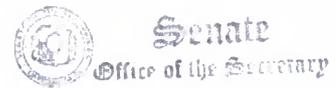


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 26 P 6 :50

SENATE

S. No. 898

RECEIVED BY: 

Introduced by Senator **PIA S. CAYETANO**

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

EXPLANATORY NOTE

The proposed National Land Use Act (NLUA) seeks to bring to fruition the full implementation and strict compliance of the Philippines's national land use policy. The proposed bill, which was filed by the undersigned in the 14th Congress, aims to institutionalize land use and physical planning for the promotion of responsible allocation and proper administration of land resources and our environment, in general.

Many disastrous accidents and tragedies happened in the last few years which cost many lives. Most of these were brought about by the improper use of our environment and natural resources. It should be noted that if we continue to do this, our children and the succeeding generations will be affected, or worse, become the unwitting victims. Intergenerational responsibility compels us to act now to ensure that the country's land and natural resources are preserved and protected for future generations.

The proposed measure is also aligned with our commitment to the 17 Sustainable Development Goals, particularly SDG 11, on making cities and human settlements inclusive, safe, resilient and sustainable; SDG 13 on taking urgent action

to combat climate change and its impacts; and SDG 15 on protecting, restoring and promoting sustainable use of terrestrial ecosystems, sustainably managing forests, combating desertification, and halting and reversing land degradation and halting biodiversity loss.

With this measure, Comprehensive Land Use Plans will be formulated following a combined bottom-up and top-down approach, and a Land Use Policy Council (LUPC) will be created under the National Economic Development Authority (NEDA) Board. The Council is responsible, among others, for preparing, periodically reviewing, and updating the national framework for physical planning which shall provide the general long-term framework for the spatial development directions and policy guidelines on settlement development, production land use, protection land use and infrastructure development for the entire country and sub-national levels.

A national land use policy is needed to harmonize the reasonable claims of all those who hold interest on land, and to safeguard and promote the general welfare of both present and future generations through the proper management of land resources.

In view of the foregoing, the passage of this measure is earnestly urged.


PIA S. CAYETANO

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

CHAPTER I

INTRODUCTORY PROVISIONS

1
2
3 Section 1. *Short Title.* — This Act shall be known and cited as the "*National*
4 *Land Use Act of the Philippines.*"

5 Sec. 2. *Declaration of Policies and Principles.* — It is the policy of the State to
6 provide for a rational, holistic, and just allocation, utilization, management, and
7 development of the country's land resources to ensure their optimum use is consistent
8 with the principle of sustainable development.

9 The State recognizes the need for rational, optimal, and sustainable settlements
10 development and shall allocate lands for urban uses and new town development,
11 consistent with the principles of environmental management and equitable access to
12 land and security.

13 Toward this end, the State shall institutionalize land use and physical planning
14 as a mechanism for identifying, determining, and evaluating alternative land use and
15 allocation patterns that promote and ensure:

- 16 (a) Sustainable and just management and utilization of natural resources;
17 (b) Maintenance and preservation of environmental integrity and stability;
18 (c) Food and energy security in basic food commodities with emphasis on

- 1 self-sufficiency in rice and corn production through efficient and
2 sustainable use of land resources consistent with the principles of sound
3 agricultural development, natural resources development, and agrarian
4 reform;
- 5 (d) Protection of prime agricultural lands for food production activities and
6 highest priority to the completion of the Comprehensive Agrarian Reform
7 Program (CARP);
- 8 (e) Sustainable development and management of water resources towards
9 water security;
- 10 (f) Rational population distribution and settlements development that will
11 ensure adequate land allocation for government mass housing programs;
- 12 (g) Spatial integration that links consumption and production areas to achieve
13 physical and economic integration through appropriate infrastructure
14 systems;
- 15 (h) Equitable and sustainable economic growth and balanced and dispersed
16 industrial and tourism development guided by the principles of agrarian
17 reform, urban land reform, and rural development;
- 18 (i) Private-public partnership where government provides the appropriate
19 policy, legal and institutional framework to guide the private sector's
20 management of resources;
- 21 (j) Harmony between the rights and the varied interests of every Filipino
22 within the framework of people empowerment, decentralization, social
23 justice, and equity;
- 24 (k) Respect for and protection of the sustainable traditional resource rights
25 of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to
26 their ancestral domains to ensure their economic, social, and cultural well-
27 being as well as recognition of the applicability of customary laws and
28 sustainable traditional resource use and management, knowledge, and
29 practices in ancestral domains;
- 30 (l) Protection of the rights of basic sectors to equitable access to the
31 country's land and other resources through State regulation of land

1 valuation to prevent uncontrolled land speculation resulting in tremendous
2 increase in land pricing;

3 (m) Protection, conservation, and preservation of the Filipino historical,
4 cultural, and built heritage and resources for the deeper understanding of
5 our history and culture as a people;

6 (n) Attainment of energy security or energy self-sufficiency through
7 sustainable and priority development of indigenous energy resources; and

8 (o) Market orientation where the interplay of market forces within the
9 framework of ecological and intergenerational factors is encouraged and
10 adopted as the basic parameter in achieving efficiency in land use and
11 allocation.

12 It is also the policy of the State to ensure that local government units (LGUs)
13 share with the national government the responsibility of managing and maintaining
14 ecological balance within their territorial jurisdiction as stated in the 1987 Philippine
15 Constitution and the 1991 Local Government Code or Republic Act No. 7160.

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

21 *Sec. 3. Scope.* — This Act shall apply to all lands whether public, private,
22 government-owned, and/or in the possession of individuals, communities, indigenous
23 peoples, or groups of people, to guide and govern the use, allocation, development
24 and management of land resources including such activities that bear impact on said
25 resources.

26 **CHAPTER II**

27 **DEFINITIONS**

28 *Sec. 4. Definition of Terms.* — As used in and for purposes of this Act, the following
29 terms shall mean:

30 (a) "*Agricultural Land*" shall refer to lands devoted to or suitable for the

1 cultivation of the soil, planting of crops, growing of fruit trees, raising of
2 livestock, poultry, fish or aqua-culture production, including the
3 harvesting of such farm products, and other farm activities and practices
4 performed in conjunction with such farming operations done by persons
5 whether natural or juridical and not classified by law as mineral land,
6 forest land, residential land, commercial land, or industrial land;

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

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

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

19 (e) "*Coastal Area/Zone*" shall refer to a band of dry land and the adjacent
20 ocean space (water and submerged land) in which terrestrial processes
21 and uses directly affect oceanic processes and uses, and vice versa. Its
22 geographic extent may include areas within a landmark limit of one (1)
23 kilometer from the shoreline at high tide to include mangrove swamps,
24 brackish water ponds, *nipa* swamps, estuarine rivers, sandy beaches and
25 other areas within a seaward limit of 200 meters isobath to include coral
26 reefs, algal flats, seagrass beds, and other soft-bottom areas. For
27 purposes of initiating and implementing sustainable coastal resources
28 protection and management, it shall include foreshore lands;

29 (f) "*Comprehensive Land Use Plan or CLUP*" shall refer to a document
30 embodying a set of policies, accompanied by maps and similar illustrations
31 that serves as principal basis for determining the future use of lands and

1 natural resources for production and protection purposes within the
2 territorial jurisdiction of the LGUs. It represents the community-desired
3 pattern of population distribution and proposes future allocation of land
4 resources to various land-using activities. It identifies the allocation,
5 character, and extent of the areas of land resources to be used for
6 different purposes and includes the processes and the criteria employed
7 in the determination of the land use. It has a long-term perspective,
8 encompassing a minimum of three (3) terms of local elective officials.

9 (g) "*Critical Habitats*" shall refer to areas outside protected areas under the
10 National Integrated Protected Areas System (NIPAS) Act of 1992 or RA
11 7586 that are known habitats of threatened species and designated as
12 such based on scientific data taking into consideration species endemicity
13 and/or richness, presence of human-made pressures/threats to the
14 survival of wildlife living in the area, among others;

15 (h) "*Critical Watershed*" shall refer to a drainage area of a river system
16 supporting existing and proposed hydro-electric power, irrigation works
17 or existing water facilities needing immediate protection and rehabilitation
18 as it is being subjected to fast denudation causing accelerated erosion,
19 destructive floods and polluted water;

20 (i) "*Cultural Heritage*" shall refer to the totality of cultural properties
21 preserved and developed through time and passed on for posterity;

22 (j) "*Customary Laws*" shall refer to a body of written and/ or unwritten rules,
23 usages, customs and practices traditionally and continually recognized,
24 accepted, and observed by respective ICCs/IPs consistent with the IPRA;

25 (k) "*Development Plan*" shall refer to a document that defines the activities
26 or measures that the national government or LGUs intend to implement
27 in order to achieve a defined set of development goals. It integrates the
28 socio-economic and sectoral plans of the national government or its
29 instrumentality or a particular LGU with spatial plans such as land use or
30 physical framework plans. It may include an analysis of problems and
31 resources, definition of goals and objectives, policy guidelines, project and

1 target achievements, and an implementation mechanism which defines
2 the roles and contributions expected from the government and the private
3 sector;

4 (l) "*Ecologically-fragile Lands*" shall refer to lands within the critical
5 watershed, brackish and freshwater wetlands, pasture lands, and
6 croplands which require rehabilitation and whose continued unsustainable
7 use would adversely affect the productivity of lowland agricultural areas
8 and the stability of the upland ecosystem;

9 (m) "*Ecotourism*" shall refer to sustainable tourism or travel to a given natural
10 area with exotic or threatened ecosystems or a heritage area to observe
11 wildlife or to help preserve nature, in the process providing for community
12 participation; protection and management of natural resources, culture
13 and indigenous knowledge systems and practices; environmental
14 education and ethics; as well as economic benefits fostered and pursued
15 for the enrichment of host communities and the satisfaction of visitors;

16 (n) "*Energy Resource Lands*" shall refer to lands where naturally occurring or
17 indigenous energy resources exist in sufficient quantity or quality as to be
18 economically viable for exploration, development, production, utilization,
19 and distribution process;

20 (o) "*Energy Resources*" shall refer to surface or subsurface substances that
21 serve as energy sources. These are traditionally mineral fuel deposits such
22 as coal, petroleum, natural gas or renewable resources from geothermal,
23 hydro reservoirs, or non-conventional sources such as ocean waves, solar,
24 wind, biomass, and other similar resources which serve the same purpose;

25 (p) "*Environmentally Critical Areas*" shall refer to areas declared by law as:

26 (i) Areas for natural parks, watershed reserves, wildlife preserves,
27 and sanctuaries;

28 (ii) Areas set aside as aesthetic potential tourist spots;

29 (iii) Areas which constitute the habitat of any endangered or
30 threatened species or indigenous Philippine wildlife (flora and
31 fauna);

- 1 (iv) Areas of unique historic, archaeological, or scientific interests;
- 2 (v) Areas which are traditionally occupied by ICCs/IPs;
- 3 (vi) Areas with critical slopes;
- 4 (vii) Areas frequently visited and/or hard hit by natural calamities
- 5 (geologic hazards, floods, typhoons and volcanic activities);
- 6 (viii) Prime agricultural lands;
- 7 (ix) Recharge areas of aquifers;
- 8 (x) Water bodies;
- 9 (xi) Mangrove areas;
- 10 (xii) Coral reefs;
- 11 (xiii) Mossy and virgin forests;
- 12 (xiv) Rivers and river banks;
- 13 (xv) Swamp forest and marshlands; and
- 14 (xvi) Foreshore lands.

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

19 (q) "*Estuary*" shall refer to a wetland type where the river mouth widens into
20 a marine ecosystem, the salinity of which is intermediate between salt
21 and freshwater where tidal action is an important biophysical regulator;

22 (r) "*Exhausted Mineral Resources*" shall refer to a situation where the
23 mineral resources in specific sites are no longer in sufficient quantity or
24 quality to justify additional expenditure for extraction or utilization;

25 (s) "*Food Security*" shall refer to the policy objective of meeting the food
26 availability, accessibility, quality and affordability requirements of the
27 present and future generations of Filipinos in a sustainable manner,
28 through local production or importation, only when there is shortage
29 established based on a micro level situation, or both, based on the
30 country's existing and potential resource endowments and related
31 production advantages, and consistent with the overall national

- 1 development objectives and policies;
- 2 (t) "*Food Self-sufficiency*" shall refer to the policy objective of meeting the
3 food requirements through intensive local food production in a
4 sustainable manner based on the country's existing and potential
5 resource endowments and related production advantages;
- 6 (u) "*Forestlands*" shall refer to lands of the public domain which have been
7 classified or declared as such and all unclassified lands of the public
8 domain. They include the public forest, the permanent forest or forest
9 reserves, and forest reservations;
- 10 (v) "*Foreshore Land*" shall refer to a string of land margining a body of
11 water, the part of a seashore between the low-water line usually at the
12 seaward margin of a low tide terrace and the upper limit of wave wash
13 at high tide usually marked by a beach scarp or berm;
- 14 (w) "*Framework for Physical Planning*" shall refer to an indicative plan
15 promoting the most appropriate and rational use of land and other
16 physical resources. It provides policy guidelines for all decisions relating
17 to land use and environmental management to prevent or mitigate the
18 adverse effects of inappropriate resource utilization on food security, the
19 people's welfare and their environment. It embodies both policies and
20 strategies necessary to carry out goals and objectives;
- 21 (x) "*Geo-hazards*" shall refer to natural and human-induced geological
22 processes that have potential to cause destruction and pose a threat or
23 risk to human's life and property;
- 24 (y) "*Geo-hazard Areas*" shall refer to areas frequently visited and/or vulnerable
25 or prone to experience weather/climatic, hydrologic, geologic, and other
26 natural calamities;
- 27 (z) "*Illegal Conversion*" shall refer to any activity that modifies or alters the
28 physical characteristics of agricultural lands to render them suitable for
29 non-agricultural purposes without an approved order of conversion from
30 the DAR Secretary;
- 31 (aa) "*Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)*" shall

1 refer to groups of people or homogenous societies identified under the
2 Indigenous Peoples Rights Act or RA 8371;

3 (bb) "*Indigenous Energy Resources*" shall refer to energy resources which
4 originate or occur naturally in the Philippines;

5 (cc) "*Inland Waters*" shall refer to waters which are not coastal and marine
6 waters and not subject to acquisitive prescription consistent with the
7 provisions of Presidential Decree No. 1067, otherwise known as the
8 "Water Code of the Philippines";

9 (dd) "*Inter-tidal Sandflat*" shall refer to a juvenile fish-feeding area and
10 habitat for crustaceans. The littoral gravel and sand biotopes are also
11 used by important wintering ground and roosting/feeding grounds of
12 indigenous migratory birds.

13 (ee) "*Integrated Watershed Management*" shall refer to a planning strategy
14 or program for watershed areas that complement environmentally-sound
15 soil and water management practices with mechanisms for ensuring
16 greater responsibility, involvement, or participation of individuals,
17 groups, communities and other stakeholders benefiting from these areas
18 and water-related infrastructure;

19 (ff) "*Key Biodiversity Areas*" shall refer to sites that are globally significant
20 for biodiversity conservation primarily containing species that require
21 site-scale conservation to prevent extinction in the short-term and
22 medium-term. Such species may be globally threatened, restricted-
23 range and/or globally significant congregations of species;

24 (gg) "*Lagoon*" shall refer to a semi-enclosed coastal basin with limited
25 freshwater input, high salinity and restricted circulation which often lies
26 behind sand dunes. It is often highly productive, being a habitat for a
27 variety of plants and animals, serving as nurseries of prawns and shrimps
28 and also a site for harbor, aquaculture, industry and recreation;

29 (hh) "*Land*" shall refer to resources, both human-made and natural, found on
30 the surface, below, and above the ground including inland waters and
31 the air therein. In its broadest sense, it shall include all uses,

- 1 improvements and developments of such resources and may be viewed
2 as a resource, as space, as location, as property and as factor or
3 production or capital;
- 4 (ii) "*Land Use*" shall refer to the manner of utilization of land, including its
5 allocation, development, and management;
- 6 (jj) "*Land Use Classification*" shall refer to the act of delineating or allocating
7 lands according to protection land use, production land use, settlements
8 development, and infrastructure development as defined and provided
9 for in this Act;
- 10 (kk) "*Land Use Sub-classification*" shall refer to the act of determining and
11 assigning specific uses of classified lands of the public domain;
- 12 (ll) "*Land Use Plan*" shall refer to a document embodying a set of policies
13 accompanied by maps and similar illustrations which represent the
14 community-desired pattern of population distribution and a proposal for
15 the future allocation of land to the various land using activities. It
16 identifies the allocation, character and extent of the areas of land
17 resources to be used for different purposes and includes the process and
18 the criteria employed in the determination of the land use;
- 19 (mm) "*Land Use Planning*" shall refer to the act of defining the allocation,
20 utilization, development, and management of all land within a given
21 territory or jurisdiction according to the inherent qualities of the land
22 itself and supportive of sustainable economic, demographic, socio-
23 cultural and environmental objectives as an aid to decision-making and
24 legislation;
- 25 (nn) "*Land Use Policy Council*" shall refer to the highest land use policy-
26 making body created under this Act;
- 27 (oo) "*Mandatory Public Consultations*" shall refer to the mechanism to ensure
28 the involvement of affected sectors in land use planning from the local
29 to the national level. It involves giving notice of hearing/consultation to
30 affected sectors through publication or posting in conspicuous places,
31 conduct of a reasonable number of hearings, and solicitation of positions

1 and the public presentation and validation of the planning results before
2 the final adoption of the plans;

3 (pp) "*Mass Housing*" shall refer to residential subdivision and condominium
4 projects covered by development permits and licenses to sell, catering
5 to the homeless population to include socialized, economic/low-cost and
6 medium-cost housing beneficiaries with affordabilities as defined from
7 time to time by the Housing and Urban Development Coordinating
8 Council (HUDCC);

9 (qq) "*Minerals*" shall refer to all naturally occurring inorganic substance in
10 solid, gas, liquid or intermediate state excluding energy materials such
11 as coal, petroleum, natural gas, radioactive materials and geothermal
12 energy;

13 (rr) "*Mineral Exploration*" shall refer to the systematic searching or
14 prospecting for mineral resources;

15 (ss) "*Mineral Lands*" shall refer to lands in which minerals exist in sufficient
16 quantity or quality to justify the investment necessary for their extraction
17 and/or development;

18 (tt) "*Mudflat*" shall refer to a wetland type that is usually an unvegetated
19 area, dominated by muddy substrate which provides rich feeding
20 grounds for vertebrates such as fish and water birds and also important
21 in preventing soil erosion;

22 (uu) "*Multiple Use of Land Resources*" shall refer to the utilization or
23 management strategy for public lands, which allows any activity thereat,
24 involving one or more of its resources, depending on the result of prior
25 evaluation on its numerous beneficial uses, that will produce the
26 optimum benefits to the development and progress of the country and
27 the public welfare without impairment or with the least injury to its other
28 resources;

29 (vv) "*National Integrated Protected Areas System*" or "*NIPAS*" shall refer to
30 the classification and administration of all designated protected areas to
31 maintain essential ecological processes and life-support systems, to

1 preserve genetics diversity, to ensure sustainable use of resources found
2 therein, and to maintain their natural conditions to the greatest extent
3 possible;

4 (ww) "*National Parks*" shall refer to land of the public domain classified as such
5 in the 1987 Philippine Constitution which include all areas under the
6 National Integrated Protected Areas System pursuant to Republic Act no.
7 7586 or the "NIPAS" Act of 1992;

8 (xx) "*Network of Protected Areas for Agriculture and Agro-industrial*
9 *Development*" or "*NPAAAD*" shall refer to agricultural areas identified by
10 the Department of Agriculture through the Bureau of Soils and Water
11 Management (BSWM) in coordination with the National Mapping and
12 Resource Information Authority (NAMRIA) in order to ensure the efficient
13 utilization of land for agriculture and agro-industrial development and
14 promote sustainable growth. The NPAAAD covers all irrigated areas; all
15 irrigable lands already covered by irrigation projects with firm funding
16 commitments; all alluvial plains; land highly suitable for agriculture
17 whether irrigated or not; agro-industrial croplands or lands planted to
18 industrial crops that support the validity of existing agricultural
19 infrastructure and agro-based enterprises; highlands or areas located at
20 an elevation of five hundred (500) meters or above and have the
21 potential for growing semi-temperate and high value crops; all
22 agricultural lands that are ecologically fragile the conversion of which will
23 result in serious environmental degradation; and all mangrove areas and
24 fish sanctuaries;

25 (yy) "*Non-Government Organization*" shall refer to a private, nonprofit
26 voluntary organization that is committed to the task of political, socio-
27 economic, physical, cultural and environmental development and
28 established primarily to provide service to marginalized sectors in these
29 areas;

30 (zz) "*People's Organization*" shall refer to a private, non-profit, voluntary and
31 community-based organization established primarily to provide service

1 to its members and the community in general;

2 (aaa) "*Physical Framework Plans*" shall refer to the national, regional or
3 provincial indicative plans embodying both policies and strategies that
4 are prepared by the national, regional and provincial land use policy
5 councils, respectively, to guide the desired direction and growth and to
6 promote and advance appropriate resource utilization as a way of
7 sustaining food security, promoting people's welfare and protection of
8 the environment;

9 (bbb) "*Prime Agricultural Land*" shall refer to all irrigated areas, all irrigable
10 lands already covered by irrigation projects with firm funding
11 commitments; all alluvial plain land highly suitable for agriculture
12 whether irrigated or not; agro-industrial croplands or lands presently
13 planted to industrial crops that support the viability of existing
14 agricultural infrastructure and agro-based enterprises, highlands, or
15 areas located at elevation of 500 meters or above and have the potential
16 for growing semi-temperature and high value crops; all agricultural lands
17 that are ecologically fragile, the conversion of which will result in serious
18 environmental degradation; and mangrove areas and fish sanctuaries;

19 (ccc) "*Production Land Use*" shall refer to the direct and indirect utilization of
20 land to generate outputs resulting from the following activities:
21 agricultural, fish farming or aquaculture, timber or agro-forestry, grazing
22 and pasture, mining, indigenous energy resource development, industry,
23 and tourism;

24 (ddd) "*Protected Areas*" shall refer to portions of land set aside by reason of
25 their unique physical and biological significance, managed to enhance
26 biological diversity, and protected against destructive human
27 exploitation. For purposes of this Act, it shall include agricultural lands
28 identified and delineated under Section 29 hereof;

29 (eee) "*Protection Land Use*" shall refer to the use of land
30 primarily for rehabilitation, conservation, and protection purposes and
31 the promotion of the country's ecological and life-support systems;

- 1 (fff) "*Public Domain*" shall refer to lands that belong to the State which may
2 be any of the following: agricultural, forest or timber, mineral, or national
3 park as provided for in the Constitution;
- 4 (ggg) "*Public Lands*" shall refer to lands which have not been subject to private
5 property rights or subject to sale or other modes of acquisition or
6 concession under the general laws, and are devoted to public use;
- 7 (hhh) "*Reclassification/Sub-classification of Agricultural Lands*" shall refer to
8 the act of specifying how agricultural lands shall be utilized for non-
9 agricultural uses such as residential, industrial, or commercial purposes
10 through the local planning and zoning processes pursuant to Republic
11 Act No. 7160 or the Local Government Code (LGC) of 1991 and subject
12 to the requirements and procedure for conversion;
- 13 (iii) "*Resettlement Sites*" shall refer to areas identified by the appropriate
14 national agency or by the local government unit, with respect to areas
15 within its jurisdiction, which shall be used for the relocation of the
16 underprivileged and homeless, as defined under Republic Act No. 7279
17 or the Urban Development and Housing Act (UDHA);
- 18 (jjj) "*Settlements*" shall refer to formal and informal communities or built-up
19 residential areas where people prefer to live in and land areas classified,
20 zoned, or converted for current or future residential or housing
21 development purposes, including socialized housing zones for the
22 homeless and underprivileged;
- 23 (kkk) "*Settlements Development*" shall refer to any improvement on existing
24 formal or informal residential or housing settlements or any proposed
25 development of certain areas for residential or mass housing settlement
26 purposes. It also involves the spatial distribution of population,
27 identification of the roles and functions of key urban centers,
28 determination of relationships among settlement areas, and the
29 provision of basic services and facilities of identified major residential or
30 housing settlement areas or growth centers;
- 31 (III) "*Shoreline*" shall refer to a strip of land covering at least one (1)

1 kilometer from the point where sea water reaches during the highest
2 high tide;

3 (mmm) "*Significant Caves*" shall refer to caves which contain materials or
4 possess features that have archaeological, cultural, ecological, historical
5 or scientific value as determined by the Department of Natural Resources
6 (DENR) in coordination with the scientific community and the academe;

7 (nnn) "*Socialized Housing*" shall refer to housing programs and projects
8 undertaken by the government or the private sector for the
9 underprivileged and homeless citizens which shall include sites and
10 services development, long-term financing, liberalized terms on interest
11 payments, and such other benefits in accordance with the UDHA;

12 (ooo) "*Socialized Housing Zones*" shall refer to lands identified and designated
13 by local government units as sites for socialized housing pursuant to
14 Article IV of Republic Act No. 7279 and its implementing guidelines;
15 these lands to be identified and designated shall include areas that are
16 presently occupied by the urban poor, as well as those identified as
17 resettlement areas as defined herein;

18 (ppp) "*Sustainable Development*" shall refer to the development objective of
19 meeting the needs of the present generation without compromising the
20 ability of future generations to meet their own needs consistent with the
21 principles of social equity, efficiency, and environmental integrity;

22 (qqq) "*Stakeholder*" shall refer to an individual, social group or institution that
23 has a direct or indirect interest in activity, project, resources, or decision;

24 (rrr) "*Tourism Development Areas*" shall refer to specific sites for tourism
25 development located in areas identified as priorities in the national,
26 regional and inter-regional area specific tourism master plans and other
27 sector plans such as eco-tourism and agri-tourism sites, including those
28 designated through legislative and executive issuances i.e., tourist spots,
29 tourist zones and tourism ecozones which can be developed into tourism
30 estates or integrated resort, leisure, and recreation complexes, and other
31 tourism related facilities;

- 1 (sss) "*Tourism Estates*" shall refer to large tracts of land with well-defined
2 boundaries in any area identified in the Philippine tourism master plan
3 and regional tourism master plan, by proclamation of the President
4 and/or by an act of Congress including local legislation. Such land shall
5 be suitable for the development of an integrated tourism and resort
6 complex including but not limited to accommodation facilities, food and
7 beverage outlets, convention and meeting areas, sports, recreational
8 and leisure centers and commercial outlets among others. It shall be
9 provided with roads, water supply facilities, power and utilities like
10 potable water, drainage sewerage disposal, solid waste disposal system
11 and other necessary infrastructure. The estate shall be under one unified
12 and continuous management;
- 13 (ttt) "*Tourism Ecozone*" shall refer to tourism development areas which have
14 been granted Special Economic Zone status, through Philippine
15 Economic Zone Authority (PEZA) registration and issuance of the
16 required Presidential Proclamation, with its metes and bounds delineated
17 by said Proclamation, pursuant to the Special Economic Zone Act of 1995
18 or RA 7916, as amended;
- 19 (uuu) "*Tourist Spot*" shall refer to a particular area/site/spot, human-made or
20 natural, known for its unique tourist/visitor-drawing attributes and
21 activities. It may be classified according to its social, cultural, natural,
22 historical, scientific, religious, and recreational significance;
- 23 (vvv) "*Tourist Zone*" shall refer to a geographic area with well-defined
24 boundaries proclaimed as such by the President of the Philippines and/or
25 by acts of Congress. No development projects for any purpose shall be
26 initiated and introduced within the zone prior to the formulation of a
27 tourism master development plan which shall be undertaken in
28 coordination with the Department of Tourism and the Philippine Tourism
29 Authority. A tourist zone is established for the enhancement and/or the
30 conservation of cultural and historical heritage and for the appreciation
31 and enjoyment of the local population and its visitors;

- 1 (www) "*Urban Areas*" shall refer to all cities regardless of their population
2 density and to municipalities with population density of at least five
3 hundred (500) persons per square kilometer;
- 4 (xxx) "*Urbanizable Areas*" shall refer to sites and lands which, considering
5 present characteristics and prevailing conditions, display marked and
6 great potential of becoming urban areas within a period of five (5) years;
- 7 (yyy) "*Urban Forestry or Green Space*" shall refer to the establishment or
8 setting-up of areas for mini-forest or small nature parks, lining roads and
9 highways with trees, shrubs, or ornamental plants, and ground
10 landscaping of schools, hospitals, and other government agencies in
11 order to improve the environment in urban areas;
- 12 (zzz) "*Water Security*" shall refer to the sufficient access throughout the year
13 to the minimum daily requirement of clean water to maintain a healthy
14 life;
- 15 (aaaa) "*Water Use*" shall refer to the appropriation of water for domestic,
16 municipal, irrigation, power generation, inland fisheries, poultry and
17 livestock, industrial and commercial, environmental, and recreational
18 use;
- 19 (bbbb) "*Watershed*" shall refer to a topographically delineated area of land from
20 which rainwater can drain as surface run-off *vis-a-vis* a specific stream
21 or river system to a common outlet point which may be a dam, irrigation
22 system or urban water supply take-off point, or where the stream
23 discharges into a river, lake, or the sea;
- 24 (cccc) "*Zoning*" shall refer to the regulatory tool for delineating the specific uses
25 of lands in accordance with the approved CLUP within the territorial
26 jurisdiction of a city/municipality and specifying the conditions for their
27 regulation; subject to the limitations imposed by law and competent
28 authority; and,
- 29 (dddd) "*Zoning ordinance*" or "*ZO*" shall refer to a local law passed by the
30 *Sangguniang Bayan* or *Panlungsod* approving the development
31 control/zoning plan in accordance with an approved or adopted CLUP for

1 the city/municipality, and providing for the regulations and other
2 conditions on the uses of land including the limitation on the
3 infrastructure that may be placed thereon within the territorial
4 jurisdiction of a city or municipality. It incorporates the protected areas
5 under Section 13(a) and the protected agricultural lands under Section
6 29 hereof.

7 **CHAPTER III**

8 **PHYSICAL FRAMEWORK AND LAND USE PLANS**

9 *Sec. 5. National Land Use Planning Process.* — The land use and physical
10 planning process shall be formulated following a combined bottom-up and top-down
11 approach. The national framework for physical planning, which guides the planning
12 and management of the country's land and other physical resources at the national
13 and sub-national levels, shall indicate broad spatial directions and policy guidelines on
14 settlement development, production land use, protection land use and infrastructure
15 development. The regional and provincial framework plans and Comprehensive Land
16 Use Plans (CLUPs), which cover the physical development of their respective
17 territories, shall be consistent with the national framework for physical planning:
18 *Provided,* That the integration and harmonization of physical framework plans at all
19 levels shall be imperative to ensure that the concerns of both top and bottom levels
20 of government are considered in the national, regional and physical framework plans
21 and CLUPs. The physical and land use plans prepared at all levels shall have internal
22 consistency specifically on, but not limited to, the development, management and
23 conservation of forestlands found within a given territory and the linkages of the major
24 land use categories to ensure that they complement in the utilization, development
25 and management of resources.

26 *Sec. 6. National Framework for Physical Planning.* — The Land Use Policy
27 Council (LUPC) created in Section 14 herein, in consultation with the concerned
28 sectors through the mandatory conduct of public hearings, shall formulate, periodically
29 update and ensure the implementation of a national framework for physical planning
30 that shall serve as the general long-term framework for the spatial development

1 directions of the entire country. A national framework for physical planning shall be
2 the basis for adopting land use and physical planning-related guidelines and
3 standards, including zoning and other land use control standards that will guide the
4 formulation of city/municipal zoning ordinances.

5 *Sec. 7. Regional Physical Framework Plans.* — In consultation with concerned
6 sectors, the Regional Land Use Policy Council (RLUPC) shall define the desired spatial
7 arrangement of land-using activities in the entire region, consolidating and
8 harmonizing the provincial physical framework plans of provinces and independent
9 cities within the territorial jurisdiction of the region. The regional physical framework
10 plan, which depicts an end-state scenario toward which efforts and activities are
11 directed, shall consist of spatially-based and area-focused policies, consistent with
12 those in the national framework for physical planning, to guide detailed physical,
13 socio-economic, sectoral and investment planning.

14 *Sec. 8. Provincial Physical Framework Plans.* — In consultation with concerned
15 sectors, the Provincial Planning and Development Office shall prepare a provincial
16 physical framework plan to determine the physical development of the entire
17 provincial territory, consolidating and harmonizing the land use plans of component
18 cities and municipalities, and defining the uses of land and other resources within the
19 province consistent with the policies in the regional physical framework plan. It shall
20 submit the provincial physical framework plan to the Provincial Land Use Policy Council
21 (PLUPC), created under Section 20 of this Act, for review and endorsement to the
22 *Sangguniang Panlalawigan*, which shall adopt the same pursuant to Section 468 (2)
23 (vii) of the LGC.

24 *Sec. 9. City and Municipal Land Use Plans.* — The City/Municipal Planning and
25 Development Office, in consultation with concerned sectors through mandatory
26 conduct of public hearings, shall prepare the CLUP to determine the specific uses of
27 land and other physical resources therein including areas co-managed with the
28 national government and, as appropriate, the ancestral domain areas. Guided by a
29 provincial physical framework plan, the CLUP shall embody the desired land use
30 patterns and mixes of the city or municipal territory and provide appropriate policies
31 for each of the four land use planning categories that shall guide and serve as

1 framework for more detailed development and sectoral planning.

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

5 **CHAPTER IV**

6 **FRAMEWORK FOR LAND USE PLANNING**

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

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

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

30 (a) Availability of natural resources including indigenous energy resources

- 1 for energy security and self-sufficiency;
- 2 (b) Geology, geomorphology, geologic hazard, climate, soil, vegetative
3 cover, demography and slope;
- 4 (c) Economic, environmental, social and related development activities;
- 5 (d) Existing government policies on land and natural resources allocation,
6 utilization, management and disposition;
- 7 (e) Technological changes/advancement;
- 8 (f) Existing customary rights for the protection of indigenous peoples and
9 vulnerable groups including women and urban poor;
- 10 (g) Inventory of prior and existing rights, to harmonize determination of land
11 use.

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

15 (a) *Protection Land Use* - Planning for protection of land use intends to
16 achieve environmental stability and ecological integrity, ensure a balance
17 between resource use and the preservation of some areas with
18 environmental, aesthetic, educational, cultural and historical
19 significance, and protect people and human-made structures from the
20 ill-effects of natural hazards. Areas under this category are those under
21 the coverage of the NIPAS Law and other coastal and marine protected
22 areas; those areas outside NIPAS but nonetheless require protection
23 because of their outstanding physical and aesthetic features,
24 anthropological significance, and biological diversity; and those areas
25 prone to natural hazards. Areas outside the coverage of the NIPAS law
26 include, but are not limited to the following:

- 27 (i) Reserved old-growth forests above 1,000 meters in elevation
28 and those 50% in slope gradient;
- 29 (ii) Mangrove and fish sanctuaries, pursuant to the Agriculture and
30 Fisheries Modernization Act of 1997 or RA 8435 and the
31 Philippine Fisheries Code of 1998 or RA 8550;

- 1 (iii) Buffer zones or strips/easements, pursuant to the Revised
2 Forestry Code of the Philippines or P.D. No. 705 and the Water
3 Code of the Philippines or P.D. No. 1067;
- 4 (iv) Salvage zones along foreshore areas, freshwater swamps and
5 marshes, plazas and heritage/historic sites, pursuant to P.D.
6 No. 2146;
- 7 (v) Watersheds supporting domestic water supply;
- 8 (vi) Utility easement like transmission lines of power companies, oil
9 and gas facilities, cell sites, and domestic water lines;
- 10 (vii) Amenity areas or those with high aesthetic values, pursuant to
11 P.D. No. 2146.
- 12 (viii) Natural and human-made areas/sites of cultural, historical and
13 anthropological significance, which are declared as such by
14 internationally recognized organizations and concerned
15 national agencies.
- 16 (ix) Critical habitats as provided in the Wildlife Resources
17 Conservation and Protection Act or RA 9147.
- 18 (x) Significant Caves under the National Caves and Cave Resources
19 Management and Protection Act or RA 9072.
- 20 (xi) Key Biodiversity Areas under Executive Order 578 (National
21 Biodiversity Policy)
- 22 (b) *Production Land Use* - Planning for production land shall determine the
23 most efficient, sustainable, and equitable manner of utilizing, developing
24 and managing land for productive purposes. Areas included in this
25 category are agricultural lands, fishing grounds, coastal and marine
26 zones, production forest which comprise lands 18% to 50% in slope
27 gradient such as: residual dipterocarps, rangelands for grazing purposes,
28 industrial tree plantation, community-based forest management areas
29 and other reforestation projects; mineral lands or mining areas and
30 reservations, energy resource lands, industrial development areas, and
31 tourism development areas where productive activities could be

1 shall exercise the powers and responsibilities of the National Land Use Committee
2 (NLUC). The LUPC shall act as the highest policy-making body on land use and resolve
3 land use policy conflicts between or among agencies, branches, or levels of the
4 government. It shall integrate efforts, monitor developments relating to land use and
5 the evolution of policies.

6 Sec. 15. *Composition of the LUPC.* — The LUPC shall be composed of twenty
7 (20) members.

8 (a) The Secretary of Socio-Economic Planning as Chairperson;

9 (b) The Secretaries of Environment and Natural Resources and Agriculture
10 and the Chairperson of the Housing and Urban Development
11 Coordinating Council (HUDCC) as Vice-Chairpersons;

12 (c) The Secretaries of Agrarian Reform, Trade and Industry, Public Works
13 and Highways, Transportation and Communications, Tourism, Interior
14 and Local Government, Justice, Science and Technology, Finance and
15 Energy;

16 (d) A representative each from four (4) basic sectors directly involved in land
17 use, namely: urban poor, peasants, fisherfolk, and indigenous peoples
18 who shall be appointed by the President of the Philippines based on the
19 nomination and recommendation of the respective sectoral councils of
20 the National Anti-Poverty Commission (NAPC). At least two sectoral
21 representatives shall be women; and

22 (e) Two representatives from private subdivision and housing developers.

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

29 Sec. 16. *Powers and Functions.* — The LUPC shall have the following powers
30 and functions:

31 (a) Advise the President of the Philippines and the NEDA Board on all

- 1 matters concerning land use and physical planning;
- 2 (b) Formulate policies and endorse land use and physical planning-related
3 policies that may be formulated by the RLUPC and concerned agencies
4 as well as promulgate zoning and other land use control standards and
5 guidelines which shall guide the formulation of land use plans and zoning
6 ordinances by local governments;
- 7 (c) Harmonize laws, guidelines and policies relevant to land use and physical
8 planning to come up with a rational, cohesive, and comprehensive
9 national land use framework;
- 10 (d) Prepare, periodically review and if necessary, update the national
11 framework for physical planning to provide the general framework for
12 the spatial development directions for the entire country and sub-
13 national levels;
- 14 (e) Monitor and coordinate undertaking the gathering of data, the conduct
15 of studies pertaining to land use planning including studies on the
16 management of identified land uses and such other studies not
17 undertaken by other government agencies;
- 18 (f) Coordinate with and assist other government agencies and LGUs in
19 planning, developing, and implementing their land use classification
20 programs, and provide, to the extent possible, technical assistance and
21 guidance;
- 22 (g) Monitor and coordinate the activities of concerned agencies and entities
23 of the government, as well as LGUs, in the enforcement and
24 implementation of policies and regulations relating to land use and
25 resource management and development;
- 26 (h) Monitor and coordinate activities in the establishment of a national land
27 resource information and management system of concerned agencies
28 that shall integrate and process information on land use and allocation
29 generated by the various national government agencies; define
30 information requirements at various levels; and standardize information
31 inputs and outputs including scales and symbols used in territorial and

1 sectoral maps;

- 2 (i) Call on any department, bureau, office, agency, or instrumentality of the
3 government, and or private entities and organization for cooperation,
4 support, and assistance in the performance of its functions;
- 5 (j) Decide and resolve policy conflicts on land use between or among
6 national government agencies and act on unresolved land use policy
7 conflicts at the regional level;
- 8 (k) Adopt rules of procedures for the orderly and expeditious conduct of
9 meetings and other business of the Council; and
- 10 (l) Perform such other acts and functions and exercise such other powers
11 as may be necessarily implied, inherent, incident, or related to the
12 foregoing.

13 Sec. 17. *LUPC Technical Board (LUPC-TB)*. — A Technical Board shall be created
14 to provide technical support to the LUPC. It shall be composed of:

- 15 (a) NEDA Deputy Director-General for Regional Development as
16 Chairperson;
- 17 (b) Representatives of the member agencies/institutions of the LUPC, who
18 shall have a rank not lower than Director level; and
- 19 (c) The representatives of the four (4) basic sectors as enumerated in
20 Section 15 (d) of this Act.

21 Sec. 18. *Offices, Units and Staff Support*. — The NEDA Regional Development
22 Office shall continue to provide core secretariat services to LUPC, its Technical Board
23 and RLUPC. Other government agencies may also be called upon for staff support.

24 ARTICLE II

25 LOCAL DEVELOPMENT COUNCILS AS LOCAL LAND USE POLICY COUNCILS

26 Sec. 19. *Regional Land Use Policy Council (RLUPC)*. — At the regional level, the
27 RLUPC will be institutionalized, replicating the LUPC structure and composition. A
28 representative from the Department of Agriculture (DA), Department of Agrarian
29 Reform (DAR) and Department of Environment and Natural Resources (DENR) shall
30 be included in the composition of the RLUPC. The RLUPC shall have the following

1 functions:

- 2 (a) Formulate and adopt regional policies on land use and physical planning;
- 3 (b) Prepare and periodically update a regional physical framework plan,
4 taking into consideration national policies and lower level plans;
- 5 (c) Assist the provinces in preparing and periodically updating its physical
6 framework plans to ensure consistency with the regional and national
7 plans and policies and to facilitate its integration to the regional plans;
- 8 (d) Review, prior to adoption by respective *Sanggunian* bodies, the
9 provincial physical framework plan and CLUPs of highly urbanized and
10 independent component cities to ensure consistency with the regional
11 physical framework plan and national policies set forth by LUPC and
12 compliance with limits prescribed under the 1991 LGC for reclassifying
13 agricultural lands;
- 14 (e) Resolve and recommend policy conflicts on land use planning,
15 classification, and allocation that may arise between or among regional
16 line agencies;
- 17 (f) Monitor changes in land use and other physical resources in the region;
- 18 (g) Evaluate consistency of major programs and projects with the regional
19 physical framework plans and their impact on land use and the
20 environment;
- 21 (h) Undertake the gathering of regional data for the Land Resource
22 Information and Management System; and
- 23 (i) Perform other related functions as may be directed by the LUPC.

24 *Sec. 20. Provincial Land Use Policy Council (PLUPC).* — The Provincial
25 Development Council (PDC), created under Section 106 of the LGC, shall act as the
26 PLUPC that will tackle land use concerns whenever necessary. A representative from
27 the Department of Agrarian Reform (DAR) and Department of Environment and
28 Natural Resources (DENR) shall be included in the composition of the PLUPC.

29 In addition to the functions enumerated in Section 109 of the LGC, the PLUPC shall:

- 30 (a) Advise the *Sangguniang Panlalawigan* on all matters pertaining to land
31 use and physical planning;

- 1 (b) Review and endorse to the *Sangguniang Panlalawigan* for adoption, the
2 provincial physical framework plan prepared and periodically updated by
3 the Provincial Planning and Development Office and other land use and
4 physical planning-related policies;
- 5 (c) Assist the *Sangguniang Panlalawigan* in reviewing the CLUPs of
6 component cities/municipalities to ensure consistency with the provincial
7 physical framework plans and compliance with the limits prescribed
8 under the 1991 LGC for reclassifying agricultural lands; and
- 9 (d) Resolve and recommend policy conflicts on land use planning,
10 classification, and allocation that may arise between or among
11 cities/municipalities and any unresolved land use conflicts at the
12 city/municipal level.

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

18 Sec. 21. *City/Municipal Land Use Policy Council (C/MLUPC)*. — The
19 City/Municipal Development Council (C/MDC), created under Section 106 of the LGC,
20 shall act as the C/MLUPC that will tackle land use concerns whenever necessary. A
21 representative from the Department of Agrarian Reform (DAR) and Department of
22 Environment and Natural Resources (DENR) shall be included in the composition of
23 the C/MLUPC.

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

- 25 (a) Advise the *Sangguniang Bayan* or *Sangguniang Panlungsod* on all
26 matters pertaining to land use and physical planning;
- 27 (b) Review and endorse to the *Sangguniang Bayan* or *Sangguniang*
28 *Panlungsod* for adoption, the CLUP prepared and periodically updated by
29 the City/Municipal Planning and Development Office and other land use
30 and physical planning-related policies; and
- 31 (c) Resolve and recommend policy conflicts on land use planning and

1 allocation that may arise between and among *barangays* and any
2 unresolved land use conflicts at the *barangay* level regarding the
3 violation of zoning ordinances including opposition to applications for
4 locational clearances, permits or certificates.

5 For purposes of this Act, the City/Municipal Planning and Development
6 Coordinator (C/MPDC) shall (a) act on all applications for locational clearances for all
7 projects except those of vital and national economic or environmental significance,
8 and (b) monitor on-going/existing projects within their respective jurisdictions and
9 issue notices of violation to owners, developers, or managers of projects that are
10 violative of zoning ordinances.

11 The C/MLUPC may call upon any local official concerned such as C/MPDC,
12 City/Municipal Agriculturist, City/Municipal Environment and Natural Resources Officer,
13 City/Municipal Engineer, City/Municipal Assessor, or any official of national agencies
14 during discussions on land use and physical planning concerns.

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

18 ARTICLE III

19 ADOPTION, APPROVAL AND REVIEW OF LAND USE PLANS

20 *Sec. 22. Component Cities and Municipalities.* — Component cities and
21 municipalities shall have the power and authority to adopt and approve their
22 respective CLUPs and ZOs through their respective *Sanggunian* bodies subject to the
23 power of review of their respective provinces only with respect to the consistency of
24 the CLUPs and ZOs with Section 9 hereof on the preparation of the provincial physical
25 framework plan.

26 *Sec. 23. Provinces and Independent and Highly Urbanized Cities.* — Provinces
27 and independent and highly urbanized cities shall have the power and authority to
28 adopt and approve their respective CLUPs, ZOs or provincial physical framework plan,
29 as the case may be, through their respective *Sanggunian* but subject to the review of
30 the RLUPC as provided in Section 19 hereof.

1 ARTICLE IV

2 RESPONSIBILITIES OF THE NATIONAL GOVERNMENT AGENCIES AND LGUS

3 Sec. 24. *National Base Mapping Program.* — A national mapping program shall
4 be implemented, coordinated, and monitored through the creation of an Inter-agency
5 Technical Committee (ITC) composed of the National Mapping and Resource
6 Information Authority (NAMRIA), as the lead agency, the Bureau of Soils and Water
7 Management (BSWM), the Forest Management Bureau (FMB), the Land Management
8 Bureau (LMB), the Protected Areas and Wildlife Bureau (PAWB), the Mines and
9 Geosciences Bureau (MGB), the Philippine Institute of Volcanology And Seismology
10 (PHIVOLCS), DAR, the National Water Resources Board (NWRB), DOE, NEDA and
11 other concerned government agencies/bureaus. The ITC shall be constituted, and the
12 mapping program initiated, within thirty (30) days from the effectivity of this Act.

13 For purposes of uniformity and standardization, the LGUs, to be assisted by the
14 appropriate agencies of the national government, shall likewise prepare their
15 respective territorial maps using scales, symbols, and other indicators to be prescribed
16 in accordance with this Act. The completed maps shall be integrated in the national
17 framework for physical planning pursuant to Section 6 hereof.

18 Sec. 25. *National Geo-Hazard Mapping Program.* — Within thirty (30) days from
19 the effectivity of this Act, a nationwide geo-hazard mapping program shall be initiated
20 jointly thru the LUPC by the PHIVOLCS, the Philippine Atmospheric Geophysical and
21 Astronomical Services Administration (PAGASA), the NAMRIA, MGB, BSWM, and DOE,
22 in coordination with the National Disaster Coordinating Council (NDCC), the Regional
23 Disaster Coordinating Councils, and other concerned government agencies. The
24 program shall include the generation of indicative geo-hazard zoning maps that will
25 outline areas in the Philippines which are prone to liquefaction, landslides, severe flash
26 flooding, lahar, ground rupturing, tsunami, river erosion, coastal erosion, sinkhole
27 collapse, earthquake, hazardous volcanic products, and other disastrous natural
28 hazards.

29 For purposes of uniformity and standardization and in order to develop a safe-built
30 environment, the LGUs shall subsequently incorporate and integrate the generated
31 geo-hazard zoning maps in their respective CLUPs. Said geo-hazard maps shall serve

1 as guide for all the LGUs in the preparation of their own hazards-constrained
2 development plans. The national framework for physical planning, pursuant to Section
3 6 hereof, shall incorporate these geo-hazard maps.

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

8 *Sec. 26. Scope and Nature of Responsibilities of Other National Government*
9 *Agencies.* — All concerned national government agencies/bodies shall periodically
10 report to the LUPC on the various activities and accomplishments relative to land use.
11 Likewise, they shall provide their respective sectoral/development plans and render
12 technical and administrative support if called upon by the LUPC relative to the
13 implementation of the provisions of this Act.

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

18 **CHAPTER VI**

19 **SPECIAL AREAS OF CONCERN**

20 **ARTICLE I**

21 **AGRICULTURAL LANDS**

22 *Sec. 28. Priority Areas for Agricultural Development.* — Priority areas for
23 agricultural development are the CARP, CARPable areas, and the NPAAAD.

24 *Sec. 29. Conversion of Agricultural Lands.* — Agricultural lands are deemed
25 converted to non-agricultural uses upon the recommendation of appropriate
26 government agencies and the approval by the DAR of the application for conversion.
27 Prime agricultural lands and specific types of lands to the extent necessary for
28 attaining food self-sufficiency in rice and corn and food security in other basic
29 commodities, as determined by the DA, subject to mandatory consultation with the
30 LGUs, the private sector, the NGOs, and POs, shall be protected from conversion,

1 which shall include but not limited to areas under the NPAAAD: *Provided*, That all
2 irrigated and irrigable lands, all lands developed or possessing the potential for
3 development of high value crops, and all agricultural lands that are ecologically fragile
4 and whose conversion will result in serious environmental problems shall be given full
5 protection from conversion, the areas under which are subject to review every six (6)
6 years by the DA, DAR and DENR, with the mandatory public consultations: *Provided*,
7 *further*, That consistent with the State policy on giving priority to the completion of
8 the Comprehensive Agrarian Reform Program (CARP), all lands subject to CARP
9 including those lands covered under the notice of compulsory acquisition/voluntary
10 offer to sell, production or profit-sharing, or commercial farm deferment shall also be
11 protected from conversion pending the distribution and installation of the farmer
12 beneficiaries, but thereafter, Section 65 of Republic Act No. 6657 or the
13 Comprehensive Agrarian Reform Law (CARL) shall apply.

14 Lands defined under Section 10 of R.A. No. 6657 shall remain exempted and excluded
15 from the coverage of CARP.

16 *Sec. 30. Re-classification/Sub-classification of Agricultural Lands by LGUs.* —
17 Sub-classification or re-classification of agricultural lands to other uses under Section
18 20 of the LGC of 1991 shall exclude the prime agricultural lands as stated in the
19 preceding section. Moreover, such sub-classification/reclassification is not
20 synonymous to conversion. The DA and DAR shall provide the LGUs with a complete
21 list and maps of prime agricultural lands within their territorial jurisdictions.

22

ARTICLE II

23

FORESTLANDS AND WATERSHED MANAGEMENT

24

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

30

Sec. 32. Critical Watershed Areas. — The DENR, in coordination with the DA,

1 LGUs, and other government agencies, including government-owned and-controlled
2 corporations, and with mandatory public consultations, shall identify and delineate
3 critical watershed areas that need to be protected, rehabilitated, enhanced, and/or
4 withdrawn from uses that contribute to their further degradation.

5 *Sec. 33. Formulation and Implementation of Integrated Watershed*
6 *Management Plans.* — With the assistance of the DENR and upon mandatory
7 consultations with the concerned sectors, the LGUs through their local land use
8 committees shall prepare their watershed management plans which shall be
9 integrated with their respective CLUPs. The formulation and integration of the plan
10 shall be guided, among others, by the principle that the management and
11 development of inland water resources shall be at the watershed level. A nationwide
12 mapping of watersheds in the country shall be implemented.

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

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

22 The preparation of Forest Land Use Plans shall make use of the watershed as the basic
23 planning unit.

24 ARTICLE III

25 COASTAL ZONES

26 *Sec. 34. Criteria on the Allocation and Utilization of Lands within the Coastal*
27 *Zones.* — The allocation and utilization of lands within the coastal zones shall be
28 guided by the following:

- 29 (a) Areas vegetated with mangrove species shall be preserved for mangrove
30 production and shall not be converted to other uses;

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

29 Sec. 35. *Coastal Land Zone Sub-classification.* — All public lands in the coastal
30 zones shall be subclassified into any of the following: estuaries, lagoons, inter-tidal
31 flats, mudflats, fishponds, mangroves, protection from tidal surge, for preservation of

1 biodiversity, habitats and sanctuaries for endangered wildlife, fisherfolk settlement, or
2 recreational/tourism areas. No sub-classification of coastal zones to different uses shall
3 be done without the following:

- 4 (a) Conduct of a comprehensive resource and environmental assessment by the
5 DENR and respective LGUs and accredited NGOs and POs within their jurisdiction; and
- 6 (b) Prior consultation with local Fisheries and Aquatic Resource Management
7 Councils (FARMCs) formed under Republic Act No. 8550 or the Fisheries Code.

8 *Sec. 36. Zoning of Foreshore Areas.* — Local government units, in coordination with
9 the DENR, shall conduct zoning of their respective foreshore areas to assist
10 government and community fishers identify priority areas for conservation and
11 development, and to enable them to set targets for mangrove reforestation and
12 rehabilitation.

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ARTICLE IV
MINERAL LANDS

15 *Sec. 37. Criteria for the Utilization and Allocation of Land for Mining Purposes.* —
16 Consistent with Section 5 of this Act and the provisions of Republic Act No. 7942 or
17 the Mining Act of 1995, and to ensure that the objectives of maintaining ecological
18 balance and maximizing economic returns to mining operations are realized, the
19 allocation and utilization of lands for mining purposes shall be guided by the following:

- 20 (a) The principles of sustainable development and responsible mining;
- 21 (b) In case of small-scale mining, adequate and acceptable safeguards shall
22 be instituted by the holders of mining rights or permits to prevent
23 environmental degradation of the mining sites and adjacent areas;
- 24 (c) Mineral reservations which have become non-operational for more than
25 ten (10) years as determined by the MGB shall be placed under
26 appropriate surface management by the DENR;
- 27 (d) Consistent with the Mining Act of 1995, existing mineral reservations
28 shall be periodically reviewed by the DENR for the purpose of
29 determining whether their continued existence is consistent with the
30 national interest and, if warranted, recommend the alteration or

1 modification of its boundaries or revert the same to public domain
2 without prejudice to prior existing rights; and

- 3 (e) Protection forest lands and agricultural lands should be exempt from
4 mining activities to minimize the effect of natural calamities and to
5 protect food security respectively. Small to large scale mining operations
6 should yield and recognize the tenorial instrument given by the
7 government such as OCT, TCT, CADT, EP-CLOA and other instruments.
8 If these be present, no mining activity should be conducted.

9 *Sec. 38. Reversion of Mineral Lands.* — All mineral lands with exhausted mineral
10 resources, as determined by the MGB upon the recommendation of the DENR, shall
11 revert to its original land classification, that is, as forest land or agricultural land. In
12 the case of forestlands, the DENR may classify such areas for other purposes in
13 consultation with concerned LGUs, the DOT, and other national government agencies.
14 Exhausted mineral lands shall refer to specific sites whose mineral deposits are no
15 longer in sufficient quantity or quality to justify additional expenditure for their
16 extraction and utilization.

17 ARTICLE V

18 ENERGY RESOURCE LANDS

19 *Sec. 39. Guidelines for the Utilization and Allocation of Lands for Energy*
20 *Resource Exploration, Development, Production, Utilization, and Distribution Purposes.*

21 — To ensure that the objectives of maintaining ecological balance and maximizing the
22 power potential from indigenous energy resources in the most economical and
23 environmentally-acceptable means are realized, the allocation and utilization of lands
24 for said purposes shall be guided by the following, consistent with existing regulations
25 and laws on energy resources:

- 26 (a) Indigenous energy resource exploration and development for the
27 purpose of a National Energy Resource Inventory and Data Base as well
28 as Energy Resource Block Map shall be allowed subject to the
29 implementation of complementary watershed and other land
30 management plans;

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

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

12 *Sec. 40. Reversion of Energy Resource Lands.* — All exhausted indigenous
13 energy resource lands not covered by proclamations shall automatically revert to the
14 category of forestlands or agricultural lands open to disposition, whichever is
15 appropriate. Exhausted energy resource lands shall refer to specific energy resource
16 sites whose energy reserves of the desired type/s are no longer in sufficient quantity
17 or quality to justify additional expenditure for their extraction and utilization.

18 **CHAPTER VII**

19 **SETTLEMENTS DEVELOPMENT**

20 *Sec. 41. Town, City, and Settlements Development.* — The development of
21 town, city, and settlements through the zoning ordinances of cities and municipalities
22 shall be guided by urban zoning standards designed to maximize existing urban
23 spaces. Socialized housing and settlement areas should be established only on
24 alienable and disposable lands in order to avoid further degradation of forestlands.

25 *Sec. 42. Settlements within Geo-hazard Areas.* — Settlements, in particular
26 housing or residential developments, within geo-hazard areas may be allowed
27 provided that mitigating and/or protective measures are adopted to address the
28 potential danger or risk to lives and property within such settlements. In coordination
29 with the concerned agencies of the government, the LUPC shall provide assistance to

1 concerned LGUs and settlers in instituting safety and corrective measures to address
2 the potential danger or risk.

3 Residential zones as designated in the CLUP shall be considered as outside the
4 geo-hazard areas. For this purpose, housing projects within such areas shall be
5 exempt from the ECC as well as the EGGAR and maybe implemented without the need
6 for any further certificate of exemption from the DENR or any other government
7 regulatory agency.

8 *Sec. 43. Designation of Sanitary Landfill.* — Each city or municipality shall
9 identify, designate and allocate an area within their territorial jurisdiction to serve as
10 sanitary landfill within one (1) year from the effectivity of this Act. The LGUs, in
11 coordination with the DENR or any other competent authority, shall identify sanitary
12 landfill sites in order to fast-track the conduct of environmental impact assessment
13 study and to facilitate processing of the environmental compliance certificate. The site
14 or area shall be identified in the city or municipality's CLUP. For this purpose, cities
15 and municipalities shall establish their solid waste management program pursuant to
16 the Ecological Solid Waste Management Act or RA 9003. Likewise, as provided under
17 Section 33 of the LGC, cities and municipalities may, through appropriate ordinances,
18 bind themselves towards the establishment of a common solid waste management
19 program.

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

25 *Sec. 44. Designation and Zoning of Socialized Housing Zones.* — Each city or
26 municipality in urban, urbanizable and rural areas shall designate through the CLUP
27 adequate lands for housing or residential purposes, including socialized housing and
28 resettlement areas for the immediate and future needs of the local population as well
29 as the underprivileged and homeless in their territory, pursuant to existing laws and
30 regulations. In order to ensure adequate availability of land for the housing needs of
31 the local population, the CLUP shall be updated, at maximum, every nine (9) years

1 for provinces, cities and municipalities.

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

5 Fisherfolk settlements and housing in coastal municipalities shall be zoned near the
6 sea for easy access to their livelihood as provided under Section 35 (d) of this Act.

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

14 *Sec. 45. Urban Forest or Green Space.* — Each city or highly urbanizing
15 municipality shall identify, designate, and allocate lands owned by the city or
16 municipality as urban forest or green space based on the guidelines and standards to
17 be issued by the DENR and approved by the LUPC.

18 **CHAPTER VIII**

19 **INDUSTRIAL DEVELOPMENT AREAS**

20 *Sec. 46. Criteria for Designating Industrial Development Areas.* — The
21 identification and establishment of industrial development areas shall
22 conform to the provisions of Republic Act No.7916, otherwise known as
23 the Philippine Economic Zone Authority (PEZA) Law; the CARL, IPRA,
24 UDHA, and the AFMA, taking into consideration the following:

25 (a) Identified network of areas for agricultural development and protected
26 agricultural areas pursuant to the AFMA;

27 (b) National policies on the regional dispersal of industries and agri-based
28 industrial development;

29 (c) Identified growth areas and corridors in the National Development Plan;

30 (d) National Protected Areas System (NIPAS) and non-NIPAS areas that

1 cultural space of intangible cultural properties, which are significant to a city/
2 municipality and the community.

3 **CHAPTER X**

4 **INFRASTRUCTURE DEVELOPMENT**

5 *Sec. 49. Allocation and Use of Land for Infrastructure Development.* — Land,
6 whether public or private, shall be allocated and utilized for priority infrastructure
7 projects that are supportive of national or local development objectives. The NEDA, in
8 consultation with the concerned national government agencies, LGUs, and the private
9 sector shall identify and periodically review, update and/or revise the list of priority
10 infrastructure projects subject to Sections 5 and 29 hereof, and Section 47 of the
11 AFMA. In determining and evaluating the list of priority infrastructure projects,
12 consideration shall be given to those that:

- 13 (a) Respond to immediate and vital requirements of the national economy
14 with priority on improving rural infrastructure and the development of
15 the agriculture and fisheries sectors;
- 16 (b) Upgrade existing facilities to international standards;
- 17 (c) Address the need for sustainable settlements development; and,
- 18 (d) Help mitigate the destructive effects of natural disaster-causing
19 phenomena or those that shall serve as alternatives to existing
20 infrastructures found in natural hazard-prone areas:

21 *Provided,* That the provision and implementation of infrastructure support shall
22 be made compatible with existing environmental conditions and the physical, whether
23 natural or human-made, and cultural character of the area. Mandatory public
24 consultations pursuant to existing laws and regulations shall be held prior to the
25 conduct of all infrastructure projects that will necessarily involve dislocation or
26 displacement of people in the area: *Provided, further,* That the proponent of the
27 infrastructure project shall follow the rules on just and humane eviction or demolition
28 under Section 28 of the UDHA, notwithstanding the provisions of Republic Act No.
29 8975, prohibiting lower courts from issuing temporary restraining orders, preliminary
30 injunctions, or preliminary mandatory injunctions, and proponent shall follow IPRA:

1 religious sector, and the general public.

2 **CHAPTER XII**

3 **INCENTIVES, SANCTIONS, AND PENALTIES**

4 **ARTICLE I**

5 **INCENTIVES AND AWARDS**

6 *Sec. 53. Formulation of a System of Incentives and Awards.* — The LUPC shall
7 come out with a system of incentives and awards to LGUs that regularly update their
8 CLUPs within the prescribed period, as follows:

- 9 (a) Provinces, Highly Urbanized Cities, and Independent Component Cities
10 once every nine (9) years; and
11 (b) Component cities and municipalities once every nine (9) years.

12 *Sec. 54. Priority in Giving Technical Assistance to LGUs.* — In providing technical
13 assistance and other forms of support related to land use management and the
14 implementation of development plans, national government agencies shall give
15 priority to cities and municipalities with approved CLUPs.

16 **ARTICLE II**

17 **SANCTIONS AND PENALTIES**

18 *Sec. 55. Fine for Non-Completion and Non-Commencement of Development of*
19 *Agricultural Lands with Approved Order of Conversion.* — A landowner and his/her
20 designated developer or duly authorized representative who fails to commence and/or
21 complete the development of agricultural lands with approved order of conversion
22 shall be penalized, jointly or severally, with any of the following fines based on the
23 zonal value of the land at the time the fine is imposed:

- 24 (a) On failure to commence within one year from the date of conversion
25 order:
26 (i) Six percent (6%) of the zonal value of the subject land for the
27 first three (3) hectares,
28 (ii) Fifteen percent (15%) of the zonal value of the subject land
29 for the next three hectares, and

1 (iii) Thirty percent (30%) of the zonal value of the subject land for
2 the remaining area.

3 *Provided,* That the order of conversion shall be deemed revoked automatically
4 and the land shall revert to its original agricultural use and covered by the DLR through
5 compulsory acquisition for distribution to qualified beneficiaries.

6 (b) On failure to complete fifty percent (50%) of the approved conversion
7 plan within a specified time frame: Fifty percent (50%) of the zonal value
8 of the subject land and the revocation of the conversion plan on the
9 undeveloped portion which shall automatically revert to its original use
10 as agricultural land. The same shall be covered under the CARP and
11 processed for land distribution as soon as possible.

12 *Sec. 56. Authority to Impose Fine.* — The DAR shall impose the penalty
13 provided for under the preceding section.

14 *Sec. 57. Withdrawal of Local Development Permits or Licenses.* — Upon receipt
15 of notice from the DAR, the concerned agencies and the city or municipality shall
16 withdraw or revoke any development permit and other licenses that may be necessary
17 to develop the agricultural land subject of conversion.

18 *Sec. 58. Utilization of Fines.* — The fines collected under Sections 55, 60, 61,
19 and 62 hereof shall automatically accrue to the Agrarian Reform Fund consistent with
20 the provisions of the CARL, as amended.

21 *Sec. 59. Failure to Formulate, Enforce, and/or Implement the CLUPs.* —
22 Consistent with due process, the DILG shall investigate, review, and impose
23 appropriate action regarding local chief executives and other local officials and
24 employees responsible for the formulation, enforcement, and/or implementation of
25 the CLUPs in case of any of the following:

26 (a) Failure to implement and enforce the CLUP due to negligence of duty;

27 (b) Failure to provide appropriate budgetary allocation to effect its
28 implementation; and

29 (c) Failure to complete the preparation of the CLUP despite the availability
30 of funds, resources, and support by the *Sanggunian* concerned.

31 Any public official or employee, regardless of whether elected or appointed or holding

1 office or employment in a casual, temporary, holdover, permanent, or regular
2 capacity, found to be responsible for any of the foregoing acts, after due notice and
3 hearing by the appropriate body or agency, shall be punished with forfeiture of salaries
4 and allowances and suspension from:

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

6 (b) Three (3) to six (6) months, in case of non-completion of the CLUP.

7 Sec. 60. *Person(s) Abetting Illegal Conversion.* — Any person initiating,
8 causing, inducing, or abetting illegal conversion shall, upon conviction, be imprisoned
9 from seven (7) to twelve (12) years and imposed a fine of not less than one hundred
10 thousand (100,000.00) pesos, or both at the discretion of the court: *Provided,* That if
11 the offender is a public official or employee, whether elected or appointed, the penalty
12 shall, in addition thereto, include dismissal through permanent separation from the
13 service and forfeiture of all benefits and entitlements accruing to the public position
14 and perpetual disqualification to run or apply for any elective or appointive public
15 office: *Provided, further,* That if the offender is a juridical person, the penalty of
16 imprisonment shall be imposed on the president, chief executive officer, manager, the
17 Chairperson and all the members of the board, and other responsible officers thereof,
18 and the fine shall be equivalent to the zonal value of the land or forty percent (40%)
19 of the shareholders equity, as determined at the time of judgment whichever is higher,
20 plus forfeiture of the land in favor of the State for sale through public auction, the
21 proceeds of which shall automatically accrue to the Agrarian Reform Fund as provided
22 for in Section 58 of this Act.

23 Sec. 61. *Penalty for Reclassification of Protected Agricultural Lands and*
24 *Exceeding the Limit of Areas Allowed for Reclassification.* — Any person initiating,
25 causing, inducing, or abetting the reclassification of protected agricultural areas into
26 non-agricultural uses and exceeding the limits set forth under Section 20 of the LGC
27 of 1991, shall be penalized with imprisonment of twelve (12) years and a fine of not
28 less than One hundred thousand (P100,000.00) pesos, or both at the discretion of the
29 Court: *Provided,* That if the offender is a public official or employee, the penalty shall,
30 in addition thereto, include dismissal through permanent separation from the service
31 whether elected or appointed and forfeiture of entitlements accruing to the public

1 least two (2) members representing the minority.
2 The secretariat of the Oversight Committee shall be drawn from the existing
3 secretariat personnel of the committees comprising the oversight and the funding shall
4 be taken from the appropriations of both the House of Representatives and the
5 Senate.

6 *Sec. 66. Appropriations.* — The appropriations for the National Land Use
7 Committee under the National Economic and Development Authority under the current
8 General Appropriations Act shall be used to carry out the initial operations of the Land
9 Use Policy Council. Thereafter, additional sums as may be necessary for the full
10 implementation of LUPC's functions shall be included in the annual General
11 Appropriations Act.

12 *Sec. 67. Review of Existing Land Use Plans.* — Provinces, cities, and
13 municipalities with existing land use plans shall review, revise, reconcile, and
14 harmonize the same with the guidelines and standards set forth under this Act within
15 one (1) year from the effectivity of this Act.

16 *Sec. 68. Repealing Clause.* — All republic acts, executive orders, rules and
17 regulations, and other issuances, or parts thereof, that are inconsistent with the
18 provisions of this Republic Act are hereby repealed or modified accordingly.

19 *Sec. 69. Non-impairment Clause.* — Nothing in this Act shall be construed as to
20 diminish, impair, or repeal rights recognized, granted, or available to marginalized or
21 basic sectors under existing laws including but not limited to Republic Act Nos. 7279,
22 6657, 8371, and 8550.

23 *Sec. 70. Separability Clause.* — If for any reason or reasons, any part or
24 provision of this Act shall be declared or held to be unconstitutional or invalid other
25 parts or provisions hereof, which are not affected thereby shall continue to be in full
26 force and effect.

27 *Sec. 71. Effectivity Clause.* — This Act shall take effect fifteen (15) days after
28 its publication in the Official Gazette or in at least two (2) national newspapers of
29 general circulation.

Approved,