

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. **7652**



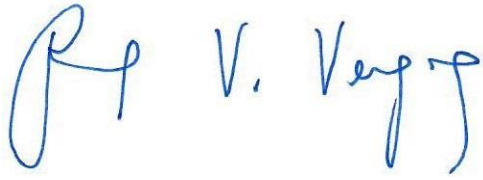
**Introduced by Representatives Rosanna "Ria" V. Vergara, Florida "Rida" P. Robes
and Francisco Jose "Bingo" F. Matugas II**

EXPLANATORY NOTE

All lands of the public domain, waters, minerals, coal, petroleum, mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State. With the exception of agricultural lands, all other natural resources shall not be alienated. Thus, there is a need for rational, optimal and sustainable settlements development, consistent with the principles of environmental management and equitable access to land and security.

This bill proposes to provide the national framework for a rational, holistic, and just allocation, utilization, management, and development of the country's land to ensure their optimum use, consistent with the principle of sustainable development. Moreover, the bill will include mandatory consultations from the regional, provincial, city and municipal level. Overall, the goal of this proposed legislation is to harmonize existing plans, rules and regulations governing the allocation, utilization, development and management of land resources.

In view of the foregoing, the passage of this measure is earnestly urged.



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First District, Surigao del Norte

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Introduced by Representatives Rosanna “Ria” V. Vergara, Florida “Rida” P. Robes
and Francisco Jose “Bingo” E. Matugas

AN ACT

**INSTITUTING A NATIONAL LAND USE POLICY, PROVIDING THE
IMPLEMENTING MECHANISMS, CREATING FOR THE PURPOSE THE
NATIONAL LAND USE COMMISSION, AND APPROPRIATING FUNDS
THEREFOR**

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

CHAPTER I

INTRODUCTORY PROVISIONS

SECTION 1. ***Short Title.*** – This Act shall be known as the “*National Land
Use Act*”.

SEC. 2. ***Declaration of Principles and Policies.*** – All lands of the public
domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of
potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other

1 natural resources are owned by the State. With the exception of agricultural lands,
2 all other natural resources shall not be alienated.

3 Pursuant to the constitutional provision or mandate, it is the policy of the
4 State to provide for a rational, holistic, and just allocation, utilization,
5 management, and development of the country's land to ensure their optimum use,
6 consistent with the principle of sustainable development.

7 The State recognizes the need for rational, optimal and sustainable
8 settlements development, consistent with the principles of environmental
9 management and equitable access to land and security.

10 Toward this end, the State institutionalizes land use and physical planning as
11 mechanisms for identifying, determining, and evaluating appropriate land use and
12 allocation patterns that promote and ensure:

- 13 (a) Sustainable management and utilization of natural resources;
- 14 (b) Maintenance and preservation of environmental integrity and stability
15 specifically the perpetual protection of permanent forests and watershed for the
16 attainment of food, water and energy sufficiency;
- 17 (c) Disaster risk-reduction and climate change resiliency;
- 18 (d) Protection of prime agricultural lands for food security in basic
19 commodities with emphasis on self-sufficiency in rice and corn;

1 (e) Water security through sustainable development and management of
2 water resources towards water security;

3 (f) Settlements, transportation and infrastructure development in support
4 of urban, rural and regional development and inclusive growth;

5 (g) Harmony between the rights and the varied interests of every Filipino
6 within the framework of people empowerment, decentralization, social justice, and
7 equity;

8 (h) Respect for and protection of the sustainable traditional resource
9 rights of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to
10 their ancestral domains to ensure their economic, social, and cultural well-being as
11 well as recognition of the applicability of customary laws and sustainable
12 traditional resource use and management, knowledge, and practices in ancestral
13 domains in compliance with free and prior informed consent of ICC/IPs;

14 (i) Protection of the rights of basic sectors to equitable access to the
15 country's land;

16 (j) Protection, preservation, and development of the Filipino historical,
17 cultural and built cultural heritage and resources for the deeper understanding of
18 our history and culture as a people;

19 (k) Attainment of energy security and self-sufficiency;

1 (l) Market orientation where the interplay of market forces and fair trade
2 within the framework of ecological development and equity consideration is
3 encouraged and adopted as the basic parameter in achieving efficiency in land use
4 and allocation; and

5 (m) Promotion of the integrated approach to land use and urban transport
6 planning to effectively manage growth in urban areas and ensure that the capacity
7 of transport facilities can accommodate the demand for movement of passengers
8 and goods to, from, and within the centers of socioeconomic activities.

9 It is also the policy of the State to ensure that local government units (LGUs)
10 share with the national government the responsibility of managing and maintaining
11 ecological balance within their territorial jurisdiction as stated in the 1987
12 Constitution and Republic Act (R.A.) No. 7160, as amended, also known as the
13 “*Local Government Code of 1991*”. Guided by the principle that the use of land
14 bears a social function and that all economic agents contribute to the common
15 good, landowners, land tenure holders, in the case of forestlands, be it an
16 individual, communal, corporate or group is held responsible for developing and
17 conserving their lands thereby making their lands productive and supportive of
18 environmental stability.

19 SEC. 3. **Scope.** – This Act applies to all lands and all resources in the
20 country, whether public, private, government-owned or in the possession of any

1 person, whether natural or juridical, and serves as guide for the rational, holistic
2 and just allocation, utilization, development and management of the land and water
3 resources in the country, including such activities that bear impact on those
4 resources.

5 **SEC. 4. *Definition of Terms.*** – As used in this Act:

6 (a) *Agricultural land* refers to land of public domain which have been
7 devoted to agricultural activity as defined under R.A. No. 6657, as amended,
8 otherwise known as the “*Comprehensive Agrarian Reform Law of 1998*,” and not
9 further classified for residential, commercial or industrial use and such other uses
10 as may be provided by law;

11 (b) *Agricultural land use conversion* refers to the act or process of
12 changing the current physical use of a piece of agricultural land into some other
13 use or for another agricultural use other than the cultivation of the soil, planting of
14 crops, growing of trees, including harvesting of produce therefrom, as approved
15 exclusively by the Department of Agrarian Reform (DAR) in an order of
16 conversion;

17 (c) *Alienable and Disposable (A&D) lands* refer to lands of the public
18 domain which have been delineated, classified, and certified as open and available
19 for disposition under the provisions of Commonwealth Act No. 141, as amended,
20 otherwise known as “*The Public Land Act*;”

1 (d) *Ancestral domains* refer to all areas generally belonging to indigenous
2 cultural communities or indigenous peoples as defined in R.A. No. 8371, otherwise
3 known as “*The Indigenous Peoples’ Rights Act of 1997*;”

4 (e) *Basic sector* refers to a group of people not referring to any organize
5 groups such as but not limited to women, youth, elderly, differently abled, peasants
6 and fisher folk;

7 (f) *Coastal area or zone* refers to a band of dry land and the adjacent
8 ocean space, water and submerged land, in which terrestrial processes and uses
9 directly affect oceanic processes and uses and *vice versa*, the geographic extent of
10 which includes areas within a landward limit of one (1) kilometer from the
11 shoreline at high tide to include mangrove swamps, brackish water ponds, nipa
12 swamps, estuarine rivers, sandy beaches and other areas within a seaward limit of
13 two hundred (200) meters isobaths to include coral reefs, algal flats, seagrass beds,
14 and other soft-bottom areas;

15 (g) *Comprehensive Land Use Plan (CLUP)* refers to a plan embodying a
16 set of policies accompanied by maps and similar illustrations that serves as a policy
17 guide for determining the future use of lands and natural resources within the
18 territorial jurisdiction of the LGU, representing the community desired pattern of
19 population distribution and proposes future allocation of land and resources to
20 various activities including the processes and criteria employed in such

determination of allocation of land and resources for a long-term management of the local territory covering a period of minimum of twelve (12) years reviewable not earlier than every six (6) years;

(h) *Comprehensive land use planning* refers to the act of defining the allocation, utilization, development and management of all lands within a given territory or jurisdiction according to the inherent characteristic of the land itself and supportive of sustainable economic, demographic, socio-cultural and environmental objectives as an aid to decision-making and legislation;

(i) *Critical habitats* refer to areas outside protected areas as defined in R.A. No. 7586, otherwise known as the “*National Integrated Protected Areas System Act of 1992*”, that are known habitats of threatened species and designated as such based on scientific data taking into consideration species endemism or richness, presence of human-made pressures or threats to the survival of wildlife living in the area;

(j) *Critical watershed* refers to watersheds or forestlands that have been identified and evaluated to provide critical and vital natural, ecological, environmental and physical beneficial services such as water biodiversity, energy, irrigation, social and cultural, among others, to a specific area or community and whose biophysical condition demands immediate rehabilitation, protection and management to prevent its further denudation, deterioration and exploitation;

1 (k) *Cultural heritage* refers to the totality of cultural properties, whether
2 natural or human made, preserved and developed through time and passed on for
3 posterity;

4 (l) *Customary laws* refer to a body of written or unwritten rules, usages,
5 customs and practices traditionally and continually recognized, accepted, and
6 observed by respective ICCs/IPs, consistent with R.A. 8371;

7 (m) *Development plan* refers to the activities and measures that the
8 national government or LGUs intend to implement over a specified period of time
9 to achieve the defined set of development goals identified in the national or local
10 physical framework plans integrating socio-economic, financial, fiscal, legal and
11 legislative institutional and sectoral plans of the national government or any of its
12 instrumentalities or a particular LGU, consistent with the objectives identified in
13 spatial plans such as land use plans or physical framework plans including an
14 analysis of problems and resources, definition of goals and objectives, policy
15 guidelines, project and target achievements and an implementation mechanism
16 which defines the roles and contributions expected from the government and the
17 private sector;

18 (n) *Ecologically fragile areas* refer to areas within critical watersheds,
19 brackish and freshwater wetlands, pasture lands, inland rivers and waterways
20 coastal and settlement areas, and croplands which require rehabilitation, protection

1 and whose continued unsustainable use would result in physical risks and threats to
2 life and property, public health and safety as well as adversely affect the
3 productivity of lowland agricultural areas and stability of the upland system;

4 (o) *Ecotourism* refers to a form of sustainable tourism within a natural or
5 cultural heritage area where community participation, protection and management
6 of natural resources, culture and indigenous knowledge and practices,
7 environmental education and ethics, as well as economic benefits are fostered and
8 pursued for the enrichment of host community and satisfaction of visitors;

9 (p) *Energy resources* refer to surface or subsurface substances that serve
10 as energy resources including traditionally mineral fuel deposits such as coal
11 petroleum, natural gas or renewable resources from geothermal, hydro reservoirs
12 or non-conventional sources such as ocean waves, solar, wind, biomass, and other
13 similar resources which serve the same purpose;

14 (q) *Energy resource lands* refer to lands where naturally occurring or
15 indigenous energy resources exist in sufficient quantity or quality as to be
16 economically viable for exploration, development production, utilization and
17 distribution purposes;

18 (r) *Exhausted mineral resources* refer to specific sites where the mineral
19 resources are no longer in sufficient quantity to justify additional expenditure for

1 extraction or utilization as determined by the Mines and Geosciences Bureau and
2 approved by the Department of Environment and Natural Resources (DENR);

3 (s) *Flood plain* refers to relatively smooth valley floors adjacent to and
4 formed by rivers, which are subject to overflows banks at blood stages. The plain
5 usually consist of unconsolidated fine sediments such as sand and clay;

6 (t) *Flood-prone areas* refer to low lying areas usually adjacent to large or
7 active water bodies and which therefore experience regular or seasonal inundation
8 as a result of changes in the mean water level of these bodies or because of land
9 reclamation and other artificial interference with the natural processes;

10 (u) *Foreshore land* refers to a string of land margining a body of water,
11 the part of a seashore between the low-water line usually at the seaward margin of
12 a low tide terrace and the upper limit of wave wash at high tide marked by a beach
13 scarp or berm;

14 (v) *Forest* refers to an ecosystem or an assemblage of ecosystems
15 dominated by trees and other woody vegetation or a community of plants and
16 animals interacting with one another and its physical environment;

17 (w) *Forest lands* refer to one of the four classifications of land under the
18 Constitution under the public domain classified or determined as suitable for forest
19 purposes and not classified as mineral land, national park or agricultural land such

1 as all permanent forest reserves, forest reservations, and all the remaining
2 unclassified lands of the public domain;

3 (x) *Geo-hazards* refer to a geological process or phenomenon that may
4 cause loss of life, injury or other health impacts, property damage, loss of
5 livelihoods and services, social and economic disruption or environmental damage.
6 This includes internal earth processes such as earthquakes and volcanic activities,
7 and geophysical processes like mass movements landslides, surface collapses,
8 debris and mud flow;

9 (y) *Geo-hazard prone areas* refer to areas frequently affected and/or are
10 vulnerable or at risk to weather/climatic, hydrologic, geologic and other natural
11 calamities;

12 (z) *Illegal conversion* refers to an attempt to or an actual change in the
13 use of land from agricultural to a residential, commercial, or industrial and other
14 non-agricultural activity, without a conversion grant or clearance based on the
15 requirements under Section 65 of R.A. 6657, as amended, and to dispossess a
16 tenant as provided under Section 73 (c) of R.A. No. 6657, as amended, is
17 established from the following instances:

- 18 1. When an agricultural land is developed without a Department of Agrarian
19 Reform (DAR) Conversion Order;
- 20 2. When the agricultural land being converted is irrigated or irrigable;

1 3. When there are farmers, farmworkers, or tenants on the landholding who
2 are adversely affected by the conversion;

3 4. When there is land activity such as, but not limited to, construction of
4 perimeter fence on the landholding, earth filling/dumping, earth
5 moving/digging, and quarrying; and

6 5. Other analogous activities.

7 (aa) *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPPs)*

8 refer to groups of people or homogenous societies identified by self-ascription and
9 ascription by others, who have continuously lived as organized community on
10 communally bounded and defined territory, and who have, under claims of
11 ownership since time immemorial, occupied, possessed, and utilized such
12 territories, sharing common bonds of language, customs, traditions, and other
13 distinctive cultural traits, or who have, through resistance to political, social, and
14 cultural inroads of colonization, non-indigenous religions and cultures, became
15 historically differentiated from the majority of Filipinos including peoples who are
16 regarded as indigenous on account of their descent from the populations which
17 inhabited the country at the time of conquest or colonization, or at the time of
18 inroads of non-indigenous religions and cultures, or the establishment of present
19 state boundaries, who retain some or all of their own social, economic, cultural,

1 and political institutions, but who may have been displaced from their traditional
2 domains, or who may have resettled outside their ancestral domains;

3 (bb) *Key Biodiversity Areas (KBAs)* refer to the present most important
4 sites for biodiversity conservation worldwide which are considered places of
5 international importance for the conservation of biodiversity through protected
6 areas and other governance mechanisms and which are identified nationally using
7 simple standard criteria based on their importance in maintaining species
8 populations;

9 (cc) *Land* refers to resources, both artificial and natural, found on the
10 surface, below, and above the ground, including inland waters and the air therein;

11 (dd) *Land use* refers to the manner of allocation, utilization, management
12 and development of land;

13 (ee) *Land use classification* refers to the act of delineating or allocating
14 lands according to protection land use, production land use, settlements
15 development and infrastructure development as provided for in this Act;

16 (ff) *Land use planning* refers to the rational and judicious approach of
17 allocating available land resources to different land-using activities, such as but not
18 limited to agricultural, residential, industrial, commercial, institutional, forest land
19 uses, and for different functions consistent with the overall development
20 vision/goal of a particular locality;

1 (gg) *Mandatory public hearings or consultations* refer to the mechanism of
2 involving the concerned stakeholders and communities in land use planning, from
3 the barangay to the national level, to ensure the social acceptability of the plans
4 including giving notice of hearing or consultation to the concerned stakeholders
5 through publication or posting in conspicuous places, conducting a reasonable
6 number of hearings, and soliciting positions to arrive at a consensus through public
7 presentations and validation of the planning results undertaken before the final
8 adoption of the plans;

9 (hh) *Local Government Units (LGUs)* refer, for the purpose this Act, to
10 provinces, independent cities, component cities and municipalities;

11 (ii) *Marine protected area* refers to a defined area of the sea established
12 and set aside by law, administrative regulation or any other effective means to
13 conserve and protect a part of the entire enclosed environment, through the
14 establishment of management guidelines including all declared areas governed by
15 specific rules or guidelines to protect and manage activities within the enclosed
16 area;

17 (jj) *Minerals* refer to naturally occurring inorganic substance beneath or at
18 the surface of the earth whether or not under water, and includes all metallic
19 minerals, precious stones, industrial rocks and building stones;

1 (kk) *Mineral lands* refer to any area where mineral resources are found,
2 including areas that are established mineral reservations, areas with active mining
3 operations; areas with projected mining tenural rights; and areas declared by court
4 decisions as mineral lands;

5 (ll) *Mineral reservations* refer to areas established and proclaimed as such
6 by the President upon the recommendation of the Director through the Secretary
7 including all submerged lands within the contiguous zone and exclusive Economic
8 Zone.

9 (mm) *National Integrated Protected Areas System (NIPAS)* refers to the
10 classification and administration of all designated protected areas to maintain
11 essential ecological processes and life-support systems, to preserve genetic
12 diversity, to ensure sustainable use of resources found therein, and to maintain
13 their natural conditions to the greatest extent possible;

14 (nn) *National park* refers to forest reservation, essentially of natural
15 wilderness character, which has been withdrawn from settlement, occupancy or
16 any form of exploitation, except in conformity with the approved management plan
17 and set aside as such exclusively to conserve the area or preserve the scenery,
18 natural and historic objects, wild animals and plants therein, and to provide
19 enjoyment of these features in such areas including lands and waters of the public
20 domain classified as such in the 1987 Constitution such as all areas under the

1 NIPAS primarily designated for the conservation of native plants and animals and
2 associated habitats and cultural diversity;

3 (oo) *Network of Protected Areas for Agriculture and Agro-Industrial*
4 *Development* refers to agricultural areas identified by the Department of
5 Agriculture (DA), through the Bureau of Soils and Water Management (BSWM),
6 in coordination with the National Mapping and Resource Information Authority
7 (NAMRIA), in order to ensure the efficient utilization of land for agriculture and
8 agro-industrial development and to promote sustainable growth, covering all
9 irrigated areas, all irrigable lands already covered by irrigation projects, all alluvial
10 plains, lands highly suitable for agriculture, whether irrigated or not, agro-
11 industrial croplands or lands planted with industrial crops that support the validity
12 of existing agricultural infrastructure and agro-based enterprises, highlands or
13 areas located at an elevation of five hundred meters (500) or above and have the
14 potential for growing semi-temperate and high value crops, all agricultural lands
15 that are ecologically fragile, the conversion of which may result in serious
16 environmental degradation, and all mangrove areas and fish sanctuaries;

17 (pp) *Physical framework plans* refer to the national, regional or provincial
18 indicative plans that outline the over-all and macro-level physical development
19 objectives, priorities, directions and strategies in its respective levels as prepared,
20 reviewed, integrated and finalized by the national, regional and provincial land use

councils or boards respectively based on the CLUPs of the LGUs and the national policy guidelines relating to land use and environmental management to prevent or mitigate the adverse effects of inappropriate resource utilization on food security, the welfare of the people and their environment;

(qq) *Physical Planning* is the process of organizing physical activities and land uses, including settlements, environmental protection, economic activities, and infrastructure to ensure sustainable, orderly, and optimal siting and coordination of land uses;

(rr) *Prime agricultural lands* refer to all contiguous irrigated areas and irrigable lands already covered by irrigation projects, including all alluvial plain lands highly suitable for agriculture, whether irrigated or not that have been identified to satisfy the need for self-sufficiency and security and agro-industrial croplands or lands presently planted and suitable to industrial and high value crops, highlands or areas located at an elevation of five hundred meters (500) or above, and have potential for growing semi-temperate and high value crops outside of declared permanent forestlands and protection forests, and are not located in ecologically fragile and environmentally critical areas;

(ss) *Production land use* refers to the most efficient, sustainable, and equitable utilization, development and management of land for productive purposes which are not classified for protection land use;

1 (tt) *Protected areas* refer to portions of land and water set aside by reason
2 of their unique physical and biological diversity and protected against human
3 exploitation including all natural forests and agricultural lands identified and
4 delineated under this Act;

5 (uu) *Reclassification of agricultural lands* refer to the act of specifying
6 how agricultural lands are classified or used for non-agricultural uses such as
7 residential, industrial or commercial purposes, as embodied in the land use plan
8 subject to the requirements and procedure for reclassification undertaken by the
9 Local Government Unit (LGU) in accordance with Section 20 of R.A No. 7160;

10 (vv) *Resettlement areas* refer to areas identified by the appropriate national
11 agency or by the LGU with respect to areas within its jurisdiction which are used
12 for the relocation of the underprivileged and homeless, as defined under R.A. No.
13 7279, otherwise known as the “*Urban Development and Housing Act of 1992*;”

14 (ww) *River basin* refers to the horizontal projection of area from which a
15 river and its tributaries receive surface water originating from precipitation;

16 (xx) *Settlements* refer to communities or built-up environment areas where
17 people prefer to live in;

18 (yy) *Settlements development* refers to any improvement on existing
19 settlements or any proposed development of certain areas for settlement purposes
20 involving the spatial distribution of population, identification of the roles and

functions of key urban centers, determination of relationships among settlement areas, and the provision of basic services and facilities of identified major settlement areas of growth centers;

(zz) *Shoreline* refers to a strip of land covering of at least one (1) kilometer from the point where seawater reaches during the highest high tide;

(aaa) *Sustainable development* refers to the development objective of meeting the needs of the present generation without compromising the ability of future generations to meet their own needs consistent with the principles of social equity, efficiency and environmental integrity;

(bbb) *Tourism development areas* refer to specific sites for tourism development located in areas identified as priorities in the national and regional tourism master plans and those designated through legislative and executive issuances as tourist spots and tourist zones which may be developed into tourism estates or integrated resort, leisure, recreation complexes, and other tourism related facilities;

(ccc) *Tourism ecozone* refers to tourism development areas, outside of protection lands which have been granted special economic zone status through the Philippine Export Zone Authority (PEZA) registration and issuance of the required Presidential Proclamation, with its metes and bounds, delineated by said

1 proclamation, pursuant to R.A. No. 7916, as amended, otherwise known as “*The*
2 *Special Economic Zone Act of 1995*”;

3 (ddd) *Tourism estates* refer to large tracts of land with well-defined
4 boundaries in any area, excluding those protection lands, identified in the
5 Philippine tourism master plan and regional tourism by proclamation of the
6 President or by acts of Congress or by local legislation and declared suited for the
7 development of an integrated tourism and resort complex with prescribed carrying
8 capacities and limits for its facilities and activities;

9 (eee) *Tourist spot* refers to a particular area, site or spot, man-made or
10 natural, known for its unique tourist or visitor-drawing attributes and activities and
11 which may be classified according to its social, cultural, natural, historical,
12 aesthetic, visual, scientific, religious, or recreational significance;

13 (fff) *Tourist zone* refers to a geographic area with well-defined boundaries
14 proclaimed as such by the President of the Philippines or by acts of Congress
15 where development projects for any purpose are initiated and introduced prior to
16 formulation of a tourism master development plan which are undertaken in
17 coordination with the Department of Tourism (DOT) and the Tourism
18 Infrastructure Enterprise Zone (TIEZA) for the enhancement or the conservation of
19 cultural and historical heritage, and for the appreciation and enjoyment of the local
20 population and its visitors;

(ggg) *Urban areas* refer to all cities regardless of their population density and to municipalities with a population density of at least five hundred (500) persons per square kilometer;

(hhh) *Urbanizable areas* refer to sites and lands which, considering present characteristics and prevailing conditions, display great potential of becoming urban areas within a period of five (5) years from the effectivity of this Act;

(iii) *Urban forest or green space* refers to the establishment or setting up of areas for mini-forest, eco-parks or small nature parks, in both public and private lands, wetlands, man-made lagoons and lakes systems, riverbanks and shores, grasslands, roof and rock gardens, lining roads and highways with trees, shrubs, or ornamental plants, and ground landscaping of schools, hospitals, and other government agencies in order to improve the environment in urban areas;

(jjj) *Water security* refers to the sufficient access throughout the year to the minimum daily requirement of clean water to maintain a healthy life;

(kkk) *Water use* refers to the appropriation of water for domestic, municipal, irrigation, power generation, inland fisheries, poultry and livestock, industrial and commercial, environmental, and recreational use;

(lll) *Watershed* refers to a topographically delineated area of land from which rainwater can drain as surface run-off *vis-a-vis* a specific stream or river system to a common outlet point which may be a dam, irrigation system or urban

1 water supply take off point, or where the stream discharges into a river, lake, or the
2 sea;

3 (mmm) *Zoning* refers to the regulatory tool for delineating the specific
4 land uses in accordance with the approved CLUP within the territorial jurisdiction
5 of a city or municipality and specifying the conditions for their regulation, subject
6 to the limitations imposed by law and competent authority; and

7 (nnn) *Zoning ordinance* refers to a local law passed by the *Sangguniang*
8 *Bayan* or *Panlungsod* approving the development control or zoning plan in
9 accordance with an approved or adopted CLUP of the city or municipality,
10 providing for the regulations and other conditions on the land uses, including the
11 limitation on the infrastructure that may be placed within the territorial jurisdiction
12 of the city or municipality, incorporating the protected areas, protected agricultural
13 lands and ancestral lands as provided for in this Act.

15 CHAPTER II

16 PHYSICAL FRAMEWORK AND LAND USE PLAN

17 SEC. 5. *National Physical Framework Plan.* – The National Land Use
18 Commission (NLUC) created under Section 17 herein shall draft the National
19 Physical Framework Plan (NPFP), which shall have a timeframe of thirty (30)
20 years, with regular review and updating every ten (10) years. The NPFP, which

1 guides the planning and management of the country's land and other physical
2 resources at the national and sub-national levels, shall indicate broad spatial
3 directions and policy guidelines on settlements development, production land use,
4 protection land use, social services and utilities, and transportation and
5 communication. The Regional Physical Framework Plans (RPFs), Provincial
6 Physical Framework and Development Plans (PPFDs), and CLUPs, which shall
7 also have a 12-year timeframe and cover the physical development of their
8 respective territories, shall be consistent with the NFPF: *Provided*, That the
9 integration and harmonization of the physical framework plans at all levels shall be
10 iterative to ensure that the concerns of both top and bottom levels of government
11 are considered. The physical and land use plans prepared at all levels shall have
12 internal consistency specifically on, but not limited to, the development,
13 management and conservation of forestlands found within a given territory and the
14 linkages of the major land use categories to ensure their complementation in the
15 utilization, development and management of resources. The NLUC shall issue
16 procedural guidelines which shall guide the formulation and integration or
17 harmonization process: *Provided*, That the National Economic Development
18 Authority (NEDA), Department of Environment and Natural Resources (DENR),
19 Department of Human Settlements and Urban Development (DHSUD),
20 Department of the Interior and Local Government (DILG) and other agencies will

1 continue to issue guidelines on the content of the plans consistent with their
2 respective agency mandates.

3 SEC. 6. ***Regional Physical Framework Plans.*** – In consultation with
4 concerned sectors, the Regional Land Use Policy Council (RLUPC) shall define
5 the desired spatial arrangement of land and land-using activities in the entire
6 region, consolidating and harmonizing the Provincial Development and Physical
7 Framework Plans (PDPFP) of provinces and independent cities within the
8 territorial jurisdiction of the region. The Regional Physical Framework Plan
9 (RPFP), which depicts an end-state scenario toward which efforts and activities are
10 directed, shall consist of spatially-based and area-focused policies, consistent with
11 those in the national framework for physical planning, to guide detailed physical,
12 socio-economic, sectoral and investment planning.

13 SEC. 7. ***Provincial Physical Framework and Development Plans.*** – In
14 consultation with concerned sectors, the Provincial Planning and Development
15 Office (PPDO) shall prepare a Provincial Physical Framework and Development
16 Plan (PPFDP), which shall define the province's development vision, economic
17 and social development policies, general land uses, and inter-city/municipal
18 transportation system. The PPFDP shall harmonize the land use plans of
19 component cities and municipalities, taking into consideration shared resources
20 and planning concerns, and define the uses of land and other resources within the

1 province consistent with the policies in the regional physical framework plan. The
2 programs, projects and activities prescribed in the PPFDP shall be integrated into
3 the provincial development investment program. The PPDO shall submit the
4 PPFDP to the Provincial Land Use Policy Council (PLUPC), created under Section
5 23 of this Act, for review and endorsement to *Sangguniang Panlalawigan*, which
6 shall adopt the same pursuant to Section 468 (2) (vii) of R.A. No. 7160.

7 **SEC. 8. *City/Municipal Land Use Plans.*** – The City/Municipal Planning
8 and Development Office (C/MPDO), in consultation with concerned sectors
9 through mandatory conduct of public hearings and with the use of technology-
10 based systems such as, but not limited to, the Community-Based Monitoring
11 System (CBMS) required to be established in every city and municipality under
12 Republic Act No. 11315, shall prepare the CLUP to determine the specific uses of
13 land and other physical resources therein including areas co-managed with the
14 national government and, as appropriate, the ancestral domain areas. The CLUP
15 shall be consistent with the PPFDP and shall define the city or municipal
16 development vision, appropriate economic, environmental and social development
17 policies, densities and transportation system. The CLUP shall have a planning
18 period of twelve (12) years to be updated every six (6) years or when deemed
19 necessary. The C/MPDO shall also use, among others, the CBMS in the updating
20 of the CLUPs.

1 The CLUP may be formulated as a component of a Comprehensive Land
2 Use and Development Plan (CLUDP), which merges the traditionally separate
3 CLUP and comprehensive development plan to address the disconnect between
4 spatial and sectoral factors and to ensure the complementation between the
5 medium- and long-term concerns. The CLUP shall be translated into a zoning
6 ordinance by the concerned *Sanggunian* to regulate the uses of land, including the
7 limitations on height, density and bulk of buildings and other infrastructure that
8 may be placed thereon.

9 **SEC. 9. *Physical Framework and Land Use Planning Process.*** – The land
10 use and physical planning process shall be formulated following a combined
11 bottom-up and top-down approach. The NLUC, in consultation with the concerned
12 sectors through the mandatory conduct of public hearings, shall formulate,
13 periodically update and ensure the implementation of the NPFP that shall prescribe
14 and influence the country's land use and physical development. The NPFP shall
15 operationalize the policies provided in this act and will be the basis for adopting
16 land use and physical planning-related guidelines and standards, including zoning
17 and other land use control standards that will guide the formulation of
18 city/municipal zoning ordinances. The policies prescribed in the NPFP shall be
19 integrated into the Medium-Term Philippine Development Plan and Medium-Term
20 Philippine Investment Program.

SEC. 10. ***Revision of Existing Planning Guidelines.*** – The existing planning guidelines on the NPFP, RPFP and PDPPF shall be reviewed and revised pursuant to Sections 5, 6, 7, and 9 of this Act.

CHAPTER III

FRAMEWORK FOR LAND USE PLANNING

SEC. 11. ***Basic Objective of Land Use or Physical Framework Planning.*** –

The primary objective of a physical framework plan is to describe existing land uses and to identify an integrating physical framework, including an overall vision, policies on social and economic development and environmental protection and supporting transportation and other infrastructure facilities, that will define future development. Its output includes the identification of programs, projects and activities needed to achieve the desired development, and which will serve as inputs to the investment program. In the case of the CLUP, it is also intended to provide specific development and building guidelines and parameters that will be implemented through a zoning ordinance.

SEC. 12. ***Priorities in Land Use Allocation and Planning.*** – In projecting spatial allocation for different land uses, the LGUs shall first exclude areas under protection land use of Section 16 (a) hereof, national parks, energy resource lands, and prime agricultural lands to ensure ecological integrity, energy supply, and

1 promote food security. Areas with prior rights and those with site-specific
2 resources for basic services, such as but not limited to, water and indigenous
3 energy resources, shall also be excluded. Spatial allocation and planning shall then
4 proceed in accordance with Sections 15 and 16 hereof with priorities given to
5 integrated watershed management areas, socialized housing sites, fisherfolk
6 settlement in coastal areas, and waste disposal sites.

7 **SEC. 13. *Approach to Land Use and Physical Framework Planning.*** – In
8 general, the land use or physical framework planning process shall include a
9 description of existing land uses and land use trends, as well as the physical,
10 demographic, economic, social and environmental conditions that have shaped and
11 are likely to shape future land use and physical developments. It shall then derive a
12 land use plan or physical framework by matching, reconciling or integrating the
13 demand for land with the supply of land. The resulting land use plan or physical
14 framework shall be the basis for identifying necessary policies, programs, projects
15 and activities, and development controls to guide future development. The land use
16 plan or physical framework must be holistic in nature and not emanate from
17 specific individual or corporation which, in essence, constitutes as spot zoning.

18 **SEC. 14. *Adoption of Multiple Uses of Land Resources.*** – The primary and
19 alternative uses of a specific land resource shall be determined and evaluated prior
20 to any decision for the assignment of its use. Areas feasible for sustainable land

resource use may be considered multiple-use zones wherein settlements , tourism, agriculture, forestry, agro-forestry and extraction activities and other income-generating or livelihood activities may be allowed: *Provided*, That multiple uses of land resources shall be excluded in areas identified as protection land use: *Provided, further*, That such land resources shall be in accordance with priorities in land use allocation and planning and that no reclassification shall be allowed.

SEC. 15. ***Basic Land Use Planning Considerations.*** – In determining the various land uses, the people and their productive activities and the need for functional open spaces and preservation areas as well as the various interrelationships of the physical characteristics of the land and other elements therein shall be considered, among others, the following:

(a) Availability of natural resources including indigenous energy resources for energy security and self-sufficiency;

(b) Geology, geomorphology, geologic hazard, climate, soil, vegetative cover, demography and slope;

(c) Economic, environmental, cultural, social and related development activities;

(d) Existing government policies on land and natural resources allocation, utilization, management and disposition;

(e) Technological changes or advancement;

1 (f) Existing customary rights for the protection of indigenous peoples and
2 vulnerable groups including women and urban poor; and

3 (g) Inventory of prior and existing rights, to harmonize determination of
4 land use.

5 SEC. 16. ***Categories of Land Uses for Planning Purposes.*** – In determining
6 and defining the national, regional and provincial framework plans, and CLUPs,
7 land uses shall be grouped into four major functional uses as follows:

8 (a) *Protection land use* wherein the use of land primarily for food, water
9 and energy security, rehabilitation, conservation, and protection purposes to
10 promote the country’s ecological and life-support systems. Planning for protection
11 land use intends to achieve food self-sufficiency in rice and corn, water and energy
12 security, environmental stability and ecological integrity, ensure a balance between
13 resource use and the preservation of some areas with environmental, aesthetic,
14 educational, cultural, heritage and historical significance, and protect people and
15 human- made structures from the ill-effects of natural hazards. All lands, either
16 public or private, under protection land use shall be permanently conserved,
17 preserved, rehabilitated and protected from all other land uses, disposition,
18 intrusion, utilization and development that is not consistent from its existing uses.
19 Areas under this category also include those covered by R.A. 7586, otherwise
20 known as the “*NIPAS Act*”, as amended, and other coastal and marine protected

1 areas, those areas outside NIPAS but nonetheless require protection because of
2 their outstanding physical and aesthetic features, anthropological significance, and
3 biological diversity, and those areas prone to natural hazards, such as but not
4 limited to the following:

5 (1) Old-growth forests and mossy;

6 (2) Areas with more than 50% in slope gradient;

7 (3) Mangrove and fish sanctuaries, pursuant to R.A. No. 8435, or
8 the “*Agriculture and Fisheries Modernization Act of 1997*”, and R.A. No.
9 8550, or “*The Philippine Fisheries Code of 1998*”;

10 (4) Buffer zones or strips/easements, pursuant to Presidential
11 Decree (P.D.) No. 705, amending P.D. No. 389, otherwise known as the
12 “*Forestry Reform Code of the Philippines*” and P.D. No. 1067, or the
13 “*Water Code of the Philippines*”;

14 (5) Salvage zones along foreshore areas, freshwater swamps and
15 marshes, plazas and heritage or historic sites, pursuant to P.D. No. 2146;

16 (6) Watersheds supporting domestic water supply;

17 (7) Utility easement like transmission lines of power companies, oil
18 and gas facilities, cell sites, and domestic water lines;

19 (8) Amenity areas or those with high aesthetic values, pursuant to
20 P.D. No. 2146;

1 (9) Natural and human-made areas/sites of cultural, historical and
2 anthropological significance, which are declared as such by internationally
3 recognized organizations and concerned national agencies;

4 (10) Critical habitats as provided in R.A. No. 9147, otherwise
5 known as the “*Wildlife Resources Conservation and Protection Act*”;

6 (11) Significant caves under R.A. No. 9072, otherwise known as the
7 “*National Caves and Cave Resources Management and Protection Act*”; or

8 (12) Key biodiversity areas under Executive Order No. 578, Series
9 of 2006, otherwise known as the “*National Biodiversity Policy*”.

10 (b) *Production Land Use* wherein there is a direct and indirect utilization
11 of land resources for crop, fishery, livestock and poultry production, forestry,
12 agroforestry, mining, industry, energy development, indigenous energy exploration
13 and development, and tourism. Planning for production land determines the most
14 efficient, sustainable, and equitable manner of utilizing, developing and managing
15 land for productive purposes. Areas included in this category are agricultural lands,
16 fishing grounds, coastal and marine zones, production forest, which can be made
17 available for timber and agroforestry production, rangelands for grazing and other
18 forest lands special uses, and other reforestation projects, mineral lands or mining
19 areas and reservations, energy resource lands, industrial development areas, and

1 tourism development areas where productive activities may be undertaken to meet
2 the country's requirements for food security, economic growth and development.

3 (c) *Settlements development* wherein any improvement on existing
4 settlements in urban and rural areas or any proposed development of certain areas
5 for settlement purposes involves the spatial distribution of population,
6 identification of the roles and functions of key urban centers, determination of
7 relationships among settlement areas, and the provision of basic services and
8 facilities to such settlement. The settlements development plan ensures for the
9 present and future generation the following: (1) effective integration of activities
10 within and among settlements, allowing efficient movement of people and
11 production of commodities through the provision of appropriate land,
12 infrastructure, and facilities; and (2) access of the population to housing, education,
13 health care, recreation, transportation and communication, sanitation, and basic
14 utilities such as water, power, waste disposal, and other services.

15 (d) *Infrastructure development* includes the availability or supply of basic
16 services and fostering of economic and other forms of integration necessary for
17 producing or obtaining the material requirements of Filipinos, in an efficient,
18 responsive, safe and ecologically friendly built environment. It covers sub-sectors
19 of transportation, communications, water resources, and social infrastructure:
20 *Provided*, That the determination of functional uses of lands within ancestral

domains shall consider traditional resource and management systems that do not endanger the lives of the people and property of the local community and neighboring areas or increase the vulnerability of the natural environment to the effects of natural and human-induced geological processes.

CHAPTER IV

IMPLEMENTING STRUCTURE AND MECHANISM

SEC. 17. *Creation of the National Land Use Commission.* – The National Land Use Commission (NLUC) is hereby created as a Commission under the Office of the President. It shall exercise the powers and responsibilities of the current National Land Use Committee, which is hereby abolished. The NLUC shall be chaired by a Commissioner to be appointed by the President. The Commissioner will have the rank of a Cabinet Secretary. The Commissioner shall be a qualified professional in any of the fields of land use, physical planning, environmental management, engineering, public governance or law.

The NLUC shall act as the highest policy making body on land use and resolve land use policy conflicts between or among agencies, branches, or levels of the government. It shall integrate efforts, monitor developments relating to land use and the evolution of policies.

SEC. 18. *Composition of the NLUC.* – The NLUC will be composed of the following:

1
2 (a) Commissioner of NLUC as Chairperson;

3 (b) The Secretary of the National Economic and Development
4 Authority (NEDA) as Vice-Chairperson;

5 *As Ex-Officio Members:*

6 (c) The Secretary of the Department of Environment and Natural
7 Resources (DENR);

8 (d) The Secretary of the Department of Human Settlement and Urban
9 Development (DHSUD);

10 (e) The Secretary of the Department of Agriculture (DA);

11 (f) The Secretary of the Department of Agrarian Reform (DAR);

12 (g) The Secretary of the Department of Public Works and Highways
13 (DPWH);

14 (h) The Secretary of the Department of Interior and Local Government
15 (DILG); and

16 (i) A Representative from the Local Government Units (LGUs).

17 The Department Secretaries may designate a representative with a rank not
18 lower than Assistant Secretary; *Provided*, That the designated representative shall
19 be on a permanent basis. The Representative from the LGUs shall come from the
20 Leagues of Provinces, Cities and Municipalities.

1 SEC. 19. ***Powers and Functions.*** – The NLUC shall have the following
2 powers and functions:

3 (a) Advise the President of the Philippines on all matters concerning land
4 use and physical planning;

5 (b) Integrate and harmonize all laws, guidelines and policies relevant to
6 land use and physical planning to come up with a rational, cohesive, and
7 comprehensive national land use framework;

8 (c) Formulate policies and endorse land use and physical planning-related
9 policies that may be formulated by the Regional Land Use Policy Council
10 (RLUPC), created under Section 22 of this Act, and concerned agencies as well as
11 promulgate zoning and other land use control standards and guidelines which shall
12 guide the formulation of land use plans and zoning ordinances by local
13 governments;

14 (d) Prepare, periodically review and if necessary, update the national
15 framework for physical planning to provide the general framework for the spatial
16 development directions for the entire country and sub-national levels;

17 (e) Review and endorse all land use and physical planning related
18 guidelines;

1 (f) Monitor and coordinate the gathering of data, the conduct of studies
2 pertaining to land use planning including studies on the management of identified
3 land uses and such other studies not undertaken by other government agencies;

4 (g) Recommend to the President of the Philippines the adoption, passage,
5 or amendment of laws to ensure that sectoral programs, plans, projects, and
6 activities, including local government initiatives affecting land use are consistent
7 with national development objectives;

8 (h) Coordinate with and assist other government agencies and LGUs in
9 planning, developing, and implementing their land use classification programs, and
10 provide, to the extent possible, technical assistance and guidance;

11 (i) Monitor and coordinate the activities of concerned agencies and
12 entities of the government, as well as LGUs, in the enforcement and
13 implementation of policies and regulations relating to land use and resource
14 management and development;

15 (j) Monitor and coordinate activities in the establishment of a national
16 land resource information and management system of concerned agencies that
17 shall integrate and process information on land use and allocation generated by the
18 various national government agencies; define information requirements at various
19 levels; and standardize information inputs and outputs including scales and
20 symbols used in territorial and sectoral maps;

1 (k) Be the repository of all RFPs, PDPs and CLUPs and all data and
2 information pertaining to land and land use;

3 (l) Call on any department, bureau, office, agency, or instrumentality of
4 the government, and or private entities and organization for cooperation, support,
5 and assistance in the performance of its functions;

6 (m) Decide and resolve policy conflicts and territorial jurisdiction on land
7 use between or among agencies, branches, or levels of the government and act on
8 unresolved land use policy conflicts at the regional level elevated by the Regional
9 Land Use Policy Council (RLUPC);

10 (n) Adopt rules of procedures for the orderly and expeditious conduct of
11 meetings and other business of the Council; and

12 (o) Perform such other acts and functions and exercise such other powers
13 as may be necessarily implied, inherent, incident, or related to the foregoing.

14 SEC. 20. ***National Land Use Office (NLUO).*** –. The National Land Use
15 Office (NLUO) is hereby created under the Office of the President, which will
16 serve as technical secretariat to the NLUC. The NLUO will be headed by the
17 NLUC Commissioner with two (2) Deputy Commissioners with the rank of
18 Undersecretary.

The NLUO will have an Executive Director. The Director of the DHSUD – Environmental, Land Use and Urban Planning and Development Bureau (DHSUD-ELUPDB) will serve as the Executive Director of the NLUO.

Further, the NLUO will have services units for planning and policy formulation, operations and information systems management, and special land use concerns. The staffing pattern of the NLUO shall be approved by the Department of Budget and Management.

SEC. 21. ***Regional Land Use Office.*** – A Regional Land Use Office (RLUO) is hereby created in each Region. The Regional Director of the DHSUD – Environmental, Land Use and Urban Planning and Development Bureau (DHSUD-ELUPDB) will serve as the Regional Director of the RLUO.

CHAPTER V

REGIONAL AND LOCAL LAND USE POLICY BODIES

SEC. 22. ***Regional Land Use Policy Council (RLUPC).*** – At the regional level, the Regional Land Use Policy Council (RLUPC) shall be institutionalized, replicating the NLUC structure and composition with DHSUD representative as Chairperson, NEDA representative as Vice-Chairperson and with a duly authorized representative from the DENR, DA, DAR, DPWH, DILG and LGU as members. The RLUPC shall have the following functions:

(a) Formulate and adopt regional policies on land use and physical planning;

(b) Prepare and periodically update a Regional Physical Framework Plan (RPFP) taking into consideration national policies and lower-level plans;

(c) Assist the provinces in preparing and periodically updating its physical framework plans to ensure consistency with the regional and national plans and policies and to facilitate its integration to the regional plans;

(d) Review, prior to adoption by respective *Sanggunians*, the PDPFP, and CLUPs of highly urbanized and independent component cities, to ensure consistency with the RPFP and national policies set forth by the NLUC and compliance with limits prescribed under R.A. No. 7160 for reclassifying agricultural lands;

(e) Decide and resolve policy conflicts on land use planning, classification, and allocation that may arise between or among regional line agencies, provinces and cities or municipalities;

(f) Monitor changes in land use and other physical resources in the region;

(g) Evaluate consistency of major programs and projects with the regional physical framework plans and their impact on land use and the environment;

(h) Undertake the gathering of regional data for the Land Resource Information and Management System; and

(i) Perform other related functions as may be directed by the NLUC.

SEC. 23. ***Provincial Land Use Policy Council (PLUPC)***. – The Provincial Development Council (PDC), created under Section 106 of R.A. No.7160, shall act as the Provincial Land Use Policy Council that will tackle land use concerns whenever necessary. A duly authorized representative from the DENR, DHSUD, DAR, DA, DILG and DPWH shall be included in the composition of the PLUPC. In addition to the functions enumerated in Section 109 of R.A. No. 7160, the PLUPC shall:

(a) Advise the *Sangguniang Panlalawigan* on all matters pertaining to land use and physical planning;

(b) Review and endorse to the *Sangguniang Panlalawigan* for adoption, the provincial physical framework plans, prepared and periodically updated by the Provincial Planning and Development Office and other land use and physical planning-related policies;

(c) Decide and resolve policy conflicts on land use planning, classification, and allocation that may arise between or among cities or municipalities and any unresolved land use conflicts at the city or municipal level.

The PLUPC may call upon any local official concerned such as provincial

1 planning and development coordinator, provincial agriculturist, provincial
2 environment and natural resources officer, provincial engineer, provincial assessor,
3 or any official of national agencies and other relevant agencies during discussions
4 on land use and physical planning concerns; and,

5 (d) Assist the *Sangguniang Panlalawigan* in reviewing the CLUPs of
6 component cities or municipalities to ensure consistency with the provincial
7 physical framework plans and compliance with the limits prescribed under R.A.
8 No. 7160 for reclassifying agricultural lands.

9 SEC. 24. ***City/Municipal Land Use Policy Council (C/MLUPC)***. – The
10 City/Municipal Development Council (C/MDC), created under Section 106 of
11 R.A. No. 7160, shall act as the City/Municipal Land Use Policy Council
12 (C/MLUPC) that will tackle land use concerns whenever necessary. A duly
13 authorized representative from the DHSUD, DAR, DA, DENR, DPWH and DILG
14 shall be included in the composition of the C/MLUPC. In addition to the functions
15 enumerated in Section 109 of R.A. No. 7160, the C/MLUP shall:

16 (a) Advise the *Sangguniang Bayan* or *Sangguniang Panlungsod* on all
17 matters pertaining to land use and physical planning;

18 (b) Review and endorse to the *Sangguniang Bayan* or *Sangguniang*
19 *Panlungsod* for adoption, the CLUP prepared and periodically updated by the

1 City/Municipal Planning and Development Office and other land use and physical
2 planning-related policies; and

3 (c) Decide and resolve policy conflicts on land use planning,
4 classification, and allocation that may arise between and among barangays and any
5 unresolved land use conflict at the barangay level regarding the violation of zoning
6 ordinances including opposition to applications for locational clearances, permits
7 or certificates.

8 For purposes of this Act, the City/Municipal Planning and Development
9 Coordinator (C/MPDC) shall: (a) act on all applications for locational clearances
10 for all projects except those of vital and national economic or environmental
11 significance; and (b) monitor on-going/existing projects within their respective
12 jurisdictions and issue notices of violation to owners, developers, or managers of
13 projects that are violative of zoning ordinances.

14 The C/MLUPC may call upon any local official concerned such as
15 C/MPDC, city/municipal agriculturist, city/municipal environment and natural
16 resources officer, city/municipal engineer, city/municipal assessor, or any official
17 of national agencies during discussions on land use and physical planning
18 concerns. Local government units without operational C/MDC as mandated by
19 R.A. No. 7160 shall activate their respective councils within six (6) month from
20 the effectivity of this Act.

1 **CHAPTER VI**

2 **ADOPTION, APPROVAL AND REVIEW OF LOCAL LAND USE**

3 **AND PHYSICAL FRAMEWORK PLANS**

4 SEC. 25. ***Approval and Review of PFP and CLUPs.*** – The PFP and
5 CLUPs of the respective LGUs, including highly urbanized cities and independent
6 component cities, shall be submitted by the local land use boards to the local
7 development councils for transmission to the local *Sanggunian* for approval.

8 SEC. 26. ***Provinces and Independent and Highly Urbanized Cities.*** –
9 Provinces and independent and highly urbanized cities shall have the power and
10 authority to adopt and approve their respective CLUPs, zoning ordinances or
11 provincial physical framework plan, as the case may be, through their respective
12 *Sanggunian* but subject to the review of the RLUPC as provided in Section 22 (d)
13 of this Act.

14 **CHAPTER VII**

15 **MAPPING AND DATA MANAGEMENT FOR LAND USE**

16 **PLANNING**

17 SEC. 27. ***National Base Mapping Program.*** – A national mapping program
18 shall be implemented, coordinated, and monitored through the creation of an Inter-
19 agency Technical Committee (ITC) composed of the National Mapping and
20 Resource Information Authority (NAMRIA), as the lead agency, the Bureau of

1 Soils and Water Management (BSWM), the Forest Management Bureau (FMB),
2 the Land Management Bureau (LMB), the Protected Areas and Wildlife Bureau
3 (PAWS), the Mines and Geosciences Bureau (MGB), the Philippine Institute of
4 Volcanology and Seismology (PHIVOLCS), DAR, the National Water Resources
5 Board (NWRB), DOE, NEDA and other concerned government agencies/bureaus.
6 The ITC shall be constituted, and the mapping program shall be initiated, within
7 thirty (30) days from the effectivity of this Act. The agencies mentioned in this
8 Section shall endeavor to finish their base mapping program within one (1) year
9 upon the effectivity of this Act.

10 For purposes of uniformity and standardization, the LGUs, to be assisted by
11 the appropriate agencies of the national government, shall likewise prepare their
12 respective territorial maps using scales, symbols, and other indicators to be
13 prescribed in accordance with this Act. The completed maps shall be integrated in
14 the National Physical Framework Plan (NPFPP) pursuant to Section 5 of this Act.

15 SEC. 28. ***National Geospatial Information Program.*** – Within one (1) year
16 upon the effectivity of this Act, the NAMRIA, in coordination with BSWM, FMB,
17 LMB, Biodiversity Management Bureau, MGB, PHIVOLCS, DAR, NWRB,
18 National Commission on Indigenous Peoples (NCIP), Department of Energy
19 (DOE), NEDA and other concerned government agencies or bureaus shall
20 complete the updating of base maps. These base maps and corresponding

geospatial data shall be shared and disseminated to all agencies and LGUs to serve as reference in plan preparation and other planning activities.

SEC. 29. ***National Geo-hazard Mapping Program.*** – Within thirty (30) days from the effectivity of this Act, a nationwide geo-hazard mapping program shall be initiated jointly through the NLUC by the PHIVOLCS, the Philippine Atmospheric Geophysical and Astronomical Services Administration (PAGASA), the NAMRIA, the Mines and Geosciences Bureau (MGB), BSWM, and DOE, in coordination with the National Disaster Risk Reduction and Management Council (NDRRMC), the Regional Disaster Risk Reduction and Management Council (RDRRMC), and other concerned government agencies. The program shall include the generation of indicative geo-hazard zoning maps that will outline areas in the Philippines which are prone to liquefaction, landslides, severe flooding, lahar, ground rupturing, tsunami, river erosion, coastal erosion, sinkhole collapse, earthquake, lava flow, pyroclastic flow, base surge, and other natural hazards.

For purposes of uniformity and standardization and in order to develop a safe-built environment, the LGUs shall subsequently incorporate and integrate the generated geo-hazard zoning maps in their respective CLUPs. Said geo-hazard maps shall serve as guide for all the LGUs in the preparation of their own hazards-constrained development plans. The NPFP, pursuant to Section 5 hereof, shall incorporate these geo-hazard maps.

1 All infrastructure activities including real estates and subdivision projects
2 and the development of tourist spots requiring an Environmental Compliance
3 Certificate (ECC) shall be required to submit an Engineering Geological and Geo-
4 hazard Assessment Report (EGGAR).

5 SEC. 30. ***Basic and Applied Research for Science and Technology***
6 ***Development.*** – Within one (1) year from the effectivity of this Act, the
7 Department of Science and Technology, in coordination with concerned agencies,
8 shall formulate a research agenda that will support physical framework and land
9 use planning.

10 SEC. 31. ***Scope and Nature of Responsibilities of Other National***
11 ***Government Agencies.*** – All concerned national government agencies shall
12 periodically report to the NLUC on the various activities and accomplishments on
13 land use, including their respective sectoral or development plans. The NLUC may
14 call upon the agencies for technical and administrative support.

15 SEC. 32. ***Monitoring of CLUP Implementation.*** – The DHSUD shall design
16 and install an information system for monitoring the actual use of land resources,
17 the reclassification of agricultural lands authorized by cities and municipalities,
18 and the implementation of CLUPs of LGUs with a view to ensuring the
19 compliance with national policies, standards and guidelines: *Provided, That the*
20 *system shall be developed in coordination with DA, DAR, DILG, DENR, DILG,*

1 DPWH, NEDA, league of provinces, league of cities, league of municipalities and
2 other concerned national government agencies.

3 **SEC. 33. *Submission of Annual Report on the Implementation of CLUPs.***

4 – The C/MLUPC shall submit an annual report on the implementation of their land
5 use plans to the PLUPC, which shall integrate the same for submission to the
6 RLUPC, which shall in turn integrate the provincial reports for submission to the
7 NLUC.

8 **CHAPTER VIII**

9 **SPECIAL AREAS OF CONCERN**

10 **Article 1**

11 **Forest Lands and Reservation of Watershed**

12 **SEC. 34. *Reversion of Alienable and Disposable Lands to Forestlands.*** –
13 Upon the recommendation of the Secretary of the DENR, duly reviewed and
14 endorsed by the NLUC, and after due consultations with the concerned LGUs and
15 affected parties, Congress may authorize the reversion of alienable and disposable
16 lands of the public domain or portion thereof to forestlands. Thereafter, said lands
17 shall be included in the preparation of land use plans within forestlands.

18 **SEC. 35. *Critical Watershed Areas.*** – The DENR, in coordination with the
19 DA, LGUs and other government agencies, including government-owned and
20 controlled corporation, and after mandatory public hearings or consultations, shall

1 identify and delineate critical watershed areas that need to be protected,
2 rehabilitated, enhanced or withdrawn from uses that contribute to their further
3 degradation.

4 SEC. 36. ***Formulation and Implementation of Integrated Watershed***
5 ***Management Plans.*** – In the absence of a law on the protection and sustainable
6 management of our forests, the LGUs through their local land use committees and
7 upon mandatory consultations with the concerned sectors, and with the assistance
8 of DENR, shall prepare their watershed management plans which shall be
9 integrated with their respective CLUPs. The formulation and integration of the
10 plan shall be guided, among others, by the principle that the management and
11 development of inland water resources shall be at the watershed level. A
12 nationwide mapping of watersheds in the country shall be implemented.

13 In cases where the watershed areas transcend the boundaries of a particular
14 municipality, an inter-LGU committee composed of representatives from local
15 land use committees of the LGUs where the watershed area is located shall be
16 formed. With the assistance of the DENR and upon mandatory consultations with
17 the concerned sectors, the inter-LGU committee shall formulate the watershed
18 management plan for the said watershed area. The DENR and the concerned LGUs
19 shall jointly implement the watershed management plan subject to regular
20 consultations with and involvement of the community and other stakeholders in the

implementation of the plan. The preparation of forest land use plans shall make use of the watershed as the basic planning unit.

SEC. 37. ***Establishment and Management of National Parks.*** – All areas proclaimed by the President of the Philippines and Congress of the Philippines to be under the NIPAS, unless disestablished, including those identified as initial components of the NIPAS as KBAs, shall comprise the national parks classification of the public domain. The DENR and concerned LGUs shall ensure that such areas are integrated in the CLUP and physical framework plans. The preparation of management plans of protected areas and national parks shall be in accordance with the provisions of R.A. No. 7586 and other laws establishing or declaring specific areas as protected areas.

Article 2

Coastal Zones

SEC. 38. ***Criteria on the Allocation and Utilization of Lands within the Coastal Zones.*** – The allocation and utilization of lands within the coastal zones shall be guided by the following:

(a) Areas vegetated with mangrove species shall be preserved for mangrove production and shall not be converted to other uses;

1 (b) Areas which meet all accepted criteria on elevation, soil type, soil
2 depth, topography, supply for successful fishpond development, and are not
3 identified as mangrove protected areas, shall be utilized for aquaculture purposes;

4 (c) Areas sub-classified as mangrove and still suitable for use as such, or
5 due to environmental conditions need to be preserved as mangrove, but is devoid
6 of mangrove stands shall not be converted to other uses. The DENR shall ensure
7 that these lands shall be reforested within a given period of time;

8 (d) Areas accessible to the sea and identified for fisherfolk settlement and
9 housing shall be allocated to traditional fisherfolk who are inhabitants of the
10 coastal communities and members of legitimate fisherfolk organizations and/or
11 holders of stewardship lease contracts or titles to ancestral domains or any form of
12 property right arrangements who participate in coastal resource management
13 initiatives, subject to the usual census procedures of the DHSUD.

14 (e) Areas which are neither sub-classified as mangrove, fisherfolk
15 settlement nor fishpond may be devoted to recreational or tourism purposes:
16 Provided, that such undertaking will not result in environmental degradation and
17 displacement of small fishers;

18 (f) Areas which are considered as traditional fishing grounds shall be
19 used primarily for such purpose;

(g) Areas which have been allocated for small infrastructure needed by fisherfolk shall be allowed; and

(h) Areas which form part of foreshore lands as defined in this Act including those which are under lease agreements or arrangements shall undergo zoning and evaluation to determine their boundaries and actual sizes and corresponding uses.

SEC. 39. ***Coastal Land Zone Sub-classification.*** – All public lands in the coastal zones are sub-classified into any of the following: fishponds, mangroves, protection from tidal surge for preservation of biodiversity, habitats and sanctuaries for endangered wildlife, fisherfolk, settlement, or recreational or tourism areas. No sub-classification of coastal zones to different uses may be done without the following:

(a) Conduct of a comprehensive inventory and resource and environmental assessment by the DENR with the respective LGUs and accredited non-government organizations (NGOs) or peoples organization (POs) within their territorial jurisdiction. The result of the assessment along with a list of all existing applications and expired foreshore lease agreements must be posted in three (3) conspicuous places in the affected localities; and

(b) Prior consultation with the local Fisheries and Aquatic Resource Management Councils (FARMCs) pursuant to R.A. No. 8850, as amended.

1 SEC. 40. ***Zoning of Foreshore Areas.*** – Local government units, in
2 coordination with the DENR, shall conduct zoning of their respective foreshore
3 areas to assist government and community fishers identify priority areas for
4 conservation and development, and to enable them to set targets for mangrove
5 reforestation and rehabilitation.

6 SEC. 41. ***Protection of Waterways, Easements and Flood Plains.*** –
7 Structures of any kind may not be built in waterways and easements. Pursuant to
8 P.D. No. 1067, the banks of rivers and streams and the shores of the seas and lakes
9 throughout their entire length and within a zone of three (3) meters in urban areas,
10 twenty (20) meters in agricultural areas and forty (40) meters in forest areas along
11 their margins are subject to the easement of public use only in the interest of
12 recreation, navigation, floatage, fishing and salvage.

13 The protection of flood plans shall adopt a river basin management approach
14 to come up with integrated flood mitigation interventions. Development within
15 flood plains and other flood-prone areas must be controlled or, if allowed, must be
16 so sited, constructed and serviced that the lives of occupants are not put at risk and
17 that disruptions during floods are minimized. The identification and
18 characterization of flood-prone areas and flood plains must be an integral part of
19 the CLUP preparation. The LGUs shall establish land use regulations to mitigate
20 flood risks through the CLUPs and zoning ordinances.

1 To promote the best interest and coordinated protection of flood plains, the
2 Department of Public Works and Highways (DPWH), in coordination with the
3 Department of Science and Technology (DOST) and DENR shall declare flood
4 control areas as necessary and shall prohibit or control activities that may damage
5 or cause deterioration of lakes and dikes, obstruct the flow of water, change the
6 natural flow of rivers, increase flood losses or aggravate flood problems, pursuant
7 to P.D. No. 1067.

8 **Article 3**

9 **Settlements Development**

10 SEC. 42. ***Municipalities, Cities, and Settlements Development.*** – The
11 development of municipalities, cities and settlements through CLUP and
12 implemented by the zoning ordinances of cities and municipalities are guided by
13 the urban zoning standards designed to maximize existing urban spaces, taking into
14 account studies of pertinent government agencies on climate change.

15 SEC. 43. ***Settlements within Geo-hazard Areas.*** – Settlements, in particular
16 housing or residential developments, within geo-hazard areas may be allowed
17 provided that mitigating or protective measures are adopted to address the potential
18 danger or risk to lives and property within such settlements. In coordination with
19 the concerned agencies of the government, the NLUC shall provide assistance to
20 concerned LGUs and settlers in instituting safety and corrective measures to

1 address the potential danger or risk. Residential zones as designated in the CLUP
2 shall be considered as outside the geo-hazard areas. For this purpose, housing
3 projects within such areas shall be exempt from the ECC as well as the EGGAR
4 and maybe implemented without the need for any further certificate of exemption
5 from the DENR or any other government regulatory agency.

6 SEC. 44. ***Designation of Waste and Environment Management Site.*** –
7 Each city or municipality shall identify, designate and allocate an area within their
8 territorial jurisdiction to serve as sanitary landfill within one (1) year from the
9 effectivity of this Act.

10 SEC. 45. ***Network of Settlements.*** – The framework and policies for the
11 development of network of settlements shall be provided by the National Physical
12 Framework Plan formulated by the NLUC. Individual settlements shall be planned
13 as part of a national network of settlements. The network shall be based on existing
14 and potential settlements; production activities, particularly those that involve
15 highly competitive industries and services and generate local employment;
16 environmental constraints and sustainability considerations. Individual cities and
17 municipalities shall be integrated through transportation and other infrastructure
18 support facilities.

19 SEC. 46. ***Criteria for Settlement Sites.*** – The following shall be the criteria
20 for identifying settlement areas:

(a) Within A&D lands but not in environmentally-critical, hazard-prone or other protection areas;

(b) Along established urban growth directions;

(c) Are already or can be provided with basic services and utilities;

(d) Ideally within the 0-8% slope range, but with mitigating measures from slope 9-17%;

(e) Reasonably accessible from existing built up areas and other employment centers through existing or proposed roads and other transportation facilities.

(f) Identified ICCs/IPs settlement areas shall be located within ancestral domains.

Hazard-prone areas shall be defined, delineated and mapped by the DENR and other the mandated government agencies. As such, new settlements within high-risk areas shall not be allowed. In cases where there are existing settlements within geo-hazard areas or high risk areas, mitigating or protective measures shall be adopted to address the potential danger or risk to lives and property within such settlements. In coordination with the concerned agencies of the government, the NLUC, through the RLUPC and PLUPC, shall provide assistance to concerned LGUs and settlers in instituting safety and corrective measures to address the potential danger or risk. New developments within geo-hazard areas shall be

1 required to submit an ECC and EGGAR consistent with the Revised Procedural
2 Manual for DENR Administrative Order (DAO) No. 2003-30 otherwise known as
3 the *“Implementing Rules and Regulations of PD 1586 establishing an*
4 *Environmental Impact Statement System”* and DAO No. 2000-28 otherwise known
5 as the *“Implementing Guidelines on Engineering Geological and Geohazard*
6 *Assessment as Additional Requirement for ECC Applications covering Subdivision,*
7 *Housing and other Land Development and Infrastructure Projects”*.

8 **SEC. 47. Sustainable Communities.** – Each city or municipality or cluster
9 of cities or municipalities, as appropriate, shall seek to follow the basic features of
10 sustainable communities, as guided by the National Urban Development and
11 Housing Framework: transit-oriented, pedestrian-biased, and multiple use, with
12 systems and practices that promote water use efficiency, energy efficiency, waste
13 segregation, recycling, and adequate community facilities. Cities and
14 municipalities or clusters thereof shall identify, designate and allocate areas within
15 their territorial jurisdiction to serve as waste disposal site following the provisions
16 of R.A. No. 9003, otherwise known as the *“Ecological Solid Waste Management*
17 *Act of 2000”*.

18 **SEC. 48. Designation and Zoning of Socialized Housing Zones.** – Each
19 city or municipality in urban, urbanizable and rural areas shall designate through
20 the CLUP adequate lands for housing or residential purposes, including socialized

1 housing and resettlement areas for the immediate and future needs of the local
2 population as well as the underprivileged and homeless in their territory, pursuant
3 to existing laws and regulations. In order to ensure adequate availability of land for
4 the housing needs of the local population, the CLUP shall be updated, at
5 maximum, every twelve (12) years for provinces, cities and municipalities.

6 The designated sites for socialized housing shall be located in residential
7 zones, and shall be zoned as socialized housing zones that are integrated in the city
8 or municipality's zoning ordinance, pursuant to existing laws and regulations.

9 Fisherfolk settlements and housing in coastal municipalities shall be zoned
10 near the sea for easy access to their livelihood as provided under Section 38 (d) of
11 this Act.

12 The housing or residential lands designated in the CLUPS and zoning
13 ordinances of cities and municipalities shall, on one hand, not be subject to further
14 land reclassification by the LGU or land conversion procedure under DAR. On the
15 other hand, agricultural lands as designated in the CLUP which are no longer
16 economically feasible for agricultural use may be subject to land reclassification or
17 conversion to housing or residential purposes and such conversion, as the case may
18 be, shall be exempt from the coverage of any moratorium on land conversion.

19 **SEC. 49. *Urban Forest or Green Space.*** – Each city or highly urbanizing
20 municipality shall identify, designate, and allocate lands owned by the city or

1 municipality as urban forest or green space based on the guidelines and standards
2 to be issued by the DENR and approved by the NLUC.

3 **Article 4**

4 **NIPAS Areas**

5 SEC. 50. ***Integrated Management Strategy.*** – For more effective planning,
6 management, and protection of protected areas at the provincial, city or municipal
7 levels, the Protected Area Management Plan (PAMP) referred to in R.A. No. 7586
8 must be incorporated in the Provincial Physical Framework Plan and CLUPs, if
9 applicable, wherein the protected area zoning must be reflected.

10 **Article 5**

11 **Agricultural Lands**

12 SEC. 51. ***Priority Areas for Agricultural Development.*** – Priority Areas for
13 agricultural development shall be those agricultural areas covered under R.A. No.
14 6657 and those covered under Network of Protected Areas for Agricultural and
15 Agro-Industrial Development (NPAAAD), defined in Section 4 of this Act and in
16 R.A. No. 8435 or the “*Agriculture and Fisheries Modernization Act*”

17 SEC. 52. ***Conversion of Agricultural Lands.*** – Prime agricultural lands and
18 specific types of lands to the extent necessary for attaining food self-sufficiency in
19 rice and corn and food security in other basic commodities, as determined by the
20 DA, subject to mandatory consultation with the LGUs, the private sector, the

1 NGOs, and POs, shall be protected from conversion, which shall include but not
2 limited to areas under the NPAAAD: *Provided*, That all irrigated and irrigable
3 lands, all lands developed or possessing the potential for development of high
4 value crops, and all agricultural lands that are ecologically fragile and whose
5 conversion will result in serious environmental problems shall be given full
6 protection from conversion, the areas under which are subject to review every
7 seven (7) years by the DA, with the mandatory public consultations: *Provided*
8 *further*, That consistent with the State policy on giving priority to the completion
9 of the comprehensive agrarian reform program, all lands subject to the
10 comprehensive agrarian reform program including those lands covered under the
11 notice of compulsory acquisition or voluntary offer to sell, production or profit-
12 sharing, or commercial farm deferment shall also be protected from conversion
13 pending the distribution and installation of the farmer beneficiaries, but thereafter,
14 Section 22 of R.A. No. 9700 shall apply: *Provided furthermore*, That the
15 conversion of agricultural lands for use of priority government projects for basic
16 services such as, but not limited to, irrigation and power shall be allowed only
17 upon the recommendation of the Secretaries of the DA and the DAR: *Provided*
18 finally, That the mapping of the NPAAAD under the AFMA shall be completed
19 within one (1) year from the effectivity of this Act. Lands defined under Section 10
20 of R.A. No. 6657 shall remain exempted and excluded from the coverage of the

1 comprehensive agrarian reform program. With due consideration of the above-
2 mentioned conditions that provides for the full protection of prime agricultural
3 land, only then, upon approval by the DAR of the application for conversion,
4 agricultural lands are deemed converted to non-agricultural uses.

5 SEC. 53. ***Sub-classification or Re- classification of Agricultural Lands by***
6 ***LGUs.*** – Sub-classification or re-classification of agricultural lands to other uses
7 under Section 20 of R.A. No. 7160 shall exclude the protected agricultural lands as
8 stated in the preceding section. Moreover, such sub-classification or
9 reclassification is not synonymous to conversion. The DA and DAR shall provide
10 the LGUs with complete list and maps of protected agricultural lands within their
11 territorial jurisdictions.

12 SEC. 54. ***Criteria for the Utilization and Allocation of Land for Mining***
13 ***Purposes.*** – Consistent with this Act and the provisions of R.A. No. 7942,
14 otherwise known as the “*Philippine Mining Act of 1995*”, and to ensure that the
15 objectives of maintaining ecological balance and maximizing economic returns to
16 mining operations are realized, the allocation and utilization of lands for mining
17 purposes shall be guided by the following:

- 18 (a) The principles of sustainable development and responsible mining;

1 (b) In case of small-scale mining, adequate and acceptable safeguards
2 shall be instituted by the holders of mining rights or permits to prevent
3 environmental degradation of the mining sites and adjacent areas;

4 (c) Mineral reservations which have become non-operational as
5 determined by the MGB shall be placed under appropriate surface management by
6 the DENR;

7 (d) Consistent with R.A. No. 7942, areas closed to mining operations
8 shall be periodically reviewed through mineral exploration to be undertaken by the
9 DENR for the purpose of determining whether or not their continued closure is
10 consistent with the national interest and, if warranted, recommend their
11 reclassification as mineral lands; and

12 (e) Protection forestlands and agricultural lands shall be exempt from
13 mining activities to minimize the effect of natural calamities and to protect food
14 security respectively. The small to large scale mining operations shall yield from
15 and recognize the tenorial instrument given by the government such as original
16 certificate of title (OCT), transfer certificate of title (TCT), certificate of ancestral
17 domain title (CADT), emancipation patent-certificate of land ownership award
18 (EP-CLOA) and other instruments. If these be present, mining activity shall be
19 allowed subject to clearances and consent.

SEC. 55. ***Reversion of Mineral Lands.*** – All mineral lands with exhausted mineral resources, as determined by the MGB upon the recommendation of the DENR, shall revert to its original land classification, that is, as forestland or agricultural land. In the case of forestlands, the DENR may classify such areas for other purposes in consultation with concerned LGU's, the Department of Tourism (DOT), and other national government agencies.

Article 6

Energy Resources

SEC. 56. ***Guidelines for the Utilization and Allocation of Lands for Energy Resource Exploration, Development, Production, Utilization, and Distribution Purposes.*** – To ensure that the objectives of maintaining ecological balance and maximizing the power potential from indigenous energy resources in the most economical and environmentally-acceptable means are realized, the allocation and utilization of lands are be guided by the following, consistent with the existing regulations and laws on energy resources:

(a) Indigenous energy resource exploration and development for the purpose of creating a national energy resource inventory and data base as well as an energy resource block map are allowed, subject to the implementation of complementary watershed and other land management plans;

1 (b) Indigenous energy resource exploration, development, production,
2 utilization, and distribution are subject to the appropriate requirements and
3 processes of the Environmental Impact Statements (EIS) system. Each project must
4 secure an ECC prior to project implementation to ensure that adequate and
5 appropriate environmental management measures and optimum methods for
6 resource access and recovery are used;

7 (c) Protected areas defined in Section 16 of this Act are closed to any
8 kind of energy resource development;

9 (d) Energy reservations or portions thereof which have become or have
10 been established to be non-economically viable to operate or are no longer used for
11 energy purposes must be reclassified to other land uses, subject to existing laws
12 covering energy reservations; and

13 (e) Renewable energy is preferred over other energy resource.

14 SEC. 57. ***Reversion of Energy Resource Lands.*** – All exhausted indigenous
15 energy resource lands, as determined by the Department of Energy (DOE), which
16 are not covered by proclamations must automatically revert to the category of
17 forestlands or agricultural lands, open to disposition, whichever is appropriate,
18 unless the DENR classifies such areas for other purposes. Exhausted energy
19 resource lands are specific energy resource sites that the energy reserves of the

desired type or types are no longer in sufficient quantity or quality to justify additional expenditure for its extraction and utilization.

Article 7

Industrial Development Areas or Sites

SEC. 58. ***Criteria for Designating Industrial Development Areas.*** – The identification and establishment of industrial development areas shall conform to the provisions of R.A. No. 7916, R.A. No. 6657, R.A. No. 8371, R.A. No. 7279, R.A. No. 8550, and R.A. No. 8435, taking into consideration the following:

(a) Identified network of areas for agricultural development and protected agricultural areas pursuant to the R.A. No. 8435;

(b) National policies on the regional dispersal of industries and agri-based industrial development;

(c) Identified growth areas and corridors in the National Development Plan;

(d) NIPAS and non-NIPAS areas such as KBAs and restored areas that require protection;

(e) National and Urban Development and Housing Framework;

(f) Identified socialized housing zones; and

(g) National Framework for Physical Planning and other existing national programs and policies.

The designated industrial development areas must be located only in production land uses areas and shall form as an integral part of the land use plan and zoning ordinance of the city or municipality where these areas are located. R.A. No. 6657, R.A. No. 8371, R.A. No. 7279, R.A. No. 855, R.A. No. 8435 and R.A. No. 7160, as amended.

Article 8

Tourism Development Areas

SEC. 59. ***Designating Tourism Development Areas.*** – The identification, selection, and development of tourism development areas, and Tourism Enterprise Zones (TEZs) shall be done in consultation and coordination with the LGUs, the Tourism Infrastructure and Enterprise Zone Authority, Department of Tourism and other national government agencies, the private sector and the affected communities subject to the provisions of R.A. No. 9593, otherwise known as “*The Tourism Act of 2009.*” Tourism development areas include those covered by legislative and executive issuances such as tourist spots, tourist zones and tourism ecozones which can be developed into tourism estates or integrated resort, or integrated resort leisure and recreation complexes. Other tourism-related facilities and those identified in the national, regional and area-specific tourism master plans and other sector plans, such as ecotourism and agri-tourism sites are also considered as tourism development areas. The sites designated for tourism

development must be outside of the areas identified for protection land use. As much as practicable, community-based tourism shall be the principal mode of tourist spot operation. R.A. No. 6657, R.A. No. 8371, R.A. No. 7279, R.A. No. 8435, R.A. No. 7160 and Executive Order No. 111, Series of 1999, which provided for the national ecotourism strategy, shall apply to all tourist zones and tourist development areas.

Designated areas for tourism development form part of the CLUPs and zoning ordinances of the cities or municipalities where these areas are located.

SEC. 60. *Identification and Declaration of Areas for Protection, Conservation and Preservation of Cultural Heritage.* – Pursuant to R.A. No. 10066, the National Historical Commission of the Philippines (NHCP) or the National Museum in coordination with National Commission for Culture and the Arts, DHSUD and other concerned agencies, local communities, and the private sector, shall identify declared areas and structures which shall be protected and preserved as part of the Philippine cultural heritage.

The LGUs in coordination with the NHCP, the National Commission for Culture and Arts (NCCA) and the Cultural Center of the Philippines (CCP) shall designate historical zones to protect the historical integrity of said geographical areas and cultural space of intangible cultural properties.

Article 9

Infrastructure Development

SEC. 61. ***Strategic Transport Network.*** – The national government, through the Department of Transportation, shall establish a strategic and sustainable multimodal transport network that provides connectivity within the national network of settlements. Such connectivity shall include linkages among existing and proposed priority urban centers, rural areas, production hubs and tourism zones, distribution centers and markets, and key international points of entry. It shall be developed to promote network efficiency and social service delivery, to catalyze areas identified critical for economic growth, while minimizing negative impacts to environmentally-critical and protected areas.

The national network of settlements, as defined in the NPFP, shall guide the development of a multi-modal transportation network. The network shall be designed and implemented to provide seamless connectivity among the various modes of transportation. The RPFs, PDPFs and city or municipal CLUPs shall focus on the transportation network that corresponds to their respective jurisdictions while maintaining consistency with the overall national networks.

SEC. 62. ***Allocation and Use of Land for Infrastructure Development.*** – Land, whether public or private, shall be allocated and utilized for priority infrastructure projects that are supportive of national or local development objectives. The National Economic and Development Agency (NEDA), in

1 consultation with the national government agencies, LGUs and the private sector,
2 shall identify and periodically review, update or revise the list of priority
3 infrastructure projects under an over-all national strategic infrastructure
4 development plan subject to the provisions of this Act, R.A. No. 8435 and R.A.
5 No. 8371. The national strategic infrastructure development plan must be
6 consistent and integrated in the objectives and directions of the National Physical
7 Framework Plan (NPFP).

8 In determining and evaluating the list of priority infrastructure projects,
9 consideration shall be given to those that:

10 (a) Respond to immediate and vital requirements of the national and
11 regional economy with priority to improving production-market integration, inter-
12 modal transport, conveyance and logistics linkages, rural infrastructure and the
13 development of the agriculture and fisheries sectors;

14 (b) Upgrade existing facilities to international public safety standards;

15 (c) Address the need for sustainable settlement development; and

16 (d) Mitigate the destructive effects of natural disaster-causing phenomena
17 or serve as alternatives to existing infrastructure found in natural hazard-prone
18 areas.

19 The provision and implementation of infrastructure support must be made
20 compatible with existing environmental conditions and the physical, whether

1 natural or human-made, and cultural character of the area. Mandatory public
2 consultations pursuant to existing laws and regulations must be held prior to the
3 conduct of all infrastructure projects that necessarily involve dislocation or
4 displacement of people in the area.

5 The proponent of the infrastructure project shall follow the rules on just and
6 humane eviction or demolition under Section 28 of R.A. No. 7279 as a last resort,
7 notwithstanding the provisions of R.A. No. 8975, prohibiting lower courts from
8 issuing temporary restraining orders, preliminary injunctions or preliminary
9 mandatory injunctions. The proponent shall also follow the provisions of R.A. No.
10 8371, particularly those pertaining to the rights of IPs or ICCs in case of
11 displacement. The national government infrastructure projects shall, after
12 determining that displacement is unavoidable, include the budgetary requirements
13 for the adequate relocation of displaced communities.

14 SEC. 63. ***Infrastructure Projects within Geo-hazard Areas.*** – Construction
15 of priority infrastructure projects within hazard-prone areas are allowed. However,
16 mitigating or preventive measures must be adopted and implemented to address the
17 potential adverse economic, socio-cultural and environmental impacts that emanate
18 from these infrastructure projects, subject to the findings and recommendations of
19 a feasibility study or environment impact assessment in accordance with P.D. No.

1 1586 and R.A. No. 4846, otherwise known as the “*Cultural Properties*
2 *Preservation and Protection Act.*”

3 Existing projects that were undertaken without the required environmental
4 impact assessment and which pose a threat to the environment, or to the integrity
5 of historic, archeological or scientifically significant areas, or impinge on critical
6 ecosystems may be terminated immediately or gradually phased-out and relocated.
7 If the existing project is to be maintained within their life span, mitigating
8 measures must be adopted and implemented. The rules on mandatory public
9 hearings or consultations and just and humane eviction or demolition shall also be
10 observed prior to the termination, gradual phase-out, or relocation of projects that
11 necessarily involve dislocations or displacement of the people in the area.

12 **Article 10**

13 **Agro-Industrial Development**

14
15 SEC. 63. ***Land Consolidation for Agro-industrial Development.*** - The
16 consolidation of small-scale agricultural landholdings shall be promoted to take
17 advantage of economies of scale in agricultural production, to promote value chain
18 development, and to increase farm incomes and improve the quality of life of
19 farmers. A Land Consolidation and Utilization Program under the DA shall be
20 established. The program shall implement the following:

1
2 (a) Consolidation of small contiguous landholdings into bigger
3 agricultural estates for farm operations and agro-industries;

4 (b) Crafting of a comprehensive plan and study of the optimum utilization
5 and long-term productivity of bigger landholdings;

6 (c) Private sector participation in agricultural production and
7 management through adequate security, incentives and reasonable return on
8 investments, within limits set by existing laws;

9 (d) Development and adoption of cooperative systems that will increase
10 the participation and protection of small farmers; and

11 (e) Provision of support to consolidated farms in such forms as farm-to-
12 market roads, irrigation, utilities, logistics, processing facilities, upgrading of basic
13 social amenities, and marketing assistance to farmers.

14 15 16 **CHAPTER IX**

17 **TRAINING, EDUCATION AND VALUES FORMATION**

18 SEC. 65. ***Values Formation.*** – In order to develop a well-informed,
19 responsible and committed citizenry, who value the protection, conservation and
20 development of the limited land and other physical resources of the country, the
21 DepEd and Commission on Higher Education are hereby mandated to include a

sustainable land use education or any subject related thereto in the curricula of primary, secondary and tertiary education.

SEC. 66. *Information or Education Campaign and Capacity Building.* –

The NLUC shall spearhead a nationwide information or education campaign on land use and physical planning together with the local and national government agencies. The DILG and concerned agencies shall formulate and implement a land use management capability building program for national and local government officials, community leaders, representatives of NGOs, POs, the religious sector and the general public.

CHAPTER X

INCENTIVES, SANCTIONS AND PENALTIES

Article 1

INCENTIVES

SEC. 67. *Formulation of a System of Incentives and Awards.* – The NLUC shall come out with a system of incentives and awards to LGUs that regularly update their CLUPs within the prescribed period, as follows:

(a) Provinces, highly urbanized cities, and independent component cities once every nine (9) years; and

(b) Component cities and municipalities once every nine (9) years.

SEC. 68. ***Priority in Giving Technical Assistance to LGUs.*** – In providing technical assistance and other forms of support related to land use management and the implementation of development plans, the national government agencies shall give priority to cities and municipalities with approved CLUPs.

Article 2

SANCTIONS AND PENALTIES

SEC. 69. *Failure to Formulate, Enforce, or Implement the CLUPs.*

– Within three (3) years the effectivity of this Act, all LGUs shall complete the formulation of their CLUPs. Failure to formulate, enforce or implement the CLUPs shall be subject to the penalties and sanctions to be imposed by DHSUD pursuant to R.A. No. 11201 and its Implementing Rules and Regulations. The DILG, consistent with due process, shall investigate, review, and impose appropriate action regarding local chief executives and other local officials and employees responsible for the formulation, enforcement, and/or implementation of the CLUPs in case of any of the following:

(a) Failure to implement and enforce the CLUP due to negligence of duty;

(b) Failure to provide appropriate budgetary allocation to effect its implementation; and,

1 (c) Failure to complete the preparation of the CLUP despite the
2 availability of funds, resources, and support by the *Sanggunian* concerned.

3 SEC. 70. ***Causing Irrigated Agricultural Lands to be Idle.*** – Any person
4 or juridical entity who shall cause any irrigated lands whether contiguous or not,
5 within the protected areas for agricultural development, to lie idle and
6 unproductive for a period exceeding one (1) year, unless due to force majeure,
7 shall be subject to an idle land tax equivalent to five percent (5%) of the value of
8 the agricultural land as appearing in its real property tax declaration. In addition,
9 the violator shall be required to put back such lands to productive agricultural use.
10 Should the continued agricultural inactivity, unless due to force majeure, exceed
11 period of two (2) years, the land shall be subject to escheat proceedings.

12 SEC. 71. ***Person Abetting Illegal Conversion.*** – Any person initiating,
13 causing, inducing, or abetting illegal conversion shall, upon conviction, be
14 imprisoned from seven (7) to twelve (12) years and imposed a fine of not less than
15 One hundred thousand (P100,000.00) pesos, or both at the discretion of the court:
16 *Provided*, That if the offender is a public official or employee, whether elected or
17 appointed, the penalty shall, in addition thereto, include dismissal through
18 permanent separation from the service and forfeiture of all benefits and
19 entitlements accruing to the public position and perpetual disqualification to run or
20 apply for any elective or appointive public office: *Provided further*, That if the

offender is a juridical person, the penalty of imprisonment shall be imposed on the president, chief executive officer, manager, chairperson and all the members of the board, and other responsible officers thereof, and the fine shall be equivalent to the zonal value of the land or forty percent (40%) of the shareholders equity, as determined at the time of judgment whichever is higher, plus forfeiture of the land in favor of the State for sale through public auction, the proceeds of which shall automatically accrue to the Agrarian Reform Fund as provided for in Section 77 of this Act.

SEC. 72. ***Fine for Non-Completion and Non-Commencement of Development of Agricultural Lands with Approved Order of Conversion.*** – A landowner and designated developer or duly authorized representative who fails to commence or complete the development of agricultural lands with approved order of conversion shall be penalized, jointly or severally, with any of the following fines based on the zonal value of the land at the time the fine is imposed:

(a) On failure to commence within one (1) year from the date of conversion order:

(1) Six percent (6%) of the zonal value of the subject land for the first three (3) hectares;

(2) Fifteen percent (15%) of the zonal value of the subject land for the next three hectares, and

1 (3) Thirty percent (30%) of the zonal value of the subject land for
2 the remaining area: *Provided*, That the order of conversion shall be deemed
3 revoked automatically and the land shall revert to its original agricultural use
4 and covered automatically and the land shall revert to its original agricultural
5 use and covered.

6 (b) On failure to complete fifty percent (50%) of the approved conversion
7 plan within a specified time frame. Fifty percent (50%) of the zonal value of the
8 subject land and the revocation of the conversion plan on the undeveloped portion
9 which shall automatically revert to its original use as agricultural land. The same
10 shall be covered under the CARP and processed for land distribution as soon as
11 possible.

12 **SEC. 73. *Change of use from the Previously Authorized Conversion Order.***

13 – The landowner and future landowners of the property approved for conversion
14 shall not change its use to another use not authorized under the Conversion Order
15 without prior consent from the DAR. This prohibition extends to changes in
16 housing standards, changes in selling schemes, changes from social housing to
17 open market housing or vice-versa, and all other similar changes. Violation of
18 which shall be penalized with revocation of Conversion Order and forfeiture of
19 cash bond.

1 SEC. 74. ***Payment of Disturbance Compensation.*** – Following the order of
2 priority as enumerated in Section 22 of R.A. No. 6657, as amended, as amended,
3 qualified beneficiaries such as agricultural lessees and share tenants, regular farm
4 workers, seasonal farm workers, other farm workers, actual tillers or occupants of
5 public lands, collective, or cooperative of the above-mentioned beneficiaries, and
6 others directly working on the land affected by agricultural land use conversion
7 shall be entitled to the payment of disturbance compensation equivalent to five (5)
8 times the average of the gross harvests on the landholding during the last five (5)
9 preceding calendar years or a certain percentage of the converted land, whichever
10 is higher, as determined by the DAR.

11 SEC. 75. ***Authority to Impose Fine.*** – The DAR shall impose the penalty
12 provided for under the preceding section.

13 SEC. 76. ***Withdrawal of Local Development Permits or Licenses.*** – Upon
14 receipt of notice from the DAR of illegal conversion, the concerned agencies, city
15 or municipality shall withdraw or revoke any development permit or license issued
16 to illegally converted agricultural lands.

17 SEC. 77. ***Penalty for Reclassification of Protected Agricultural Lands and***
18 ***Exceeding the Limit of Areas Allowed for Reclassification.*** – Any person
19 initiating, causing, inducing or abetting the reclassification to non-agricultural uses
20 of protected agricultural areas as defined in this Act shall be punished with

1 imprisonment of twelve (12) years or a fine of not less than One hundred thousand
2 Pesos (P100,000.00), or both, at the discretion of the court.

3 If the offender is a public official or employee, whether elected or appointed,
4 the penalty includes dismissal from the service, forfeiture of entitlements accruing
5 to the public position, and perpetual disqualification to run or apply for any
6 elective or appointive position.

7 If the offender is a juridical person, the president, chief executive officer,
8 manager, chairperson, members of the board and other officers who directly
9 participated in the violation of this Section shall be held liable.

10 The same penalty is applicable to persons who are responsible for exceeding
11 the limits set forth under Section 20 of R.A. No. 7160 pertaining to reclassification
12 of lands.

13 SEC. 78. ***Utilization of Fines.*** – The fines collected under Sections 71, 72
14 and 77 of this Act shall accrue to the Agrarian Reform Fund and shall be used for
15 the purpose for which the fund is established.

16 CHAPTER XI

17 TRANSITORY AND FINAL PROVISIONS

18 SEC. 79. ***Convening of the NLUC.*** – Within thirty (30) days from the
19 effectivity of this Act, the chairperson shall convene the NLUC.

1 SEC. 80. ***Implementing Rules and Regulations.*** – Within six (6) months
2 from the effectivity of this Act, the NLUC shall promulgate the rules and
3 regulations to implement the provisions of this Act. Said rules and regulations shall
4 be submitted to the Congressional Oversight Committee for approval.

5 SEC. 81. ***Congressional Oversight Committee on the Land Use Act.*** –
6 There is hereby created a joint congressional oversight committee to monitor the
7 implementation of this Act. The committee shall be composed of seven (7)
8 senators and seven (7) representatives to be appointed by the Senate President and
9 Speaker of the House of Representatives, respectively. The members from the
10 Senate shall be appointed based on proportional representation of the parties or
11 coalitions therein, with at least two (2) senators representing the minority.
12 Likewise, the representatives from the House of Representatives shall be appointed
13 based on proportional representation of the parties or coalitions therein with at
14 least two (2) Members representing the minority.

15 The mandate given to the joint congressional oversight committee under this
16 Act shall be without prejudice to the performance of the duties and functions by
17 the respective existing oversight committees of the Senate and the House of
18 Representatives. The secretariat of the committee shall be drawn from the existing
19 secretariat personnel of the committees comprising the oversight.

1 SEC. 82. ***Appropriations.*** – The amount necessary for the initial
2 implementation of this Act shall be charged against the current year appropriations
3 of the NEDA Board – National Land Use Committee. Thereafter, such sums as
4 may be necessary for the continued implementation of this Act shall be included in
5 the budget of participating national government agencies in the annual General
6 Appropriations Act.

7 SEC. 83. ***Review of the Existing Land Use Plans.*** – Provinces, cities, and
8 municipalities with existing land use plans shall review, revise, reconcile, and
9 harmonize their respective land use plans in accordance with the guidelines and
10 standards issued by the National Land Use Commission (NLUC) within one (1)
11 year from the effectivity of this Act.

12 SEC. 84. ***Repealing Clause.*** – Sections 10 and 11 of R.A. No. 8435,
13 Sections 447 (a2vii) and 458 (a2viii) of R.A. No. 7160, the pertinent provisions of
14 Executive Order No. 648, Series of 1991, Executive Order No. 72, Series of 1993,
15 Executive Order No. 770, Series of 2008, Letter of Instruction No. 1350, Series of
16 1983, Presidential Proclamation No. 2282, Series of 1983 are hereby repealed,
17 amended or modified accordingly.

18 All other laws, orders issuance, rules and regulations inconsistent herewith
19 are repealed or modified accordingly.

1 SEC. 85. ***Non-impairment Clause.*** – Nothing in this Act shall be construed
2 as to diminish or impair the rights recognized granted, or available to marginalized
3 or the basic sectors under existing laws.

4 SEC. 86. ***Separability Clause.*** – If any provision of this Act is declared
5 unconstitutional, the remainder of this Act or any provisions not affected thereby
6 shall remain in full force and effect.

7 SEC. 87. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its
8 publication in the *Official Gazette* or in a newspaper of general circulation.

9 Approved,