



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH (19th) CONGRESS
First Regular Session

House Bill No. 3625



Introduced by: Hon. Ma. Victoria Co - Pilar

EXPLANATORY NOTE

Initially filed in the 16th Congress, House Bill 6342, 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*" authored by Hon. Jose Christopher Y. Belmonte, Hon. Ibarra Gutierrez III and Rep. Walden Bello. The 16th Congress passed the measure on its 3rd Reading.

In the 17th Congress, House Bill 228 entitled "*An Act Prescribing the Mechanisms to Facilitate the Disposition of Idle Government – owned Lands for Socialized Housing*" was filed by Hon. Eric Singson. The 17th Congress also passed the measure on 3rd Reading and transmitted the said bill to the Senate for appropriate Action.

In the 18th Congress, House Bills 711 and 1044 entitled "*An Act Prescribing the Mechanisms to Facilitate the Disposition of Idle Government – Owned Lands for Socialized Housing*" was again filed by Hon. Jose Christopher Y. Belmonte and Hon. Kristine Singson – Meehan.

Time and time again, brilliant legislators have brought forth this bill in the hopes that the government addresses the constitutional mandate:

"The State shall, by law, and for the common good, undertake, in cooperation with the public sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas"

We welcome the rapid industrialization of our rural areas and cities. However, with the said development, we are held back by our inability to keep pace with the growing housing need. This bill thereby opens a solution to the matter. The government's idle land assets are a potential resource that we have yet to tap.

This bill further aims to map the said resource to finally resolve the perennial informal settling problems in the different parts of the country. Settling in danger zones, adjusting to a life where families and children gamble with the elements; praying that the walls of their houses hold under the threat of disasters. We thereby humbly bring forth this bill to better their lives under a solid roof, and strong foundations.

Low-cost housing, that is our silver bullet.

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

A handwritten signature in black ink, appearing to be 'S. J. ...', located on the right side of the page.



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AN ACT
PRESCRIBING THE MECHANISMS TO FACILITATE THE DISPOSITION
OF IDLE GOVERNMENT-OWNED LANDS FOR SOCIALIZED HOUSING

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

SECTION 1. Short Title. – This Act shall be known as the “Idle Government-owned Lands Disposition Act”.

SECTION 2. Declaration of Policy. – It is hereby declared the policy of the State to ensure the availability of sufficient lands for socialized housing purposes and improve the capability of local government units (LGUs) in undertaking housing and urban development programs and projects.

SECTION 3. Inventory of Lands. – To carry out the provisions of this Act, an inventory of all idle government-owned lands shall be conducted within one (1) year from the effectivity of this Act. The Department of Human Settlements and Urban Development (DHSUD), in coordination with its appropriate attached corporations and with the Department of Environment and Natural Resources (DENR) through the Land Management Bureau (LMB), shall conduct an inventory of all lands owned by the national government or any of its subdivisions, instrumentalities or agencies, including government-owned or controlled corporations (GOCCs) and their subsidiaries which have not been used for the purpose for which they have been reserved for the past ten (10)

1 years. The Department of the Interior and Local Government (DILG) through the
2 LGUs shall conduct an inventory of all local government- owned lands within
3 their respective localities which have remained idle. For monitoring purposes,
4 the DILG shall furnish the DHSUD a copy of its inventory.

5
6 The inventories stated in the preceding paragraphs shall be updated every
7 three (3) years.

8
9 SECTION 4. Identification and Setting Aside of Lands for Socialized
10 Housing – After the conduct of the inventory:

11
12 (a) All LGUs are hereby directed to identify and set aside idle local
13 government-owned lands which are suitable for socialized housing:
14 Provided, that the Human Settlements Adjudication Commission shall
15 provide technical assistance to the LGUs in the identification thereof and
16 their eventual setting aside for and disposition as socialized housing sites:
17 Provided, further, that identified lands for socialized housing shall be
18 integrated in the Comprehensive Land Use Plan of LGUs; and

19
20 (b) The National Housing Authority (NHA), in coordination with the LMB, is
21 likewise directed to identify idle lands owned by the national government
22 or any of its subdivisions, instrumentalities or agencies, including GOCCs
23 and their subsidiaries, which have not been used for the purpose for
24 which they have been reserved for the past ten (10) years to be set aside for
25 socialized housing: Provided, that such lands have been declared open for
26 disposition whether through an act of Congress or other related laws.

27
28 Except for local government-owned lands, all lands owned by the national
29 government or any of its subdivisions, instrumentalities or agencies, including
30 GOCCs and their subsidiaries identified for socialized housing, shall
31 immediately be transferred to the NHA to be set aside for the purpose subject to
32 the approval of the President of the Philippines: Provided, That lands comprising
33 the acquired assets of GOCCs and government financial institutions (GFIs)
34 engaged in shelter financing that are taken possession of in their ordinary
35 conduct of business and lands they hold in trust for and on behalf of their
36 members are not covered under this Act.

37
38 SECTION 5. Sale, Alienation or Encumbrance of Other Government-
39 owned Lands Not Set Aside for Socialized Housing. – Whenever a government-
40 owned land not set aside for socialized housing, whether owned by the LGUs or
41 the national government or any of its subdivisions, instrumentalities or agencies,
42 including GOCCs and their subsidiaries, is sold, alienated or otherwise
43 encumbered in favor of private individuals or entities for its development into

1 industrial, commercial or other similar estates, there shall be set aside, as may at
2 least ten percent (10%) of the proceeds thereof for the development of socialized
3 housing projects within, adjacent to the affected areas or in nearby areas within
4 the city or municipality in accordance with the local development land use plan:
5 Provided, That lands compromising the acquired assets of GOCCs and GFIs
6 engaged shelter financing that are taken possession of in their ordinary conduct
7 of business and lands they hold in trust for and on behalf of their members are
8 not covered under this Act; Provided, further, That low- salaried employees of
9 the government agency that sold, alienated or otherwise encumbered such idle
10 land shall be given first priority as beneficiaries of the socialized housing projects
11 to be developed.

12
13 SECTION 6. Conveyance of Segregated Land or Fund. – For land owned
14 by the national government or any of its subdivisions, instrumentalities or
15 agencies, including GOCCs and their subsidiaries, the segregated land or fund
16 shall be conveyed at no cost to the NHA which shall be directly responsible for
17 the development of socialized housing projects; Provided, however, That for a
18 land owned by an LGU, the segregated land or fund shall be retained by the
19 concerned LGU to be utilized exclusively for its socialized housing projects.

20
21 SECTION 7. Implementation of Socialized Housing Projects. – For
22 purposes of implementing socialized housing projects on lands set aside for
23 socialized housing and utilizing the funds set aside from the sale, alienation and
24 encumbrance of other lands not set aside for socialized housing, the concerned
25 LGU and the NHA shall develop or cause the development of projects pursuant
26 to Sections 4, 5 and 6 of this Act.

27
28 Toward this end, the NHA and the concerned LGU are hereby authorized
29 to enter into joint venture agreements or other similar agreements with private
30 developers or nongovernmental organizations (NGOs) engaged in housing
31 production: Provided, That the cost of housing unit, if constructed within the
32 affected area or locality pursuant to Section 5 hereof, shall exclude the cost of
33 land.

34
35 In all cases, the NHA and the concerned LGU shall coordinate with each
36 other in the development of socialized housing projects in the areas described in
37 Section 5 of this Act.

38
39 SECTION 8. Incentives for Private Developers and NGOs. – To encourage
40 private sector and NGO participation in socialized housing projects described in
41 Section 7 hereof, the incentives provided in Section 20 of Republic Act No. 7279,
42 otherwise known as the “Urban Development and Housing Act of 1992”, on
43 Incentives for Private Sector Participating in Socialized Housing, shall apply.

1
2 SECTION 9. Implementing Rules and Regulations. – Within six (6) months
3 after the effectivity of this Act, the DHSUD and the DENR are hereby directed to
4 promulgate the necessary rules and regulations, including the mechanisms and
5 procedures on the conduct of inventory and identification of lands suitable for
6 socialized housing, to effectively implement the provisions of this Act. In drafting
7 the implementing rules and regulations, the National Urban Development and
8 Housing Framework described in Republic Act No. 7279 shall be taken into
9 consideration.

10
11 SECTION 10. Separability Clause. If any part or provision of this Act is
12 declared invalid for any reason, the remainder of this Act not affected thereby
13 shall remain valid and effective.

14
15 SECTION 11. Repealing Clause. – All laws, decrees, executive orders,
16 letters of instruction, rules and regulations or parts thereof inconsistent with any
17 of the provisions of this Act are hereby repealed, modified, superseded, or
18 amended accordingly.

19
20 SECTION 12. Effectivity. – This Act shall take effect fifteen (15) days after
21 its publication in the Official Gazette or in a newspaper of general circulation.

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24 Approved.
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