



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH (19th) CONGRESS
First Regular Session

HOUSE BILL NO. 1986



Introduced by REP. JOSEPH STEPHEN S. PADUANO

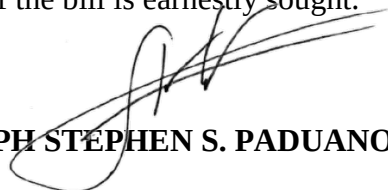
EXPLANATORY NOTE

The bill entitled “*An Act Strengthening the Right of Government to Expropriate Lands for Socialized Housing, Amending for the Purpose Sections 9, 10, and 11 of Republic Act No. 7279, Otherwise Known as the ‘Urban Development And Housing Act of 1992’*” was originally filed in the 16th Congress, and later on re-filed in 17th Congress, and likewise re-filed in the 18th Congress with this Representation included among the authors. All the aforementioned Congresses passed this measure on its 3rd Reading and transmitted the said bills to the Senate for appropriate action, hence, the refiling by this Representation of the most recent copy of the said bill for the current Congress.

This Representation firmly believes in its intent for the rational use and development of urban land in order to promote equitable utilization of residential lands in urban areas and other potential lands for urbanization as one of the commitments of the State provided in the 1987 Constitution, and further specified in the Urban and Housing Development Act of 1992.

With the passage of this proposed measure, the stringent requirements for the expropriation of lands for public use, specifically for socialized housing will hopefully be lessened or will no longer be a burden for its intended beneficiaries, such as the informal settlers all over the country. Local governments could be granted with further authority in utilizing idle lands in their jurisdictions, and a more rationalized mode of land acquisition could be pursued. Hence, further promoting social justice in the urban development and housing sector.

In view of the foregoing, the immediate passage of the bill is earnestly sought.


JOSEPH STEPHEN S. PADUANO



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH (19th) CONGRESS
First Regular Session

HOUSE BILL NO. 1986

Introduced by REP. JOSEPH STEPHEN S. PADUANO

AN ACT
STRENGTHENING THE RIGHT OF GOVERNMENT TO EXPROPRIATE LANDS
FOR SOCIALIZED HOUSING, AMENDING FOR THE PURPOSE SECTIONS 9, 10,
AND 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.** Sections 9, 10, and 11 of Republic Act No. 7279 are hereby amended to
2 read as follows:

3 “SEC. 9. [*Priorities in the*] *Acquisition of Land* **FOR SOCIALIZED**
4 **HOUSING.** – [Lands for socialized housing shall be acquired in the following order]
5 **THE FOLLOWING LANDS MAY BE ACQUIRED FOR SOCIALIZED**
6 **HOUSING:**

7 “(a) Those owned by the Government or any of its subdivisions,
8 instrumentalities, or agencies, including government-owned or controlled corporations
9 and their subsidiaries;

10 “(b) Alienable lands of the public domain;

11 “(c) Unregistered or abandoned and idle lands;

12 “(d) Those within the declared Areas for Priority Development, Zonal
13 Improvement Program sites, and Slum Improvement and Resettlement Program sites
14 which have not yet been acquired;

1 “(e) Bagong Lipunan Improvement of Sites and Services or BLISS sites which
2 have not yet been acquired; and

3 “(f) Privately-owned lands.

4 “[Where on-site development is found more practicable and advantageous to
5 the beneficiaries, the priorities mentioned in this section shall not apply. The local
6 government units shall give budgetary priority to on-site development of government
7 lands.]

8 **“THE POWER TO IDENTIFY AND TO PRIORITIZE THE**
9 **PARTICULAR AREA TO BE ACQUIRED SHALL BE WITH THE LOCAL**
10 **GOVERNMENT UNIT OR THE PROPER AGENCY ACQUIRING LAND**
11 **FOR SOCIALIZED HOUSING. FOR THIS PURPOSE, THE ENUMERATION**
12 **IN THIS SECTION SHALL NOT, IN ANY WAY, BE INTERPRETED AS**
13 **SETTING AN ORDER OF PRIORITY.”**

14 “SEC. 10. *Modes of Land Acquisition.* – The modes of acquiring lands for
15 purposes of this Act shall include, among others, community mortgage, land
16 swapping, land assembly or consolidation, land banking, donation to the Government,
17 joint-venture agreement, negotiated purchase, and expropriation: *Provided, [however,*
18 *That expropriation shall be resorted to only when other modes of acquisition have*
19 *been exhausted: Provided, further,]* That where expropriation is resorted to, parcels of
20 land owned by small property owners shall be exempted for purposes of this Act:
21 *Provided, [finally] FURTHER,* That abandoned property, as herein defined, shall be
22 reverted and escheated to the State in a proceeding analogous to the procedure laid
23 down in Rule 91 of the Rules of Court.

24 “For the purpose of socialized housing, government-owned and foreclosed
25 properties shall be acquired by the local government units, or by the National Housing
26 Authority primarily through negotiated purchase: *Provided,* That qualified
27 beneficiaries who are actual occupants of the land shall be given the right of first
28 refusal.”

29 “SEC. 11. *Expropriation of Idle Lands.* – All idle lands in urban and
30 urbanizable areas, as defined and identified in accordance with this Act, shall be
31 expropriated and shall form part of the public domain. These lands shall be disposed
32 of or utilized by the Government for such purposes that conform with their land use
33 plans. Expropriation proceedings shall be instituted if, after the lapse of one (1) year

1 following receipt of notice of acquisition, the owner fails to introduce improvements
2 as defined in Section 3(f) hereof, except in the case of *force majeure* and other
3 fortuitous events. Exempted from this provision, however, are residential lands owned
4 by small property owners [or those the ownership of which is subject of a pending
5 litigation].”

6
7 **SEC. 2. *Repealing Clause.*** – All laws, decrees, executive orders, proclamations, rules
8 and regulations, or any part thereof which are inconsistent with this Act, are hereby repealed
9 or modified accordingly.

10 **SEC. 3. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
11 in the *Official Gazette* or in a newspaper of national circulation.

12 *Approved,*