



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



House Bill No. 5437

Introduced by CIBAC Party-List Representative
EDUARDO “BRO. EDDIE” C. VILLANUEVA

EXPLANATORY NOTE

Globally, structured and hierarchical land use governance is recognized as a best practice, particularly in OECD countries where it is supported by comprehensive framework legislation¹. In contrast, the Philippines has long suffered from the absence of a national land use policy, resulting in overlapping land claims, rampant illegal conversions, and fragmented regulations. Data from the National Irrigation Administration reveals that between 2012 and 2022, around 620,399 hectares of irrigated agricultural land were converted to non-agricultural uses, without any systematic monitoring or regulation in place². Compounding this, only 38% of local government units (LGUs) have updated their Comprehensive Land Use Plans (CLUPs), leading to ineffective zoning and worsening conflicts over land allocation.

The consequences are evident: declining agricultural productivity, unchecked urban sprawl, and environmental degradation. Between 2015 and 2020, barren land expanded by 31.67%, reflecting wasteful and unsustainable practices. Meanwhile, housing shortages remain severe, with 69% of the country’s homeless population concentrated in the National Capital Region as of 2020³. Ironically, even as millions remain without homes, agricultural land continues to be lost—residential development alone accounted for 12,071 hectares of converted land from 1992 to 2019. Deforestation and disruptive land use changes have also been linked to rising public health risks, including the emergence of infectious diseases such as COVID-19.

This measure seeks to address these urgent concerns by establishing a clear and comprehensive framework for the sustainable, equitable, and responsible management of land resources in the Philippines. Institutionalizing land use planning will promote environmental stability, food security, disaster risk reduction, and climate

¹ OECD (2017). Land-use Planning Systems in the OECD: Country Fact Sheets. OECD Regional Development Studies. OECD Publishing, Paris. Available at: <https://doi.org/10.1787/9789264268579-en>

² Philippine Institute for Development Studies (PIDS) (2023). The Need for a National Land Use Act in the Philippines. PIDS Discussion Paper Series No. 2023-40, pp. 6–7, 17, 20, 23. Available at: <https://doi.org/10.62986/dp2023.40>

³ Congressional Policy and Budget Research Department (CPBRD) (2021). Legislating National Land Use Policy: An Overarching Response to Sustainable Development. CPBRD Policy Brief No. 2021-06, p. 15. Available at: <https://cpbrd.congress.gov.ph/wp-content/uploads/2023/09/PB2021-06-Legislating-National-Land-Use-Policy.pdf>

resilience—all essential foundations for national development and intergenerational justice.

Central to this proposal is the protection of marginalized sectors, particularly indigenous peoples, fisherfolk, and urban poor communities. The bill ensures fair and inclusive access to land and resources, while upholding ancestral domains and customary laws that safeguard cultural heritage.

A key innovation of the bill is the creation of the National Land Use Commission (NLUC), which will serve as the primary policymaking body on land use. The NLUC will harmonize conflicting policies, resolve disputes, and ensure coordination across national, regional, and local levels. Consolidating these functions will prevent overlap among agencies and streamline decision-making.

The measure likewise emphasizes the protection of vital areas such as prime agricultural lands, forests, watersheds, and coastal zones. It prohibits the conversion of ecologically sensitive areas, promotes integrated watershed management, and advances reforestation efforts, including the rehabilitation of mangrove ecosystems. These provisions directly support climate change mitigation, biodiversity preservation, and long-term environmental sustainability.

It is time to adopt a holistic approach to land governance—one that balances economic growth, environmental stewardship, and social equity. The passage of a National Land Use Policy will secure the country's natural resources, ensure food and housing security, and lay down the foundation for a more resilient, inclusive, and sustainable future.

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


EDUARDO “BRO. EDDIE” C. VILLANUEVA



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5437

Introduced by CIBAC Party-List Representative
EDUARDO "BRO. EDDIE" C. VILLANUEVA

AN ACT
INSTITUTING A NATIONAL LAND USE POLICY, PROVIDING THE
IMPLEMENTING MECHANISMS THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and 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 Policy Act.*"

SEC. 2. Declaration of Policies and Principles. - 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 natural resources are owned by the State. With the exception of agricultural lands, all other natural resources shall not be alienated.

It is the policy of the State to provide for a rational, holistic, and just allocation, utilization, management, and development of the country's land to ensure its optimum use, consistent with the principle of sustainable development.

The State shall recognize the need for rational, optimal, and sustainable development, consistent with the principles of environmental management and equitable access to land and security.

Towards this end, the State shall institutionalize land use and physical planning as mechanisms for identifying, determining, and evaluating appropriate land use and allocation patterns that promote and ensure:

- a) Sustainable management and utilization of natural resources;

- b) Maintenance and preservation of environmental integrity and stability, specifically the perpetual protection of permanent forests and watershed for the attainment of food, water, and energy sufficiency;
- c) Disaster risk reduction and climate change resiliency;
- d) Protection of prime agricultural lands for food production activities and provision of highest priority to the completion of the Comprehensive Agrarian Reform Program (CARP);
- e) Sustainable development and management of water resources towards water security;
- f) Settlements, transportation, and infrastructure development in support of urban, rural, and regional development and inclusive growth;
- g) Harmony between the rights and the varied interests of every Filipino within the framework of people empowerment, decentralization, social justice, and equity;
- h) Respect for and protection of the sustainable traditional resource rights of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral domains to ensure their economic, social, and cultural well-being as well as recognition of the applicability of customary laws and sustainable traditional resource use and management, knowledge, and practices in ancestral domains in compliance with free and prior informed consent of ICC/IPs;
- i) Protection of the rights of basic sectors to equitable access to the country's land and other resources through State regulation of land valuation to prevent uncontrolled land speculation resulting in tremendous increase in land pricing;
- j) Equitable and sustainable economic growth, and balanced and dispersed industrial and tourism development, guided by the principles of agrarian reform, urban land reform, and rural development;
- k) Protection, conservation, preservation, and development of the Filipino historical, cultural, and built cultural heritage and resources for the deeper understanding of history and culture as a people;
- l) Attainment of energy security and self-sufficiency through sustainable and priority development of indigenous energy resources; and
- m) Market orientation where the interplay of market forces and fair trade within the framework of ecological development and equity consideration is encouraged and adopted as the basic parameter in achieving efficiency in land use and allocation.

It is also the policy of the State to ensure that local government units (LGUs) share with the national government the responsibility of managing and maintaining ecological balance within their territorial jurisdiction as stated in the 1987 Constitution and Republic Act No. 7160, as amended, otherwise known as the "Local Government Code of 1991."

Guided by the principle that the use of land bears a social function and that all economic agents shall contribute to the common good, landowners and land tenure holders, in the case of forestlands, be it an individual, communal, corporate, or group shall be held responsible for developing and conserving their lands thereby making their lands productive and supportive of environmental stability.

1 **SEC. 3. Scope.** - This Act shall apply to all lands, whether public, private,
2 government-owned, and/or in the possession of individuals, communities, indigenous
3 people, or groups of people, to provide for a rational, holistic, and just allocation,
4 development, and management of land including such activities that bear impact on
5 said resources.

6 7 **CHAPTER II** 8 **DEFINITIONS**

9
10 **SEC. 4. Definition of Terms.** - As used in and for purposes of this Act, the
11 following terms shall mean:

- 12
13 a) **Agricultural land** refers to a land devoted to or suitable for the cultivation of
14 soil, planting of crops, growing of fruit trees, raising of livestock and poultry,
15 or fish or aquaculture production, including the harvesting of such farm
16 products, and other farm activities and practices performed in conjunction
17 with such farming operations done by persons whether natural or juridical,
18 and not classified by law as mineral land, forest land, residential land,
19 commercial land, or industrial land;
20
21 b) **Agricultural land use conversion** refers to the undertaking of any
22 development activity which modifies or alters the physical characteristics of
23 agricultural lands to render them suitable for non-agricultural purposes with
24 an approved order of conversion issued exclusively by the Department of
25 Agrarian Reform (DAR);
26
27 c) **Alienable and disposable (A&D) lands** refer to lands of the public domain
28 which have been delineated, classified, and certified as open and available
29 for disposition under the provisions of Commonwealth Act No. 141, as
30 amended, otherwise known as the "Public Land Act";
31
32 d) **Ancestral** domains refer to all areas generally belonging to ICCs/IPs as
33 defined under Republic Act No. 8371, otherwise known as the "Indigenous
34 Peoples' Rights Act (IPRA) of 1997";
35
36 e) **Basic sector** refers to a group of people not referring to any organized
37 groups such as, but not limited to, women, youth, elderly, differently abled,
38 peasants, and fisherfolk;
39
40 f) **Basic shelter** refers to any subdivision unit, housing unit, or condominium
41 satisfying the barest minimum shelter requirements under the minimum
42 design standards of Batas Pambansa Big. 220 or "An Act Authorizing the
43 Ministry of Human Settlements to Establish and Promulgate Different Levels
44 of Standards and Technical Requirements for Economic and Socialized
45 Housing Projects in Urban and Rural Areas from Those Provided Under
46 Presidential Decrees Numbered 957, 1216, 1096 and 1185";
47
48 g) **Comprehensive Land Use Plan (CLUP)** refers to a document embodying a
49 set of policies and guidelines, accompanied by official maps and similar
50 illustrations, that serves as principal basis for determining the future land use

1 of lands and natural resources for production and protection purpose within
2 the territorial jurisdiction of the city or municipality. It represents the
3 community-desired pattern of population distribution and proposes future
4 allocation of land resources to various land-using activities. It identifies the
5 allocation, character, and extent of the areas of land resources to be used for
6 different purposes and includes the processes and the criteria employed in
7 the determination of the land use. It has a long-term perspective,
8 encompassing a minimum of ten (10) years except if an earlier amendment
9 or revision of the CLUP is authorized by the NLUC due to extraordinary
10 causes;

- 11
- 12 h) Comprehensive land use planning refers to the act of defining the allocation,
13 utilization, development, and management of all lands within a given territory
14 or jurisdiction according to the inherent characteristic of the land itself and
15 supportive of sustainable, economic, demographic, sociocultural, and
16 environmental objectives as an aid to decision-making and legislation;
17
- 18 i) Coastal area/zone refers to a band of dry land and the adjacent ocean space
19 (water and submerged land) in which terrestrial processes and uses directly
20 affect oceanic processes and uses, and vice versa. Its geographic extent may
21 include areas within a landmark limit of one (1) kilometer from the shoreline
22 at high tide to include mangrove swamps, brackish water ponds, nipa
23 swamps, estuarine rivers, sandy beaches, and other areas within a seaward
24 limit of 200 meters isobath to include coral reefs, algal flats, seagrass beds,
25 and other soft-bottom areas. For purposes of initiating and implementing
26 sustainable coastal resources protection and management, it shall include
27 foreshore lands;
28
- 29 j) Critical habitats refer to areas outside protected areas as defined under
30 Republic Act No. 11038, otherwise known as the "Expanded National
31 Integrated Protected Areas System (E-NIPAS) Act of 2018," that are known
32 habitats of threatened species and designated as such based on scientific
33 data taking into consideration species endemism and/or richness/presence
34 of human-made pressures/threats to the survival of wildlife living in the area,
35 among others;
36
- 37 k) Critical watershed refers to a drainage area of a river system supporting
38 existing and proposed hydroelectric power, domestic water consumption,
39 irrigation works, or existing water facilities needing immediate protection and
40 rehabilitation to minimize erosion and improve water yield;
41
- 42 l) Cultural heritage refers to the totality of cultural properties preserved and
43 developed through time and passed on for posterity;
44
- 45 m) Customary laws refers to a body of written and/or unwritten rules, usages,
46 customs, and practices traditionally and continually recognized, accepted,
47 and observed by respective ICCs/IPs, consistent with IPRA;
48
- 49 n) Development plan refers to a document that defines the activities or
50 measures that the national government or LGUs intend to implement in order

to achieve a defined set of development goals. It integrates the socioeconomic and sectoral plans of the national government or its instrumentality or a particular LGU with land use or physical framework plans. It may include an analysis of problems and resources, definition of goals and objectives, policy guidelines, project and target achievements, and an implementation mechanism which defines the roles and contributions expected from the government and the private sector;

- o) Ecologically fragile lands refer to lands within the critical watershed, brackish and freshwater wetlands, pasture lands, and croplands which require rehabilitation and whose continued unsustainable use would adversely affect the productivity of lowland agricultural areas and the stability of the upland ecosystem;
- p) Ecotourism refers to sustainable tourism or travel to a given natural area with exotic or threatened ecosystems or a heritage area to observe wildlife or to help preserve nature, in the process providing for community participation, protection, and management of natural resources, culture and indigenous knowledge systems and practices, environmental education, and ethics, as well as economic benefits fostered and pursued for the enrichment of host communities and the satisfaction of visitors;
- q) Energy resource lands refer to lands where naturally occurring or indigenous energy resources exist in sufficient quantity or quality as to be economically viable for exploration, development, production, utilization, and distribution process;
- r) Energy resources refer to surface or subsurface substances that serve as energy sources. These are traditionally mineral fuel deposits such as coal, petroleum, natural gas, or renewable resources from geothermal, hydro reservoirs, or non-conventional sources such as ocean waves, solar, wind, biomass, and other similar resources which serve the same purpose;
- s) Environmentally critical areas refer to areas declared by law as:
 - (1) protected areas pursuant to the E-NIPAS Act of 2018;
 - (2) areas for natural parks, watershed reserves, wildlife preserves, and sanctuaries;
 - (3) areas set aside as aesthetic potential tourist spots;
 - (4) areas which constitute the habitat of any endangered or threatened species or indigenous Philippine wildlife (flora and fauna);
 - (5) areas of unique historic, archaeological, or scientific interests;
 - (6) areas which are traditionally occupied by ICCs/IPs;
 - (7) areas with critical slopes;
 - (8) areas exposed to geologic and hydro-meteorological hazards;
 - (9) prime agricultural lands;
 - (10) recharge areas of aquifers;
 - (11) water bodies;
 - (12) mangrove areas;
 - (13) coral reefs;
 - (14) mossy and old-growth forests;

- (15) rivers and riverbanks;
- (16) swamp forest and marshlands; and
- (17) foreshore lands.

This term shall also include other terrestrial, aquatic, and marine areas that need special protection and conservation measures because they are ecologically fragile or they are needed for food security and food self-sufficiency as determined by concerned agencies and LGUs in consultation with the concerned sectors;

- t) Estuary refers to a wetland type where the river mouth widens into a marine ecosystem, the salinity of which is intermediate between salt and freshwater where tidal action is an important biophysical regulator;
- u) Exhausted energy resource lands refer to specific energy resource sites whose energy reserves of the desired types) are no longer in sufficient quantity or quality to justify additional expenditure for their extraction and utilization as certified by the Department of Energy (DOE);
- v) Exhausted mineral lands refer to specific sites whose mineral deposits are no longer in sufficient quantity or quality to justify additional expenditure for their extraction and utilization as may be determined by the latest technology available;
- w) Exhausted mineral resources refer to a situation where the mineral resources in specific sites are no longer in sufficient quantity or quality to justify additional expenditure for extraction or utilization as determined by the Mines and Geosciences Bureau (MGB) and approved by the DENR;
- x) Flood plain refers to the portion of a river valley adjacent to a river channel which is covered with water when river overflows its banks at flood stages. The plain usually consists of silt deposited by the stream;
- y) Flood-prone areas refer to low lying areas usually adjacent to large or active water bodies and therefore experience regular or seasonal inundation as a result of changes in the mean water level of these bodies or because of land reclamation and other artificial interference with the natural processes;
- z) Food security refers to the policy objective of meeting the food availability, accessibility, quality and affordability requirements of the present and future generations of Filipinos in a sustainable manner, through local production or importation, only when there is shortage established based on a micro level situation, or both, based on the country's existing and potential resource endowments and related production advantages, and consistent with the overall national development objectives and policies;
- aa) Food self-sufficiency refers to the policy objective of meeting the food requirements through intensive local food production in a sustainable manner based on the country's existing and potential resource endowments and related production advantages;

- 1 bb) Forestlands refer to lands of the public domain classified and/or determined
2 as needed. They include all permanent forests or forest reserves, forest
3 reservations and all remaining unclassified lands of the public domain;
4
- 5 cc) Foreshore land refers to the part of the shore which is alternately covered
6 and uncovered by the ebb and flow of the tide;
7
- 8 dd) Free and Prior Informed Consent refers to consensus of all members of the
9 ICCs/IPs to be determined in accordance with their respective customary
10 laws and practices, free from any external manipulation, interference and
11 coercion, and obtained after fully disclosing the intent and scope of the
12 activity, in a language and process understandable to the community;
13
- 14 ee) Geo-hazards refer to natural and human-induced geological processes that
15 have potential to cause destruction and pose a threat or risk to human life
16 and property;
17
- 18 ff) Geo-hazard prone areas refer to areas frequently visited and/or vulnerable
19 or prone to experience weather/climatic, hydrologic, geologic, and other
20 natural calamities;
21
- 22 gg) Heritage zones refer to historical, anthropological, archaeological and artistic
23 geographical areas and settings that are culturally significant to the country
24 as declared by the National Museum and/or the National Historical
25 Commission of the Philippines (NHCP), pursuant to Republic Act No. 10066,
26 otherwise known as the "National Cultural Heritage Act of 2009";
27
- 28 hh) Illegal agricultural land conversion refers to any activity that modifies or alters
29 the physical characteristics of agricultural lands to render them suitable for
30 non-agricultural purposes without an approved order of conversion from the
31 DAR Secretary;
32
- 33 ii) Indigenous Cultural Communities/ Indigenous Peoples (ICCs/IPs) refer to
34 groups of people or homogenous societies identified under the IPRA;
35
- 36 jj) Indigenous energy resources refer to energy resources, which originate or
37 occur naturally in the Philippines;
38
- 39 kk) Inland waters refer to waters, which are not coastal and marine waters not
40 subject to acquisitive prescription consistent with the provisions of
41 Presidential Decree No. 1067, otherwise known as the "Water Code of the
42 Philippines";
43
- 44 ll) Integrated watershed management refers to a planning strategy or program
45 for watershed areas that complement environmentally-sound soil and water
46 management practices with mechanisms for ensuring greater responsibility,
47 involvement, or participation of individuals, groups, communities and other
48 stakeholders benefiting from these areas and water-related infrastructure;
49

- 1 mm) Key biodiversity areas refer to sites that are nationally and globally
2 significant for biodiversity conservation primarily containing species that
3 require site-scale conservation to prevent extinction in the short-term and
4 medium-term. Such species may be nationally and globally threatened,
5 restricted-range and/or nationally and globally significant congregations of
6 species;
7
- 8 nn) Lagoon refers to a semi-enclosed coastal basin with limited freshwater input,
9 high salinity and restricted circulation which often lies behind sand dunes. It
10 is often highly productive, and a habitat for variety of plants and animal,
11 serves as nurseries of prawns and shrimps and also site for harbor,
12 aquaculture, industry and recreation;
13
- 14 oo) Land refers to resources, both natural and man-made, found on the surface,
15 below, and above the ground including inland waters and the air therein;
16
- 17 pp) Land use refers to the manner of utilization of land, including its allocation,
18 development, and management;
19
- 20 qq) Land use classification refers to the act of delineating or allocating lands
21 according to protection land use, production land use, settlements
22 development, and infrastructure development as defined and provided for in
23 this Act;
24
- 25 rr) Land sub-classification refers to the act of determining and assigning specific
26 uses of classified lands of the public domain, such as forest or timber lands,
27 alienable or disposable agricultural lands, national parks, and mineral lands
28 in accordance with existing laws and this Act;
29
- 30 ss) Mandatory public hearings/consultations refer to the mechanism to ensure
31 the active participation of concerned sectors in all affected areas in land use
32 planning from the local to the national level. It involves giving effective notice
33 of hearing/consultation to concerned sectors within an affected area through
34 direct written invitations, using regular mail or electronic means, and
35 publication/posting in conspicuous places, conduct of a reasonable number
36 of hearings in or proximate to the specific area affected, and solicitation of
37 positions and the public presentation and public confirmation of the planning
38 results in the specific area affected before the final adoption of the plans;
39
- 40 tt) Minerals refer to all naturally occurring inorganic substance in solid, gas,
41 liquid or intermediate state excluding energy materials such as coal,
42 petroleum, natural gas, radioactive materials and geothermal energy;
43
- 44 uu) Mineral exploration refers to the systematic searching or prospecting of
45 mineral resources;
46
- 47 vv) Mineral lands refer to lands where mineral resources are found;
48
- 49 ww) Mineral resources refer to any concentration of minerals/rocks with
50 potential economic value;

- xx) Mudflat refers to a wetland type that is usually an unvegetated area, dominated by muddy substrate which provides rich feeding grounds for vertebrates, such as fish and water birds and also important in preventing soil erosion;
- yy) National Integrated Protected Areas System (NIPAS) refers to the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible;
- zz) National Land Use Commission (NLUC) refers to the highest land use policy making body created under Section 14 of this Act;
- aaa) National Parks refer to a forest reservation essentially of natural wilderness character which has been withdrawn from settlement, occupancy or any form of exploitation except in conformity with approved management plan and set aside as such exclusively to conserve the area or preserve the scenery, the natural and historic objects, wild animals and plants therein and to provide enjoyment of these features in such areas;
- bbb) National physical framework plan refers to an indicative plan containing the policy areas promoting the most appropriate and rational use of land and other physical resources, such as, but not limited to, protection, production, settlement and infrastructure land use. It provides policy guidelines for all decisions relating to land use and environmental management, to prevent and mitigate the adverse effects of inappropriate resource utilization on the country's food security and food self-sufficiency on rice and corn, the people's welfare and their environment. It embodies both policies and strategies necessary to carry out goals and objectives of this Act;
- ccc) Network of Protected Areas for Agriculture and Agro-industrial Development (NPAAAD) refers to 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 (NAMRIA) 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 plains, land highly suitable for agriculture whether irrigated or not, agro-industrial croplands or lands planted to industrial crops that support the validity of existing agricultural infrastructure and agro-based enterprises, highlands or areas located at an elevation of five hundred (500) meters or above and have the 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, and all mangrove areas and fish sanctuaries;

- ddd) Non-agricultural land use conversion refers to the act of changing the current use of a piece of non-agricultural land into some other uses;
- eee) Non-governmental organization refers to a private and non-profit voluntary organization which is committed to the task of political, socioeconomic, physical, cultural, and environmental development and established primarily to provide service to marginalized sectors in these areas;
- fff) Patrimonial properties refer to all the properties belonging to the State that are not intended for public use or for public service for the development of national wealth;
- ggg) People's organization refers to a private, non-profit, voluntary and community-based organization with membership constituency established primarily to provide service to its members and the community in general;
- hhh) Physical framework plans refer to indicative plans based on comprehensive land use plans (CLUPs) and governmental policies, whether national, regional, or provincial, which provide policy guidelines for all decisions relating to land use and environmental management to prevent or mitigate the adverse effects of inappropriate resource utilization on food security, the people's welfare and their environment. It embodies both policies and strategies necessary to carry out development goals and objectives;
- iii) Premature or illegal conversion of agricultural lands refer to any activity that modifies or alters the physical characteristics of agricultural lands to render them suitable for non-agricultural purposes, without an approved order of conversion from the DAR Secretary;
- jjj) Prime agricultural lands refer to all irrigated areas; all irrigable lands already covered by irrigation projects with firm funding commitments; all rain-fed area: planted to rice and other crops; 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 elevation of 500 meters or above and have the 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, and mangrove areas and fish sanctuaries;
- kkk) Production land use refers to the direct and indirect utilization of land to generate outputs resulting from the following activities, but not limited to: agricultural, fish, farming or aquaculture, timber production, agro-forestry, grazing and pasture, mining, indigenous energy resource development, industry, and tourism;
- III) Protected areas refer to portions of land set aside by reason of their unique physical and biological significance, managed to enhance biological diversity, and protected against destructive human exploitation. For purposes of this

1 Act, it shall include agricultural lands identified and delineated under Section
2 29 hereof;

3
4 mmm) Protection land use refers to the utilization of land primarily for
5 rehabilitation, conservation, and protection purposes for the promotion of
6 the country's ecological and life-support systems;

7
8 nnn) Public domain refers to lands that belong to the State which may be any
9 of the following: agricultural, forest or timber, mineral, or national park as
10 provided for in the Constitution;

11
12 ooo) Public lands refer to lands which have not been subject to private property
13 rights or subject to sale or other modes of acquisition or concession under
14 the general laws, and are devoted to public use;

15
16 ppp) Reclassification of agricultural lands refer to the act of specifying how
17 agricultural lands shall be utilized for non-agricultural uses such as
18 residential, industrial, or commercial purposes through the local planning
19 and zoning processes pursuant to the Local Government Code of 1991,
20 and subject to the requirements and procedure for conversion. It is
21 equivalent to land sub-classification, as defined in this Act for classified
22 lands of the public domain and also includes the reversion of non-
23 agricultural lands to agricultural use;

24
25 qqq) Resettlement sites refer to areas identified by the appropriate national
26 agency or by the local government unit, with respect to areas within its
27 jurisdiction, which shall be used for the relocation of the underprivileged
28 and homeless, as defined under Republic Act No. 7279, as amended, or
29 the "Urban Development and Housing Act (UDHA) of 1992" and other
30 related laws;

31
32 rrr) River basin refers to the portion of land drained by a river and its tributaries.
33 It encompasses the entire land surface dissected and drained by many
34 streams and creeks that flow downhill into one another, and eventually
35 into one river. The final destination is an estuary or an ocean;

36
37 sss) Settlements refer to formal and informal communities or built-up
38 residential areas where people prefer to live in land areas classified,
39 zoned, or converted for current or future residential or housing
40 development purposes, including socialized housing zones for the
41 homeless and underprivileged citizens;

42
43
44 tt) Settlements development refers to any improvement on existing formal or
45 informal residential or housing settlements or any proposed development
46 of certain areas for residential or mass housing settlement purposes. It also
47 involves the spatial distribution of population, identification of the roles and
48 functions of key urban centers, determination of relationships among
49 settlement areas, and the provision of basic services and facilities of
50 identified major residential or housing settlement areas or growth centers.

1 It is also concerned with the interrelationship of settlements as they develop
2 and establish functional linkages based on their respective resource
3 endowments and comparative advantages;
4

5 uuu) Shoreline refers to the line where shore and water meet;
6

7 vv) Significant caves refer to caves which contain materials or possess features
8 that have archaeological, cultural, ecological, historical or scientific value
9 as determined by the Department of Environment and Natural Resources
10 (DENR) in coordination with the scientific community and the academe;
11
12

13 www) Socialized housing refers to housing programs and projects undertaken
14 by the government or the private sector for the underprivileged and
15 homeless citizens which shall include sites and services development,
16 long-term financing, liberalized terms on interest payments, and such
17 other benefits in accordance with the UDHA;
18

19 xxx) Socialized housing zones refer to lands identified and designated by LGUs
20 as sites for socialized housing, pursuant to the UDHA, and its
21 implementing guidelines. It shall include areas that are presently occupied
22 by the urban poor, as well as those identified as resettlement areas as
23 defined herein;
24

25 yyy) Sustainable development refers to the development objective of meeting
26 the needs of the present generation without compromising the ability of
27 future generations to meet their own needs consistent with the principles
28 of social equity, generations to meet their own needs consistent with the
29 principles of social equity, efficiency, and environmental integrity;
30

31 zzz) Tourism development areas refer to specific sites for tourism development
32 located in areas identified as priorities in the national, regional, and inter-
33 regional area specific tourism master plans and other sector plans such
34 as eco-tourism and agri-tourism sites, including those designated through
35 legislative and executive issuances such as tourist spots, tourist zones
36 and tourism ecozones which can be developed into tourism estates or
37 integrated resort, leisure, and recreation complexes, and other tourism
38 related facilities;
39

40 aaaa) Tourism Enterprise Zone refers to an area designated as tourism
41 enterprise zone by the Tourism Infrastructure and Enterprise Zone
42 Authority (TIEZA) pursuant to the provisions of Republic Act No. 9593,
43 otherwise known as the "Tourism Act of 2009";
44

45 bbbb) Tourism estates refer to large tracts of land with well-defined boundaries
46 in any area identified in the Philippine tourism master plan and regional
47 tourism master plan, by proclamation of the President and/or by an act of
48 Congress, including local legislation. Such land shall be suitable for the
49 development of an integrated tourism and resort complex, including, but
50 not limited, to accommodation facilities, food and beverage outlets,

1 convention and meeting areas, sports, recreational and leisure centers
2 and commercial outlets among others. It shall be provided with roads,
3 water supply facilities, power and utilities, like potable water, drainage
4 sewerage disposal, solid waste disposal system, and other necessary
5 infrastructure. The estate shall be under one unified and continuous
6 management;
7

8 cccc) Tourist spot refers to a particular area/site/spot, human-made or natural,
9 known for its unique tourist/visitor-drawing attributes and activities. It may
10 be classified according to its social, cultural, natural, historical, scientific,
11 religious, and recreational significance;
12

13 dddd) Tourist zone refers to a geographic area with well-defined boundaries
14 proclaimed as such by the President of the Philippines and/or by acts of
15 Congress. No development projects for any purpose shall be initiated and
16 introduced within the zone prior to the formulation of a tourism master
17 development plan, which shall be undertaken in coordination with the
18 Department of Tourism (DOT) and TIEZA. A tourist zone is established for
19 the enhancement and/or the conservation of cultural and historical
20 heritage and for the appreciation and enjoyment of the local population
21 and its visitors;
22

23 eeee) Urban areas refer to all cities, regardless of their population density, and
24 to municipalities with population density of at least Five hundred (500)
25 persons per square kilometer;
26

27 ffff) Urbanizable areas refer to sites and lands which, considering present
28 characteristics and prevailing conditions, display marked and great
29 potential of becoming urban areas within a period of five (5) years;
30

31 gggg) Urban forestry or Green space refers to the establishment and
32 management of forest in urban environment for the physiological and
33 psychological well-being of the people;
34

35
36 hhhh) Water security refers to the sufficient access throughout the year to the
37 minimum daily requirement of clean water to maintain a healthy life;
38

39 iii) Water use refers to the appropriation of water for domestic, municipal,
40 irrigation, power generation, inland fisheries, poultry and livestock raising,
41 industrial and commercial, environmental, and recreational use and other
42 purposes;
43

44 jjjj) Watershed refers to a land area drained by a stream or fixed body of water
45 and its tributaries having a common outlet for surface runoff;
46

47 kkkk) Zoning refers to the process of delineating the specific uses of lands in
48 accordance with the approved CLUP within the territorial jurisdiction of a
49 city/municipality and specifying the conditions for their regulation, subject
50 to the limitations imposed by law and competent authority; and

1 III) Zoning ordinance or ZO refers to a local law passed by the Sangguniang
2 Bayan or Panglunsod approving the development control/zoning plan in
3 accordance with an approved or adopted CLUP for the city/municipality,
4 and providing for the regulations and other conditions on the uses of land
5 including the limitation on the infrastructure that may be placed thereon
6 within the territorial jurisdiction of a city or municipality. It incorporates the
7 protected areas under Section 13(a) and the protected agricultural lands
8 under Section 29 of this Act.

10 **CHAPTER III** 11 **PHYSICAL FRAMEWORK AND LAND USE PLANS**

13 **SEC. 5. National Land Use Planning Process.** - The land use and physical
14 planning process shall be formulated following a combined bottom-up and top-down
15 approach. The National Land Use Commission (NLUC) shall draft the National
16 Physical Framework Plan (NPFP) which shall have a timeframe of thirty (30) years:
17 Provided, however, That nothing herein shall prevent the NLUC from reviewing and
18 updating at any time the NPFP where public interest so requires.

20 The NPFP, which guides the planning and management of the country's land and
21 other physical resources at the national and sub-national levels, shall indicate broad
22 spatial directions and policy guidelines on settlements development, production land
23 use, protection land use, social services and utilities, and transportation and
24 communication.

26 The Regional Physical Framework Plans (RPFPs), Provincial Physical
27 Framework and Development Plans (PPFDPs), and CLUPs, which shall also have a
28 30-year timeframe and cover the physical development of their respective territories,
29 shall be consistent with the NPFP: Provided, That the integration and harmonization
30 of the physical framework plans at all levels shall be frequent to ensure that the
31 concerns of both top and bottom levels of government are considered. The physical
32 and land use plans prepared at all levels shall have internal consistency specifically
33 on, but not limited to, the development, management and conservation of forestlands
34 found within a given territory and the linkages of the major land use categories to
35 ensure their complementation in the utilization, development and management of
36 resources.

38 All regional, provincial, city and municipal land use plans and zoning ordinances
39 shall only be amended or revised at the earliest after every ten (10) years, except if an
40 earlier amendment or revision of the CLUP is authorized by the NLUC due to
41 extraordinary causes.

43 The NLUC shall issue procedural guidelines which shall guide the formulation
44 and integration/harmonization process: Provided, That the Department of Economy,
45 Planning, and Development (DEPDev), the Department of Human Settlements and
46 Urban Development (DHSUD), the Department of the Interior and Local Government
47 (DILG) and other agencies shall continue to issue guidelines on the content of the
48 plans consistent with their respective agency mandates.

SEC. 6. City and Municipal Land Use Plans. - The City/Municipal Planning and Development Office (C/MPDO), in consultation with concerned sectors through the conduct of mandatory public hearings/consultations, shall prepare the CLUP to determine the specific uses of land and other physical resources therein, including areas co-managed with the national government and, as appropriate, the ancestral domain areas. The CLUP shall be consistent with the PPFDP and shall define the city/municipal development vision, appropriate economic, environmental and social development policies, densities and transportation system.

The CLUP may be formulated as a component of a Comprehensive Land Use and Development Plan (CLUDP), which merges the traditionally separate CLUP and comprehensive development plan to address the disconnect between spatial and sectoral factors and to ensure the complementation between the medium- and long-term concerns.

The CLUP shall be translated into a zoning ordinance by the concerned Sanggunian to regulate the uses of land, including the limitations on height, density and bulk of buildings and other infrastructure that may be placed thereon.

SEC. 7. Provincial Physical Framework and Development Plans (PPFDP).
- In consultation with concerned sectors, the Provincial Planning and Development Office (PPDO) shall prepare a Provincial Physical Framework and Development Plan (PPFDP) which shall define the province's development vision, economic and social development policies, general land uses, and inter-city/municipal transportation system. The PPFDP shall harmonize the land use plans of component cities and municipalities, taking into consideration shared resources and planning concerns, and define the uses of land and other resources within the province consistent with the policies in the RPPF. The programs, projects and activities prescribed in the PPFDP shall be integrated into the provincial development investment program. The PPDO shall submit the PPFDP to the Provincial Land Use Policy Council (PLUPC), created under Section 21 of this Act, for review and endorsement to the Sangguniang Panlalawigan, which shall adopt the same pursuant to the Local Government Code of 1991.

SEC. 8. Regional Physical Framework Plans. - In consultation with concerned sectors, the Regional Land Use Policy Council (RLUPC) shall define the desired spatial arrangement of land-using activities in the entire region, consolidating and harmonizing the provincial physical framework plans of provinces and independent cities within the territorial jurisdiction of the region. The regional physical framework plan, which depicts an end-state scenario toward which efforts and activities are directed, shall consist of spatially-based and area-focused policies, consistent with those in the national framework for physical planning, to guide detailed physical, socio-economic, sectoral and investment planning.

SEC. 9. National Physical Framework Plan. - The NLUC created in Section 14 herein, in consultation with the concerned sectors through the conduct of mandatory public hearings/ consultations, shall formulate, periodically update and ensure the implementation of a NPFP that shall prescribe and influence the country's land use and physical development. The NPFP shall operationalize the policies provided in this Act and will be the basis for adopting land use and physical planning-

1 related guidelines and standards, including zoning and other land use control
2 standards that will guide the formulation of city/municipal zoning ordinances.

3
4 The policies prescribed in the NPFP shall be integrated into the MTPDP and
5 Medium-Term Philippine Investment Program.

6 7 **CHAPTER IV** 8 **FRAMEWORK FOR LAND USE PLANNING** 9

10 **SEC. 10. Priorities in Land Use Allocation and Planning.** - In projecting spatial
11 allocation for different land uses, the LGUs shall first exclude areas under protection
12 land use of Section 13(a) hereof, national parks, energy resource lands, and prime
13 agricultural lands to ensure ecological integrity, energy supply, and promote food
14 security. Areas with prior rights and those with site-specific resources for basic
15 services, such as but not limited to, water and indigenous energy resources, shall also
16 be excluded. Spatial allocation and planning shall then proceed in accordance with
17 Sections 12 and 13 hereof with priorities given to integrated watershed management
18 areas, socialized housing sites, fisherfolk settlement in coastal areas, and waste
19 disposal sites.

20
21 **SEC. 11. Adoption of Multiple Uses of Land Resources.** - The primary and
22 alternative uses of a specific land resource shall be determined and evaluated prior to
23 any decision for the assignment of its use. Areas feasible for sustainable land resource
24 use may be considered multiple-use zones wherein settlements, tourism, agriculture,
25 forestry, agro-forestry and extraction activities and other income-generating or
26 livelihood activities may be allowed: Provided, That multiple uses of land resources
27 shall be excluded in areas identified as protection land use: Provided, further, That
28 such land resources shall be in accordance with priorities in land use allocation and
29 planning and that no reclassification shall be allowed.

30
31 **SEC. 12. Basic Land Use Planning Considerations.** - In determining the
32 various land uses, the people and their productive activities and the need for functional
33 open spaces and preservation areas, as well as the various interrelationships of the
34 physical characteristics of the land and other elements therein shall be considered,
35 among others, the following:

- 36
37 a) Availability of natural resources, including indigenous energy resources for
38 energy security and self-sufficiency;
39 b) Geology, geomorphology, geologic hazard, climate, soil, vegetative cover,
40 demography and slope;
41 c) Economic, environmental, cultural, social and related development activities;
42 d) Existing government policies on land and natural resources allocation,
43 utilization, management and disposition;
44 e) Technological changes/advancement;
45 f) Existing customary rights for the protection of indigenous peoples and
46 vulnerable groups, including women and urban poor; and
47 g) Inventory of prior and existing rights to harmonize determination of land use.
48

SEC 13. Categories of Land Uses for Planning Purposes. - In determining and defining the national, regional and provincial framework plans, and CLUPs, land uses shall be grouped into four major functional uses as follows:

- a) Protection Land Use. - Planning for protection land use intends to achieve environmental stability and ecological integrity, ensure a balance between resource use and the preservation of some areas with environmental, aesthetic, educational, cultural, heritage and historical significance, and protect people and human-made structures from the ill-effects of natural hazards. All lands, either public or private, under protection land use shall be permanently conserved, preserved, rehabilitated and protected from all other land uses, disposition, intrusion, utilization and development that is not consistent from its existing uses. Areas under this category also include those covered by the NIPAS and E-NIPAS Acts and other coastal and marine protected areas, those areas outside NIPAS and E-NIPAS, but nonetheless require protection because of their outstanding physical and aesthetic features, anthropological significance, and biological diversity, and those areas prone to natural hazards. Areas outside the coverage of the NIPAS and E-NIPAS Acts include, but are not limited to the following:
 - b) Reserved second growth forests above 1,000 meters in elevation and those 50% in slope gradient;
 - c) Mangrove and fish sanctuaries, pursuant to Republic Act No. 8435, otherwise known as the "Agriculture and Fisheries Modernization Act (AFMA) of 1997" and Republic Act No. 8550, as amended, otherwise known as "The Philippine Fisheries Code of 1998";
 - d) Buffer zones or strips/easements, pursuant to Presidential Decree No. 705, amending Presidential Decree No. 389, otherwise known as the "Forestry Reform Code of the Philippines" and Presidential Decree No. 1067 or the "Water Code of the Philippines";
 - e) Salvage zones along foreshore areas, freshwater swamps and marshes, plazas and heritage/historic sites;
 - f) Watersheds supporting domestic water supply;
 - g) Utility easement-like transmission lines of power companies, oil and gas facilities, cell sites, and domestic water lines;
 - h) Amenity areas or those with high aesthetic values;
 - i) Natural and human-made areas/sites of cultural, historical and anthropological significance, which are declared as such by internationally recognized organizations and concerned national agencies;
 - j) Critical habitats as provided in Republic Act No. 9147, otherwise known as the "Wildlife Resources Conservation and Protection Act";
 - k) Significant caves under Republic Act No. 9072, otherwise known as the "National Caves and Cave Resources Management and Protection Act"; or
 - l) Key biodiversity areas under Executive Order No. 578, Series of 2006, otherwise known as the "National Biodiversity Policy";
- m) Production Land Use. - Planning for production land shall determine the most efficient, sustainable, and equitable manner of utilizing, developing and managing land for productive purposes. Areas included in this category are agricultural lands, fishing grounds, coastal and marine zones, production forest which comprise lands 18% to 50% in slope gradient such as: residual dipterocarps, rangelands for grazing purposes, industrial tree

plantation/Integrated Forest Management Agreement (IFMA), community-based forest management areas and other reforestation projects, mineral lands or mining areas and reservations, energy resource lands, industrial development areas, and tourism development areas where productive activities could be undertaken to meet the country's requirements for food security, economic growth and development;

n) Settlements Development. - The settlements development plan ensures for the present and future generation the following: (i) effective integration of activities within and among settlements, allowing efficient movement of people and production of commodities through the provision of appropriate land, infrastructure, and facilities; and ii) access of the population to housing, education, health care, recreation, transportation and communication, sanitation, and basic utilities such as water, power, waste disposal, and other services; and

o) Infrastructure Development. - Infrastructure development shall refer to the availability or supply of basic services and fostering of economic and other forms of integration necessary for producing or obtaining the material requirements of Filipinos, in an efficient, responsive, safe and ecologically friendly built environment. It covers sub-sectors of transportation, communications, water resources, and social infrastructure: 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 V IMPLEMENTING STRUCTURE AND MECHANISMS

Article 1 NATIONAL LAND USE COMMISSION

SEC 14. Creation of the National Land Use Commission (NLUC). - The National Land Use Commission, hereinafter referred to as NLUC, is hereby created as a Commission under the Office of the President. It shall exercise the powers and responsibilities of the current DEPDev Board-National Land Use Committee which is hereby abolished. 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. It may also establish Regional Offices.

SEC. 15. Composition of the NLUC. - The NLUC shall be composed of the following:

- a) The Secretary of DEPDev as Chairperson;
- b) The Secretaries of DENR and DA as Vice-Chairpersons;
- c) The Secretaries of DAR, Department of Trade and Industry (DTI), Department of Public Works and Highways (DPWH), Department of Transportation (DOTr), Department of Tourism (DOT), DILG, Department of Justice (DOJ), and Department of Energy (DOE);

- 1 d) A representative each from four (4) basic sectors directly involved in land use,
2 namely: urban poor, peasants, fisherfolk, and indigenous peoples who shall be
3 appointed by the President of the Philippines based on the nomination and
4 recommendation of the respective sectoral councils of the National Anti-Poverty
5 Commission (NAPC). Two sectoral representatives shall be women; and
6 e) A representative each from the Leagues of Provinces, Cities and Municipalities.

7
8 A consultative body shall likewise be convened by the NLUC at least once a
9 year or as often as may be necessary. It shall be composed of representatives from
10 the Leagues of Municipalities, Cities, and Provinces, other government agencies not
11 represented in the NLUC, and from non-government sectors such as the private sector,
12 non-government organizations (NGOs) and people's organizations (POs), and the
13 academic community.

14
15 **SEC. 16. Powers and Functions.** - The NLUC shall have the following powers
16 and functions:

- 17
18 a) Advise the President of the Philippines and the DEPDev Board on all matters
19 concerning land use and physical planning;
20 b) Integrate and harmonize all laws, guidelines and policies relevant to land use and
21 physical planning to come up with a rational, cohesive, and comprehensive
22 national land use framework;
23 c) Formulate policies and endorse land use and physical planning-related policies
24 that may be formulated by the Regional Land Use Policy Council (RLUPC) created
25 under Section 22 of this Act, and concerned agencies, as well as promulgate
26 zoning and other land use control standards and guidelines which shall guide the
27 formulation of land use plans and zoning ordinances by LGUs;
28 d) Prepare, periodically review, and if necessary, update the national framework for
29 physical planning to provide the general framework for the spatial development
30 directions for the entire country and sub-national levels;
31 e) Review and endorse all land use and physical planning related guidelines;
32 f) Monitor and coordinate the gathering of data, the conduct of studies pertaining to
33 land use planning, including studies on the management of identified land uses
34 and such other studies not undertaken by other government agencies;
35 g) Recommend to the President of the Philippines the adoption, passage, or
36 amendment of laws to ensure that sectoral programs, plans, projects, and activities,
37 including local government initiatives affecting land use are consistent with national
38 development objectives;
39 h) Coordinate with and assist other government agencies and LGUs in planning,
40 developing, and implementing their land use classification programs, and provide,
41 to the extent possible, technical assistance and guidance;
42 i) Monitor and coordinate the activities of concerned agencies and entities of the
43 government, as well as LGUs, in the enforcement and implementation of policies
44 and regulations relating to land use and resource management and development;
45 j) Monitor and coordinate activities in the establishment of a national land resource
46 information and management system of concerned agencies that shall integrate
47 and process information on land use and allocation generated by the various
48 national government agencies; define information requirements at various levels;
49 and standardize information inputs and outputs, including scales and symbols used
50 in territorial and sectoral maps;

- 1 k) Be the repository of all RFPs, PPFDs and CLUPs and all data and information
2 pertaining to land and land use;
3 l) Call on any department, bureau, office, agency, or instrumentality of the
4 government, and or private entities and organization for cooperation, support, and
5 assistance in the performance of its functions;
6 m) Decide and resolve policy conflicts and territorial jurisdiction on land use between
7 or among agencies, branches, or levels of the government and act on unresolved
8 land use policy conflicts at the regional level elevated by the Regional Land Use
9 Policy Council (RLUPC);
10 n) Adopt rules of procedures for the orderly and expeditious conduct of meetings and
11 other business of the Council; and
12 o) Perform such other acts and functions and exercise such other powers as may be
13 necessarily implied, inherent, incident, or related to the foregoing.
14

15 **SEC. 17. NLUC Technical Secretariat (NLUC-TS).** - A Technical Secretariat
16 shall be created to provide technical support to the NLUC. It shall be composed of:
17

- 18 a) DEPDev Undersecretary for Regional Development as Chairperson;
19 b) Representatives of the member agencies/institutions of the NLUC, who shall
20 have a rank not lower than Director level; and
21 c) Representatives of the four (4) basic sectors as enumerated in Section 15(d)
22 of this Act.
23

24 **SEC. 18. Offices, Units and Staff Support.** - The DEPDev Regional
25 Development Office shall continue to provide core secretariat services of NLUC, its
26 Technical Board and the RLUPCs. Other government agencies may also be called
27 upon for staff support.
28

29 **Article 2**

30 **LOCAL DEVELOPMENT COUNCILS AS LOCAL LAND USE POLICY COUNCILS**

31
32 **SEC. 19. City/Municipal Land Use Policy Council (C/MUPC).** - The
33 City/Municipal Development Council (C/MDC), created under the Local Government
34 Code of 1991, shall act as the City/Municipal Land Use Policy Council (C/MLUPC) that
35 will tackle land use concerns, whenever necessary. A duly authorized representative
36 from the DAR, the DENR and the DA shall be included in the composition of the
37 C/MLUPC.
38

39 In addition to the functions enumerated in the Local Government Code of 1991,
40 the C/MLUP shall:
41

- 42 a) Advise the Sangguniang Bayan or the Sangguniang Panlungsod on all matters
43 pertaining to land use and physical planning;
44 b) Review and endorse to the Sangguniang Bayan or Sangguniang Panlungsod,
45 for adoption, the CLUP prepared and periodically updated by the City/Municipal
46 Planning and Development Office and other land use and physical planning-
47 related policies;
48 c) Decide and resolve policy conflicts on land use planning, classification, and
49 allocation that may arise between and among barangays and any unresolved
50 land use conflict at the barangay level regarding the violation of zoning

- ordinances, including opposition to applications for locational clearances, permits or certificates; and
- d) The C/MLUPC may call upon any local official concerned, such as the C/MPDC, City/Municipal Agriculturist, City/Municipal Environment and Natural Resources Officer, City/Municipal Engineer, City/Municipal Assessor, or any official of national agencies during discussions on land use and physical planning concerns.

For purposes of this Act, the City/Municipal Planning and Development Coordinator (C/MPDC) shall:

- a) Act on all applications for locational clearances for all projects except those of vital and national economic or environmental significance; automate, modernize and integrate all spatial and non-spatial data related to land within the LGU for a more effective and efficient use of land information for land use and physical planning and such other public and private uses;
- b) Monitor on-going/existing projects within their respective jurisdictions and issue notices of violation to owners, developers, or managers of projects that are violative of zoning ordinances; and
- c) Convene a Technical Working Group composed of City/Municipal Agriculturist, City/Municipal Environment and Natural Resources Officer, City/Municipal Engineer, City/Municipal Assessor and such other LGU officials with land related functions in the preparation of the CLUP. The TWG may request any field officials of National Government Agencies with land administration function to assist for the same purpose.

LGUs without operational C/MDCs, as mandated by the Local Government Code of 1991, shall activate their respective Councils within six (6) months from the effectivity of this Act.

SEC 20. Provincial Land Use Policy Council (PLUPC). - The Provincial Development Council (PDC), created under the Local Government Code of 1991, shall act as the Provincial Land Use Policy Council (PLUPC) that will tackle land use concerns, whenever necessary. A duly authorized representative from the DENR, DAR and the DA shall be included in the composition of the PLUPC. In addition to the functions enumerated in the Local Government Code of 1991, 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) Assist the Sangguniang Panlalawigan in reviewing the CLUPs of component cities/municipalities to ensure consistency with the provincial physical framework plans and compliance with the limits prescribed under the Local Government Code of 1991 for reclassifying agricultural lands; and
- d) Decide and resolve policy conflicts on land use planning, classification, and allocation that may arise between or among cities/municipalities, and any unresolved land use conflicts at the city/municipal level.

1
2 The PLUPC may call upon any local official concerned, such as the Provincial
3 Planning and Development Coordinator, Provincial Agriculturist, Provincial
4 Environment and Natural Resources Officer, Provincial Engineer, Provincial Assessor,
5 or any official of national agencies and other relevant agencies during discussions on
6 land use and physical planning concerns.
7

8 **SEC. 21. Regional Land Use Policy Council (RLUPC).** - At the regional level,
9 the Regional Land Use Policy Council (RLUPC) shall be institutionalized, replicating
10 the NLUC structure and composition. The RLUPC shall have the following functions:

- 11 a) Formulate and adopt regional policies on land use and physical planning;
- 12 b) Prepare and periodically update a regional physical framework plan, taking into
13 consideration national policies and lower level plans;
- 14 c) Assist the provinces in preparing and periodically updating its physical
15 framework plans to ensure consistency with the regional and national plans and
16 policies and to facilitate its integration to the regional plans;
- 17 d) Review, prior to adoption by respective sanggunians, the provincial physical
18 framework plan and CLUPs of highly urbanized and independent component
19 cities to ensure consistency with the regional physical framework plan and
20 national policies set forth by the NLUC and compliance with limits prescribed
21 under the Local Government Code of 1991 for reclassifying agricultural lands;
- 22 e) Decide and resolve policy conflicts on land use planning, classification, and
23 allocation that may arise between or among regional line agencies, provinces
24 and cities/municipalities;
- 25 f) Monitor changes in land use and other physical resources in the region;
- 26 g) Evaluate consistency of major programs and projects with the RPFPs and their
27 impact on land use and the environment;
- 28 h) Undertake the gathering of regional data for the Land Resource Information
29 and Management System; and
- 30 i) Perform other related functions as may be directed by the LUC.

31 32 **Article 3**

33 **ADOPTION, APPROVAL, AND REVIEW OF LAND USE PLANS**

34
35 **SEC. 22. Component Cities and Municipalities.** - Component cities and
36 municipalities shall have the power and authority to adopt and approve their respective
37 CLUPs and ZOs through their respective sanggunians, subject to the power of review
38 of their respective provinces only with respect to the consistency of the CLUPs and
39 ZOs with this Act on the preparation of the provincial physical framework plan. Upon
40 adoption and approval of the CLUP and ZO by the sanggunian, all land areas zoned
41 for residential purposes or for settlements development shall cease to be covered by
42 the Comprehensive Agrarian Reform Program (CARP) and therefore, shall not be
43 required to secure further order of land conversion or exemption certificates from the
44 DAR, except for the payment of disturbance compensation if applicable, as well as the
45 requirements pertaining to the issuance of environmental compliance certificate (ECC)
46 by the DENR.
47

48 **SEC. 23. Provinces and Independent and Highly Urbanized Cities.** -
49 Provinces and independent and highly urbanized cities shall have the power and
50 authority to adopt and approve their respective CLUPs, ZOs or provincial physical

framework plan, as the case may be, through their respective sanggunian, but subject to the review of the RUPC as provided in Section 21 of this Act.

Article 4

RESPONSIBILITIES OF NATIONAL GOVERNMENT AGENCIES AND LGUS

SEC. 24. National Base Mapping Program. - A national mapping program shall be implemented, coordinated, and monitored through the creation of an Interagency Technical Committee (ITC) composed of the NAMRIA, as the lead agency, the Bureau of Soils and Water Management (BSWM), the Forest Management Bureau (FMB), the Land Management Bureau (LMB), the Land Registration Authority (LRA), the Protected Areas and Wildlife Bureau (PAWB), the Mines and Geosciences Bureau (MGB), the Philippine Institute of Volcanology and Seismology (PHIVOLCS), DAR, the National Water Resources Board (NWRB), DOE, DEPDev, and other concerned government agencies/bureaus. The ITC shall be constituted, and the mapping program shall be initiated, within thirty (30) days from the effectivity of this Act. The agencies mentioned in this Section shall endeavor to finish their base mapping program within two (2) years from the effectivity of this Act.

The spatial and non-spatial data generated by these activities shall be downloaded to the LGU as soon as practicable. On the other hand, existing land information data available to the national government agencies as of the effectivity of this Act shall be immediately downloaded to the LGU.

For purposes of uniformity and standardization, the LGUs, to be assisted by the appropriate agencies of the national government, shall likewise prepare their respective territorial maps using scales, symbols, and other indicators to be prescribed in accordance with this Act. The completed maps shall be integrated in the national physical framework plan pursuant to this Act.

SEC. 25. 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 thru the NLUC by the PHIVOLCS, the Philippine Atmospheric Geophysical and Astronomical Services Administration (PAGASA), the NAMRIA, the MGB, the BSWM, and the 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. These geo-hazard maps shall serve as guides for all the LGUs in the preparation of their own hazards-constrained development plans. The national physical framework planning, pursuant to Section 5 hereof, shall incorporate these geo-hazard maps.

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

5
6 **SEC. 26. Scope and Nature of Responsibilities of Other National**
7 **Government Agencies.** - All concerned national government agencies/bodies shall
8 periodically report to the NLUC on the various activities and accomplishments relative
9 to land use.

10 They shall also provide their respective sectoral/development plans and render
11 technical and administrative support if called upon by the NLUC relative to the
12 implementation of the provisions of this Act.

13
14 **SEC. 27. Submission of Annual Report on the Implementation of CLUPs.** -
15 The C/MLUPC shall submit an annual report on the implementation of their land use
16 plans to the PLUPC, which shall integrate the same for submission to the LUPC, which
17 shall in turn integrate the provincial reports for submission to the LUC.

18 19 **CHAPTER VI** 20 **SPECIAL AREAS OF CONCERN**

21 22 **Article 1** 23 **AGRICULTURAL LANDS**

24
25 **SEC. 28. Priority Areas for Agricultural Development.** - Priority areas for
26 agricultural development shall be those agricultural areas covered under the CARL,
27 as amended, and those covered under the Network of Protected Areas for Agricultural
28 and Agro-Industrial Development (NPAAAD), defined in Section 4 of this Act and in
29 the AFMA.

30
31 **SEC. 29. Conversion of Agricultural Lands.** - Agricultural lands are deemed
32 converted to non-agricultural uses upon approval by the DAR of the application for
33 conversion. Prime agricultural lands and specific types of lands to the extent
34 necessary for attaining food self-sufficiency in rice and corn and food security in other
35 basic commodities, as determined by the DA, subject to mandatory public
36 hearings/consultations with the LGUs, the private sector, the NGOs, and POs, shall
37 be protected from conversion, which shall include but not limited to areas under the
38 NAAAD: Provided, That all irrigated and irrigable lands, all lands developed or
39 possessing the potential for development of high value crops, and all agricultural lands
40 that are ecologically fragile and whose conversion will result in serious environmental
41 problems shall be given full protection from conversion, the areas under which are
42 subject to review every seven (7) years by the DA, with the mandatory public
43 hearings/consultations: Provided, further, That consistent with the State policy on
44 giving priority to the completion of the CARP, all lands subject to CARP, including
45 those lands covered under the notice of compulsory acquisition/voluntary offer to sell,
46 production or profit-sharing, or commercial farm deferment shall also be protected
47 from conversion pending the distribution and installation of the farmer beneficiaries:
48 Provided, furthermore, That the conversion of agricultural lands for use of priority
49 government projects for basic services, such as, but not limited, to irrigation and power
50 shall be allowed only upon the recommendation of the Secretaries of the DA and the

DAR: Provided, finally, That the mapping of the NPAAAD under the AFMA shall be completed within two (2) years from the effectivity of this Act.

Lands defined under Section 10 of Republic Act No. 6657, as amended, otherwise known as the "Comprehensive Agrarian Reform Law (CARL) of 1988" shall remain exempted and excluded from the coverage of CARP.

SEC. 30. Sub-classification or Re-classification of Agricultural Lands by LGUs. - Sub-classification or re-classification of agricultural lands to other uses under the Local Government Code of 1991 shall exclude the protected agricultural lands as stated in the preceding section. Moreover, such sub- classification/reclassification not synonymous to conversion. The DA and DAR shall provide the LGUs with complete list and maps of protected agricultural lands within their territorial jurisdictions.

Article 2

FOREST LANDS AND WATERSHED MANAGEMENT

SEC. 31. Reversion of Alienable and Disposable Lands to Forestlands. - Upon the recommendation of the Secretary of the DENR, duly reviewed and endorsed by the NLUC, and after due consultations with the concerned LGUs and affected parties, Congress may authorize the reversion of alienable and disposable lands of the public domain or portion thereof to forestlands. Thereafter, said lands shall be included in the preparation of land use plans within forestlands.

SEC. 32. Critical Watershed Areas. - The DENR, in coordination with the DA, the LGUs, and other government agencies, including government-owned and-controlled corporations (GOCCs), and with mandatory public hearings/consultations, shall identify and delineate critical watershed areas that need to be protected, rehabilitated, enhanced, and/or withdrawn from uses that contribute to their further degradation.

SEC. 33. Formulation and Implementation of Integrated Watershe Management Plans. - In the absence of a law on the protection and sustainable management of forests, the LGUs through their local land use councils and upon mandatory public hearings/consultations with the concerned sectors, and with the assistance of the DENR, shall prepare their watershed management plans, which shall be integrated with their respective CLUPs. The formulation and integration of the plan shall be guided, among others, by the principle that the management and development of inland water resources shall be at the watershed level. A nationwide mapping of watersheds in the country shall be implemented.

In cases where the watershed areas transcend the boundaries of a particular municipality, an inter-LGU committee composed of representatives from local land use councils of the LGUs where the watershed area is located shall be formed. With the assistance of the DENR and upon mandatory public hearings/consultations with the concerned sectors, the inter-LGU committee shall formulate the watershed management plan for the said watershed area.

1 The DENR and the concerned LGUs shall jointly implement the watershed
2 management plan, subject to regular consultations with and involvement of the
3 community and other stakeholders in the implementation of the plan.
4

5 The preparation of forest land use plans shall make use of the watershed as
6 the basic planning unit.
7

8 **Article 3** 9 **COASTAL ZONE**

10
11 **SEC. 34. Criteria on the Allocation and Utilization of Lands within the**
12 **Coastal Zones.** – The allocation and utilization of lands within the coastal zones shall
13 be guided by the following:
14

- 15 a) Areas vegetated with mangrove species shall be preserved for mangrove
16 production and shall not be converted to other uses;
- 17 b) Areas which meet all accepted criteria on elevation, soil type, soil depth,
18 topography, supply for successful fishpond development, and are not identified
19 as mangrove protected areas, shall be utilized for aquaculture purposes;
- 20 c) Areas sub-classified as mangrove and still suitable for use as such, or due to
21 environmental conditions need to be preserved as mangrove, but is devoid of
22 mangrove stands shall not be converted to other uses. The DENR shall ensure
23 that these lands shall be reforested within a given period of time;
- 24 d) Areas accessible to the sea and identified for fisherfolk settlement and housing
25 shall be allocated to traditional fisherfolk who are inhabitants of the coastal
26 communities and members of legitimate fisherfolk organizations and/or holders
27 of stewardship lease contracts or titles to ancestral domains or any form of
28 property right arrangements who participate in coastal resource management
29 initiatives, subject to the usual census procedures of the relevant housing
30 agency;
- 31 e) Areas which are neither sub-classified as mangrove, fisherfolk settlement nor
32 fishpond may be devoted to recreational or tourism purposes: Provided, That
33 such undertaking will not result in environmental degradation and displacement
34 of small fishers;
- 35 f) Areas which are considered as traditional fishing grounds shall be used primarily
36 for such purpose;
- 37 g) Areas which have been allocated for small infrastructure needed by fisherfolk
38 shall be allowed; and
- 39 h) Areas which form part of foreshore lands as defined in this Act including those
40 which are under lease agreements or arrangements shall undergo zoning and
41 evaluation to determine their boundaries and actual sizes and corresponding
42 uses.
43

44 **SEC. 35. Coastal Land Zone Sub-classification.** - All public lands in the coastal
45 zones shall be sub-classified into any of the following: estuaries, lagoons, intertidal
46 flats, mudflats, fishponds, and mangroves, for protection from tidal surge, and
47 preservation of biodiversity, habitats and sanctuaries for endangered wildlife, fisherfolk
48 settlement, or recreational/tourism areas. No sub-classification of coastal zones to
49 different uses shall be done without the following:
50

- a) Conduct of a comprehensive resource and environmental assessment by the DENR and respective LGUs and accredited NGOs and POs within their jurisdiction; and
- b) Prior consultation with the Local Fisheries and Aquatic Resource Management Councils (FARMCs) formed under the Philippine Fisheries Code.

SEC. 36. Zoning of Foreshore Areas. - LGUs, in coordination with the DENR, shall conduct zoning of their respective foreshore areas to assist government and community fishers identify priority areas for conservation and development, and to enable them to set targets for mangrove reforestation and rehabilitation.

SEC. 37. Protection of Waterways Easements and Flood Plains. - Structures of any kind shall not be built in waterways easements. Pursuant to the Water Code, the banks of rivers and streams and the shores of the seas and lakes throughout their entire length and within a zone of three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along their margins, are subject to the easement of public use only in the interest of recreation, navigation, floatage, fishing and salvage.

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

The DPWH, in coordination with the Department of Science and Technology (DOST) and the DENR, shall declare flood control areas, as necessary, and prohibit or control activities that could damage or cause deterioration of lakes and dikes, obstruct the flow of water, change the natural flow of rivers, increase flood losses or aggravate flood problems pursuant to the Water Code.

Article 4 MINERAL LANDS

SEC. 38. Criteria for the Utilization and Allocation of Land for Mining Purposes. - Consistent with Section 6 of this Act and the provisions of Republic Act No. 7942, otherwise known as the "Philippine Mining Act of 1995," and to ensure that the objectives of maintaining ecological balance and maximizing economic returns to mining operations are realized, the allocation and utilization of lands for mining purposes shall be guided by the following:

- a) The principles of sustainable development and responsible mining;
- b) In case of small-scale mining, adequate and acceptable safeguards shall be instituted by the holders of mining rights or permits to prevent environmental degradation of the mining sites and adjacent areas;

- 1 c) Mineral reservations which have become non-operational for more than five (5)
2 years as determined by the MGB shall be placed under appropriate surface
3 management by the DENR;
- 4 d) Consistent with the Philippine Mining Act of 1995, areas closed to mining
5 operations shall be periodically reviewed through mineral exploration to be
6 undertaken by the DENR for the purpose of determining whether or not their
7 continued closure is consistent with the national interest and, if warranted,
8 recommend their reclassification as mineral lands;
- 9 e) Protection forestlands and agricultural lands shall be exempt from mining
10 activities to minimize the effect of natural calamities and to protect food security,
11 respectively. The small to large scale mining operations shall yield from and
12 recognize the tenurial instrument given by the government, such as the Original
13 Certificate of Title (OCT), Transfer Certificate of Title (TCT), Certificate of
14 Ancestral Domain Title (CADT), Emancipation Patent - Certificate of Land
15 Ownership Award (EP-CLOA), and other instruments. If these are present, no
16 mining activity shall be conducted.

17
18 **SEC. 39. Reversion of Mineral Lands.** - All mineral lands with exhausted
19 mineral resources, as determined by the MGB upon the recommendation of the DENR,
20 shall revert to its original land classification, that is, as forestland or agricultural land.
21 In the case of forestlands, the DENR may classify such areas for other purposes, in
22 consultation with concerned LGUs, the DOT, and other national government agencies.

23
24 **Article 5**
25 **ENERGY RESOURCE LANDS**
26

27 **SEC. 40. Guidelines for the Utilization and Allocation of Lands for Energy**
28 **Resource Exploration, Development, Production, Utilization, and Distribution**
29 **Purposes.** - To ensure that the objectives of maintaining ecological balance and
30 maximizing the power potential from indigenous energy resources in the most
31 economical and environmentally-acceptable means are realized, the allocation and
32 utilization of lands for said purposes shall be guided by the following, consistent with
33 existing regulations and laws on energy resources:

- 34
35 a) Indigenous energy resource exploration and development for the purpose of a
36 National Energy Resource Inventory and Data Base, as well as Energy
37 Resource Block Map shall be allowed, subject to the implementation of
38 complementary watershed and other land management plans;
- 39 b) Indigenous energy resource exploration, development, production, utilization,
40 and distribution shall be subject to the appropriate requirements and processes
41 of the Philippine Environmental Impact Statement (EIS) System. Each project
42 shall secure an ECC prior to project implementation to ensure adequate and
43 appropriate environmental management measures and optimum methods for
44 resource access and recovery are utilized; and
- 45 c) Energy reservations or portions thereof which have become or have been
46 established to be non-economically viable to operate or are no longer used for
47 energy purposes shall be released to give way to other land uses, subject to
48 existing laws covering energy reservations.
- 49

1 **SEC. 41. Reversion of Energy Resource Lands.** - All exhausted indigenous
2 energy resource lands not covered by proclamations shall automatically revert to the
3 category of forestlands or agricultural lands open to disposition, whichever is
4 appropriate. Exhausted energy resource lands shall refer to specific energy resource
5 sites whose energy reserves of the desired type/s are no longer in sufficient quantity
6 or quality to justify additional expenditure for their extraction and utilization.

7
8 **CHAPTER VII**
9 **SETTLEMENTS DEVELOPMENT**

10
11 **SEC. 42. Town, City, and Settlements Development.** - The development of
12 town, city, and settlements through the zoning ordinances of cities and municipalities
13 shall be guided by CLUPs and urban zoning standards designed to maximize existing
14 urban spaces. Socialized housing and settlement areas shall be established only on
15 alienable and disposable lands in order to avoid further degradation of forestlands.

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

24
25 Residential zones as designated in the CLUP shall be considered as outside the
26 geo-hazard areas. For this purpose, housing projects within such areas shall be
27 exempted from the ECC, as well as the EGGAR and may be implemented without the
28 need for any further certificate of exemption from the DENR or any other government
29 regulatory agency.

30
31 **SEC. 44. Designation of Sanitary Landfill.** - Each city or municipality shall
32 identify, designate and allocate an area within their territorial jurisdiction to serve as
33 sanitary landfill within one (1) year from the effectivity of this Act. The LGUs, in
34 coordination with the DENR or any other competent authority, shall identify sanitary
35 landfills in order to fast-track the conduct of EIS study and to facilitate processing of
36 the ECC. The site or area shall be identified in the city or municipality's CLUP. For this
37 purpose, cities and municipalities shall establish their solid waste management
38 program, pursuant to Republic Act No. 9003, otherwise known as the "Ecological Solid
39 Waste Management Act of 2000." In addition, cities and municipalities may, through
40 appropriate ordinances, bind themselves towards the establishment of a common
41 solid waste management program.

42
43 Within ninety (90) days from the effectivity of this Act, the DENR, in coordination
44 with concerned agencies, shall promulgate the necessary guidelines and standards
45 for the formulation and establishment of solid waste management programs by cities
46 and municipalities, and shall submit the same to the LUC for review and approval.

47
48 **SEC. 45. Designation and Zoning of Socialized Housing Zones.** - Each city
49 or municipality in urban, urbanizable and rural areas shall designate through the CLUP
50 adequate lands for housing or residential purposes, including socialized housing and

1 resettlement areas for the immediate and future needs of the local population, as well
2 as the underprivileged and homeless in their territory, pursuant to existing laws and
3 regulations. In order to ensure adequate availability of land for the housing needs of
4 the local population, the CLUP shall be updated, at maximum, every ten (10) years for
5 provinces, cities and municipalities, except if an earlier amendment or revision of the
6 CLUP is authorized by the NLUC due to extraordinary causes.

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

11
12 Fisherfolk settlements and housing in coastal municipalities shall be zoned near
13 the sea for easy access to their livelihood as provided under this Act.

14
15 The housing or residential lands designated in the CLUPS and ZOs of cities
16 and municipalities shall not be subject to further land reclassification by the LGU or
17 land conversion procedure under DAR. However, agricultural lands as designated in
18 the CLUP which are no longer economically feasible for agricultural use may be
19 subject to land reclassification or conversion to housing/residential purposes and such
20 conversion, as the case may be, shall be exempt from the coverage of any moratorium
21 on land conversion.

22
23 **SEC. 46. Urban Forest or Green Space.** - Each city or highly urbanizing
24 municipality shall identify, designate, and allocate lands owned by the city or
25 municipality as urban forest or green space based on the guidelines and standards to
26 be issued by the DENR and approved by the NLUC.

27 28 **CHAPTER VIII** 29 **INDUSTRIAL DEVELOPMENT AREAS** 30

31 **SEC. 47. Criteria for Designating Industrial Development Areas.** - The
32 identification and establishment of industrial development areas shall conform with the
33 provisions of Republic Act No. 7916, as amended, otherwise known as the "Special
34 Economic Zone Act of 1995," CARL, as amended by Republic Act No. 9700, otherwise
35 known as the "Comprehensive Agrarian Reform Program with Extension and Reforms
36 (CARPER) Act," IPRA, UDHA, and AFMA, taking into consideration the following:

- 37
38 a) Identified network of areas for agricultural development and protected
39 agricultural areas pursuant to the AFMA;
40 b) National policies on the regional dispersal of industries and agri-based
41 industrial development;
42 c) Identified growth areas and corridors in the National Development Plan;
43 d) NIPAS, E-NIPAS and non-NIPAS areas that require protection;
44 e) National and Urban Development and Housing Framework;
45 f) Identified Socialized Housing Zones; and
46 g) National framework for physical planning and other existing national
47 programs and policies.
48

1 The designated industrial development areas shall become an integral part of the
2 land use plan and zoning ordinance of the city or municipality where these areas are
3 located.

4 5 **CHAPTER IX** 6 **TOURISM DEVELOPMENT AND HERITAGE AREAS** 7

8 **SEC. 48. Designating Tourism Development Areas.** - The identification,
9 selection, and development of tourism development areas, tourism estates and
10 tourism enterprise zones (TEZs) shall be done in consultation and coordination with
11 the concerned LGUs, the TIEZA and concerned national government agencies, the
12 private sector, and the affected communities, subject to the provisions of the Tourism
13 Act of 2009. Tourism development areas shall likewise include those covered by
14 legislative and executive issuances as tourist spots, tourist zones and tourism
15 ecozones which can be developed into tourism estates or integrated resort, leisure
16 and recreation complexes and other tourism-related facilities, as well as those
17 identified in the national, regional and inter-regional tourism, and area-specific tourism
18 master plans and other sector plans such as ecotourism and agri-tourism sites.

19
20 Designated areas for tourism development shall become part of the CLUPs of
21 the cities or municipalities where these are located.
22

23 Lands identified as part of a TEZ shall qualify for exemption from the coverage
24 of the UDHA and CARL, as amended by CARPER, subject to rules and regulations to
25 be crafted by the TIEZA, DHUSD, DAR and DA: Provided, That a certificate shall be
26 obtained from the DA that said lands are no longer economically feasible and sound
27 for agricultural purposes, consistent with the provisions of this Act.
28

29 **SEC. 49. Identification and Declaration of Areas for Protection,**
30 **Conservation and Preservation of Cultural Heritage.** - Pursuant to the National
31 Cultural Heritage Act of 2009, the NHCP and/or the National Museum, in coordination
32 with National Commission for Culture and the Arts (NCCA), DHSUD, and other
33 concerned agencies, local communities, and the private sector, shall identify declared
34 areas and structures which shall be protected and/or preserved as part of the
35 Philippine cultural heritage.
36

37 The LGUs, in coordination with the NHCP, the NCCA and the Cultural Center of
38 the Philippines (CCP) shall designate historical zones to protect the historical integrity
39 of said geographical areas and cultural space of intangible cultural properties.
40

41 **CHAPTER X** 42 **INFRASTRUCTURE DEVELOPMENT** 43

44 **SEC. 50. Allocation and Use of Land for Infrastructure Development.** -
45 Land, whether public or private, shall be allocated and utilized for priority infrastructure
46 projects that are supportive of national or local development objectives.
47

48 The DepDev, in consultation with the concerned national government agencies,
49 LGUs, and the private sector shall identify and periodically review, update and/or
50 revise the list of priority infrastructure projects, subject to the provisions of this Act,

1 and the AFMA. In determining and evaluating the list of priority infrastructure projects,
2 consideration shall be given to those that:

- 3
- 4 a) Respond to immediate and vital requirements of the national economy with
5 priority on improving rural infrastructure and the development of the agriculture
6 and fisheries sectors;
 - 7 b) Upgrade existing facilities to international standards;
 - 8 c) Address the need for sustainable settlements development; and
 - 9 d) Help mitigate the destructive effects of natural disaster-causing phenomena or
10 those that shall serve as alternatives to existing infrastructures found in natural
11 hazard-prone areas: Provided, That the provision and implementation of
12 infrastructure support shall be made compatible with existing environmental
13 conditions and the physical, whether natural or human-made, and cultural
14 character of the area. Mandatory public hearings/consultations pursuant to
15 existing laws and regulations shall be held prior to the conduct of all
16 infrastructure projects that will necessarily involve dislocation or displacement
17 of people in the area: Provided, further, That the proponent of the infrastructure
18 project shall follow the rules on just and humane eviction or demolition under
19 the UDHA, notwithstanding the provisions of Republic Act No. 8975, prohibiting
20 lower courts from issuing temporary restraining orders, preliminary injunctions,
21 or preliminary mandatory injunctions, and proponent shall follow IPRA:
22 Provided, finally, That national government infrastructure projects shall allocate
23 budget for the adequate relocation of displaced communities.
- 24

25 **SEC. 51. Infrastructure Projects Within Geo-hazard Areas.** - Construction
26 of priority infrastructure projects within hazard-prone areas shall be allowed: Provided,
27 That mitigating and/or preventive measures are adopted to address the potential
28 adverse economic, socio-cultural, and environmental impacts that will emanate from
29 these infrastructure projects, subject to the findings and recommendations of a
30 feasibility study/environmental impact assessment in accordance with Presidential
31 Decree No. 1586 otherwise known as "Establishing An Environmental Impact
32 Statement System, Including Other Environmental Management Related Measures,
33 and Republic Act No. 4846, as amended, otherwise known as the "Cultural Properties
34 Preservation and Protection Act."

35

36 Existing projects that did not go through the process of an environmental impact
37 assessment and pose threats to the environment, integrity of historic, archeological or
38 scientifically significant areas; or are impinging on critical ecosystems, may be: a
39 terminated immediately; b) required to implement an Environmental Management
40 Plan; c) gradually be phased-out and relocated; or d) maintained up to their life span
41 subject, however, to mitigating measures: Provided, That the rules on mandatory
42 public hearings/consultations and just and humane eviction or demolition shall also be
43 observed prior to the termination, gradual phase-out, or relocation of projects that will
44 necessarily involve dislocation or displacement of people in the area.

45

46 **CHAPTER XI**

47 **TRAINING, EDUCATION, AND VALUE FORMATION**

48

49 **SEC. 52. Value Formation.** - In order to create a well-informed, responsible
50 and committed citizenry who values the protection, conservation and development of

the country's limited land, and other physical resources, the State shall mandate the inclusion of sustainable land use education or any subject related thereto in the curricula of primary, secondary and tertiary education.

SEC. 53. Information and Education Campaign. - The NLUC shall undertake a nationwide education information campaign in land use and physical planning to be implemented by 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, NGOs, POs, religious sector, and the general public: Provided, That it shall be mandatory for local government officials involved in the preparation of CLUPS and PPFDP, including the municipal, city and provincial development officer to attend the Land Use Management Capability-Building Program.

SEC. 54. Skills Training. - The agencies involved in the implementation of this Act shall coordinate and partner with the Technical Education and Skills Development Authority (TESDA) in the development, delivery, review and improvement of relevant training regulations related to the implementation of this Act to ensure that the necessary skilled personnel are available to meet the job demands of this Act.

CHAPTER XII INCENTIVES, SANCTIONS, AND PENALTIES

Article 1 INCENTIVES AND AWARDS

SEC. 55. Formulation of a System of Incentives and Awards. - The NLUC shall draft and devise 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. 56. 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. 57. Fine for Non-Completion and Non-Commencement of Development of Agricultural Lands with Approved Order of Conversion. - A landowner and his/her designated developer or duly authorized representative who fails to commence and/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 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 (3) hectares; and
 3. Thirty percent (30%) of the zonal value of the subject land for the remaining area: Provided, That the order of conversion shall be deemed revoked automatically and the land shall revert to its original agricultural use and covered by the DAR through compulsory acquisition for distribution to qualified beneficiaries.
- b) On failure to complete fifty percent (50%) of the approved conversion plan within a specified time frame: Fifty percent (50%) of the zonal value of the subject land and the revocation of the conversion plan on the undeveloped portion which shall automatically revert to its original use as agricultural land. The same shall be covered under the CARP and processed for land distribution as soon as possible.

SEC. 58. Authority to Impose Fine. - The DAR shall impose the penalty provided for under the preceding section.

SEC. 59. Withdrawal of Local Development Permits or Licenses. - Upon receipt of notice from the DAR, the concerned agencies and the city or municipality shall withdraw or revoke any development permit and other licenses that may be necessary to develop the agricultural land subject of conversion.

SEC. 60. Utilization of Fines. - The fines collected under this Act shall automatically accrue to the Agrarian Reform Fund, consistent with the provisions of the CARL, as amended by the CARPER.

SEC. 61. Failure to Formulate, Enforce, and/or Implement the CLUPs. - Consistent with due process, the DILG shall investigate, review, and impose appropriate action on 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
- c) Failure to complete the preparation of the CLUP, despite the availability of funds, resources, and support by the sangguniang concerned.

Any public official or employee, regardless of whether elected or appointed or holding office or employment in a casual, temporary, holdover, permanent, or regular capacity, found to be responsible for any of the foregoing acts, after due notice and hearing by the appropriate body or agency, shall be punished with forfeiture of salaries and allowances and suspension ranging from:

- a) Six (6) to nine (9) months, in case of non-implementation of CLUP; or
- b) Three (3) to six (6) months, in case of non-completion of the CLUP.

SEC. 62. Person(s) Abetting Illegal Conversion. - Any person initiating, causing, inducing, or abetting illegal conversion shall, upon conviction, be imprisoned

1 from seven (7) to twelve (12) years, and imposed a fine of not less than One hundred
2 thousand pesos (P100,000.00), or both at the discretion of the court: Provided, That if
3 the offender is a public official or employee, whether elected or appointed, the penalty
4 shall, in addition thereto, include dismissal through permanent separation from the
5 service and forfeiture of all benefits and entitlements accruing to the public position
6 and perpetual disqualification to run or apply for any elective or appointive public office:
7 Provided, further, That if the offender is a juridical person, the penalty of imprisonment
8 shall be imposed on the president, chief executive officer, manager, chairperson, and
9 all the members of the board, and other responsible officers thereof. The fine shall be
10 equivalent to the zonal value of the land or forty percent (40%) of the shareholders
11 equity, as determined at the time of judgment, whichever is higher. In addition, such
12 violation shall result in the forfeiture of the land in favor of the State for sale through
13 public auction, the proceeds of which shall automatically accrue to the Agrarian
14 Reform Fund as provided for in Section 60 of this Act.

15
16 **SEC. 63. Penalty for Reclassification of Protected Agricultural Lands and**
17 **Exceeding the Limit of Areas Allowed for Reclassification.** - Any person initiating,
18 causing, inducing, or abetting the reclassification of protected agricultural areas into
19 non-agricultural uses and exceeding the limits set forth under the Local Government
20 Code of 1991, shall be penalized with imprisonment of twelve (12) years and a fine of
21 not less than One hundred thousand pesos (P100,000.00), or both at the discretion of
22 the court: Provided, That if the offender is a public official or employee, the penalty
23 shall, in addition thereto, include dismissal through permanent separation from the
24 service, whether elected or appointed, and forfeiture of entitlements accruing to the
25 public position, and perpetual disqualification to run or apply for any elective or
26 appointive public position: Provided, further, That if the offender is a juridical person,
27 the penalty shall be imposed on the president, chief executive officer, manager,
28 chairperson and all the members of the board, and other responsible officers thereof.

29
30 **SEC. 64. Payment of Disturbance Compensation.** - Following the order of
31 priority as enumerated in Section 22 of the CARL, as amended, qualified beneficiaries
32 such as agricultural lessees and share tenants, regular farm workers, seasonal farm
33 workers, other farm workers, actual tillers or occupants of public lands, collective, or
34 cooperative of the above-mentioned beneficiaries, and others directly working on the
35 land affected by agricultural land use conversion shall be entitled to the payment of
36 disturbance compensation equivalent to five (5) times the average of the gross
37 harvests on the landholding during the last five (5) preceding calendar years or a
38 certain percentage of the converted land, whichever is higher, as determined by the
39 DAR.

40 41 **CHAPTER XIII** 42 **TRANSITORY AND FINAL PROVISIONS** 43

44 **SEC. 65. Convening of the NLUC.** - Within thirty (30) days from the effectivity
45 of this Act, the President shall convene the NLUC.

46
47 **SEC. 66. DAR Conversion of Agricultural Lands.** - This Act shall not, in any
48 way, derogate from the mandate of DAR to facilitate the conversion of agricultural land
49 under any existing comprehensive agrarian reform policy, directive, or law.
50

1 **SEC. 67. Implementing Rules and Regulations.** - Within six (6) months from
2 the effectivity of this Act, the NLUC shall promulgate the rules and regulations to
3 effectively implement the provisions of this Act.
4

5 **SEC. 68. Congressional Oversight Committee on the Land Use Act.** - There
6 is hereby created a Congressional Oversight Committee which shall monitor the
7 implementation of this Act. It shall be composed of seven (7) members from the
8 Senate and seven (7) members from the House of Representatives. The Chairpersons
9 of the Senate Committee on Environment and Natural Resources and the House of
10 Representatives Committee on Natural Resources shall be the Chair and Co-Chair of
11 the Congressional Oversight Committee, respectively. The other members from the
12 Senate

13 shall be appointed by the Senate President based on proportional
14 representation of the parties or coalitions therein with at least one (1) senator
15 representing the minority. The other members from the House of Representatives shall
16 be appointed by the Speaker also based on proportional representation of the parties
17 or coalitions therein with at least one (1) member representing the minority.
18

19 The secretariat of the Oversight Committee shall be drawn from the existing
20 secretariat personnel of the committees comprising the oversight and funding shall be
21 taken from the appropriations of both the Senate and the House of Representatives.
22

23 **SEC. 69. Appropriations.** - The appropriations for the initial operations of the
24 NLUC shall be taken from the budget of the Office of the President in the General
25 Appropriations Act in the year following the effectivity of this Act. Thereafter, additional
26 sums as may be necessary for the full implementation of NLUC's functions shall be
27 included in the annual General Appropriations Act.
28

29 **SEC. 70. Review of Existing Land Use Plans.** - Provinces, cities, and
30 municipalities with existing land use plans shall review, revise, reconcile, and
31 harmonize the same with the guidelines and standards set forth under this Act within
32 three (3) years from the effectivity of this Act.
33

34 **SEC. 71. Non-impairment Clause.** - Nothing in this Act shall be construed to
35 diminish, impair, or repeal rights recognized, granted, or available to marginalized or
36 basic sectors under existing laws including, but not limited to, the UDHA, CARL, IPRA,
37 and the Philippine Fisheries Code.
38

39 **SEC. 72. Separability Clause.** - If any portion or provision of this Act is
40 declared unconstitutional, the remainder hereof or any provisions not affected thereby
41 shall remain in force and effect.
42

43 **SEC. 73. Repealing Clause.** - Any law, presidential decree or issuance,
44 executive order, letter of instruction, rule, or regulation inconsistent with the provisions
45 of this Act is hereby repealed or modified accordingly.
46

47 **SEC. 74. Effectivity.** - This Act shall take effect fifteen (15) days after its
48 complete publication in the Official Gazette or in a newspaper of general circulation.
49

50 *Approved,*