

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH (16TH) CONGRESS
First Regular Session

House Bill No. **1765**



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

EXPLANATORY NOTE

The right to a decent housing of every Filipino is enshrined in our Constitution. Section 9 of Article XII 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 idle and suitable for residential purposes, to develop the same into socialized housing site for low-salaried government and private employees and squatters.

Approval of this bill is earnestly enjoined.


HON. JOSEPH F. VIOLAGO
Representative
2nd District, Nueva Ecija

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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:

SECTION 1. *Short Title.* - This Act shall be known and cited as the "Idle Government-Owned Lands Disposition Act of 2013".

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

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

- (a) All LGUs are hereby directed to identify and set aside all local government-owned lands suitable for socialized housing; and
- (b) The National Housing Authority (NHA), in coordination with the Department of Environment and Natural Resources (DENR), is likewise directed to identify lands owned by the national government or any of its subdivisions, instrumentalities or agencies, including government-owned or -controlled corporations and their subsidiaries which have not been used for the purpose for which they have been reserved for the past ten (10) years to be set aside for socialized housing: Provided, That such lands have been declared open for disposition whether through an act of Congress or other related laws.

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

SEC. 4. *Sale, Alienation or Encumbrance of Other Government-Owned Lands Not Set Aside for Socialized Housing.* - Whenever a government-owned land not set aside for socialized housing, whether owned by the LGUs or the national government or any of its subdivisions, instrumentalities or agencies, including government-owned or -controlled corporations, 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, as may be necessary, at least ten percent (10%) of the proceeds thereof for the development of socialized housing projects within, adjacent to the affected areas or in nearby areas within the city or municipality in accordance with the local development land-use plan.

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

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

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

- (a) The LGU concerned shall undertake the development of socialized housing projects for lands or funds set aside for socialized housing pursuant to Sections 3(a) and 4, and the second paragraph of Section 5 of this Act; and
- (b) The NHA shall undertake the provision of socialized housing for the underprivileged and homeless citizens for such lands or funds set aside for socialized housing pursuant to Sections 3(b) and 4, and the first paragraph of Section 5 of this Act.

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

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

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

SEC. 8. *Implementing Rules and Regulations.* - Within six (6) months after the effectivity of this Act, the Housing and Urban Development Coordinating Council (HUDCC) and the DENR are 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 National Urban Development and Housing Framework described in Republic Act No. 7279 shall be taken into consideration.

SEC. 9. *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. 10. *Repealing Clause.* - All laws, decrees, executive orders, letters of instruction, rules and regulations or parts thereof inconsistent with any of the provisions of this Act are hereby repealed, modified, superseded or amended accordingly.

SEC. 11. *Effectivity Clause.* - 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,