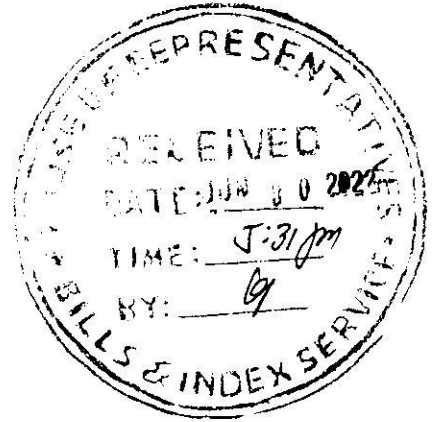


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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 435



Introduced by REP. JOHNNY T. PIMENTEL

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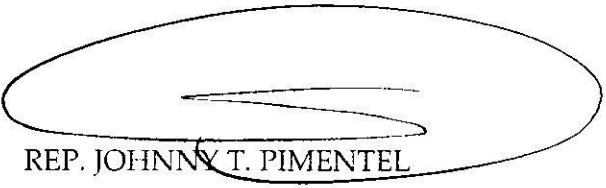
EXPLANATORY NOTE

16 This bill seeks to convert into alienable and disposable land that portion within the former
17 concessional area of Paper Industry Corporation of the Philippines (PICOP Resources, Inc.), in
18 the City of Bislig and in the Municipalities of Hinatuan, Lingig, and Tagbina, Province of Surigao
19 del Sur, actually tilled and occupied by farmer-settlers, in preparation of its eventual distribution
20 to the bona fide and long-term farmers/ occupants.

21
22 The subject land is classified as forest land. However, farmers have gradually settled on the land,
23 planting vegetables, fruit trees, bananas, root crops and raising livestock. These farmers have
24 developed certain areas of the forest land into an agricultural land. It is high time for these areas
25 to be formally classified into alienable and disposable agricultural land and its tenant-farmers be
26 recognized as legitimate owners. It is about time to allow them the gift of ownership over lands
27 that they have nurtured for so long.

28
29 Furthermore, our present constitution recognizes the rights of farmers, who are landless, to own
30 the lands that they plough pursuant to Section 4, Article XIII of the same.

31
32 The approval of this bill is earnestly sought.


REP. JOHNNY T. PIMENTEL

1 Republic of the Philippines
2 HOUSE OF REPRESENTATIVES
3 Constitution Hills, Quezon City

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5 NINETEENTH CONGRESS
6 First Regular Session

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8 HOUSE BILL NO. **435**
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Introduced by REP. JOHNNY T. PIMENTEL

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14 AN ACT
15 TO RECLASSIFY A DEVELOPED PORTION OF FOREST LAND UNDER CONCESSION
16 WITH PICOP, LOCATED IN THE CITY OF BISLIG AND THE MUNICIPALITIES OF
17 HINATUAN, LINGIG, AND TAGBINA, PROVINCE OF SURIGAO DEL SUR. INTO
18 ALIENABLE AND DISPOSABLE LAND OF THE PUBLIC DOMAIN FOR THE PURPOSE
19 OF DISTRIBUTING THE SAME TO BONA FIDE AND LONG TERM FARMERS/
20 OCCUPANTS THEREOF, AND FOR OTHER PURPOSES
21

22 *Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*
23

24 **Section 1.** The portion of forest lands within the concessional area of Paper Industry Corporation
25 of the Philippines (PICOP), in the City of Bislig, Municipalities of Hinatuan, Lingig, and Tagbina,
26 Province of Surigao del Sur, which is actually tiled and occupied by farmer-settlers, is hereby
27 reclassified and declared as alienable and disposable land.
28

29 **Section 2.** The aforementioned lands shall be distributed in ownership to *bona fide* and long-term
30 farmers/ occupants thereon, but the existing creeks in the same area shall be given in usufruct to
31 their respective municipalities; Provided, that the said bona fide and long-term farmers/
32 occupants may manage and develop the said creeks upon payment by them of reasonable
33 compensation to the City and/or Municipalities concerned.
34

35 **Section 3.** The scheme of distribution of the land, including the identities of the bona fide and
36 long-term farmers/ occupants thereon, shall be prepared by a Committee which shall be
37 composed of the following: a representative of the Department of Environmental and Natural
38 Resources as Chairperson, a representative of the Department of Agrarian Reform as Vice-
39 Chairperson, the Mayors of the City of Bislig, Municipalities of Hinatuan, Lingig, and Tagbina,
40 the Head of farmers' organization, and the Provincial Director of the Philippine National Police
41 as Members. The scheme of distribution shall include the technical description of each lot
42 pertaining to each of the farmers/ occupants, following the boundaries of existing social forestry
43 stewardship and/or similar contracts that may have been awarded in their favor: Provided, that
44 said scheme of distribution shall be equitable as possible without gross disparities among the
45 awardees.
46

47 Conflicts shall be decided by the Committee after due hearing, appealable to the Department
48 Secretary under whose jurisdiction the issue involved falls. The Secretary's decision or order on

1 appeal may be subject to a petition for review by the Office of the President within fifteen (15)
2 days from promulgation of notice of the decision appealed from; Provided, that said petition for
3 review shall be decided within thirty (30) days after receipt thereof; otherwise, the decision or the
4 order appealed from shall be deemed ratified and final.

5
6 **Section 4.** Once the scheme of distribution is approved by the Committee, the Department of
7 Environment and Natural Resources shall give the technical descriptions, survey, map and
8 similar documents to the DAR, which shall undertake the actual distribution of the land under
9 the principles of agrarian reform and the applicable provisions of the Comprehensive Agrarian
10 Reform Law and other related laws.

11
12 **Section 5.** The existing creeks in the area shall be plotted, surveyed and segregated from the other
13 portions of the area by the DENR, and shall be given in usufruct to the City of Bislig,
14 Municipalities of Hinatuan, Lingig, and Tagbina. The Mayor of the concerned municipality and
15 the Head of the organization of the farmer-beneficiaries shall meet to discuss and determine the
16 reasonable compensation to be paid to the City for the management and development thereof by
17 said beneficiaries. In case of disagreement, the Head of the DENR Regional Office shall decide.

18
19 **Section 6.** This Act shall take effect fifteen (15) days after its publication in the Official Gazettee
20 or in at least two (2) national newspaper of the general circulation.

Approved,