



## HOUSE OF REPRESENTATIVES

H. No. 4578

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BY REPRESENTATIVES VIOLAGO, MARCOLETA, SINGSON (E.),  
MERCADO-REVILLA, CASTELO, BIAZON, ACOP, VALENCIA,  
LEONEN-PIZARRO, OLIVAREZ, BAGATSING, OCAMPO, PALMONES,  
TY, LICO, MAGSAYSAY (M.), PANOTES, CALIMBAS-VILLAROSA,  
QUIMBO, DE JESUS, ACHARON, KHO (D.), HERRERA-DY, MARIANO,  
SY-ALVARADO, PADILLA AND EJERCITO, PER COMMITTEE  
REPORT NO. 904

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### AN ACT PRESCRIBING THE MECHANISMS TO FACILITATE THE DISPOSITION OF GOVERNMENT-OWNED LANDS FOR SOCIALIZED HOUSING

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

1 SECTION 1. *Short Title.* – This Act shall be known and cited as the  
2 “Idle Government-Owned Lands Disposition Act of 2011”.

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the  
4 State to ensure availability of sufficient lands for socialized housing purposes  
5 and to improve the capability of local government units (LGUs) in undertaking  
6 housing and urban development programs and projects.

7 SEC. 3. *Inventory, Identification and Setting Aside of Lands for*  
8 *Socialized Housing.* – To carry out the provisions of this Act, an inventory of  
9 all government-owned lands shall be conducted. Toward this end:

10 (a) All LGUs are hereby directed to identify and set aside all local  
11 government-owned lands suitable for socialized housing; and

1 (b) The National Housing Authority (NHA), in coordination with the  
2 Department of Environment and Natural Resources (DENR), is likewise  
3 directed to identify lands owned by the national government or any of its  
4 subdivisions, instrumentalities or agencies, including government-owned or  
5 -controlled corporations and their subsidiaries which have not been used for  
6 the purpose for which they have been reserved for the past ten (10) years to be  
7 set aside for socialized housing: *Provided*, That such lands have been declared  
8 open for disposition whether through an act of Congress or other related laws.

9 Except for local government-owned lands, all lands owned by the  
10 national government or any of its subdivisions, instrumentalities or agencies,  
11 including government-owned or -controlled corporations and their subsidiaries  
12 identified for socialized housing, shall immediately be transferred to the NHA  
13 to be set aside for the purpose, subject to the approval of the President of the  
14 Philippines.

15 *SEC. 4. Sale, Alienation or Encumbrance of Other Government-Owned*  
16 *Lands Not Set Aside for Socialized Housing.* – Whenever a  
17 government-owned land not set aside for socialized housing, whether owned  
18 by the LGUs or the national government or any of its subdivisions,  
19 instrumentalities or agencies, including government-owned or -controlled  
20 corporations, is sold, alienated or otherwise encumbered in favor of private  
21 individuals or entities for its development into industrial, commercial or other  
22 similar estates, there shall be set aside, as may be necessary, at least ten percent  
23 (10%) of the proceeds thereof for the development of socialized housing  
24 projects within, adjacent to the affected areas or in nearby areas within the city  
25 or municipality in accordance with the local development land-use plan.

26 *SEC. 5. Conveyance of Segregated Land or Fund.* – For a land owned  
27 by the national government or any of its subdivisions, instrumentalities or  
28 agencies, including government-owned or -controlled corporations and their

1 subsidiaries, the segregated land or fund shall be conveyed at no cost to the  
2 NHA which shall be directly responsible for the development of socialized  
3 housing projects.

4 However, for a land owned by an LGU, the segregated land or fund  
5 shall be retained by the LGU concerned to be utilized exclusively for its  
6 *socialized housing projects*.

7 *SEC. 6. Implementation of Socialized Housing Projects.* – For  
8 purposes of implementing socialized housing projects on lands set aside for  
9 *socialized housing* and of utilizing the funds set aside from the sale, alienation  
10 and encumbrance of other lands not set aside for socialized housing:

11 (a) The LGU concerned shall undertake the development of socialized  
12 housing projects for lands or funds set aside for socialized housing pursuant to  
13 Sections 3(a) and 4, and the second paragraph of Section 5 of this Act; and

14 (b) The NHA shall undertake the provision of socialized housing for  
15 the underprivileged and homeless citizens for such lands or funds set aside for  
16 socialized housing pursuant to Sections 3(b) and 4, and the first paragraph of  
17 Section 5 of this Act.

18 Toward this end, the NHA and the LGU concerned are hereby  
19 authorized to enter into joint venture agreements or other similar arrangements  
20 with private developers or nongovernmental organizations (NGOs) engaged in  
21 housing production: *Provided*. That the cost of housing unit, if constructed  
22 within the affected area or locality pursuant to Section 4 hereof, shall exclude  
23 the cost of land.

24 In both cases, the NHA and the LGU concerned shall coordinate with  
25 each other in the development of socialized housing projects in the areas  
26 mentioned in Section 4 of this Act.

27 *SEC. 7. Incentives for Private Developers and NGOs.* – To encourage  
28 private sector and NGO participation in the socialized housing projects

1 described in Section 6 hereof, the incentives provided in Section 20, on  
2 Incentives for Private Sector Participating in Socialized Housing, of Republic  
3 Act No. 7279, otherwise known as the "Urban Development and Housing Act  
4 of 1992", shall apply.

5       SEC. 8. *Implementing Rules and Regulations.* – Within six (6) months  
6 after the effectivity of this Act, the Housing and Urban Development  
7 Coordinating Council (HUDCC) and the DENR are hereby directed to  
8 promulgate the necessary rules and regulations to effectively implement the  
9 provisions of this Act. In drafting the implementing rules and regulations, the  
10 National Urban Development and Housing Framework described in Republic  
11 Act No. 7279 shall be taken into consideration.

12       SEC. 9. *Separability Clause.* – If any part or provision of this Act is  
13 declared invalid for any reason, the remainder of this Act not affected thereby  
14 shall remain valid and effective.

15       SEC. 10. *Repealing Clause.* – All laws, decrees, executive orders,  
16 letters of instruction, rules and regulations or parts thereof inconsistent with  
17 any of the provisions of this Act are hereby repealed, modified, superseded or  
18 amended accordingly.

19       SEC. 11. *Effectivity Clause.* – This Act shall take effect fifteen (15)  
20 days after its complete publication in the *Official Gazette* or in at least two (2)  
21 newspapers of general circulation.

Approved,