

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **5026**



Introduced by Representative Jan Rurik D. Padiernos, GP-(Galing sa Puso) Party-List

EXPLANATORY NOTE

Agriculture continues to play a vital role in ensuring the country's food security, sustaining rural livelihoods, and driving inclusive growth. Yet, one of the persistent threats to agricultural productivity is the rapid and often unregulated conversion of prime agricultural lands into residential, commercial, or industrial use. According to the Department of Agrarian Reform (DAR), the Philippines loses an estimated 47,000 hectares of agricultural land annually to land conversion, much of which are irrigated and fertile lands intended for staple food production such as rice and corn.

This trend undermines national food self-sufficiency targets, worsens rural poverty, and diminishes the capacity of small farmers to sustain their livelihoods. Moreover, the country's growing population, which is projected by the Philippine Statistics Authority (PSA) to reach 128 million by 2045, further heightens the urgency of protecting prime agricultural lands to guarantee adequate food supply for future generations.

The proposed measure seeks to mandate the preservation and protection of agricultural lands, particularly those classified as prime and irrigated lands, and to regulate land reclassification and conversion. It recognizes that agricultural development must be pursued alongside principles of poverty alleviation, food security, rational use of resources, global competitiveness, sustainable development, and protection from unfair competition.

Specifically, the bill:

- (1) Prohibits the conversion of prime irrigated and irrigable lands, as well as ecologically fragile agricultural areas, to non-agricultural uses except under limited circumstances for national priority projects;
- (2) Strengthens the role of the Department of Agriculture (DA) and the Department of Agrarian Reform (DAR) in monitoring, mapping, and protecting agricultural lands through the Network of Protected Areas for Agricultural and Agro-Industrial Development (NPAAAD);

- (3) Requires Local Government Units (LGUs) to integrate land protection measures into their Comprehensive Land Use Plans (CLUPs); and
- (4) Allows for the consolidation of agricultural lands to promote modernized, mechanized, and sustainable farming practices that can enhance productivity and global competitiveness.

By institutionalizing safeguards against the excessive and unregulated conversion of agricultural lands, this bill upholds the constitutional mandate to promote comprehensive rural development, ensure equitable access to land, and secure the right of the people to affordable, accessible, and sufficient food.

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



ATTY. JAN RURIK D. PADIERNOS
GP (Galing sa Puso) Party-List

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AN ACT
MANDATING THE PRESERVATION, PROTECTION AND CONSOLIDATION OF
AGRICULTURAL LANDS IN THE PHILIPPINES, STRENGTHENING THE
REGULATION OF LAND CONVERSION AND RECLASSIFICATION, PROVIDING
FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* — This Act shall be known as the "***Agricultural Land Protection and Consolidation Act.***"

SEC. 2. *Declaration of Policy.* — It is the policy of the State to promote comprehensive rural development and food security by preserving and protecting prime agricultural lands for food production and sustainable farming. The State recognizes the need to prevent the excessive conversion of irrigated, irrigable, and ecologically fragile lands, while at the same time supporting programs that will improve productivity, modernize farming practices, and uplift the lives of farmers and rural communities.

This Act shall be implemented consistent with Republic Act No. 8435, otherwise known as the "Agriculture and Fisheries Modernization Act of 1997 (AFMA)," particularly the Network of Protected Areas for Agricultural and Agro-Industrial Development (NPAAAD), to ensure the integration of land protection with agricultural modernization.

SEC. 3. *Definition of Terms.* — For purposes of this Act, the following terms are defined as follows:

(a) *Agricultural Land* refers to the land of public domain and private land which have been devoted to agricultural activity as defined in Republic Act No. 6657, as amended, and not

further classified for residential, commercial or industrial use and such other uses as may be provided by law;

(b) *Agricultural Land Use Conversion* refers to the undertaking of any development activity which modifies or alters the physical characteristics of agricultural lands to render them suitable for non-agricultural purposes with an approved order of conversion issued exclusively by the Department of Agrarian Reform (DAR);

(c) *Irrigable Lands/Areas* refer to the lands suitable for the conduct of agricultural activities which require irrigation and display physical features justifying the operation of an irrigation system;

(d) *Project Areas* refer to those within irrigable lands/areas comprising the intended or design serviceable or irrigation areas/lands of an on-going or in-pipeline irrigation construction projects.

(e) *Irrigated Lands/Areas* refer to lands serviced by natural irrigation or irrigation facilities. These include lands where water is not readily available as existing irrigation facilities need rehabilitation or upgrading or where irrigation water is not available year-round;

(f) *Land Use* refers to the manner of allocation, utilization, management and development of land;

(g) *Land Use Conversion* refers to the act or process of changing the current physical use of piece of agricultural land into some other use or for another agricultural use other than the cultivation of the soil, planting of crops, growing of trees including harvesting of produce therefrom, as approved by DAR;

(h) *Network of Protected Areas for Agricultural and Agro-Industrial Development (NPAAAD)* refers to the agricultural areas identified by the Department of Agriculture (DA), through the Bureau of Soils and Water Management (BSWM), in coordination with the National Mapping and Resource Information Authority, in order to ensure the efficient utilization of land for agriculture and agro-industrial development and promote sustainable growth. The NPAAAD covers all irrigated areas, all irrigable lands already covered by irrigation projects with firm funding commitments; all alluvial plain lands highly suitable for agriculture, whether irrigated or not; agro-industrial croplands or lands presently planted to industrial crops that support the viability of existing agricultural infrastructure and agro-based enterprises; highlands or areas located at an elevation of five hundred (500) meters and above that have potential for growing semi-temperate and high value crops; all agricultural lands that are ecologically fragile, the conversion of which will result in serious environmental degradation; all mangrove areas and fish sanctuaries;

(i) *Prime Agricultural Land* refers to all irrigated areas; all irrigable lands; all rain-fed areas planted to rice and corn; all lands classified by the BSWM under its land capability classification system as Class A, Class B, and Class C lands; all agricultural lands that are ecologically fragile, the conversion of which will result in serious environmental degradation, and mangrove areas and fish sanctuaries; and

(j) *Reclassification of Agricultural Land* refers to the act of specifying how agricultural lands shall be utilized for non-agricultural uses such as residential, industrial, or commercial purposes through the local planning and zoning processes pursuant to Republic Act No. 7160 or the "Local Government Code of 1991" and subject to the requirements and procedure for conversion. It is equivalent to land sub-classification, as defined in this Act, for classified lands of the public domain and also includes the reversion of non-agricultural lands to agricultural use.

SEC. 4. *Priority Areas for Agricultural Development.* — Priority areas for agricultural development shall be those agricultural areas covered under the Comprehensive Agrarian Reform Program (CARP), as amended, and those covered under the NPAAAD as defined in Section 3 of this Act and in Republic Act No. 8435 or the "Agriculture and Fisheries Modernization Act". These lands shall be protected and maintained for agricultural use to ensure food security, promote rural development, and support agricultural modernization.

SEC. 5. *Conversion of Agricultural Lands.* — Prime agricultural lands, including all irrigated and irrigable areas, lands planted to staple crops, and ecologically fragile areas, shall be preserved and protected from conversion to non-agricultural uses.

Conversion may only be allowed in exceptional cases, such as priority government projects for basic services and infrastructure, and only upon the joint recommendation of the Secretary of Agriculture and the Secretary of Agrarian Reform, following mandatory public hearings and consultations with affected stakeholders.

Any application for conversion shall remain under the exclusive jurisdiction of the Department of Agrarian Reform (DAR) and shall be strictly evaluated in accordance with this Act and existing laws.

No local government reclassification under a Comprehensive Land Use Plan (CLUP) or zoning ordinance shall by itself be deemed equivalent to conversion, which requires prior approval of the DAR. Any conversion made in violation of this Act, or without proper approval, shall be deemed null and void, and the land shall automatically revert to its original agricultural use.

SEC. 6. *Sub-classification or Reclassification of Agricultural Lands by LGUs.* — Local Government Units (LGUs) may undertake the sub-classification or reclassification of agricultural lands through their Comprehensive Land Use Plans (CLUPs) and zoning ordinances, subject to Republic Act No. 7160, or the "Local Government Code of 1991."

However, such reclassification shall not be deemed equivalent to conversion, which remains under the exclusive authority of the Department of Agrarian Reform (DAR) as provided in Section 5 of this Act. Lands expressly protected under this Act, including those covered by the Network of Protected Areas for Agricultural and Agro-Industrial Development (NPAAAD), shall be excluded from reclassification.

Any CLUP or zoning ordinance inconsistent with this Act shall be null and void.

SEC. 7. *Comprehensive Land Use Plan (CLUP)*. — LGUs shall prepare, revise, and update their CLUPs to rationalize the allocation and proper use of land resources for agricultural purposes. CLUPs shall be consistent with NPAAAD and this Act. Any inconsistent provision shall be null and void.

SEC. 8. *Oversight on CLUP Compliance*. - The DA and DAR, in coordination with the DILG, shall ensure that LGU CLUPs and zoning ordinances conform to this Act and the NPAAAD. The DA and DAR shall issue guidelines for review and monitoring, subject to available resources, without prejudice to the authority of the Department of Human Settlements and Urban Development (DHSUD) under existing laws.

SEC. 9. *Consolidation of Agricultural Land*. — The DA and the DAR shall initiate, facilitate, and support the consolidation of agricultural lands by landowners and agrarian reform beneficiaries to promote mechanized, modernized, and sustainable farming systems. Such consolidation shall be based on the free and informed consent of the participating landowners and agrarian reform beneficiaries and shall not prejudice their ownership rights under existing laws.

The DA and DAR shall issue the necessary rules and regulations, in consultation with farmers' organizations, cooperatives, and other stakeholders, to ensure that farm consolidation programs are economically viable, socially just, and consistent with the objectives of this Act.

SEC. 10. *Appropriations*. - The amount necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

There is hereby created a special account to be known as the Agricultural Land Protection Fund, to be administered jointly by the DA and DAR. All fines and penalties collected under this Act shall accrue to the Fund, which shall be used exclusively for:

- (a) Updating NPAAAD maps and databases;
- (b) Assisting LGUs in CLUP preparation and alignment;
- (c) Supporting voluntary land consolidation programs and farmer cooperatives; and

(d) Strengthening monitoring, enforcement, and capacity-building.

The DA and DAR may also accept grants, donations, or endowments from domestic or foreign sources, subject to existing laws, rules, and regulations.

SEC. 11. *Penalties.* - Any person, corporation, or public official who violates the provisions of this Act shall be subject to the following penalties:

1. Private Individuals. — Fine of ₱250,000.00 to ₱1,000,000.00 for each violation, without prejudice to other civil and criminal liabilities;
2. Public Officials. — Personally liable to the same fines, without prejudice to administrative and criminal liability under RA 3019, RA 6713, and other applicable laws. Payment of fines shall not be chargeable against public funds;
3. Corporations or Associations. — Fine of ₱500,000.00 to ₱2,000,000.00, without prejudice to the criminal liability of responsible officers; and
4. Local Government Units. — Any CLUP or zoning ordinance inconsistent with this Act shall be null and void, and approving officials shall be personally liable under subsection (2).

SEC. 12. *Implementing Rules and Regulations.* — Within one hundred eighty (180) days from the effectivity of this Act, the DA and DAR, in consultation with other relevant government agencies, shall promulgate the rules and regulations to effectively implement the provisions of this Act.

SEC. 13. *Separability Clause.* — If any provision of this Act shall be held unconstitutional, the remainder of the Act not otherwise affected shall remain in full force and effect.

SEC. 14. *Repealing Clause.* — All existing laws, presidential decrees, executive orders, proclamations, or administrative regulations that are inconsistent with the provisions of this Act are hereby amended, modified, superseded, or repealed accordingly.

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

Approved,