

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **8921**



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

EXPLANATORY NOTE

The Constitution vests upon the State ownership of all natural resources of the Philippines. It likewise mandates that their exploration, development, and utilization remain under the full control and supervision of the State, while ensuring their conservation, protection, and sustainable use for the benefit of the Filipino people.

Notwithstanding this framework, numerous rural communities, such as those in the Municipality of Pinabacdao, Province of Samar, continue to occupy lands that remain classified as timberlands despite decades of actual residence, cultivation, and productive use.

In the barangays of Manaing, Pelaon, Canlubo, Layo, and Magdawat, generations of families have depended on these lands for their livelihood and shelter. However, due to their current classification, these occupants are unable to secure legal ownership, leaving them vulnerable to displacement and limiting their access to economic opportunities associated with land tenure.

This bill seeks to address this long-standing disparity by reclassifying appropriate portions of these timberlands into alienable and disposable lands of the public domain. In doing so, it aims to recognize the rights of qualified occupants, promote equitable access to land, and support inclusive and sustainable rural development, while ensuring that environmentally critical areas remain protected.

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

REP. NATHANIEL “ATTY. NAT” M. ODUCCADO
I Tahanan Party List

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

**AN ACT RECLASSIFYING AND CONVERTING CERTAIN PARCELS OF
TIMBERLANDS IN THE MUNICIPALITY OF PINABACDAO, PROVINCE OF
SAMAR INTO ALIENABLE AND DISPOSABLE PUBLIC LANDS**

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 “*Pinabacdao Land Classification Act.*”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to promote social justice, equitable land distribution, and inclusive development recognizing and protecting the rights of bona fide occupants and tillers of the land of the public domain.

Toward this end, the State shall reclassify lands no longer needed for forest purposes into alienable and disposable lands, in accordance with sustainable development principles, to strengthen land tenure security, enhance agricultural productivity, prevent illegal encroachment, and ensure that the benefits of land ownership accrue primarily to Filipino citizens who have long occupied and cultivated such lands.

SEC. 3. *Reclassification of Certain Parcels of Timberlands.* - All parcels of timberland within the Municipality of Pinabacdao, Province of Samar, which are already occupied, cultivated, or devoted to residential or agricultural use by bona fide residents, and which are no longer needed for forest purposes, are hereby reclassified as alienable and disposable lands of the public domain.

SEC. 4. *Technical Description of Timberlands.* - Within six (6) months following the effectivity of this Act, the Department of Environment and Natural Resources (DENR) shall prepare and issue the final technical descriptions, cadastral surveys, and land classification maps covering the areas subject to this Act. The DENR shall also establish the boundary on the ground between the permanent forest lands and agricultural lands with concrete minor monuments at corners, major monuments every one (1) kilometer, and visible cut lines, signboards and uniformly-spaced distinctive trees between the concrete monuments which shall be maintained at all times.

SEC. 5. *Alienation and Disposition of the Agricultural Land.* - The DENR shall alienate the agricultural land described in Section 3 hereof. For purposes of this Act, a free patent shall be issued to the land claimant and/or applicant for agriculture or residential purpose who has continuously cultivated and/or occupied either by himself or herself or through his or her predecessors-in-interest or who shall have paid the real estate tax thereon while the same has not been occupied by any other person for at least ten (10) years prior to the approval of this Act, not to exceed twelve (12) hectares per applicant: Provided, That prior to the distribution of the lands to private individuals, the DENR shall reserve lands or loss to the concerned municipalities, the provincial government of Samar and other agencies of the national government for essential public purposes and/or services such as school buildings, roads, public plazas, health centers and similar offices and purposes: Provided, further, That any title that may be issued over lands for public purpose shall be in the name of the Republic of the Philippines. Provided, finally, that stretch of land, twenty (20) meters width, from both banks of the rivers, creeks, and natural depression that serve as waterways shall be preserved as permanent forestland and shall be planted with indigenous tree species, to be maintained at all times by the DENR and the local government of the Province of Samar. The provisions of Commonwealth Act of No. 141, otherwise known as the Public Land Act, as amended, shall be applicable.

SEC. 6. *Preservation of Ecological Balance.* – Areas classified as forest reserves or protected areas under forestry laws and regulations, as well as critical watersheds, riverbanks, and other environmentally critical areas as may be determined by the Department of Environment and Natural Resources (DENR), shall be excluded from the coverage of this Act. Such exclusion is hereby mandated to ensure that the reclassification of lands shall not impair ecological balance, biodiversity, and the long-term environmental sustainability of the affected areas.

SEC. 7. *Non-Diminution of the Final Forestlands.* - The demarcated final forestlands in the Municipality of Pinabacdao, Province of Samar, pursuant to this Act, shall not be diminished nor reduced except by competent authority. The local government unit shall see to it that the vegetation therein shall be protected, preserved, and enhanced. To this end, no additional forest occupant shall be allowed entry thereto nor any type of additional human settlement permitted therein. Infrastructure projects shall not be constructed within the forestlands allowed by the Secretary after conducting an environmental impact assessment of the proposed project.

SEC. 8. *Implementing Rules and Regulations.* - Within ninety days (90) following the effectivity of this Act, the Secretary of the DENR shall issue the implementing orders, rules, regulations, and circulars necessary to effectively implement the provisions hereof.

SEC. 9. *Separability Clause.* - If any provision of this Act or the application of such provision to any person or circumstance is declared unconstitutional, the remainder of this Act or the application of such provision to other persons or circumstances shall not be affected by such declaration.

SEC. 10. *Repealing Clause.* - All laws, decrees, letters of instruction, executive orders, rules and regulations and other issuances or parts thereof in conflict or inconsistent with any provision of this Act.

SEC. 11. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,