

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS

First Regular

House Bill No. **3515**

Introduced by: Representatives Rodolfo G. Biazon, Agapito H. Guanlao, Joseph Gilbert F. Violago, Amado S. Bagatsing, Christopher S. Co, Eric D. Singson, Winston "Winnie" Castelo, Rodel M. Batocabe, Xavier Jesus "XJ" D. Romualdo and Anthony G. Del Rosario

AN ACT

**PRESCRIBING THE MECHANISMS TO FACILITATE THE DISPOSITION OF IDLE
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 as the "Idle Government-Owned
2 Lands Disposition Act of 2013".

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

7 **SEC. 3. Inventory of Lands.** -To carry out the provisions of this Act, an inventory of all
8 idle government-owned lands shall be conducted within one (1) year from the effectivity of this
9 Act.

10 The Housing and Urban Development Coordinating Council (HUDCC) through the
11 National Housing Authority (NHA), in coordination with the Department of Environment and
12 Natural Resources (DENR) through the Land Management Bureau (LMB), shall conduct an
13 inventory of all lands owned by the national government or any of its subdivisions,

1 instrumentalities or agencies, including government-owned or -controlled corporations and their
2 subsidiaries which have not been used for the purpose for which they have been reserved for the
3 past ten (10) years.

4 The Department of Interior and Local Government (DILG) through the Local
5 Government Units (LGUs) shall conduct an inventory of all local government-owned lands
6 within their respective localities which have remained idle. For monitoring purposes, the DILG
7 shall furnish the HUDCC a copy of its inventory.

8 The inventories stated in the preceeding paragraphs shall be updated every three (3)
9 years.

10 **SEC. 4. Identification and Setting Aside of Lands for Socialized Housing.**—After the
11 conduct of the inventory:

12 (a) all LGUs are hereby directed to identify and set aside idle local government-
13 owned lands which are suitable for socialized housing: *Provided*, That the Housing and Land
14 Use Regulatory Board (HLURB) shall provide technical assistance to the LGUs in the
15 identification thereof and their eventual setting aside for and disposition as socialized housing
16 sites; *Provided, further*, That identified lands for socialized housing shall be integrated in the
17 Comprehensive Land Use Plan (CLUP) of LGUs.

18 (b) the NHA, in coordination with the LMB, is likewise directed to identify idle lands
19 owned by the national government or any of its subdivisions, instrumentalities or agencies,
20 including government-owned or -controlled corporations and their subsidiaries, which have not
21 been used for the purpose for which they have been reserved for the past ten (10) years to be set
22 aside for socialized housing: *Provided*, That such lands have been declared open for disposition
23 whether through an act of Congress or other related laws.

24 Except for local government-owned lands, all lands owned by the national government or
25 any of its subdivisions, instrumentalities or agencies, including government-owned or -controlled
26 corporations and their subsidiaries identified for socialized housing, shall immediately be
27 transferred to the NHA to be set aside for the purpose subject to the approval of the President of
28 the Philippines: *Provided*, That lands comprising the acquired assets of the government-owned
29 or -controlled corporations and government financial institutions engaged in shelter financing
30 that are taken possession of in their ordinary conduct of business are not covered under this Act.

1 **SEC. 5. Sale, Alienation or Encumbrance of Other Government-owned Lands Not Set**
2 **Aside for Socialized Housing.** - Whenever a government-owned land not set aside for socialized

3 housing, whether owned by the LGUs or the national government or any of its subdivisions,
4 instrumentalities or agencies, including government-owned or -controlled corporations, is sold,
5 alienated or otherwise encumbered in favor of private individuals or entities for its development
6 into industrial, commercial or other similar estates, there shall be set aside, as may be necessary,
7 at least ten percent (10%) of the proceeds thereof for the development of socialized housing
8 projects within, adjacent to the affected areas or in nearby areas within the city or municipality in
9 accordance with the local development land-use plan: *Provided*, That lands comprising the
10 acquired assets of government-owned or -controlled corporations and government financial
11 institutions engaged in shelter financing that are taken possession of in their ordinary conduct of
12 business are not covered under this Act; *Provided, further*, That low-salaried employees of the
13 government agency that sold, alienated, or otherwise encumbered such idle land shall be given
14 first priority as beneficiaries of the socialized housing projects to be developed.

15 **SEC. 6. Conveyance of Segregated Land or Fund.** - For a land owned by the national
16 government or any of its subdivisions, instrumentalities or agencies, including government-
17 owned or -controlled corporations and their subsidiaries, the segregated land or fund shall be
18 conveyed at no cost to the NHA which shall be directly responsible for the development of
19 socialized housing projects: *Provided, however*, That for a land owned by an LGU, the
20 segregated land or fund shall be retained by the LGU concerned to be utilized exclusively for its
21 socialized housing projects.

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

26 (a) the LGU concerned shall undertake or cause the undertaking of the development of
27 socialized housing projects for lands or funds set aside for socialized housing pursuant to
28 Sections 4(a), 5, and 6 of this Act; and

29 (b) the NHA shall undertake the provision of socialized housing for the underprivileged
30 and homeless citizens for such lands or funds set aside for socialized housing pursuant to
31 Sections 4(b), 5, and 6 of this Act.

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

6 In both cases, the NHA and the LGU concerned shall coordinate with each other in the
7 development of socialized housing projects in the areas mentioned in Section 5 of this Act.

8 **SEC. 8. Incentives for Private Developers and NGOs.** - To encourage private sector and
9 NGO participation in the socialized housing projects described in Section 6 hereof, the incentives
10 provided in Section 20, on Incentives for Private Sector Participating in Socialized Housing of
11 Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of
12 1992", shall apply.

13 **SEC. 9. Implementing Rules and Regulations.** - Within six (6) months after the
14 effectivity of this Act, the HUDCC and the DENR are hereby directed to promulgate the
15 necessary rules and regulations, including the mechanisms and procedures on the conduct of
16 inventory and identification of lands suitable for socialized housing, to effectively implement the
17 provisions of this Act. In drafting the implementing rules and regulations, the National Urban
18 Development and Housing Framework described in Republic Act No. 7279 shall be taken into
19 consideration.

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

22 **SEC. 11. Repealing Clause.** - All laws, decrees, executive orders, letters of instruction,
23 rules and regulations or parts thereof inconsistent with any of the provisions of this Act are
24 hereby repealed, modified, superseded or amended accordingly.

25 **SEC. 12. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its
26 complete publication in the *Official Gazette* or in at least two (2) newspapers of general
27 circulation.

28 Approved,