

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



Sixteenth Congress
Second Regular Session

House Bill No. **5479**

Introduced by
Rep. Jose Christopher Y. Belmonte (6th District, Quezon City),
Rep. Ibarra "Barry" M. Gutierrez III (AKBAYAN) and
Rep. Walden F. Bello (AKBAYAN)

EXPLANATORY NOTE

Central to Republic Act No. 7279 (*Urban Housing and Development Act of 1992*) is the policy of providing for the rational use and development of urban land in order to bring about, among others, equitable utilization of residential lands in urban and urbanizable areas.

More than two decades after the enactment of RA 7279, majority of informal settlers cannot enjoy the benefits of the provisions of said law. While Section 11 of RA 7279 mandates that all idle lands in urban and urbanizable areas shall be expropriated and shall form part of the public domain, residential lands the ownership of which are subject of pending litigation are exempted from said provision.

A great number of informal settlers occupy lands that fall under the said exemption, thereby placing these informal settlers outside the coverage of RA 7279. There is, therefore, a need to make lands, the ownership of which are subject of pending litigation, likewise subject to expropriation under Section 11 of RA 7279.

In view of the foregoing, immediate approval of this measure is, therefore, earnestly sought.



JOSE CHRISTOPHER Y. BELMONTE



IBARRA "BARRY" M. GUTIERREZ III



WALDEN F. BELLO

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AN ACT
ALLOWING THE EXPROPRIATION OF IDLE LANDS OF WHICH OWNERSHIP
IS SUBJECT OF A PENDING LITIGATION, AMENDING FOR THIS PURPOSE
SECTION 11 OF REPUBLIC ACT NO. 7279, OTHERWISE KNOWN AS THE
“URBAN DEVELOPMENT AND HOUSING ACT OF 1992”

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

1 **SECTION 1.** Amendatory provision.—Section 11 of Republic Act No. 7279, otherwise known
2 as the Urban Development and Housing Act of 1992, is hereby amended to read as follows:

3
4 “Section 11. Expropriation of Idle Lands.—All idle lands in
5 urban and urbanizable areas, as defined and identified in
6 accordance with this Act, shall be expropriated and shall form
7 part of the public domain. These lands shall be disposed of or
8 utilized by the Government for such purposes that conform with
9 their land use plans. Expropriation proceedings shall be instituted
10 if, after the lapse of one (1) year following receipt of notice of
11 acquisition, the owner fails to introduce improvements as defined
12 in Section 3(f) hereof, except in the case of force majeure and
13 other fortuitous events. Exempted from this provision, however,
14 are residential lands, owned by small property owners [or those
15 the ownership of which is subject of a pending litigation].
16

1 **SECTION 2. *Separability clause.***—If, for any reason, any part, section or provision of this
2 Act is held invalid or unconstitutional, the remaining provisions not affected thereby shall
3 continue to be in full force and effect.

4
5 **SECTION 3. *Repealing clause.***—The Urban Development and Housing Act of 1992 (R.A.
6 No. 7279) is hereby amended accordingly.

7
8 All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances, or
9 part or parts thereof which are inconsistent with the provisions of this Act are hereby repealed,
10 amended or modified accordingly.

11
12 **SECTION 4. *Effectivity.***—This Act shall take effect fifteen (15) days after the completion of
13 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,