

SIXTEENTH CONGRESS)
OF THE REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

House Bill No. **4578**

Introduced by Representative Susan A. Yap

EXPLANATORY NOTE

On April 12, 2004, President Gloria Macapagal-Arroyo signed Proclamation No. 602 declaring as eco-tourism park and campsite a certain parcel of land of the public domain located in Barangays Lubigan and Moriones in the Municipality of San Jose, Province of Tarlac.

This bill seeks the reclassification of the aforementioned parcel of land into agricultural land open to disposition under the provisions of the Public Land Act. The reclassification of the land previously declared as eco-tourism park and campsite into disposable agricultural land aims to develop and promote sustainable economic development and tourism in the area, encouraging the people to use, develop, manage, protect and conserve the environment and natural resources and cultural heritage of Tarlac.

The reclassification is intended to stimulate private investments in the area such as eco-tourism resort, parks, hotels, stores and restaurants. This increase in economic and tourism activities would result to better jobs and higher income for the people in the area, and would hopefully result to better conservation, preservation and enhancement of the natural resources and cultural heritage in the eco-tourism park and campsite.

Such increase in economic and tourism activities would be very beneficial for a landlocked province such as Tarlac, whose primary economic activity has been dominantly agricultural and fish production. The increase in tourism activities will surely complement any decline in agricultural activities caused by current industrialization trend in the country, redounding to the benefit of Tarlac and nearby provinces.

In view of the foregoing consideration, immediate approval of this bill is earnestly recommended.

REP. SUSAN A. YAP
Representative, 2nd District, Province of Tarlac

HOUSE OF REPRESENTATIVES

House Bill No. 4578

Introduced by Representative Susan A. Yap

AN ACT

RECLASSIFYING AS AGRICULTURAL LAND OPEN TO DISPOSITION UNDER THE PROVISIONS OF THE PUBLIC LAND ACT, AS AMENDED, THE LAND EMBRACED IN PROCLAMATION NO. 602, DATED APRIL 12, 2004, DECLARING AS ECO-TOURISM PARK AND CAMPSITE PURPOSES A CERTAIN PARCEL OF LAND OF THE PUBLIC DOMAIN SITUATED IN BARANGAYS LUBIGAN, MORIONES AND IBA IN THE MUNICIPALITY OF SAN JOSE, PROVINCE OF TARLAC

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

SECTION 1. ***Declaration and Scope.*** – A portion of the land embraced in Proclamation No. 602, dated April 12, 2004, declaring as eco-tourism park and campsite purposes a certain parcel of land of the public domain situated in Barangays Lubigan, Moriones and Iba in the Municipality of San Jose, Province of Tarlac, is hereby reclassified as agricultural land open to disposition under the provisions of the Public Land Act, as amended, which portion is more particularly described as follows:

A parcel of land within Timberland, Tarlac, Project No. 9, Block-B, Land Classification Map No. 619, certified on October 18, 1926, situated in Barangays of Lubigan, Moriones and Iba in the Municipality of San Jose, Province of Tarlac. Bounded on the NE by A & D, ISF areas and Kabuhayan 2000., SE by A & D, ISF areas., and NW by A & D and ISF areas beginning at a point marked 1 on the sketch plan, Project 9-A, L.C. Map 1125 and Community Base Forest Management Project of Timberland Tarlac project No. 9, Block-B, being N 08 deg. 12W., 2,572.97 meters from BLLM No. 22 Tarlac Cadastre, thence;

S. 17 deg. 25' E.,	681.26 m. to point 2;
N. 88 deg. 56' W.,	540.09 m. to point 3;
S. 51 deg. 59' W.,	605.75 m. to point 4;
N. 37 deg. 21' W.,	205.51 m. to point 5;
N. 37 deg. 22' W.,	176.02 m. to point 6;
N. 37 deg. 20' W.,	151.97 m. to point 7;
N. 71 deg. 49' W.,	52.07 m. to point 8;

N. 71 deg. 45' W.,	232.68 m. to point 9;
S. 86 deg. 24' W.,	382.99 m. to point 10;
N. 48 deg. 29' W.,	22.76 m. to point 11;
N. 32 deg. 16' E.,	231.67 m. to point 12;
N. 64 deg. 15' W.,	70.36 m. to point 13;
N. 84 deg. 55' W.,	33.34 m. to point 14;
S. 73 deg. 19' W.,	40.37 m. to point 15;
N. 28 deg. 35' W.,	22.17 m. to point 16;
N. 26 deg. 24' W.,	145.33 m. to point 17;
N. 17 deg. 11' W.,	46.53 m. to point 18;
N. 67 deg. 28' W.,	106.89 m. to point 19;
S. 82 deg. 55' W.,	116.72 m. to point 20;
N. 75 deg. 44' W.,	14.21 m. to point 21;
N. 48 deg. 03' W.,	16.50 m. to point 22;
N. 28 deg. 10' W.,	87.27 m. to point 23;
S. 10 deg. 25' W.,	70.57 m. to point 24;
S. 04 deg. 53' W.,	76.12 m. to point 25;
N. 52 deg. 35' W.,	435.50 m. to point 26;
N. 19 deg. 00' W.,	586.76 m. to point 27;
S. 76 deg. 48' W.,	300.22 m. to point 28;
N. 66 deg. 31' W.,	264.25 m. to point 29;
N. 13 deg. 10' W.,	463.53 m. to point 30;
S. 70 deg. 44' E.,	3,586.32 m. to point of beginning,

containing an area OF TWO MILLION SEVEN HUNDRED SEVENTY THREE THOUSAND TWO HUNDRED FIFTY -EIGHT (2,773,258) SQUARE METERS.

SECTION 2. *Disposition of Agricultural Land.* - Any provisions of law to the contrary notwithstanding, the disposition of parcels of the agricultural land declared in the previous section, regardless of their actual use or identified purpose, the Department of Environment and Natural Resources (DENR) shall issue a free patent to any applicant who is citizen of the Philippines, giving priority to the applicant who has continuously occupied and /or cultivated either by himself or through his predecessor-in-interest or has paid real estate taxes for the tract or tracts of land being applied for while the same has not been occupied by any other person, for at least three (3) years prior to the approval of this Act, not to exceed twelve (12) hectares for each qualified applicant: *Provided*, That prior to the disposition of any parcel to individual applicants, the DENR shall segregate, alienate or reserve appropriate areas, consistent with the relevant provisions of Commonwealth Act No. 141, as amended, otherwise known as "The Public Land Act", and this

Act, suitable areas for (a) commercial, residential, tourism, or other similar productive purposes; (b) educational, charitable or other similar purposes; or (c) public or Quasi-public purposes such as, but not limited to, municipal parks, roads and highways, municipal and barangay dump sites, communal forests, hospitals and sites for offices of the national government and local government units (LGUs): *Provided, moreover,* That the identification of areas for public and quasi-public purposes shall be undertaken jointly with the concerned government agencies or LGUs: *Provided, finally,* That the title/s over tracts of land for public and quasi-public purposes shall be in the name of the Republic of the Philippines, except the area actually used, developed and managed by the provincial government for campsite and ecotourism purposes, which shall be titled in the name of the Province of Tarlac.

SECTION 3. *Protection of Ecological Balance.* – The area described in Section 1 of this Act is hereby excluded from the coverage of Section 16, areas needed for forest purposes of Presidential Decree No. 705 or the Revised Forestry Code of the Philippines, as amended: *Provided, however,* That the removal of timber and other forest products and utilization of other natural resources in the said parcel of land shall be subject to existing forestry and other environmental protection laws, rules and regulations: *Provided, moreover,* That twenty (20)-meter protection zone along the banks of any river or stream, which has a width of at least fifty (50) meters, shall be surveyed and delineated by the DENR on the ground and shall retain their classification as forestland, prior to disposition of any parcel of agricultural land to private applicants.

SECTION 4. *Implementing Rules and Regulations.* – Within six (6) months from the approval of this act, the Secretary of Environment and Natural Resources shall promulgate the necessary rules and regulations for its effective implementation. The provisions of the Public Land Act pertaining to the distribution of Public Lands and issuance of land titles, insofar as they are not inconsistent herewith, shall apply.

SECTION 5. *Separability Clause* – If any part of this section of this Act is declared unconstitutional, such declaration shall not affect in any manner the other parts or sections of this Act.

SECTION 6. *Repealing Clause* – Presidential Proclamation No.602, dated April 12, 2004 is hereby repealed. All other laws, decrees, proclamations or issuances contrary to or inconsistent with provisions of this Act are hereby amended, repealed or modified accordingly.

SECTION 5. *Effectivity* – This Act shall take effect fifteen (15) days following its publication in two (2) national newspapers of general circulation.

Approved,