate the implementing rules and regulations within sixty (60) days after the effectivity of this Act.

**SECTION 5. *Repealing Clause***. — All laws, executive orders, rules or regulations, or any part thereof, inconsistent with any provision of this Act are hereby repealed or modified accordingly.

**SECTION 6. *Effectivity Clause***. — This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved.