

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

SIXTEENTH CONGRESS
FIRST REGULAR SESSION

House Bill No. 88



Introduced by Honorable Amado S. Bagatsing

EXPLANATORY NOTE

Every Filipino family aspires to have a decent home they can call their own. This aspiration for decent housing is a right of every Filipino enshrined in the 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 xxx."

While there are many government programs being implemented to address this problem, there is increasing demand for housing units. Aside from financing concerns, the lack of available land for residential purposes poses a big stumbling block to fully implement the government's housing programs.

This bill seeks to identify and declare all disposable government lands which have remained idle and suitable for residential purposes and develop the same into socialized housing sites for low-salaried government and private employees and informal settlers as well.

This bill is a refiled bill of House Bill No. 4578 entitled "An Act Prescribing The Mechanisms To Facilitate The Disposition Of Government-Owned Lands for Socialized Housing", approved on third reading by the House of Representatives in May 2011, 15th Congress, authored by the undersigned and the following distinguished colleagues: Representatives Violago, Marcoleta, Singson (E.), Mercado-Revilla, Castelo, Biazon, Acop, Valencia, Leonen-Pizarro, Olivarez, Ocampo, Palmones, Ty, Lico, Magsaysay (M.), Panotes, Calimbas-Villarosa, Quimbo, De Jesus, Acharon, Kho (D.), Herrera-Dy, Mariano, Sy-Alvarado, Padilla And Ejercito, per Committee Report No. 904

Approval of this bill is earnestly sought.



AMADO S. BAGATSING

Representative

5th District, Manila

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House Bill No. 88

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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**
2 **Government-Owned Lands Disposition Act of 2013**".

3
4 **SEC. 2. *Declaration of Policy.*** - It is hereby declared the policy of the
5 State to ensure availability of sufficient lands for socialized housing purposes
6 and to improve the capability of local government units (LGUs) in
7 undertaking housing and urban development programs and projects.

8
9 **SEC. 3. *Inventory, Identification and Setting Aside of Lands for***
10 ***Socialized Housing.*** - To carry out the provisions of this Act, an inventory of all
11 government-owned lands shall be conducted. Toward this end:

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

14 (b) the National Housing Authority (NHA), in coordination with the
15 Department of Environment and Natural Resources (DENR), is likewise

1 directed to identify lands owned by the national government or any of its
2 subdivisions, instrumentalities or agencies, including government-owned or -
3 controlled corporations and their subsidiaries which have not been used for
4 the purpose for which they have been reserved for the past ten (10) years to
5 be set aside for socialized housing: *Provided*, That such lands have been
6 declared open for disposition whether through an act of Congress or other
7 related laws.

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

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

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

1 However, for a land owned by an LGU, the segregated land or fund
2 shall be retained by the LGU concerned to be utilized exclusively for its
3 socialized housing projects.
4

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

9 (a) the LGU concerned shall undertake the development of socialized
10 housing projects for lands or funds set aside for socialized housing pursuant to
11 Sections 2(a) and 3, and the second paragraph of Section 4; and

12 (b) the NHA shall undertake the provision of socialized housing for the
13 underprivileged and homeless citizens for such lands or funds set aside for
14 socialized housing pursuant to Sections 2(b) and 3, and the first paragraph of
15 Section 4.
16

17 Toward this end, the NHA and the LGU concerned are hereby
18 authorized to enter into joint venture agreements or other similar
19 arrangements with private developers or nongovernmental organizations
20 (NGOs) engaged in housing production: Provided, That the cost of housing
21 unit, if constructed within the affected area or locality pursuant to Section 3
22 hereof, shall exclude the cost of land.
23

24 In both cases, the NHA and the LGU concerned shall coordinate with
25 each other in the development of socialized housing projects in the areas
26 mentioned in Section 3 of this Act.
27

28 **SEC. 7. Incentives for Private Developers and NGOs.** - To encourage
29 private sector and NGO participation in the socialized housing projects
30 described in Section 5 hereof, the incentives provided in Section 20 of
31 Republic Act No. 7279 shall apply.
32

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

8
9 **SEC. 9. *Separability Clause.*** - If any part or provision of this Act is
10 declared invalid for any reason, the remainder of this Act not affected
11 thereby shall remain valid and effective.

12
13 **SEC. 10. *Repealing Clause.*** - All laws, decrees, executive orders, letters
14 of instruction, rules and regulations or parts thereof inconsistent with any of
15 the provisions of this Act are hereby repealed, modified, superseded or
16 amended accordingly.

17
18 **SEC. 11. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days
19 after its complete publication in the Official Gazette or in at least two (2)
20 newspapers of general circulation.

21
22 Approved,