

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **3408**



Introduced by **REP. NATHANIEL “Atty. Nat” M. ODUCAO**

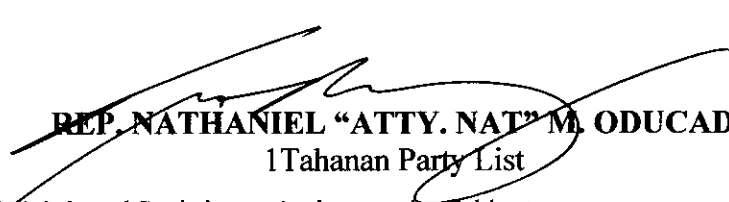
EXPLANATORY NOTE

The Philippines is facing an ongoing concern over the continued conversion of agricultural lands, particularly those classified as irrigable. The shift in land use of irrigable lands for non-agricultural activities is threatening the country’s food security. Republic Act 7160 protects these agricultural lands and prohibit the use of these lands for non-agricultural purposes such as urban expansion, industrial projects, infrastructure projects, real estate and other threats.

In 2018, the Philippines’ irrigated area is at 61.39% which is 1.92 million hectares in total. These irrigated lands must be used for sustainable purposes because these lands are essential for national agricultural productivity. According to the Department of Agrarian Reform (DAR), agricultural land loss was at 47,000 hectares from 1988 to 2020. These lands were used for non-agricultural purposes. Similarly, the Philippine Institute for Development Studies (PIDS) showed that around 33% of irrigated lands were converted for urban development. Without reinforced legal protection, the remaining irrigable lands will remain vulnerable to commercial interests and urban expansion that could place national food security at risk.

This bill amends Section 20 of Republic Act No. 7160, or the Local Government Code of 1991, to introduce stricter requirements for land reclassification. It aims to strengthen protection of vital food producing areas, this measure contributes to long term national food security as well as domestic agricultural sustainability. Furthermore, it intends to meet the food demands in the future of the growing population in the Philippines.

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


REP. NATHANIEL “ATTY. NAT” M. ODUCAO
1Tahanan Party List

¹ Philippine Statistics Authority (2019) 2019 Selected Statistics on Agriculture. Available at <https://psa.gov.ph/system/files/main-publication/Selected%2520Statistics%2520on%2520Agriculture%25202019.pdf> (last accessed August 6, 2025)
² Senate of the Philippines (2023) An Act Mandating The Preservation And Protection Of Agricultural Lands in the Philippines, And For Other Purposes. Available at <https://web.senate.gov.ph/lisdata/4150537792!.pdf> (last accessed August 6, 2025)

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **3403**

Introduced by **REP. NATHANIEL “ATTY. NAT” M. ODUCCADO**

**AN ACT PROHIBITING THE CONVERSION OF IRRIGATED AND IRRIGABLE
AGRICULTURAL LANDS FOR NON-AGRICULTURAL USES, AMENDING FOR
THE PURPOSE SECTION 20 OF REPUBLIC ACT NO. 7160, OTHERWISE
KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991**

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “*The Agricultural Land*
2 *Conversion Ban Act.*”

3 **SEC. 2. *Declaration of Policies.*** – The conversion of agricultural lands to non-
4 agricultural uses shall be governed by the following policies:

- 5 1. The State shall preserve irrigated and irrigable agricultural lands to ensure food
6 security;
- 7 2. The State shall ensure that all sectors of the economy and all regions of the country
8 are given optimum opportunity to develop, through the rational and sustainable use
9 of resources peculiar to each area, in order to maximize agricultural productivity, to
10 promote efficiency and equity, and to accelerate the modernization of the agriculture
11 sector of the country; and
- 12 3. Conversion of agricultural lands to non-agricultural uses shall be strictly regulated and
13 may be allowed only when conditions prescribed herein are present and complied
14 with.

15
16 **SEC. 3. *Definition of Terms.***– As used in this Act, the following terms are defined as
17 follows:

- 18 (a) Agricultural land refers to land devoted to or suitable for the cultivation of the
19 soil, planting of crops, growing trees, raising of livestock, poultry, fish or
20 aquaculture production, including the harvesting of such farm products and
21 other farm activities and practices performed in conjunction with such farming
22 operations by persons whether natural or juridical and not classified for
23 residential, commercial, industrial or other non-agricultural uses;

(b) Irrigable land refers to land displaying marked characteristics justifying the operation of an irrigation system.

(c) Irrigated land refers to land serviced by natural irrigation or irrigation facilities. This includes lands where water is not readily available because existing irrigation facilities need rehabilitation or upgrading or where irrigation water is not available year-round.

(d) Land use conversion refers to the act or process of changing the current physical use or a piece of agricultural land into some other use other than the cultivation of the soil, planting of crops, growing of trees, including harvesting of produce therefrom, as approved by the Department of Agrarian Reform (DAR).

SEC. 4. *Scope of the Agricultural Land Conversion.*— All irrigated and irrigable agricultural lands planted but not limited to rice, corn, crops, sugar, coconut, vegetables, and fruit trees blocked and mapped according to standards by the Bureau of Soil and Water Management shall not be converted into non-agricultural uses.

SEC. 5. *Amendments to Republic Act No. 7160.*— Section 20 of Republic Act 7160, otherwise known as the Local Government Code of 1991 is hereby amended to read as follows:

“Sec. 20. Reclassification of Lands. - (a) A city or municipality may, through an ordinance passed by the sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture (DA) [or]; (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes as determined by the sanggunian concerned [;] ; **OR (3) WHEN THE LAND IS NOT IRRIGATED OR IRRIGABLE AND NOT INCLUDED AMONG AGRICULTURAL LANDS IDENTIFIED BY ADMINISTRATIVE ORDER (AO) 20, SERIES OF 1992, AS NON-NEGOTIABLE FOR CONVERSION, AS IDENTIFIED BY THE DA: PROVIDED, THAT PRIOR TO THE ENACTMENT OF AN ORDINANCE RECLASSIFYING AGRICULTURAL LANDS, THE SANGGUNIAN CONCERNED MUST FIRST SECURE THE FOLLOWING CERTIFICATES FROM THE NATIONAL GOVERNMENT AGENCIES (NGAS) CONCERNED:**

(1) A CERTIFICATION FROM THE DA INDICATING:

A. THE TOTAL AREA OF EXISTING AGRICULTURAL LAND IN THE LOCAL GOVERNMENT UNIT (LGU) CONCERNED;

B. THAT SUCH LANDS ARE NOT INCLUDED AMONG THOSE CLASSIFIED FOR CONVERSION OR RECLASSIFICATION UNDER AO 20, SERIES OF 1992; AND

1 C. THAT THE LAND HAS CEASED TO BE ECONOMICALLY
2 FEASIBLE FOR AGRICULTURAL PURPOSES;

3 (2) A CERTIFICATION FROM THE DAR THAT SUCH LANDS ARE
4 NOT DISTRIBUTED OR PROGRAMMED FOR DISTRIBUTION
5 TO AGRARIAN REFORM BENEFICIARIES; AND

6 (3) A CERTIFICATION FROM THE DEPARTMENT OF
7 ENVIRONMENT AND NATURAL RESOURCES (DENR)
8 INDICATING THAT THE PROPOSED RECLASSIFICATION IS
9 ECOLOGICALLY SOUND.

10 PROVIDED, FURTHER, THAT THE FAILURE OF SAID NGAS
11 TO ACT ON PROPER AND COMPLETE APPLICATION FOR
12 SUCH CERTIFICATIONS WITHIN THREE (3) MONTHS FROM
13 RECEIPT OF THE SAME SHALL BE DEEMED AS APPROVAL
14 THEREOF, AND, Provided, FURTHERMORE, That such
15 reclassification shall be limited to the 3 following percentage of the
16 existing agricultural area, at the time of the passage of the ordinance:

17 (1) X X X

18 (2) X X X

19 (3) X X X

20 (b) x x x

21 (c) The local government units shall, in conformity with existing
22 laws, continue to prepare their respective comprehensive land use
23 plans enacted through the zoning ordinances which shall be the
24 primary and dominant bases for the future use of land resources:

25 *Provided*, That **SECTION 4 OF THE AGRICULTURAL LAND**
26 **CONVERSION BAN ACT** AND the requirements for food
27 production, human settlements, and industrial expansion shall be
28 taken into consideration in the preparation of such plans. (d) [~~When~~
29 ~~approval by a national agency is required for reclassification, such~~
30 ~~approval shall not be unreasonably withheld. Failure to act on a~~
31 ~~proper and complete application for reclassification within three (3)~~
32 ~~months from receipt of the same shall be deemed as approval~~
33 ~~hereof.]—~~**NOTHING IN THIS SECTION SHALL BE**

34 **CONSTRUED AS REPEALING, AMENDING, OR**
35 **MODIFYING IN ANY MANNER THE PROVISIONS OF R.A.**
36 **NO. 6657, OTHERWISE KNOWN AS THE**
37 **COMPREHENSIVE AGRARIAN REFORM LAW OF 1988**
38 **AND OF R.A. NO. 9700, OTHERWISE KNOWN AS THE**
39 **COMPREHENSIVE AGRARIAN REFORM PROGRAM**
40 **EXTENSION WITH REFORMS.”**

41 **SEC. 6. Penalties.** – Any person found to have violated the provisions of this Act shall
42 be punished by imprisonment of not less than six (6) years and a fine of not less than One

1 Hundred Fifty Thousand Pesos (P150,000.00) but not more than Three Hundred Thousand
2 Pesos (P300,000.00).

3 If the conversion has been completed or irreversible, the building or
4 infrastructure shall be confiscated by the State. The confiscated property shall be turned
5 over to the local government with jurisdiction for public use or for public auction.

6 If the violator of this Act is a corporation, partnership, or any other juridical
7 entity, the penal provisions hereof shall be applied to the president or chief executive
8 officer of the corporation, the managing partner in the case of a partnership or the
9 equivalent head in the case of any juridical entity or any other person acting in their
10 behalf. In the case of corporations, the indictment shall include the manager of the
11 department responsible for the construction or conversion.

12 If the violator is a government official, the additional penalty of permanent
13 disqualification from employment in the government or any of its subdivisions,
14 instrumentality, or government-owned or controlled corporations shall be imposed.

15 Any person who evicts a farmer tilling an agricultural land to make it appear that
16 the land has no present tiller or occupant or who changes the crop of the land to make it
17 appear that the land is not devoted to rice, corn and other staple food, shall be punished
18 with an imprisonment of not less than one (1) year but not more than three (3) years.

19 **SEC. 7. *Implementing Rules and Regulations.*** – The DA, in consultation with the DAR
20 and the DENR, shall formulate the implementing rules and regulations of this Act within ninety
21 (90) days after its approval. Such rules and regulations shall take effect fifteen (15) days after
22 its publication in a newspaper of general circulation in the Philippines.

23 **SEC. 8. *Separability Clause.*** – If any provision of this Act is declared invalid or
24 unconstitutional, the other provisions not affected by such declaration shall remain in full force
25 and effect.

26 **SEC. 9. *Repealing Clause.*** – All laws, decrees, ordinances, rules, regulations, other
27 issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified
28 accordingly.

29 **SEC. 10. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
30 complete publication in the Official Gazette or in at least two (2) newspapers of general
31 circulation.

32 *Approved,*