

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **4479**



Introduced by REP. Michael L. Romero

EXPLANATORY NOTE

Based on Republic Act 6657 or the Comprehensive Agrarian Reform Law of 1988, the Council is composed of the President of the Philippines as Chairman, the Secretary of Agrarian Reform as Vice-Chairman and the following as members; Secretaries of the Departments of Agriculture; Environment and Natural Resources; Budget and Management; Local Government; Public Works and Highways; Trade and Industry; Finance; Labor and Employment.

Also included in the council are the Director-General of the National Economic and Development Authority; President, Land Bank of the Philippines; Administrator, National Irrigation Administration; and three (3) representatives of affected landowners to represent Luzon, Visayas and Mindanao; six (6) representatives of agrarian reform beneficiaries, two (2) each from Luzon, Visayas and Mindanao, provided that one of them shall be from the cultural communities.

On the status of ownership of land by farmers, Mariano said nine out of 10 farmers do not own the land that they till.

As of December 2015, the DAR has distributed 4.7 million hectares but this comprises only ten (10%) percent of the total number of hectares that still have to be awarded to farmer-beneficiaries.

The problems of farmers, however, does not stop at receiving land because there are other issues and payments that have to be considered such as land amortization and real property tax.

There are flaws and loopholes in the existing agrarian reform law, but these will continue to be implemented.

The state must prioritize the inventory of lands that still have to be distributed, properties that were already turned over to farmer-beneficiaries, among others.

The state will also initiate a review of resolutions, exemptions, cancellation of land titles, emancipation patterns as well as agri-business venture agreements.

The biggest challenge is the resistance of land owners.

The Department of Agrarian reform (DAR) started distributing government owned lands, large tracts of private owned lands have yet to be reviewed under the DAR laws.

Thus, the early passage of this bill is earnestly requested.



MICHAEL L. ROMERO Ph.D

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**AN ACT CREATING THE NATIONAL LAND REFORM AUTHORITY,
DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and House of Representative of the
Philippines in congress assembled:*

SECTION 1. Short Title - This Act shall be known as the "***National Land
Reform Authority Act of 2016.***"

SECTION 2. Creation of the National Land Reform Authority - There is
hereby created a National Land Reform Authority, hereinafter which shall be
composed of the following:

- Administrator of the Land Authority, who shall act as Chairman;
- Administrator of the Agricultural Credit Administration;
- Chairman of the Board of Trustees of the Land Bank of the
Philippines (LBP);
- Commissioner of the Agricultural Productivity Commission;
- A member appointed by the President upon recommendation; and

- Agrarian Counsel (legal services)

The Chairman shall convoke the Council as its responsibilities are enumerated herein, and shall preside over its meetings.

SECTION 3. Declaration of Policy - It shall be the duty of the members to attend any meeting of the Council upon the call of the Chairman. In case of inability, a member may require the officer next in rank in his agency to attend the meeting on his behalf.

A majority vote of the members present if there is a quorum shall be necessary for the approval of a resolution. Upon such approval the resolution shall be final and binding upon all members of the Council and their respective agencies insofar as their functions, powers and duties required under this Act are concerned.

The refusal of any member to implement any resolution or part thereof falling within the scope of the powers granted to his agency shall be sufficient ground for the President of the Philippines to remove said member from office or to impose upon him disciplinary or administrative sanctions.

SECTION 4. Powers and Functions of the National Land Reform Authority

It shall be the responsibility of the Council to:

- (1) To construct the general program of land reform contemplated by this Act;

(2) To establish guidelines, plans and policies for its member-agencies relative to any particular land reform project;

(3) To formulate such rules and regulations as may be necessary to carry out the provisions of this Act for:

(a) the selection of agricultural land to be acquired and distributed under this Act;

(b) the determination of sizes of family farms as defined;

(c) the selection of beneficiaries to family farms available for distribution: *Provided*, That priority shall be given in the following order:

- First, to members of the immediate family of the former owner of the land within the first degree of consanguinity who will cultivate the land personally with the aid of labor available within his farm household;
- Second, to the actual occupants personally cultivating the land either as agricultural lessees or otherwise with respect to the area under their cultivation;
- Third, to farmers falling under the preceding category who are cultivating uneconomic-size farms with respect to idle or abandoned lands;

- Fourth, to owner-operators of uneconomic-size farms; and
- Fifth, to such other categories as may be fixed by virtue of this Act, taking into consideration the needs and qualifications of the applicants.

(4) To revise, approve, or reject any land reform proposal or project; and

(5) To proclaim in accordance with the provisions of this Act, which proclamation shall be considered as having been promulgated immediately after three successive weekly publications in at least two newspapers of general circulation in the region or locality affected by the proclamation, preference being given to local newspapers,

if any, that all the government machineries and agencies in any region or locality relating to leasehold envisioned in this Act are operating:

Provided, That the conversion to leasehold in the proclaimed area shall become effective at the beginning of the next succeeding agricultural year after such promulgation:

Provided, further, That the proclamation shall be made after having considered factors affecting feasibility and fund requirements and the other factors.

SECTION 5. Appropriation - There is hereby authorized to appropriate the necessary funds to carry-out into effect the provisions of this act. Therefore the budget shall be included in the General Appropriations Act.

SECTION 6. Repealing Clause. All laws, executive orders, issuances, rules and regulations inconsistent with this Act are hereby amended, repealed or modified accordingly.

SECTION 7. Separability Clause. If, for any reason or reasons, any portion or provision of this Act shall be held unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SECTION 8. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Approved,