Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20th CONGRESS
First Regular Session



HOUSE BILL NO. 5490

Introduced by **REP. JUAN CARLOS "ARJO" C. ATAYDE**

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

EXPLANATORY NOTE

The Philippines has long grappled with the absence of a coherent, legally binding national land use policy. As a result, land allocation policies are often fragmented, reactive, and vulnerable to political capture, contributing to overlapping land claims, environmental degradation, and unsafe settlements. This proposed measure seeks to address this policy gap by institutionalizing a rational and unified framework for the classification, allocation, and utilization of land resources in the country.

The constitutional mandate for this measure is clear. Article XII, Section 1 of the 1987 Constitution provides that "*all natural resources are owned by the State*" and must be managed "*for the benefit of the Filipino people.*" Furthermore, Article II, Section 16 affirms the right of every Filipino to "*a balanced and healthful ecology in accord with the rhythm and harmony of nature.*" These provisions establish the State's obligation to safeguard land as a finite and vulnerable resource and to regulate its use in the public interest.

The need for a national land use policy has been emphasized in several studies. The National Economic and Development Authority (NEDA), in its *National Spatial Strategy*, highlighted how "*unplanned urban expansion and inconsistent land use policies*" have exacerbated traffic congestion, informal settlements, and disaster vulnerability.

Similarly, the Philippine Institute for Development Studies (PIDS) has noted that "*land use decisions remain highly politicized at the local level,*" *and that the lack of a national policy has "encouraged the proliferation of unregulated land conversion*" (PIDS Policy Notes No. 2016-20).

The consequences of poor land use planning have proven costly—both in lives and resources. The 2013 Typhoon Yolanda disaster, which claimed over 6,000 lives, vividly exposed the dangers of allowing human settlements and critical infrastructure in hazard-prone zones. A 2014 study by the World Bank noted that "*many casualties in Yolanda occurred in areas that should have been zoned as 'no-build' zones due to storm surge vulnerability*" (*Building Back Better*, 2014). Likewise, the OCD-NDRRMC has repeatedly cited the lack of risk-informed spatial planning as a key factor behind frequent flooding and landslide-related deaths in areas like Cagayan Valley and Cordillera.

Multiple agencies have called for legislative action. In 2020, the Department of Environment and Natural Resources (DENR) and the Housing and Land Use Regulatory Board (now DHSUD) jointly stressed the urgent need to pass a National Land Use Act, stating that "the Philippines remains one of the few countries in the Asia-Pacific region without such a law," and that the absence of a unified framework continues to hinder climate resilience, environmental protection, and sustainable urbanization.

This measure addresses those gaps by mandating:

1. The creation of a National Land Use Commission under the Office of the President to harmonize sectoral and local land use decisions;
2. The classification of land into four functional uses: protection, production, settlement, and infrastructure;
3. A mandatory and regularly updated Comprehensive Land Use Plan (CLUP) for all local government units;
4. Stricter limits and review mechanisms for the conversion of agricultural and ecologically sensitive lands;

5. Stronger penalties against unauthorized reclassification and misuse of zoned land.

By establishing clear guidelines, technical oversight, and accountability mechanisms, this bill ensures that land use in the Philippines will be based not on short-term economic interests, but on long-term social, environmental, and development goals.

In the words of the Food and Agriculture Organization (FAO): *"Land use planning that integrates food security, disaster risk reduction, and ecological integrity is essential in archipelagic nations vulnerable to climate change and population pressures."* (*FAO Land Tenure Journal*, 2018)

The enactment of the National Land Use Act is not merely a matter of planning efficiency—it is a matter of national survival and justice. It affirms that land, as a public resource, must be allocated fairly, used wisely, and governed in a way that reflects the shared interests of present and future generations.

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

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

SECTION 1. ***Short Title.*** — This Act shall be known as the "National Land Use Act of the Philippines."

SEC. 2. ***Declaration of Policy.*** – It is the declared policy of the State that all lands of the public domain and natural resources—including minerals, waters, forests, energy sources, wildlife, and other environmental endowments—are owned by the Filipino people and held in trust by the State. Except for agricultural lands, these resources shall remain inalienable and protected from exploitation that undermines ecological balance and national welfare.

In pursuit of the national interest and consistent with the constitutional mandate on the conservation and management of natural resources, the State shall adopt a rational, equitable, and science-based system of land use planning. This framework shall serve to guide the optimal use, allocation, and development of land and natural resources in a manner that ensures intergenerational sustainability, environmental integrity, and inclusive growth.

The State recognizes that land use is not merely an economic activity, but a social function that must respond to the needs of communities, protect critical ecosystems, and uphold the rights of marginalized sectors. Land must be managed to: (a) Safeguard food, water, and energy security; (b) Protect forests, watersheds, biodiversity, and disaster-prone areas; (c) Support sustainable settlements, infrastructure, and mobility; (d) Respect the ancestral domains and traditional knowledge of Indigenous Peoples; (e) Preserve the cultural and historical heritage of the Filipino nation; (f) Ensure access to land by the poor and vulnerable; (g) Promote climate resilience and disaster risk reduction; and (h) Foster responsible land stewardship through the shared duty of the national and local governments.

In this regard, landowners, tenure holders, and all beneficiaries of land resources shall bear the corresponding responsibility to use, conserve, and develop their land in ways that promote ecological stability and contribute to the common good.

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

CHAPTER II

DEFINITION OF TERMS

SEC. 4. ***Definition of Terms.*** – For purposes of this Act, the following terms are defined:

a. "Agricultural lands" shall refer to land of public domain which has been devoted to agricultural activity as defined in Republic Act No. 6657, as amended, and not further classified for residential, commercial, or industrial use and such other uses as may be provided by law;

b. "Agricultural land use conversion" shall refer to the undertaking of any development activity which modifies or alters the physical characteristics of agricultural lands to render them suitable for non-agricultural purposes with an approved order of conversion issued exclusively by the Department of Agrarian Reform (DAR);

c. "Alienable and disposable (A&D) lands" shall refer to lands of the public domain which have been delineated, classified, and certified as open and available for disposition under the provisions of Commonwealth Act No. 141, otherwise known as the "Public Land Act," as amended;

d. "Ancestral domains" shall refer to all areas generally belonging to ICCs/IPs as defined in Republic Act No. 8371, otherwise known as the "Indigenous Peoples Rights Act (IPRA) of 1998;"

e. "Basic sector" shall refer to a group of people not referring to any organized groups such as but not limited to women, youth, elderly, differently-abled, peasants, and fisherfolk;

f. "Basic shelter" shall refer to any subdivision unit, housing unit or condominium satisfying the barest minimum shelter requirements under the minimum design standards of Batas Pambansa Blg. 220;

g. "Comprehensive Land Use Plan (CLUP)" shall refer to a document embodying a set of policies and guidelines, accompanied by official maps and similar illustrations, that serves as the principal basis for determining the future land use of lands and natural resources for production and protection purposes within the territorial jurisdiction of the city or municipality. It represents the community-desired pattern of population distribution and proposes future allocation of land resources to various land-using activities. It identifies the allocation, character, and extent of the areas of land resources to be used for different purposes and includes the processes and the criteria employed in the determination of the land use. It has a long-term perspective, encompassing a minimum of ten (10) years;

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

i. "Coastal area/zone" shall refer to a band of dry land and the adjacent ocean space (water and submerged land) in which terrestrial processes and uses directly affect oceanic processes and uses, and vice versa. Its geographic extent may include areas within a landward limit of one (1) kilometer from the shoreline at high tide to include mangrove swamps, brackish water ponds, nipa swamps, estuarine rivers, sandy beaches and other areas; and a seaward limit of 200-meter isobath to include coral reefs, algal flats, seagrass beds, and other soft-bottom areas and implementing sustainable coastal resources protection and management, it shall include foreshore lands;

j. "Critical habitats" shall refer to areas outside protected areas as defined in Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas System Act of 1992," that are known habitats of threatened species and designated as such based on scientific data, taking into consideration species endemicity and/or richness, presence of human-made pressures or threats to the survival of wildlife living in the area, among others;

k. "Critical watershed" shall refer to a drainage area of a river system supporting existing and proposed hydro-electric power, domestic water consumption, irrigation works or existing water facilities needing immediate protection and rehabilitation to minimize erosion and improve water yield. It shall be closed for logging until it is fully rehabilitated;

l. "Cultural heritage" shall refer to the totality of cultural properties preserved and developed through time and passed on for posterity;

m. "Customary laws" shall refer to a body of written and/or unwritten rules, usages, customs and practices traditionally and continually recognized, accepted, and observed by respective ICCs/IPs, consistent with the IPRA;

n. "Development plan" shall refer to a document that defines the activities or measures that the national government or local government units (LGUs) intend to implement in order to achieve a defined set of development goals. It integrates the socio-economic 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 and target achievements, and an implementation mechanism which defines the roles and contributions expected from the government and the private sector. Development plans include the national-level Medium-Term Philippine Development Plan (MTPDP) and its counterpart plans at the regional, provincial, and local levels called the Medium-Term Regional Development Plan (MTRDP), the Provincial Physical Framework and Development Plan (PPFDP), and the Comprehensive Development Plan (CDP). These plans are translated into medium-term investment programs, also prepared at the national, regional, and local levels, where programs, projects, and activities derived from the development plans are ranked, prioritized, and matched with investment financing capacities;

o. "Ecologically-fragile lands" shall 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" shall refer 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" shall 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 processes;

r. "Energy resources" shall 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" shall refer to areas declared by law as:

i. protected areas pursuant to Republic Act No. 7586 or the NIPAS Act of 1992;

ii. areas for natural parks, watershed reserves, wildlife reserves, and sanctuaries;

iii. areas set aside as aesthetic potential tourist spots;

iv. areas which constitute the habitat of any endangered or threatened species or indigenous Philippine wildlife (flora and fauna);

v. areas of unique historic, archaeological, or scientific interests;

vi. areas which are traditionally occupied by ICCs/IPs;

vii. areas with critical slopes;

viii. areas exposed to geologic and hydro-meteorologic hazards;

ix. prime agricultural lands;

x. recharge areas of aquifers;

xi. water bodies;

xii. mangrove areas;

xiii. coral reefs;

xiv. mossy and old-growth forests;

xv. rivers and river banks;

xvi. swamp forest and marshlands; and

xvii. 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" shall refer 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" shall refer to specific energy resource sites whose energy reserves of the desired type(s) are no longer in sufficient quantity or quality to justify additional expenditure for their extraction and utilization as certified by the Department of Energy;

v. "Exhausted mineral lands" shall 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" shall 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 and approved by the DENR;

x. "Flood plain" shall refer to the portion of a river valley adjacent to a river channel which is covered with water when the river overflows its banks at flood stages. The plain usually consists of silt deposited by the stream;

y. "Flood-prone areas" shall 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" shall refer 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 a 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" shall refer 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 endowment and related production advantages

bb. "Forestlands" shall refer to lands of the public domain classified and/or determined as needed. They include all permanent forests or forest reserves, forest reservations and all remaining unclassified lands of the public domain;

cc. "Foreshore land" shall refer to the part of the shore which is alternately covered and uncovered by the ebb and flow of the tide;

dd. "Free and Prior Informed Consent (FPIC)" shall refer to consensus of all members of the ICCs/IPs to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable to the community;

ee. "Geo-hazards" shall refer to natural and human-induced geological processes that have potential to cause destruction and pose a threat or risk to human life and property;

ff. "Geo-hazard prone areas" shall refer to areas frequently visited and/or vulnerable or prone to experience weather/climatic, hydrologic, geologic, and other natural calamities;

gg. "Heritage Zones" shall refer to historical, anthropological, archaeological and artistic geographical areas and settings that are culturally significant to the country as declared by the National Museum and/or National Historical Commission of the Philippines, pursuant to R.A. No. 10066 or the National Cultural Heritage Act of 2009;

hh. "Illegal agricultural land conversion" shall 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;

ii. "Improvements" shall refer to all types of buildings and residential units, walls, fences, structures or construction of all kinds of fixed character or are adhered to the soil but shall not include trees, plants, growing fruits, and other fixtures that are mere superimpositions on the land, and the value of improvements shall not be less than fifty percent (50%) of the assessed value of the property;

jj. "Inclusive growth" shall refer to ensuring that the economic opportunities created by growth are available to all, particularly the poor, to the maximum possible extent;

kk. "Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)" shall refer to groups of people or homogenous societies identified under Republic Act No. 8371 or the "Indigenous People's Rights Act (IPRA);"

ll. "Indigenous energy resources" shall refer to energy resources which originate or occur naturally in the Philippines;

mm. "Inland waters" shall refer to waters which are not coastal and marine waters, not subject to acquisitive prescription consistent with the provisions of Presidential Decree No. 1067, otherwise known as the "Water Code of the Philippines;"

nn. "Inter-tidal sand flat" shall refer to a juvenile fish-feeding area and habitat for crustaceans. The littoral gravel and sand biotopes are also used by important wintering grounds and roosting/feeding grounds of indigenous migratory birds;

oo. "Integrated watershed management" shall refer to a planning strategy or program for watershed areas that complement environmentally-sound soil and water management practices with mechanisms for ensuring greater responsibility, involvement, or participation of individuals, groups communities and other stakeholders benefiting from these areas and water-related infrastructure;

pp. "Key biodiversity areas" shall refer to sites that are nationally and globally significant for biodiversity conservation primarily containing species that require site-scale conservation to prevent extinction in the short-term and medium-term. Such species may be nationally and globally threatened, restricted-range and/or nationally and globally significant congregations of species;

qq. "Lagoon" shall refer to a semi-enclosed coastal basin with limited freshwater input, high salinity and restricted circulation which often lies behind sand dunes. It is often highly productive and habitat for a variety of plants and animals, serves as nurseries of prawns and shrimps and also sites for harbor, aquaculture, industry and recreation;

rr. "Land" shall refer to resources, both natural and man-made, found on the surface, below, and above the ground including inland waters and the air therein;

ss. "Land use" shall refer to the manner of utilization of land, including its allocation, development, and management;

tt. "Land use classification" shall refer to the act of delineating or allocating lands according to protection land use, production land use, settlements development, and infrastructure development as defined and provided for in this Act;

uu. "Land sub-classification" shall refer to the act of determining and assigning specific uses of classified lands of the public domain, such as forest or timber lands, alienable or disposable agricultural lands, national parks, and mineral lands in accordance with existing laws and this Act;

vv. "Mandatory public hearings/consultations" shall refer to the mechanism to "Mandatory public hearings/consultations" shall refer to the mechanism to ensure the active participation of concerned sectors in all affected areas in land use planning from the local to the national level. It involves giving effective notice of hearing/consultation to concerned sectors within an affected area through direct written invitations, using regular mail or electronic means, and publication/posting in conspicuous places, conduct of a reasonable number of hearings in or proximate to the specific area affected, and solicitation of positions and the public presentation and public confirmation of the planning results in the specific area affected before the final adoption of the plans;

ww. "Minerals" shall refer to all naturally occurring inorganic substances in solid, gas, liquid, or intermediate state excluding energy materials such as coal, petroleum, natural gas, radioactive materials, and geothermal energy;

xx. "Mineral exploration" shall refer to the systematic searching or prospecting for mineral resources;

yy. "Mineral lands" shall refer to lands where mineral resources are found;

zz. "Mineral resources" shall refer to any concentration of minerals/rocks with potential economic value;

aaa. "Mudflat" shall refer 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;

bbb. "National Integrated Protected Areas System (NIPAS)" shall refer 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;

ccc. "National Land Use Commission (NLUC)" shall refer to the highest land use policy-making body created under Section 14 of this Act;

ddd. "National Parks" shall 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 an 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;

eee. "National Physical Framework Plan" shall refer 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;

fff. "Network of Protected Areas for Agriculture and Agro-industrial Development (NPAAAD)" shall refer to agricultural areas identified by the Department of Agriculture 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;

ggg. "Non-agricultural land use conversion" shall refer to the act of changing the current use of a piece of non-agricultural land into some other uses;

hhh. "Non-government organization" shall refer to a private and non-profit voluntary organization which is committed to the task of political, socio-economic, physical, cultural and environmental development and established primarily to provide service to marginalized sectors in these areas;

iii. "Patrimonial properties" refer to all the properties belonging to the State that are not intended for public use or for public service or for the development of national wealth;

jjj. "People's organization" shall refer 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;

kkk. "Physical framework plans" shall refer to indicative plans based on comprehensive land use plans (CLUPs) and national 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;

lll. "Premature or illegal conversion of agricultural lands" shall 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;

mmm. "Prime agricultural lands" shall refer to all irrigated areas; all irrigable lands already covered by irrigation projects with firm funding commitments; all rain-fed areas 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;

nnn. "Production land use" shall refer 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;

ooo. "Protected areas" shall 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 Act, it shall include agricultural lands identified and delineated under Section 29 hereof;

ppp. "Protection land use" shall refer to the utilization of land primarily for food, water and energy security, rehabilitation, conservation, and protection purposes for the promotion of the country's ecological and life-support systems;

qqq. "Public domain" shall refer to lands that belong to the State which may be any of the following: agricultural, forest or timber, mineral, or national park as provided for in the Constitution;

rrr. "Public lands" shall refer to lands which have not been subject to private property rights or subject to sale or other modes of acquisition or concession under the general laws, and are devoted to public use;

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

ttt. "Resettlement sites" shall refer to areas identified by the appropriate national agency or by the local government unit, with respect to areas within its jurisdiction, which shall be used for the relocation of the underprivileged and homeless, as defined under Republic Act No. 7279 or the "Urban Development and Housing Act (UDHA)";

uuu. "River basin" shall refer to the portion of land drained by a river and its tributaries. It encompasses the entire land surface dissected and drained by many streams and creeks that flow downhill into one another, and eventually into one river. The final destination is an estuary or an ocean;

vvv. "Settlements" shall refer to formal and informal communities or built-up residential areas where people prefer to live in land areas classified, zoned, or converted for current or future residential or housing development purposes, including socialized housing zones for the homeless and underprivileged citizens;

www. "Settlements development" shall refer to any improvement on existing formal or informal residential or housing settlements or any proposed development of certain areas for residential or mass housing settlement purposes. It also involves the spatial distribution of population, identification of the roles and functions of key urban centers, determination of relationships among settlement areas, and the provision of basic services and facilities of identified major residential or housing settlement areas or growth centers. It is also concerned with the interrelationship of settlements as they develop and establish functional linkages based on their respective resource endowments and comparative advantages;

xxx. "Shoreline" shall refer to the line where shore and water meet;

yyy. "Significant caves" shall refer to caves which contain materials or possess features that have archaeological, cultural, ecological, historical, or scientific value as determined by the Department of Environment and Natural Resources (DENR) in coordination with the scientific community and the academe;

zzz. "Socialized housing" shall refer to housing programs and projects undertaken by the government or the private sector for the underprivileged and homeless citizens which shall include sites and services development, long-term financing, liberalized terms on interest payments, and such other benefits in accordance with the UDHA;

aaaa. "Socialized housing zones" shall refer to lands identified and designated by local government units as sites for socialized housing, pursuant to Article IV of Republic Act No. 7279 or the UDHA, and its implementing guidelines. It shall include areas that are presently occupied by the urban poor, as well as those identified as resettlement areas as defined herein;

bbbb. "Sustainable development" shall refer to the development objective of meeting the needs of the present generation without compromising the ability of future generations to meet their own needs, consistent with the principles of social equity, efficiency, and environmental integrity;

cccc. "Stakeholder" shall refer to an individual, social group, or organization that has a direct or indirect interest in an activity, project, resources, or decision;

dddd. "Tourism development areas" shall refer to specific sites for tourism development located in areas identified as priorities in the national, regional, and inter-regional area-specific tourism master plans and other sector plans such as eco-tourism and agri-tourism sites, including those designated through legislative and executive issuances such as tourist spots, tourist zones, and tourism ecozones which can be developed into tourism estates or integrated resort, leisure, and recreation complexes, and other tourism-related facilities;

eeee. "Tourism Enterprise Zone" shall refer to an area designated as a tourism enterprise zone by the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) pursuant to the provisions of RA 9593, otherwise known as the Tourism Act of 2009;

ffff. "Tourism estates" shall refer to large tracts of land with well-defined boundaries in any area identified in the Philippine tourism master plan and regional tourism master plan, by proclamation of the President and/or by an act of Congress including local legislation. Such land shall be suitable for the development of an integrated tourism and resort complex including but not limited to accommodation facilities, food and beverage outlets, convention and meeting areas, sports, recreational and leisure centers and commercial outlets among others. It shall be provided with roads, water supply facilities, power and utilities like potable water, drainage, sewerage disposal, solid waste disposal system and other necessary infrastructure. The estate shall be under one unified and continuous management;

gggg. "Tourist spot" shall refer to a particular area/site/spot, human-made or natural, known for its unique tourist/visitor-drawing attributes and activities. It may be classified according to its social, cultural, natural, historical, scientific, religious, and recreational significance;

hhhh. "Tourist zone" shall refer to a geographic area with well-defined boundaries proclaimed as such by the President of the Philippines and/or by

acts of Congress. No development projects for any purpose shall be initiated and introduced within the zone prior to the formulation of a tourism master development plan which shall be undertaken in coordination with the Department of Tourism (DOT) and TIEZA. A tourist zone is established for the enhancement and/or the conservation of cultural and historical heritage and for the appreciation and enjoyment of the local population and its visitors;

iiii. "Urban areas" shall refer to all cities regardless of their population density and to municipalities with population density of at least five hundred (500) persons per square kilometer;

jjjj. "Urbanizable areas" shall refer to sites and lands which, considering present characteristics and prevailing conditions, display marked and great potential of becoming urban areas within a period of five (5) years;

kkkk. "Urban forestry" or "Green Space" shall refer to the establishment and management of forest in urban environment for the physiological and psychological well-being of the people;

llll. "Water security" shall refer to the sufficient access throughout the year to the minimum daily requirement of clean water to maintain a healthy life;

mmmm. "Water use" shall refer to the appropriation of water for domestic, municipal, irrigation, power generation, inland fisheries, poultry and livestock raising, industrial and commercial, environmental, and recreational use and other purposes;

nnnn. "Watershed" shall refer to a land area drained by a stream or fixed body of water and its tributaries having a common outlet for surface runoff;

oooo. "Zoning" shall refer to the process of delineating the specific uses of lands in accordance with the approved Comprehensive Land Use Plan (CLUP) within the territorial jurisdiction of a city/municipality and specifying the conditions for their regulation; subject to the limitations imposed by law and competent authority; and

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

CHAPTER III
FRAMEWORK FOR NATIONAL LAND USE POLICY

SEC. 5. ***National Land Use Planning Process.*** — The land use and physical planning process shall be formulated following a combined bottom-up and top-down approach.

The National Land Use Commission (NLUC) shall draft the National Physical Framework Plan (NPFP) which shall have a timeframe of thirty (30) years, with regular review and updating every ten (10) years. The NPFP, which guides the planning and management of the country's land and other physical resources at the national and sub-national levels, shall indicate broad spatial directions and policy guidelines on settlements development, production land use, protection land use, social services and utilities, and transportation and communication.

The Regional Physical Framework Plans (RPFPs), Provincial Physical Framework and Development Plans (PPFDPs), and Comprehensive Land Use Plans (CLUPs), which shall also have a 30-year timeframe and cover the physical development of their respective territories, shall be consistent with the national physical framework plan: Provided, That the integration and harmonization of the physical framework plans at all levels shall be iterative to ensure that the concerns of both top and bottom levels of government are considered.

The physical and land use plans prepared at all levels shall have internal consistency specifically on, but not limited to, the development, management and conservation of forestlands found within a given territory and the linkages of the

major land use categories to ensure their complementation in the utilization, development and management of resources.

The NLUC shall issue procedural guidelines which shall guide the formulation and integration/harmonization process: Provided, That the National Economic and Development Authority (NEDA), the Department of Human Settlements and Urban Development (DHSUD) the Department of the Interior and Local Government (DILG) and other agencies will continue to issue guidelines on the content of the 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 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 regional physical framework plan. 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 Sangguniang Panlalawigan, which shall adopt the same pursuant to Section 468 (2) (vii) of RA 7160 or the Local Government Code.

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 National Land Use Commission (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 national physical framework plan 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 the policies prescribed in the NPFP shall be integrated into the MTPDP and Medium-Term Philippine Investment Program.

CHAPTER IV
INSTITUTIONAL MECHANISM

SEC. 10. ***Creation of the National Land Use Commission.*** — Priorities in Land Use Allocation and Planning. — In projecting spatial allocation for different land uses,

the LGUs shall first exclude areas under protection land use of Section 13(a) hereof, national parks, energy resource lands, and prime agricultural lands to ensure ecological integrity, energy supply, and promote food security. Areas with prior rights and those with site-specific resources for basic services, such as but not limited to, water and indigenous energy resources, shall also be excluded. Spatial allocation and planning shall then proceed in accordance with Sections 12 and 13 hereof with priorities given to integrated watershed management areas, socialized housing sites, fisherfolk settlement in coastal areas, and waste disposal sites.

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

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

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

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

c. Economic, environmental, cultural, social and related development activities;

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

e. Technological changes/advancement;

f. Existing customary rights for the protection of indigenous peoples and vulnerable groups including women and urban poor; and

g. Inventory of prior and existing rights, to harmonize determination of land use.

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* shall refer to the use of land primarily for food, water and energy security, rehabilitation, conservation, and protection purposes for the promotion of the country's ecological and life-support systems. Planning for protection land use intends to achieve food self-sufficiency in rice and corn, water and energy security, 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 Republic Act No. 7586 or the NIPAS Law and other coastal and marine protected areas, those areas outside 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 law include, but are not limited to the following:

i. Old-growth forests and mossy;

ii. Areas with more than 50% in slope gradient;

iii. Mangrove and fish sanctuaries, pursuant to Republic Act No. 8435 or the "Agriculture and Fisheries Modernization Act of 1997" and Republic Act No. 8550 or "The Philippine Fisheries Code of 1998";

iv. 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";

v. Salvage zones along foreshore areas, freshwater swamps and marshes, plazas and heritage/historic sites, pursuant to Presidential Decree No. 2146;

vi. Watersheds supporting domestic water supply;

vii. Utility easement like transmission lines of power companies, oil and gas facilities, cell sites, and domestic water lines;

viii. Amenity areas or those with high aesthetic values, pursuant to Presidential Decree No. 2146;

ix. 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;

x. Critical habitats as provided in Republic Act No. 9147 or the "Wildlife Resources Conservation and Protection Act";

xi. Significant caves under Republic Act No. 9072 or the "National Caves and Cave Resources Management and Protection Act"; or

xii. Key biodiversity areas under Executive Order No. 578, Series of 2006, or the "National Biodiversity Policy".

b. *Production Land Use* shall refer to the direct and indirect utilization of land resources for crop, fishery, livestock and poultry production, forestry, agro-forestry, mining, industry, energy development, indigenous energy exploration and development, and tourism. 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.

c. *Settlements Development* shall refer to any improvement on existing settlements in urban and rural areas or any proposed development of certain areas for settlement purposes involving the spatial distribution of population, identification of the roles and functions of key urban centers, determination of relationships among settlement areas, and the provision of basic services and facilities to such settlement. 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.

d. *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 I

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 NEDA 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 President of the Republic of the Philippines as Chairperson;

b. The Director-General of the National Economic and Development Authority (NEDA) and Secretary of the Department of Environment and Natural Resources (DENR) as Vice-Chairpersons;

The President may designate from among the two Vice-Chairpersons a Chief Executive Officer who shall supervise the day-to-day affairs of the NLUC.

The members shall be:

c. The Chairperson of the DHSUD, the Secretaries of the Department of Agriculture (DA), the Department of Agrarian Reform (DAR), the Department of Trade and Industry (DTI), the Department of Public Works and Highways (DPWH), the Department of Transportation and Communications (DOTC), the Department of Tourism (DOT), the Department of the Interior and Local Government (DILG), the Department of Justice (DOJ), the Department of Science and Technology (DOST), the Department of Finance (DOF), the Department of Energy (DOE), and the Chairperson of the National Commission on Indigenous Peoples (NCIP); The Department Secretaries and the Chairperson of the NCIP may designate a representative with a rank not lower than Assistant Secretary and Commissioner, respectively: Provided, That the designated representative shall be on a permanent basis.

d. A representative each from the Leagues of Provinces, Cities and Municipalities;

e. A representative each from four (4) basic sectors directly involved in land use, namely: urban poor, farmer-peasants, fisherfolk, and indigenous peoples who shall be appointed by the President of the Philippines based on the nomination

and recommendation of the respective sectoral councils of the National Anti-Poverty Commission (NAPC). At least two (2) sectoral representatives shall be women;

f. Two (2) representatives from private subdivisions, and housing developers; and

g. Two (2) representatives from the accredited association of professionals dealing on land use such as but not limited to urban and regional planners, environmental planners, architects, geologists and geodetic engineers;

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

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

a. Advise the President of the Philippines and the NEDA Board on all matters concerning land use and physical planning;

a. Integrate and harmonize all laws, guidelines and policies relevant to land use and physical planning to come up with a rational, cohesive, and comprehensive national land use framework;

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

c. Prepare, periodically review and if necessary, update the national framework for physical planning to provide the general framework for the spatial development directions for the entire country and sub-national levels;

d. Review and endorse all land use and physical planning related guidelines;

e. Monitor and coordinate the gathering of data, the conduct of studies pertaining to land use planning including studies on the management of identified land uses and such other studies not undertaken by other government agencies;

f. Recommend to the President of the Philippines the adoption, passage, or amendment of laws to ensure that sectoral programs, plans, projects, and activities, including local government initiatives affecting land use are consistent with national development objectives;

g. Coordinate with and assist other government agencies and LGUs in planning, developing, and implementing their land use classification programs, and provide, to the extent possible, technical assistance and guidance;

h. Monitor and coordinate the activities of concerned agencies and entities of the government, as well as LGUs, in the enforcement and implementation of policies and regulations relating to land use and resource management and development;

i. Monitor and coordinate activities in the establishment of a national land resource information and management system of concerned agencies that shall integrate and process information on land use and allocation generated by the various national government agencies; define information requirements at various levels; and standardize information inputs and outputs including scales and symbols used in territorial and sectoral maps;

j. Be the repository of all RPFPs, PPFDPs and CLUPs and all data and information pertaining to land and land use;

k. Call on any department, bureau, office, agency, or instrumentality of the government, and/or private entities and organizations for cooperation, support, and assistance in the performance of its functions;

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

m. Adopt rules of procedures for the orderly and expeditious conduct of meetings and other business of the Council; and

n. Perform such other acts and functions and exercise such other powers as may be necessarily implied, inherent, incident, or related to the foregoing.

SEC. 17. ***NLUC Technical Secretariat (NLUC-TS).*** — A Technical Secretariat shall be created to provide technical support to the NLUC. It shall be headed by an Executive Director and composed of:

a. Representatives of the member agencies/institutions of the NLUC, who shall have a rank not lower than Director level; and

b. The representatives of NLUC members as enumerated in Section 16 (d), (e), and (g) of this Act.

SEC. 18. ***The NLUC Technical Secretariat Executive Director.*** — The Executive Director shall supervise the operations of the NLUC Technical Secretariat and assist the NLUC Chairperson or his/her designated Chief Executive Officer (CEO). In the absence of the CEO, he shall preside over the meetings of the NLUC-TS. He shall also perform such other functions as may be tasked by the Chairperson or CEO-Vice Chairperson.

SEC. 19. ***Offices, Units and Staff Support.*** — The Policy and Planning Unit of the DHSUD shall be the core secretariat of the NLUC. The staff in the DHSUD Policy and Planning Unit and NEDA Regional Development Office who opted to transfer to the NLUC shall be given priority without diminution in rank and remuneration

pattern shall be drafted by the NLUC in coordination with the DBM and Civil Service Commission. Other government agencies may also be called upon for staff support.

Article 2
LOCAL DEVELOPMENT COUNCILS AS LOCAL LAND USE POLICY COUNCILS

SEC. 20. ***City/Municipal Land Use Policy Council (C/MLUPC).*** – The City/Municipal Development Council (C/MDC), created under Section 106 of the Local Government Code, shall act as the City/Municipal Land Use Policy Council (C/MLUPC) that will tackle land use concerns whenever necessary. A duly authorized representative from the DAR, the DENR, and the DA shall be included in the composition of the C/MLUPC.

In addition to the functions enumerated in Section 109 of the LGC, the C/MLUPC shall:

a. Advise the Sangguniang Bayan or Sangguniang Panlungsod on all matters pertaining to land use and physical planning;

b. Review and endorse to the Sangguniang Bayan or Sangguniang Panlungsod for adoption, the CLUP prepared and periodically updated by the City/Municipal Planning and Development Office and other land use and physical planning-related policies;

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

a. 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 government 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;

b. 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;

c. Monitor ongoing/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

d. Convene a Technical Working Group composed of the 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 functions to assist for the same purpose.

Local government units without operational C/MDC as mandated by the 1991 LGC shall activate their respective Councils within six (6) months from the effectivity of this Act.

SEC. 21. ***Provincial Land Use Policy Council (PLUPC).*** — The Provincial Development Council (PDC), created under Section 106 of the LGC, shall act as the Provincial Land Use Policy Council 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 Section 109 of the LGC, 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 1991 LGC 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.

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

SEC. 22. ***Regional Land Use Policy Council (RLUPC).*** — At the regional level, the Regional Land Use Policy Council (RLUPC) shall be institutionalized, replicating the NLUC structure and composition which shall include a duly authorized representative from the NEDA, the DENR, the DA, and the DAR. The RLUPC shall have the following functions:

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

b. Prepare and periodically update a regional physical framework plan, taking into consideration national policies and lower-level plans;

c. Assist the provinces in preparing and periodically updating their physical framework plans to ensure consistency with the regional and national plans and policies and to facilitate their integration into the regional plans;

d. Review, prior to adoption by the respective sanggunians, the provincial physical framework plan and CLUPs of highly urbanized and independent component cities to ensure consistency with the regional physical framework plan and national policies set forth by NLUC and compliance with limits prescribed under the 1991 LGC for reclassifying agricultural lands;

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

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

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

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

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

Article 3
ADOPTION, APPROVAL AND REVIEW OF LAND USE PLANS

SEC. 23. ***Component Cities and Municipalities.*** — Component cities and municipalities shall have the power and authority to adopt and approve their respective CLUPs and ZOs through their respective sanggunians, subject to the power of review of their respective provinces only with respect to the consistency of the CLUPs and ZOs with Section 8 hereof on the preparation of the provincial physical framework plan.

Upon adoption and approval of the CLUP and ZO by the sanggunian, all land areas zoned for residential purposes or for settlements development shall cease to be covered by the CARP and therefore, shall not be required to secure further order of land conversion or exemption certificates from the DAR, except for the payment of disturbance compensation, if applicable, as well as the requirements pertaining to the issuance of an environmental compliance certificate (ECC) by the DENR.

SEC. 24. ***Provinces and Independent and Highly Urbanized Cities.*** — Provinces and independent and highly urbanized cities shall have the power and 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 RLUPC as provided in Section 22 of this Act.

Article 4
RESPONSIBILITIES OF THE NATIONAL GOVERNMENT AGENCIES AND LGUs

SEC. 25. *National Base Mapping Program.* — A national mapping program shall be implemented, coordinated, and monitored through the creation of an Inter-agency 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, NEDA, 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 upon 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 Section 5 of this Act.

SEC. 26. ***National Geo-hazard Mapping Program.*** — Within thirty (30) days from the effectivity of this Act, a nationwide geo-hazard mapping program shall be initiated jointly through the NLUC by the PHIVOLCS, the Philippine Atmospheric Geophysical and Astronomical Services Administration (PAGASA), the NAMRIA, the 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. Said geo-hazard maps shall serve as guide 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.

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

SEC. 27. ***Scope and Nature of Responsibilities of Other National Government Agencies.*** — All concerned national government agencies/bodies shall periodically report to the NLUC on the various activities and accomplishments relative to land use. Likewise, they shall provide their respective sectoral development plans and render technical and administrative support if called upon by the NLUC relative to the implementation of the provisions of this Act.

SEC. 28. ***Submission of Annual Report on the Implementation of CLUPs.*** — The C/MLUPC shall submit an annual report on the implementation of their land use

plans to the PLUPC, which shall integrate the same for submission to the RLUPC, which shall in turn integrate the provincial reports for submission to the NLUC.

CHAPTER VI
SPECIAL AREAS OF CONCERN

Article I
AGRICULTURAL LANDS

SEC. 29. ***Priority Areas for Agricultural Development.*** —Priority areas for agricultural development shall be those agricultural areas covered under Republic Act No. 6657 or the CARP, as amended, and those covered under the Network of Protected Areas for Agricultural and Agro-Industrial Development (NPAAAD), defined in Section 4 of this Act and in R.A. No. 8435 or the "Agriculture and Fisheries Modernization Act".

SEC. 30. ***Conversion of Agricultural Lands.*** — Agricultural lands are deemed converted to non-agricultural uses upon approval by the DAR of the application for conversion. Prime agricultural lands and specific types of lands to the extent necessary for attaining food self-sufficiency in rice and corn and food security in other basic commodities, as determined by the DA, subject to mandatory public hearings/consultations with the LGUs, the private sector, NGOs, and POs, shall be protected from conversion, which shall include but not be limited to areas under the NPAAAD: Provided, That all irrigated and irrigable lands, all lands developed or possessing the potential for development of high value crops, and all agricultural lands that are ecologically fragile and whose conversion will result in serious environmental problems shall be given full protection from conversion, the areas under which are subject to review every seven (7) years by the DA, with the mandatory public hearings/consultations: Provided further, That consistent with the State policy on giving priority to the completion of the CARP, all lands subject to CARP including those lands covered under the notice of compulsory acquisition/voluntary offer to sell, production or profit-sharing, or commercial farm deferment shall also be protected from conversion pending the distribution and installation of the farmer-beneficiaries thereafter, Section 22 of R.A. No. 9700 or the CARP Extension Law shall apply subject to the applicable provisions of this Act,

specifically on the exclusive approval by the DAR of the application for conversion: *Provided, furthermore,* That the conversion of agricultural lands for use of priority government projects for basic services such as, but not limited to, irrigation and power 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 R.A. No. 6657 shall remain exempted and excluded from the coverage of CARP.

SEC. 31. ***Sub-classification or Re-classification of Agricultural Lands by LGUs.*** — Sub-classification or re-classification of agricultural lands to other uses under Section 20 of the LGC of 1991 shall exclude the protected agricultural lands as stated in the preceding section. Moreover, such sub-classification/reclassification is not synonymous to conversion. The DA and DAR shall provide the LGUs with a complete list and maps of protected agricultural lands within their territorial jurisdictions.

Article 2
FOREST LANDS AND WATERSHED MANAGEMENT

SEC. 32. ***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. 33. ***Critical Watershed Areas.*** — The DENR, in coordination with the DA, LGUs, and other government agencies, including government-owned and -controlled corporations, 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. 34. ***Formulation and Implementation of Integrated Watershed Management Plans.*** — In the absence of a law on the protection and sustainable management of our forests, the LGUs through their local land use committees and upon mandatory public hearings/consultations with the concerned sectors, and with the assistance of 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 committees 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.

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

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

Article 3

COASTAL ZONE

SEC. 35. ***Criteria on the Allocation and Utilization of Lands within the Coastal Zones.*** — The allocation and utilization of lands within the coastal zones shall be guided by the following:

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

b. Areas which meet all accepted criteria on elevation, soil type, soil depth, topography, supply for successful fishpond development, and are not

identified as mangrove protected areas, shall be utilized for aquaculture purposes;

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

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

e. Areas which are neither sub-classified as mangrove, fisherfolk settlement nor fishpond may be devoted to recreational or tourism purposes: ProVided, That such undertaking will not result in environmental degradation and displacement of small fishers;

f. Areas which are considered as traditional fishing grounds shall be used primarily for such purpose;

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

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

SEC. 36. ***Coastal Land Zone Sub-classification.*** — All public lands in the coastal zones shall be sub-classified into any of the following: estuaries, lagoons, inter-tidal flats, mudflats, fishponds, mangroves, protection from tidal surge, for preservation of biodiversity, habitats and sanctuaries for endangered wildlife,

fisherfolk settlement, or recreational/tourism areas. No sub-classification of coastal zones to different uses shall be done without the following:

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 Republic Act No. 8550 or the Philippine Fisheries Code.

SEC. 37. ***Zoning of Foreshore Areas.*** – Local government units, 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. 38. ***Protection of Waterways Easements and Flood Plains.*** –Structures of any kind shall not be built in waterways easements. Pursuant to PD 1067 or 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 life of 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 DOST and 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 PD 1067.

Article 4
MINERAL LANDS

SEC. 39. ***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 or the 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;

c. Mineral reservations which have become non-operational for more than five (5) years as determined by the MGB shall be placed under appropriate surface management by the DENR;

d. Consistent with the Mining Act of 1995, areas closed to mining operations shall be periodically reviewed through mineral exploration to be undertaken by the DENR for the purpose of determining whether or not their continued closure is consistent with the national interest and, if warranted, recommend their reclassification as mineral lands; and

e. Protection forestlands and agricultural lands shall be exempt from mining activities to minimize the effect of natural calamities and to protect food security respectively. The small to large scale mining operations shall yield from and recognize the tenurial instrument given by the government such as Original Certificate of Title (OCT), Transfer Certificate of Title (TCT),

Certificate of Ancestral Domain Title (CADT), Emancipation Patent - Certificate of Land Ownership Award (EP-CLOA) and other instruments. If these are present, no mining activity shall be conducted.

SEC. 40. ***Reversion of Mineral Lands.*** — All mineral lands with exhausted mineral resources, as determined by the MGB upon the recommendation of the DENR, shall revert to its original land classification, that is, as forestland or agricultural land. In the case of forestlands, the DENR may classify such areas for other purposes in consultation with concerned LCU's, the Department of Tourism (DOT), and other national government agencies.

Article 5
ENERGY RESOURCE LANDS

SEC. 41. ***Guidelines for the Utilization and Allocation of Lands for Energy Resource Exploration, Development, Production, Utilization, and Distribution Purposes.*** — To ensure that the objectives of maintaining ecological balance and maximizing the power potential from indigenous energy resources in the most economical and environmentally-acceptable means are realized, the allocation and utilization of lands for said purposes shall be guided by the following, consistent with existing regulations and laws on energy resources:

a. Indigenous energy resource exploration and development for the purpose of a National Energy Resource Inventory and Data Base as well as Energy Resource Block Map shall be allowed subject to the implementation of complementary watershed and other land management plans;

b. Indigenous energy resource exploration, development, production, utilization, and distribution shall be subject to the appropriate requirements and processes of the Philippine Environmental Impact Statement (EIS) System. Each project shall secure an Environmental Compliance Certificate (ECC) prior to project implementation to ensure adequate and appropriate environmental management measures and optimum methods for resource access and recovery are utilized; and

c. Energy reservations or portions thereof which have become or have been established to be non-economically viable to operate or are no longer used for energy purposes shall be released to give way to other land uses, subject to existing laws covering energy reservations.

SEC. 42. ***Reversion of Energy Resource Lands.*** – All exhausted indigenous energy resource lands not covered by proclamations shall automatically revert to the category of forestlands or agricultural lands open to disposition, whichever is appropriate. Exhausted energy resource lands shall refer to specific energy resource sites whose energy reserves of the desired type/s are no longer in sufficient quantity or quality to justify additional expenditure for their extraction and utilization

CHAPTER VII
SETTLEMENTS DEVELOPMENT

SEC. 43. ***Town, City, and Settlements Development.*** – The development of town, city, and settlements through the zoning ordinances of cities and municipalities shall be guided by CLUPs and urban zoning standards designed to maximize existing urban spaces. Socialized housing and settlement areas shall be established only on alienable and disposable lands in order to avoid further degradation of forestlands.

SEC. 44. ***Settlements Within Geo-hazard Areas.*** – Settlements, in particular housing or residential developments, within geo-hazard areas may be allowed provided that mitigating and/or protective measures are adopted to address the potential danger or risk to lives and property within such settlements. In coordination with the concerned agencies of the government, the LUPC shall provide assistance to concerned LGUs and settlers in instituting safety and corrective measures to address the potential danger or risk.

Residential zones as designated in the CLUP shall be considered as outside the geo-hazard areas. For this purpose, housing projects within such areas shall be exempted from the ECC as well as the Engineering Geological and Geo-hazard Assessment Report (EGGAR) and may be implemented without the need for any further certificate of exemption from the DENR or any other government regulatory agency.

SEC. 45. ***Designation of Sanitary Landfill.*** — Each city or municipality shall identify, designate and allocate an area within their territorial jurisdiction to serve as sanitary landfill within one (1) year from the effectivity of this Act. The LGUs, in coordination with the DENR or any other competent authority, shall identify sanitary landfill in order to fast-track the conduct of environmental impact assessment study and to facilitate processing of the environmental compliance certificate. The site or area shall be identified in the city or municipality's CLUP. For this purpose, cities and municipalities shall establish their solid waste management program, pursuant to RA. No. 9003, otherwise known as the "Ecological Solid Waste Management Act of 2000". Likewise, as provided under Section 33 of the LGC, cities and municipalities may, through appropriate ordinances, bind themselves towards the establishment of a common solid waste management program.

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

SEC. 46. ***Designation and Zoning of Socialized Housing Zones.*** — Each city or municipality in urban, urbanizable and rural areas shall designate through the CLUP adequate lands for housing or residential purposes, including socialized housing and resettlement areas for the immediate and future needs of the local population as well as the underprivileged and homeless in their territory, pursuant to existing laws and regulations. In order to ensure adequate availability of land for the housing needs of the local population, the CLUP shall be updated, at maximum, every ten (10) years for provinces, cities and municipalities.

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

Fisherfolk settlements and housing in coastal municipalities shall be zoned near the sea for easy access to their livelihood as provided under Section 36 (b) of this Act.

The housing or residential lands designated in the CLUPS and Zoning Ordinances (ZOs) of cities and municipalities shall, on one hand, not be subject to further land reclassification by the LGU or land conversion procedure under DAR. On the other hand, agricultural lands as designated in the CLUP which are no longer economically feasible for agricultural use may be subject to land reclassification or conversion to housing/residential purposes and such conversion, as the case may be, shall be exempt from the coverage of any moratorium on land conversion.

SEC. 47. ***Urban Forest or Green Space.*** — Each city or highly urbanizing municipality shall identify, designate, and allocate lands owned by the city or municipality as urban forest or green space based on the guidelines and standards to be issued by the DENR and approved by the NLUC.

CHAPTER VIII
INDUSTRIAL DEVELOPMENT AREAS

SEC. 48. ***Criteria for Designating Industrial Development Areas.*** — The identification and establishment of industrial development areas shall conform with the provisions of R. A. No. 7916, or the Philippine Economic Zone Authority (PEZA) Act, R.A. No. 6657 or the Comprehensive Agrarian Reform Program, (CARP) Act, as amended by R.A. No. 9700 or the Comprehensive Agrarian Reform Program with Extension and Reforms Act (CARPER), R.A. 8371 or the Indigenous Peoples Rights Act (rPRA), R.A. No. 7279 or the Urban Development Housing Act (UDHA), and R.A. No. 8435 or the Agriculture and Fisheries Modernization Act (AFMA), taking into consideration the following:

a. Identified network of areas for agricultural development and protected agricultural areas pursuant to the AFMA;

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

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

d. National Protected Areas System (NIPAS) and non-NIPAS areas that require protection;

e. National and Urban Development and Housing Framework;

f. Identified Socialized Housing Zones; and

g. National framework for physical planning and other existing national programs and policies.

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

CHAPTER IX
TOURISM DEVELOPMENT AND HERITAGE AREAS

SEC. 49. ***Designating Tourism Development Areas.*** — The identification, selection, and development of tourism development areas, tourism estates and tourism enterprise zones (TEZs) shall be done in consultation and coordination with the concerned LGUs, the TIEZA and concerned national government agencies, the private sector, and the affected communities, subject to the provisions of RA. No. 9593 or Tourism Act of 2009. Tourism development areas shall likewise include those covered by legislative and executive issuances as tourist spots, tourist zones and tourism ecozones which can be developed into tourism estates or integrated resort, leisure and recreation complexes and other tourism-related facilities as well as those identified in the national, regional and inter-regional tourism, and area specific tourism master plans and other sector plans such as ecotourism and agri-tourism sites.

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

Lands identified as part of a TEZ shall qualify for exemption from the coverage of Republic Acts Nos. 7279 and 6657 subject to rules and regulations to be crafted by the TIEZA, HUDCC, DAR and DA: *Provided*, That a certificate shall be obtained from

the DA that said lands are no longer economically feasible and sound for agricultural purposes, consistent with Section 30 of this Act.

SEC. 50. ***Identification and Declaration of Areas for Protection, Conservation and Preservation of Cultural Heritage.*** — Pursuant to Republic Act No. 10066, the National Historical Commission of the Philippines (NHCP) and/or the National Museum in coordination with National Commission for Culture and the Arts (NCCA), DHSUD and other concerned agencies, local communities, and the private sector, shall identify declared areas and structures which shall be protected and/or preserved as part of the Philippine cultural heritage.

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

CHAPTER X
INFRASTRUCTURE DEVELOPMENT

SEC. 51. ***Allocation and Use of Land for Infrastructure Development.*** — Land, whether public or private, shall be allocated and utilized for priority infrastructure projects that are supportive of national or local development objectives. The NEDA, in consultation with the concerned national government agencies, LGUs, and the private sector shall identify and periodically review, update and/or revise the list of priority infrastructure projects subject to Sections 6 and 30 of this Act, and Section 47 of R. A. No. 8435 or AFMA. In determining and evaluating the list of priority infrastructure projects, consideration shall be given to those that:

a. Respond to immediate and vital requirements of the national economy with priority on improving rural infrastructure and the development of the agriculture and fisheries sectors;

b. Upgrade eXisting facilities to international standards;

c. Address the need for sustainable settlements development; and,

d. Help mitigate the destructive effects of natural disaster-causing phenomena or those that shall serve as alternatives to existing infrastructures found in natural hazard-prone areas:

Provided, That the provision and implementation of infrastructure support shall be made compatible with existing environmental conditions and the physical, whether natural or human-made, and cultural character of the area. Mandatory public hearings/consultations pursuant to existing laws and regulations shall be held prior to the conduct of all infrastructure projects that will necessarily involve dislocation or displacement of people in the area: Provided, further, That the proponent of the infrastructure project shall follow the rules on just and humane eviction or demolition under Section 28 of R. A. No. 7279 or the Urban Development Housing Act (UDHA), notwithstanding the provisions of Republic Act No. 8975, prohibiting lower courts from issuing temporary restraining orders, preliminary injunctions, or preliminary mandatory injunctions, and proponent shall follow IPRA: *Provided, finally,* That national government infrastructure projects shall allocate budget for the adequate relocation of displaced communities.

SEC. 52. ***Infrastructure Projects Within Geo-hazard Areas.*** — Construction of priority infrastructure projects within hazard-prone areas shall be allowed: *Provided,* That mitigating and/or preventive measures are adopted to address the potential adverse economic, socio-cultural, and environmental impacts that will emanate from these infrastructure projects, subject to the findings and recommendations of a feasibility study/environmental impact assessment in accordance with Presidential Decree No. 1586, Establishing An Environmental Impact Statement System, Including Other Environmental Management Related Measures, and R. A. No. 4846 or the Cultural Properties Preservation and Protection Act, as amended by Presidential Decree No. 374.

Existing projects that did not go through the process of an environmental impact assessment and pose threats to the environment, integrity of historic, archeological, or scientifically significant areas; or are impinging on critical ecosystems, may be: (a) terminated immediately, (b) required to implement an

Environmental Management Plan; (c) gradually phased-out and relocated, or (d) maintained up to their life span, subject, however, to mitigating measures: *Provided,* That the rules on mandatory public hearings/consultations and just and humane eviction or demolition shall also be observed prior to the termination, gradual phase-out, or relocation of projects that will necessarily involve dislocation or displacement of people in the area.

CHAPTER XI
TRAINING, EDUCATION, AND VALUE FORMATION

SEC. 53. ***Value Formation.*** — In order to create a well informed, responsible 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. 54. ***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.

CHAPTER XII
INCENTIVES AND AWARDS

SEC. 55. ***Formulation of a System of Incentives and Awards.*** — The NLUC shall come out with a system of incentives and awards to LGUs that regularly update their CLUPs within the prescribed period, as follows:

a. Provinces, Highly Urbanized Cities, and Independent Component Cities - once every nine (9) years; and

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

SEC. 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.

CHAPTER XIII
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:

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

   ii. Fifteen percent (15%) of the zonal value of the subject land for the next three (3) hectares; and

   iii. 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 to conversion.

SEC. 60. ***Utilization of Fines.*** — The fines collected under Sections 57, 62 and 63 hereof shall automatically accrue to the Agrarian Reform Fund consistent with the provisions of the CARP, as amended.

SEC. 61. ***Failure to Formulate, Enforce, and/or Implement the CLUPs.*** — Consistent with due process, the DILG shall investigate, review, and impose appropriate action regarding local chief executives and other local officials and employees responsible for the formulation, enforcement, and/or implementation of the CLUPs in case of any of the following:

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

b. Failure to provide appropriate budgetary allocation to effect its implementation; and

c. Failure to complete the preparation of the CLUP despite the availability of funds, resources, and support by the sanggunian 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 from:

1. Six (6) to nine (9) months, in case of non-implementation of CLUP; or

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

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

SEC. 64. ***Payment of Disturbance Compensation.*** — Following the order of priority as enumerated in Section 22 of the CARP, as amended, qualified beneficiaries

such as agricultural lessees and share tenants, regular farm workers, seasonal farm workers, other farm workers, actual tillers or occupants of public lands, collective, or cooperative of the above-mentioned beneficiaries, and others directly working on the land affected by agricultural land use conversion shall be entitled to the payment of disturbance compensation equivalent to five (5) times the average of the gross harvests on the landholding during the last five (5) preceding calendar years or a certain percentage of the converted land, whichever is higher, as determined by the DAR.

CHAPTER XIII
TRANSITORY AND FINAL PROVISIONS

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

SEC. 66. ***DAR Conversion of Agricultural Lands.*** — The authority of the DAR to convert agricultural land for non-agricultural uses shall be in existence until June 30, 2014 or the expiration of Republic Act No. 9700, otherwise known as the "Comprehensive Agrarian Reform Program with Extension and Reforms Act (CARPER)". In which case, such authority shall be automatically transferred to the DA by virtue of this Act.

SEC. 67. ***Implementing Rules and Regulations.*** — Within six (6) months from the effectivity of this Act, the NLUC shall promulgate the rules and regulations to implement the provisions of this Act. Said rules and regulations shall be submitted to the Congressional Oversight Committee for approval.

SEC. 68. ***Congressional Oversight Committee on the Land Use Act.*** — There is hereby created a Congressional Oversight Committee which shall monitor the implementation of this Act. It shall be composed of seven (7) members from the Senate and seven (7) members from the House of Representatives. The Chairpersons of the Senate Committee on Environment and Natural Resources and the House of Representatives Committee on Natural Resources shall be the Chairperson and Co-Chairperson of the Congressional Oversight Committee, respectively. The other members from the Senate shall be appointed by the Senate President based on

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

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

SEC. 69. ***Appropriations.*** — The appropriations for the National Land Use Commission shall be taken from the budget of the Office of the President in the General Appropriations Act in the year following the effectivity of this Act shall be used to carry out the initial operations of the National Land Use Commission. Thereafter, additional sums as may be necessary for the full implementation of NLUC's functions shall be included in the annual General Appropriations Act.

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

SEC. 71. ***Repealing Clause.*** — All republic acts, executive orders, rules and regulations, and other issuances, or parts thereof, that are inconsistent with the provisions of this Republic Act are hereby repealed or modified accordingly.

SEC. 72. ***Non-impairment Clause.*** —Nothing in this Act shall be construed as to diminish, impair, or repeal rights recognized, granted, or available to marginalized or basic sectors under existing laws including but not limited to Republic Act Nos. 7279, 6657, 8371, and 8550.

SEC. 73. ***Separability Clause.*** — If for any reason or reasons, any part or provision of this Act shall be declared or held to be unconstitutional or invalid, other

parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 74. ***Effectivity Clause.*** — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,