

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3942



INTRODUCED BY HONORABLE CHERYL DELOSO-MONTALLA

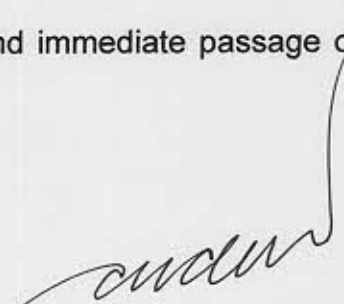
EXPLANATORY NOTE

This bill seeks to exclude certain portions of Sitio Baquilan in Barangay San Juan, Municipality of Botolan, Province of Zambales from the operation of Proclamation No. 907, Series of 1992, declaring the excluded portions as residential area and open to disposition under the provisions of Republic Act No. 730, as amended, to bona fide residents actually occupying the same without public auction.

Proclamation No. 907, Series 1992 entitled Reserving For Resettlement Site Purposes Of The Mount Pinatubo Victims A Certain Parcel Of Land Of The Public Domain Located In The Sitio Of Baquilan, Barangay Of San Juan, Municipality of Botolan, Province of Zambales, Island of Luzon was crafted in consideration of the urgent need to assist the families of the indigenous peoples of Zambales who were affected by the eruption of Mount Pinatubo. It aimed to provide them with suitable resettlement areas and livelihood opportunities conducive to their economic recovery. The lots within this Proclamation were to be disposed of through stewardship contract under the Integrated Social Forestry Program considering that the area is classified as forest land and subject to appropriate modes of disposition under the Public Land Law, as amended.

Twenty-two years after the issuance of the said proclamation, the members of the indigenous cultural community of the Province of Zambales are in a quandary as regards the ownership of the land that they presently occupy. Ownership will enable them to fully develop the land that was previously disposed to them through stewardship contract. This will also allow them to use their land titles as collateral for short term loans which they may use to further enhance their livelihood.

It is in this light that this bill is being filed and immediate passage of this bill is earnestly sought.


CHERYL DELOSO MONTALLA
Representative
2nd District, Zambales

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HOUSE BILL NO. **3942**

INTRODUCED BY HONORABLE CHERYL DELOS-O-MONTALLA

AN ACT

EXCLUDING CERTAIN PORTIONS OF SITIO BAQUILAN IN BARANGAY SAN JUAN, MUNICIPALITY OF BOTOLAN, PROVINCE OF ZAMBALES FROM THE OPERATION OF PROCLAMATION NO 907, SERIES OF 1992 AND DECLARING THE EXCLUDED PORTIONS AS RESIDENTIAL AREA AND OPEN TO DISPOSITION UNDER THE PROVISIONS OF REPUBLIC ACT NO. 730 AS AMENDED TO BONA FIDE RESIDENTS ACTUALLY OCCUPYING THE SAME WITHOUT PUBLIC AUCTION

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

SECTION 1. Declaration of Policy. It is hereby declared the policy of the State to provide equal and affordable land and housing access to its inhabitants.

SECTION 2. Exclusion of Certain Portions of Sitio Baquilan from the Operation of Proclamation No. 907, Series of 1992. Certain portions of lands covered by Sitio Baquilan in Barangay San Juan, Municipality of Botolan, Province of Zambales are hereby declared as residential area and excluded from the operation of Proclamation No. 907 dated May 25, 1992.

SECTION 3. DENR Mandate. The Land Management Bureau of the Department of Environment and Natural Resources is hereby directed to conduct a validation, perimeter and parcellary survey of the disposable lands under this Act and to effect the transfer of ownership of the parcels of land under this Act to qualified applicants or actual inhabitants of the residing in the area.

SECTION 4. Sale of Land Excluded from Payment of Capital Gains Tax. All lands sold and disposed of by the government pursuant to this Act shall be exempted from payment of Capital Gains tax.

SECTION 5. Implementing Rules and Regulations. Within thirty (30) days from the effectivity of this Act, the Secretary of the department of Environment and Natural Resources shall promulgate the rules and regulations to effectively implement the provisions of this Act.

SECTION 6. Appropriation. Funds necessary for the immediate and expeditious implementation of the provisions of this Act shall be included in the annual appropriations of the agencies concerned.

SECTION 7. Repealing Clause. All laws, decrees, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 8. *Effectivity.* This Act shall take effect after its publication in the Official Gazette of the Republic of the Philippines.

Approved,