



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

**TWENTIETH CONGRESS**  
First Regular Session

HOUSE BILL NO. 6281



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Introduced by **Representative MA. VICTORIA CO-PILAR**

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#### EXPLANATORY NOTE

House Bill No. 6342 entitled “An Act Strengthening the Right of Government to Expropriate Lands for Socialized Housing, Amending for the Purpose Sections 9, 10, And 11 of Republic Act No. 7279, Otherwise Known as the “Urban Development and Housing Act of 1992” was passed by the 16th Congress on third reading. It is a consolidation of two separate measures of the same subject originally filed as House Bill No. 5479 by former District 6 Quezon City Representative Jose Christopher “Kit” Belmonte and House Bill No. 5301 by former Akbayan Representatives Ibarra “Barry” Gutierrez and Walden Bello.

Central to Republic Act No. 7279 (Urban and Housing Development Act of 1992) lies the national policy of providing for the rational use and development of urban land. This policy seeks to ensure the equitable utilization of residential lands within urban and urbanizable areas, thereby advancing social justice and inclusive urban growth, most especially for informal settlers.

Sections 9 and 10 of RA 7279 provides for the order and mode of land acquisition by the Local Government, while Section 11 mandates that all idle lands in urban and urbanizable areas shall be expropriated and shall form part of the public domain. However, residential lands with ownership of which are subject of pending litigation are exempted from said provision.

More than two decades after the enactment of RA 7279, a vast number of informal settler families continue to be deprived of the law’s intended benefits—deprived not only of security, but also of dignity.. Despite being a landmark social justice measure, RA 7279 imposes more stringent requirements for land expropriation for public use, in this case, for socialized housing, than those outlined under Rule 67 of the Rules of Court, thus hampering the government’s ability to acquire land efficiently for public use.

This proposed amendment to Sections 9, 10 and 11 of RA 7279 will provide more power to the Local Government in using idle lots within its jurisdiction. It rationalizes the order and mode of land acquisition and removes the exemption for residential lands the ownership of which are subject of pending litigation, ensuring a more responsive and equitable implementation of socialized housing programs. This likewise ensures that the intended beneficiaries of RA 7279 will indeed enjoy the benefits of this social justice legislation.

Through these amendments, the bill reaffirms the government’s commitment to uphold the constitutional mandate of providing decent, affordable housing to underprivileged and homeless citizens, affording them security and dignity.

In view of the foregoing, the immediate approval of this measure is earnestly sought.



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**AN ACT**  
**STRENGTHENING THE RIGHT OF GOVERNMENT TO EXPROPRIATE LANDS**  
**FOR SOCIALIZED HOUSING, AMENDING FOR THE PURPOSE SECTIONS 9, 10,**  
**AND 11 OF REPUBLIC ACT NO. 7279, OTHERWISE KNOWN AS THE URBAN**  
**DEVELOPMENT AND HOUSING ACT OF 1992**

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

**SECTION 1.** Sections 9 of Republic Act No. 7279 is hereby amended to read as follows:

~~SEC. 9. *Priorities in the Acquisition of Land* FOR SOCIALIZED HOUSING. - Lands for socialized housing shall be acquired in the following order~~ **THE FOLLOWING LANDS MAY BE ACQUIRED FOR SOCIALIZED HOUSING:**

- a) Those owned by the Government or any of its subdivisions, instrumentalities, or agencies, including government-owned or -controlled corporations and their subsidiaries;
- b) Alienable lands of the public domain;
- c) Unregistered or abandoned and idle lands;
- d) Those within the declared Areas for Priority Development, Zonal Improvement Program sites, and Slum Improvement and Resettlement Program sites which have not yet been acquired;
- e) Bagong Lipunan Improvement of Sites and Services or BLISS sites which have not yet been acquired; and
- f) Privately-owned lands.

~~Where on-site development is found more practicable and advantageous to the beneficiaries, the priorities mentioned in this section shall not apply. The local government units shall give budgetary priority to on-site development of government lands.~~

THE POWER TO IDENTIFY AND TO PRIORITIZE THE PARTICULAR AREA TO BE ACQUIRED SHALL BE WITH THE LOCAL GOVERNMENT UNIT OR THE PROPER AGENCY ACQUIRING LAND FOR SOCIALIZED HOUSING. FOR THIS PURPOSE, THE ENUMERATION IN THIS SECTION SHALL NOT, IN ANY WAY, BE INTERPRETED AS SETTING AN ORDER OF PRIORITY.

**SECTION 2.** Sections 10 of Republic Act No. 7279 is hereby amended to read as follows:

SEC. 10. *Modes of Land Acquisition.* - The modes of acquiring lands for purposes of this Act shall include, among others, community mortgage, land swapping, land assembly or consolidation, land banking, donation to the Government, joint-venture agreement, negotiated purchase, and expropriation: *Provided, however, That expropriation shall be resorted to only when other modes of acquisition have been exhausted: Provided, further, That where expropriation is resorted to, parcels of land owned by small property owners shall be exempted for purposes of this Act: Provided, finally* **FURTHER**, That abandoned property, as herein defined, shall be reverted and escheated to the State in a proceeding analogous to the procedure laid down in Rule 91 of the Rules of Court.

For the purpose of socialized housing, government-owned and foreclosed properties shall be acquired by the local government units, or by the National Housing Authority primarily through negotiated purchase: *Provided, That qualified beneficiaries who are actual occupants of the land shall be given the right of first refusal."*

**SECTION 3.** Sections 11 of Republic Act No. 7279 is hereby amended to read as follows:

SEC. 11. *Expropriation of Idle Lands.* - All idle lands in urban and urbanizable areas, as defined and identified in accordance with this Act, shall be expropriated and shall form part of the public domain. These lands shall be disposed of or utilized by the Government for such purposes that conform with their land use plans. Expropriation proceedings shall be instituted if, after the lapse of one (1) year following receipt of notice of acquisition, the owner fails to introduce improvements as defined in Section 3(f) hereof, except in the case of *force majeure* and other fortuitous events. Exempted from this provision, however, are residential lands owned by small property owners ~~or those the ownership of which is subject of a pending litigation.~~

**Sec. 4. Repealing Clause.** - All laws, presidential decrees, executive orders, memoranda, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

**Sec. 5. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,