



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

Fifteenth Congress
Third Regular Session
HOUSE BILL NO. 6640



Introduced by Honorable Isidro S. Rodriguez, Jr.

EXPLANATORY NOTE

This bill seeks to declare as alienable and disposable for purposes of the Comprehensive Agrarian Reform Program (CARP) the lands in the Municipality of Baras, Province of Rizal, surrounding the earth station of PHILCOMSAT declared as security zone by Presidential Decree (PD) No. 1845, as amended.

Since 1920, the farmers have been occupying and cultivating the lands in Sitio San Miguel of Barangay Pinugay in the Municipality of Baras, Rizal. In 1965, the Philippine Earth Station of the Philippine Communication Satellite Corporation (PHILCOMSAT) was built on part of these lands while farmers continued to cultivate the surrounding areas. In 1982, Presidential Decree No. 1845 declared the three (3) kilometer radius of the surrounding area of the earth station as security zone. Thus, farmers were prohibited to enter and cultivate the areas within the security zone.

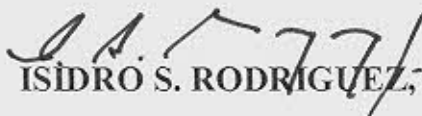
In 1992, however, the affected areas were included by the Department of Agrarian Reform (DAR) in the coverage of CARP. PHILCOMSAT opposed the action of DAR in court. The matter reached the Supreme Court which held that the area is exempted from CARP by virtue of PD 1845, as amended. Consequently, farmers who have been occupants and tillers of the land for many years were deprived of the benefits of CARP. They were eventually displaced and remained landless despite being qualified as beneficiaries of the program.

On March 26, 2012, the farmers petitioned the Office of the President to repeal PD 1845, as amended, stating that the earth station had been closed and ceased to operate since 2000. The closure was confirmed and certified by the National Telecommunications Commission (NTC). Apparently, PD 1845, as amended, lost its purpose to protect and insure the safety and uninterrupted operation of the station. Thus, the need to repeal PD 1845, as amended, in order that the lands within the

security zone be declared as alienable and disposable for inclusion under CARP. Hence, the lands can finally be distributed and titled under the names of the previous occupants and cultivators as qualified beneficiaries of CARP.

With this proposed measure, farmers will be given the opportunity to own lands, enhance their dignity and improve the quality of their lives.

In view of the foregoing, the approval of this bill is earnestly sought.


ISIDRO S. RODRIGUEZ, JR.



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AN ACT
DECLARING AS ALIENABLE AND DISPOSABLE FOR PURPOSES OF THE COMPREHENSIVE AGRARIAN REFORM PROGRAM THE LANDS WITHIN THE RADIUS OF THREE KILOMETERS SURROUNDING THE SATELLITE EARTH STATION OF THE PHILIPPINE COMMUNICATIONS SATELLITE CORPORATION (PHILCOMSAT) IN THE MUNICIPALITY OF BARAS, PROVINCE OF RIZAL, REPEALING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1845, AS AMENDED

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

SECTION 1. The lands within the radius of three kilometers surrounding the earth station of the Philippine Communications Satellite Corporation (PHILCOMSAT) in the Municipality of Baras, Province of Rizal, are hereby declared as alienable and disposable lands for inclusion under the Comprehensive Agrarian Reform Program (CARP), repealing for the purpose Presidential Decree No. 1845, as amended, entitled "*Declaring the Area Within A Radius of Three Kilometers Surrounding the Satellite Earth Station in Baras, Rizal, A Security Zone.*"

SEC. 2. The Land Management Bureau shall cause the subdivision of the land so classified and, subject to the approval of the Secretary of Environment and Natural Resources, determine the area of each lot, taking into consideration the nature of the

land, the number of the proposed applicants and the purpose for which it shall be utilized.

SEC. 3. The land so subdivided shall be distributed to the *bona fide* residents staying within the security zone not otherwise disqualified by law to own public lands and who do not own any parcel of land in the Philippines nor beneficiaries of any agrarian reform land distribution: *Provided*, That no person or family shall be entitled to own more than one (1) lot.

For purposes of this Act, a *bona fide* resident refers to any person who has been actually and continuously occupying the area for thirty (30) years prior to the declaration of the same as security zone.

SEC. 4. No property acquired by virtue of this Act shall, without the consent of the Land Management Bureau, be sold, transferred, mortgaged, or otherwise disposed of except through hereditary succession or to the government or to other qualified beneficiaries. Any such sale or disposition made in violation hereof shall be null and void.

SEC. 5. The Secretary of Environment and Natural Resources shall, in coordination with the Secretary of Agrarian Reform, issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 6. Presidential Decree No. 1845, as amended, is hereby repealed. All other laws, decrees, orders, rules and regulations, and other issuances, or parts thereof, inconsistent with this Act are hereby amended or modified accordingly

SEC. 7. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,