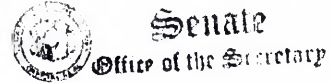
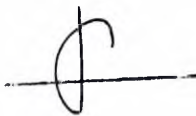


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



22 AUG -4 A9 :26

SENATE
S. No. 1019

RECEIVED BY: 

Introduced by Senator Jinggoy Ejercito Estrada

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

EXPLANATORY NOTE

Land is a precious national resource. It is a fundamental component for progress and economic growth, where industries are built and vital infrastructure are erected. Its vastness and fertility host agricultural activities and food production necessary for humans to survive. Its stable grounds provide safe habitat and spaces for communities and settlements to thrive. Land is also a measure of social justice as it indicates who possesses and benefits from the immense wealth that it offers.

Considering its infinite use to humankind, it is therefore imperative that management of land must be judicious and deliberate. There must be a national policy that will guide the decision makers in addressing the legitimate and urgent concerns of food security, decent housing, industrialization, environment protection, among many others, all of which depend on appropriate land allocation and utilization. With all these competing demands on land use, each with valid and immediate impact to the wellbeing of the nation, it is important that a well thought out framework and long-term comprehensive plan be laid out to define priorities across residential, infrastructure, agricultural and protective uses, and harness such towards sustainable and inclusive development. There is also a need to harmonize

fragmented and sector-specific land policies which prevent the optimal use of this highly valuable resource.

In the very first State of the Nation Address (SONA) of President Ferdinand R. Marcos, Jr., the Chief Executive asked the support of both houses of Congress to legislate nineteen priority measures, one of which is the National Land Use Act.

It is but time to finally approve this bill. Former President Rodrigo Roa Duterte strongly pushed for the passage of a National Land Use Act, as he appealed for its enactment in his SONA for three consecutive years. During the Fifteenth Congress, former President Benigno Aquino III also certified as urgent a Senate bill¹ instituting a national land use policy, after its counterpart was approved on Third and Final Reading by the House of Representatives. The bill has consistently been included in the Common Legislative Agenda of the Legislative Executive Development Advisory Council (LEDAC) since the 13th Congress (July 2004-June 30, 2007), but languished in the chambers of Congress.


According to The Philippine Greenprint, a network of environmental non-government organizations (NGO) who is promoting measures critical to the conservation of natural resources, different versions of the National Land Use Act have been filed since 1994, but not one bill has reached the Office of the President for signing.²

Currently, the National Land Use Act is identified as legislative agenda of the updated Philippine Development Plan 2017-2022, as it is an essential part of three major thrusts: a) Building safe, resilient and sustainable communities; b) Ensuring ecological integrity, clean and health environment; and c) Expanding economic opportunities in agriculture, forestry, and fisheries and ensuring food security.

¹ Senate Bill No. 3091 entitled "An Act Instituting a National Land Use Policy, Providing the Implementing Mechanisms Therefor, and for Other Purposes. 15th Congress

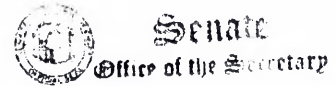
² <https://www.greenprint.ph/national-land-use-act#:~:text=The%20National%20Land%20Use%20Act&text=It%20worsens%20issues%20and%20disasters,coun try's%20land%20and%20water%20resources.>

This representation is fervently endorsing the immediate passage of this long overdue piece of legislation.



JINGGOY EJERCITO ESTRADA

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



'22 AUG -4 A9 :26

SENATE
S. No. 1019

RECEIVED BY

Introduced by Senator Jinggoy Ejercito Estrada

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

Be it enacted by the Senate and 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 Policy Act (NALUPA) of 2022*".

5 Sec. 2. *Declaration of Policies and Principles.* – It is hereby declared the policy
6 of the State to instill in our people, in the hearts and minds of all Filipinos, a thirty-
7 year vision and land use plan for our country we can all aim for, work for, and
8 achieve as one Filipino nation. All lands of the public domain, waters, minerals, coal,
9 petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or
10 timber, wildlife, flora and fauna, and other natural resources are owned by the State.
11 With the exception of agricultural lands, all other natural resources shall not be
12 alienated.

13 Pursuant to the constitutional provision or mandate, it is the policy of the
14 State to provide for a rational, holistic, and just allocation, utilization, management,
15 and development of the country's land to ensure their optimum use, consistent with
16 the principle of sustainable development.

1 The State shall recognize the need for rational, optimal and sustainable
2 settlements development, consistent with the principles of environmental
3 management and equitable access to land and water security.

4 The State shall treat group of islands, including parts of islands,
5 interconnecting waters and other natural features which are so closely interrelated,
6 as forming an intrinsic geographical, economic and political entity, or which
7 historically have been regarded as such entity.

8 Toward this end, the State shall institutionalize land use and physical planning
9 as mechanisms for identifying, determining, and evaluating appropriate land use and
10 allocation patterns that promote and ensure:

- 11 (a) Sustainable management and utilization of natural resources;
- 12 (b) Maintenance and preservation of environmental integrity and stability
13 specifically the perpetual protection of permanent forests and
14 watersheds for the attainment of food, water and energy sufficiency;
- 15 (c) Disaster risk-reduction and climate change resiliency;
- 16 (d) Protection of prime agricultural lands for food security in basic
17 commodities with emphasis on self-sufficiency in rice and corn;
- 18 (e) Water security through sustainable development and management of
19 water resources;
- 20 (f) Settlements, transportation and infrastructure development in support
21 of urban, rural and regional development and inclusive growth;
- 22 (g) Harmony between the rights and the varied interests of every Filipino
23 within the framework of people empowerment, decentralization, social
24 justice, and equity;
- 25 (h) Respect for and protection of the sustainable traditional resource rights
26 of the Indigenous Cultural Communities / Indigenous Peoples
27 (ICCs/IPs) to their ancestral domains to ensure their economic, social,
28 and cultural well-being as well as recognition of the applicability of
29 customary laws and sustainable traditional resource use and
30 management, knowledge, and practices in ancestral domains in
31 compliance with free and prior informed consent of ICCs/IPs;

- 1 (i) Equitable access to land through State intervention that guarantees its
2 affordability to the basic and marginalized sectors;
- 3 (j) Protection, preservation, and development of the Filipino historical,
4 cultural and built cultural heritage and resources for the deeper
5 understanding of our history and culture as a people;
- 6 (k) Attainment of energy security and self-sufficiency; and,
- 7 (l) Market orientation where the interplay of market forces and fair trade
8 within the framework of ecological development and equity
9 consideration is encouraged and adopted as the basic parameter in
10 achieving efficiency in land use and allocation.

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

16 Guided by the principle that the use of land bears a social function and that
17 all economic agents shall contribute to the common good, landowners, 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 land 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,
23 indigenous people, or groups of people, including areas declared/designated as
24 special economic zones and/or freeports, proclamations and reservations to provide
25 for a rational, holistic, and just allocation, development and management of land
26 and water resources including such activities that bear impact on said resources.

27 **CHAPTER II**

28 **DEFINITIONS**

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

- 31 (a) “*Agricultural land*” shall refer to land of public domain and private
32 land which have been devoted to agricultural activity as defined in

1 Republic Act No. 6657, as amended and not further classified for
2 residential, commercial or industrial use and such other uses as
3 may be provided by law;

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

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

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

17 (e) "*Ancestral Domain Sustainable Development and Protection Plan*
18 *(ADSDPP)*" refers to the consolidation of the plans of ICCs/IPs
19 within an ancestral domain for the sustainable management and
20 development of their land and natural resources as well as the
21 development of human and cultural resources based on their
22 indigenous knowledge, systems and practices;

23 (f) "*Basic and Marginalized Sectors*" shall refer to a group of people
24 such as but not limited to the farmers, fisherfolks, urban poor and
25 indigenous people;

26 (g) "*Basic Shelter*" shall refer to any subdivision unit, housing unit or
27 condominium satisfying the barest minimum shelter requirements
28 under the minimum design standards of Batas Pambansa Blg.
29 220;

30 (h) "*Comprehensive Land Use Plan (CLUP)*" shall refer to a document
31 embodying a set of policies and guidelines, accompanied by
32 official maps and similar illustrations, that serves as a principal

1 basis for determining the future land use of lands and natural
2 resources for production and protection purpose within the
3 territorial jurisdiction of the city or municipality. It represents the
4 community-desired pattern of population distribution and
5 proposes future allocation of land resources to various land-using
6 activities. It identifies the allocation, character, and extent of the
7 areas of land resources to be used for different purposes and
8 includes the processes and the criteria employed in the
9 determination of the land use. It has a long-term perspective,
10 encompassing a minimum of ten (10) years;

11 (i) "*Comprehensive Land Use Planning*" shall refer to the act of
12 defining the strategic allocation, utilization, development and
13 management of all lands within a given territory or jurisdiction
14 according to the inherent characteristic of the land itself and
15 supportive of sustainable, economic, demographic, socio-cultural
16 and environmental objectives as an aid to decision-making and
17 legislation;

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

30 (k) "*Critical Habitats*" shall refer to areas outside protected areas as
31 defined in Republic Act No. 7586, otherwise known as the
32 "National Integrated Protected Areas System Act of 1992", as

1 amended by Republic Act No. 11038, otherwise known as the
2 "Expanded National Integrated Protected Areas System Act of
3 2018," that are known habitats of threatened species and
4 designated as such based on scientific data taking into
5 consideration species endemicity and/or richness, presence of
6 human-made pressures/threats to the survival of wildlife living in
7 the area, among others;

8 (l) "*Critical Watershed*" shall refer to drainage area of a river system
9 supporting existing and proposed hydro-electric power, domestic
10 water consumption, irrigation works or existing water facilities
11 needing immediate protection and rehabilitation to minimize
12 erosion and improve water yield. It shall be closed for logging
13 until it is fully rehabilitated;

14 (m) "*Cultural Heritage*" shall refer to the totality of cultural properties
15 preserved and developed through time and passed on for
16 posterity;

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

21 (o) "*Development Plan*" shall refer to a document that defines the
22 activities or measures that the national government or local
23 government units (LGUs) intend to implement in order to achieve
24 a defined set of development goals. It integrates the socio-
25 economic and sectoral plans of the national government or its
26 instrumentality or a particular LGU with the approved land use or
27 physical framework plans. It may include an analysis of problems
28 and resources, definition of goals and objectives, policy
29 guidelines, project and target achievements, and an
30 implementation mechanism which defines the roles and
31 contributions expected from the government and the private
32 sector. Development plans include the national-level Medium-

1 Term Philippine Development Plan (MTPDP) and its counterpart
2 plans at the regional, provincial and local levels called the
3 Medium-Term Regional Development Plan (MTRDP), the Provincial
4 Physical Framework and Development Plan (PPFDP) and the
5 Comprehensive Development Plan (CDP). These plans are
6 translated into medium-term investment programs, also prepared
7 at the national, regional and local levels, where programs,
8 projects and activities derived from the development plans are
9 ranked, prioritized, and matched with investment financing
10 capacities;

11 (p) "*Ecologically-Fragile Lands*" shall refer to lands within the critical
12 watershed, brackish and freshwater wetlands, pasture lands, and
13 croplands which require rehabilitation and whose continued
14 unsustainable use would adversely affect the productivity of
15 lowland agricultural areas and the stability of the upland
16 ecosystem;

17 (q) "*Ecotourism*" shall refer to sustainable tourism and travel to a
18 given natural area with exotic or threatened ecosystems or a
19 heritage area to observe wildlife or to help preserve nature, in the
20 process providing for community participation, protection and
21 management of natural resources, culture and indigenous
22 knowledge systems and practices, environmental education and
23 ethics, as well as economic benefits fostered and pursued for the
24 enrichment of host communities and the satisfaction of visitors;

25 (r) "*Energy Resource Lands*" shall refer to lands where naturally
26 occurring or indigenous energy resources exist in sufficient
27 quantity or quality as to be economically viable for exploration,
28 development, production, utilization, and distribution process;

29 (s) "*Energy Resources*" shall refer to surface or subsurface
30 substances that serve as energy sources. These are traditionally
31 mineral fuel deposits such as coal, petroleum, natural gas or
32 renewable resources from geothermal, hydro reservoirs, or non-

1 conventional sources such as ocean waves, solar, wind, biomass,
2 and other similar resources which serve the same purpose;

3 (t) "*Environmentally Critical Areas*" shall refer to areas declared by
4 law as: (a) protected areas pursuant to Republic Act No. 7586 or
5 the NIPAS Act of 1992, as amended by Republic Act No. 11038 or
6 the E-NIPAS Act of 2018"; (b) areas for natural parks, watershed
7 reserves, wildlife preserves, and sanctuaries; (c) areas set aside
8 as aesthetic potential tourist spots; (d) areas which constitute the
9 habitat of any endangered or threatened species or indigenous
10 Philippine wildlife (flora and fauna); (e) areas of unique historic,
11 archaeological, or scientific interests; (f) areas which are
12 traditionally occupied by ICCs/IPs; (g) areas with critical slopes;
13 (h) areas frequented and/or hard hit by natural calamities such as
14 but not limited to geologic hazards, floods, typhoons and volcanic
15 activities; (i) areas exposed to geologic and hydro-meteorologic
16 hazards; (j) prime agricultural lands; (k) recharge areas of
17 aquifers; (l) water bodies; (m) mangrove areas; (n) coral reefs;
18 (o) mossy and old-growth forests; (p) rivers and river banks; (q)
19 swamp forest and marshlands; and (r) foreshore lands. This term
20 shall also include other terrestrial, aquatic and marine areas that
21 need special protection and conservation measures because they
22 are ecologically fragile or they are needed for food security and
23 food self-sufficiency as determined by concerned agencies and
24 LGUs in consultation with the concerned sectors;

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

29 (v) "*Exhausted Energy Resource Lands*" shall refer to specific energy
30 resource sites whose energy reserves of the desired type(s) are
31 no longer in sufficient quantity or quality to justify additional

1 expenditure for their extraction and utilization as certified by the
2 Department of Energy;

3 (w) "*Exhausted Mineral Lands*" shall refer to a specific sites whose
4 mineral deposits are no longer in sufficient quantity or quality to
5 justify additional expenditure for their extraction and utilization as
6 may be determined by the latest technology available;

7 (x) "*Exhausted Mineral Resources*" shall refer to a situation where the
8 mineral resources in specific sites are no longer in sufficient
9 quantity or quality to justify additional expenditure for extraction
10 or utilization as determined by the Mines and Geosciences Bureau
11 (MGB) and approved by the Department of Environment and
12 Natural Resources (DENR);

13 (y) "*Flood plain*" shall refer to the portion of a river valley adjacent to
14 a river channel which is covered with water when river overflows
15 its banks at flood stages. The plain usually consists of silt
16 deposited by the stream;

17 (z) "*Flood-Prone Areas*" shall refer to low lying areas usually adjacent
18 to large or active water bodies and therefore experience regular
19 or seasonal inundation as a result of changes in the mean water
20 level of these bodies or because of land reclamation and other
21 artificial interference with the natural processes;

22 (3a) "*Food Security*" shall refer to the policy objective of meeting the
23 food availability, accessibility, quality and affordability
24 requirements of the present and future generations of Filipinos in
25 a sustainable manner, through local production or importation,
26 only when there is shortage established based on a micro level
27 situation, or both, based on the country's existing and potential
28 resource endowments and related production advantages, and
29 consistent with the overall national development objectives and
30 policies;

31 (bb) "*Forest*" refers to an ecosystem or an assemblage of ecosystems
32 dominated by trees and other woody vegetation; a community of

1 plants and animals interacting with one another and its physical
2 environment;

3 (cc) "*Food Self-Sufficiency*" shall refer to the policy objective of
4 meeting the food requirements through intensive local food
5 production in a sustainable manner based on the country's
6 existing and potential resource endowments and related
7 production advantages;

8 (dd) "*Forestlands*" shall refer to lands of the public domain classified
9 and/or determined as needed. They include all permanent forests
10 or forest reserves, forest reservations and all remaining
11 unclassified lands of the public domain;

12 (ee) "*Foreshore Land*" shall refer to the part of the shore which is
13 alternately covered and uncovered by the ebb and flow of the
14 tide;

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

21 (gg) "*Geo-Hazards*" shall refer to natural and human-induced
22 geological processes that have potential to cause destruction and
23 pose a threat or risk to human life and property;

24 (hh) "*Geo-Hazard Prone Areas*" shall refer to areas frequently visited
25 and/or vulnerable or prone to experience weather/climatic,
26 hydrologic, geologic, and other natural calamities;

27 (ii) "*Heritage Zones*" shall refer to historical, anthropological,
28 archaeological and artistic geographical areas and settings that
29 are culturally significant to the country as declared by the National
30 Museum and/or National Historical Commission of the Philippines,
31 pursuant to Republic Act No. 10066 or the "National Cultural
32 Heritage Act of 2009";

- 1 (jj) "*Indigenous Cultural Communities / Indigenous Peoples*
2 (*ICCs/IPs*)" shall refer to groups of people or homogenous
3 societies identified under Republic Act No. 8371 or the
4 "Indigenous People's Rights Act (IPRA)";
- 5 (kk) "*Inland Waters*" shall refer to waters, which are not coastal and
6 marine waters not subject to acquisitive prescription consistent
7 with the provisions of Presidential Decree No. 1067, otherwise
8 known as the "Water Code of the Philippines";
- 9 (ll) "*Inter-Tidal Sand Flat*" shall refer to a juvenile fish-feeding area
10 and habitat for crustaceans. The littoral gravel and sand biotopes
11 are also used by important wintering ground and roosting/feeding
12 grounds of indigenous migratory birds;
- 13 (mm) "*Integrated Ecosystems Watershed Management*" shall refer to an
14 integrated planning and management framework that covers the
15 ridge-to-reef landscape of a watershed or sub-watershed from its
16 upland, lowland and coastal ecosystems and the interaction,
17 interdependencies and linkages of its bio-physical, human and
18 physical resources and development;
- 19 (nn) "*Key Biodiversity Areas*" shall refer to sites that are nationally and
20 globally significant for biodiversity conservation primarily
21 containing species that require site-scale conservation to prevent
22 extinction in the short-term and medium-term. Such species may
23 be nationally and globally threatened, restricted-range and/or
24 nationally and globally significant congregations of species;
- 25 (oo) "*Lagoon*" shall refer to a semi-enclosed coastal basin with limited
26 freshwater input, high salinity and restricted circulation which
27 often lies behind sand dunes. It is often highly productive and
28 habitat for variety of plants and animals, serves as nurseries of
29 prawns and shrimps and also site for harbor, aquaculture,
30 industry and recreation;

- 1 (pp) "Land" shall refer to resources, both natural and artificial, found
2 on the surface, below and above the ground including inland and
3 coastal waters;
- 4 (qq) "Land Use" shall refer to the manner of allocation, utilization,
5 management and development of land;
- 6 (rr) "Land Use Classification" shall refer to the act of delineating or
7 allocating lands according to protection land use, production land
8 use, settlements development, and infrastructure development as
9 defined and provided for in this Act;
- 10 (ss) "Land Sub-Classification" shall refer to the act of determining and
11 assigning specific uses of classified lands of the public domain,
12 such as forest or timber lands, alienable or disposable agricultural
13 lands, national parks, and mineral lands in accordance with
14 existing laws and this Act;
- 15 (tt) "Mandatory Public Hearings/Consultations" shall refer to the
16 mechanism to ensure the active participation of concerned sectors
17 in all affected areas in land use planning from the local to the
18 national level. It involves giving effective notice of
19 hearing/consultation to concerned sectors within an affected area
20 through direct written invitations, using regular mail or electronic
21 means, and publication/posting in conspicuous places, conduct of
22 reasonable number of hearings in or proximate to the specific
23 area affected, and solicitation of positions and the public
24 presentation and public confirmation of the planning results in the
25 specific area affected before the final adoption of the plans;
- 26 (uu) "Minerals" shall refer to all naturally occurring inorganic substance
27 in solid, gas, liquid or intermediate state excluding energy
28 materials such as coal, petroleum, natural gas, radioactive
29 materials and geothermal energy;
- 30 (vv) "Mineral Exploration" shall refer to the systematic searching or
31 prospecting for mineral resources;

- 1 (ww) "*Mineral Lands*" shall refer to lands of the public domain,
2 excluding those in permanent forestlands, protection lands and
3 privately-owned lands where minerals resources are found in
4 sufficient quantity and quality for extraction, development and
5 utilization;
- 6 (xx) "*Mineral Resources*" shall refer to any concentration of
7 minerals/rocks with potential economic value;
- 8 (yy) "*Mudflat*" shall refer to a wetland type that is usually an
9 unvegetated area, dominated by muddy substrate which provides
10 rich feeding grounds for vertebrates such as fish and water birds
11 and also important in preventing soil erosion;
- 12 (zz) "*Multiple Use of Land Resources*" shall refer to the utilization or
13 management strategy for any land, within production land use
14 areas, which allows any activity, involving one or more of its
15 resources, depending on the result of prior evaluation on its
16 numerous beneficial use that will produce the optimum benefits to
17 the development and progress of the country and the public
18 welfare without impairment or with the least injury to its
19 resources;
- 20 (aaa) "*Municipal Waters*" shall include not only streams, lakes, inland
21 bodies of water and tidal waters within the municipality which are
22 not included within the protected areas as defined under Republic
23 Act No. 7586 (the NIPAS Law), as amended by Republic Act No.
24 11038, or the E-NIPAS Act of 2018," public forest, timber lands,
25 forest reserves or fishery reserves, but also marine waters
26 included between two (2) lines drawn perpendicular to the
27 general coastline from points where the boundary lines of the
28 municipality touch the sea at low tide and a third line parallel with
29 the general coastline including offshore islands and fifteen (15)
30 kilometres from such coastline. Where two (2) municipalities are
31 so situated on opposite shores that there is less than thirty (30)
32 kilometers of marine waters between them, the third line shall be

1 equally distant from opposite shore of the respective
2 municipalities;

3 (bbb) "*National Integrated Protected Areas System (NIPAS)*" shall refer
4 to the classification and administration of all designated protected
5 areas to maintain essential ecological processes and life-support
6 systems, to preserve genetics diversity, to ensure sustainable use
7 of resources found therein, and to maintain their natural
8 conditions to the greatest extent possible;

9 (ccc) "*National Parks*" shall refer to a forest reservation essentially of
10 natural wilderness character which has been withdrawn from
11 settlement, occupancy or any form of exploitation except in
12 conformity with approved management plan and set aside as such
13 exclusively to conserve the area or preserve the scenery, the
14 natural and historic objects, wild animals and plants therein and
15 to provide enjoyment of these features in such areas;

16 (ddd) "*National Physical Framework Plan*" also referred to as the
17 "*National Land Use Plan*", shall refer to a strategic plan containing
18 the policy areas determining the most appropriate and rational
19 use of land and other physical resources such as but not limited
20 to protection, production, settlement and infrastructure land use.
21 It provides policy guidelines for all decisions relating to land use
22 and environmental management, to prevent and mitigate the
23 adverse effects of inappropriate resource utilization on the
24 country's food security and food self-sufficiency on rice and corn,
25 the people's welfare and their environment. It embodies both
26 policies and strategies necessary to carry out goals and objectives
27 of this Act;

28 (eee) "*Network of Protected Areas for Agriculture and Agro-industrial*
29 *Development (NPAAAD)*" shall refer to agricultural areas identified
30 by the Department of Agriculture through the Bureau of Soils and
31 Water Management (BSWM) in coordination with the National
32 Mapping and Resource Information Authority (NAMRIA) in order

1 to ensure the efficient utilization of land for agriculture and agro-
2 industrial development and promote sustainable growth. The
3 NPAAAD covers all irrigated areas, all irrigable lands already
4 covered by irrigation projects with firm funding commitments, all
5 alluvial plains, land highly suitable for agriculture whether
6 irrigated or not, agro-industrial croplands or lands planted to
7 industrial crops that support the validity of existing agricultural
8 infrastructure and agro-based enterprises, highlands or areas
9 located at an elevation of five hundred (500) meters or above and
10 have the potential for growing semi-temperate and high value
11 crops, all agricultural lands that are ecologically fragile the
12 conversion of which will result in serious environmental
13 degradation, and all mangrove areas and fish sanctuaries;

14 (fff) "*Patrimonial Properties*" shall refer to all the properties belonging
15 to the State that are not intended for public use or for public
16 service for the development of national wealth;

17 (ggg) "*People's Organization*" shall refer to a private, non-profit,
18 voluntary and community-based organization with membership
19 constituency established primarily to provide service to its
20 members and the community in general;

21 (hhh) "*Permanent Forest*" shall refer to lands of the public domain, that
22 includes forest reserves, which has been identified and
23 determined to be needed for protection, conservation,
24 preservation and management as forests and shall be reserved,
25 conserved and protected into perpetuity for such purpose;

26 (iii) "*Permanent Forestlands*" shall refer to forestlands, within public or
27 private lands, that have been identified, determined and
28 demarcated on the ground by the State to serve such purpose
29 and shall be protected, conserved, preserved, maintained and
30 managed as forestlands free from any form of utilization,
31 exploitation or development and reserved permanently as such for
32 the benefit and use of future generations;

1 (jjj) "*Physical Framework Plans*" shall refer to strategic plans based on
2 comprehensive land use plans (CLUPs) and national policies
3 whether national, regional, or provincial which provide policy
4 guidelines for all decisions relating to land use and environmental
5 management to prevent or mitigate the adverse effects of
6 inappropriate resource utilization on food security, the people's
7 welfare and their environment. It embodies both policies and
8 strategies necessary to carry out development goals and
9 objectives;

10 (kkk) "*Premature or Illegal Conversion of Agricultural Lands*" shall refer
11 to any activity that modifies or alters the physical characteristics
12 of agricultural lands to render them suitable for non-agricultural
13 purposes without an approved order of conversion from the
14 Department of Agrarian Reform (DAR) Secretary;

15 (lll) "*Prime Agricultural Lands*" shall refer to all irrigated areas; all
16 irrigable lands; all rain-fed areas planted to rice and corn; all
17 lands classified by the Bureau of Soils and Water Management
18 under its land capability classification system as Class A, Class B,
19 and Class C lands; all agricultural lands that are ecologically
20 fragile, the conversion of which will result in serious
21 environmental degradation, and mangrove areas and fish
22 sanctuaries;

23 (mmm) "*Production Land Use*" shall refer to the direct and indirect
24 utilization of land to generate outputs resulting from the following
25 activities, but not limited to: agricultural, fish, farming or
26 aquaculture, timber production, agro-forestry, grazing and
27 pasture, mining, indigenous energy resource development,
28 industry, and tourism;

29 (nnn) "*Protected Areas*" shall refer to portions of land and water set
30 aside by reason of their unique physical and biological
31 significance, managed to enhance biological diversity, and
32 protected against destructive human exploitation. For purposes of

1 this Act, it shall include agricultural lands identified and delineated
2 under Section 32 hereof;

3 (ooo) "*Protection Land Use*" shall refer to the utilization of land primarily
4 for food, water and energy security, rehabilitation, conservation,
5 and protection purposes for the promotion of the country's
6 ecological and life-support systems;

7 (ppp) "*Public Domairl*" shall refer to lands that belong to the State which
8 may be any of the following: agricultural, forest or timber,
9 mineral, or national park as provided for in the Constitution;

10 (qqq) "*Public Lands*" shall refer to lands which have not been subject to
11 private property rights or subject to sale or other modes of
12 acquisition or concession under the general laws, and are devoted
13 to public use;

14 (rrr) "*Reclassification of Agricultural Lands*" shall refer to the act of
15 specifying how agricultural lands shall be utilized for non-
16 agricultural uses such as residential, industrial, or commercial
17 purposes through the local planning and zoning processes
18 pursuant to Republic Act No. 7160 or the Local Government Code
19 of 1991 and subject to the requirements and procedure for
20 conversion. It is equivalent to land sub-classification, as defined in
21 this Act for classified lands of the public domain and also includes
22 the reversion of non-agricultural lands to agricultural use;

23 (sss) "*Resettlement Sites*" shall refer to areas identified by the
24 appropriate national agency or by the LGU, with respect to areas
25 within its jurisdiction which shall be used for the relocation of the
26 underprivileged and homeless, as defined under Republic Act No.
27 7279 or the "Urban Development and Housing Act (UDHA)";

28 (ttt) "*River Basin*" shall refer to the portion of land drained by a river
29 and its tributaries. It encompasses the entire land surface
30 dissected and drained by many streams and creeks that flow
31 downhill into one another, and eventually into one river. The final
32 destination is an estuary or an ocean;

- 1 (uuu) "*Settlements*" shall refer to formal and informal communities or
2 built-up residential areas where people prefer to live in land areas
3 classified, zoned, or converted for current or future residential or
4 housing development purposes, including socialized housing
5 zones for the homeless and underprivileged citizens;
- 6 (vvv) "*Settlements Development*" shall refer to any improvement on
7 existing formal or informal residential or housing settlements or
8 any proposed development of certain areas for residential or mass
9 housing settlement purposes. It also involves the spatial
10 distribution of population, identification of the roles and functions
11 of key urban centers, determination of relationships among
12 settlement areas, and the provision of basic services and facilities
13 of identified major residential or housing settlement areas or
14 growth centers. It is also concerned with the interrelationship of
15 settlements as they develop and establish functional linkages
16 based on their respective resource endowments and comparative
17 advantages;
- 18 (www) "*Shoreline*" shall refer to the line where shore and water meet;
- 19 (xxx) "*Significant Caves*" shall refer to caves which contain materials or
20 possess features that have archaeological, cultural, ecological,
21 historical or scientific value as determined by the DENR in
22 coordination with the scientific community and the academe;
- 23 (yyy) "*Socialized Housing*" shall refer to housing programs and projects
24 undertaken by the government or the private sector for the
25 underprivileged and homeless citizens which shall include sites
26 and services development, long-term financing, liberalized terms
27 on interest payments, and such other benefits in accordance with
28 the UDHA;
- 29 (zzz) "*Socialized Housing Zones*" shall refer to lands identified and
30 designated by local government units as sites for socialized
31 housing, pursuant to Article IV of Republic Act No. 7279 or the
32 UDHA, and its implementing guidelines;

1 (aaaa) "*Sustainable Development*" shall refer to the development
2 objective of meeting the needs of the present generation without
3 compromising the ability of future generations to meet their own
4 needs consistent with the principles of social equity, efficiency,
5 and environmental integrity;

6 (bbbb) "*Tourism Development Areas*" shall refer to specific sites for
7 tourism development located in areas identified as priorities in the
8 national, regional, and inter-regional area specific tourism master
9 plans and other sector plans such as eco-tourism and agri-tourism
10 sites, including those designated through legislative and executive
11 issuances such as tourist spots, tourist zones and tourism
12 ecozones which can be developed into tourism estates or
13 integrated resort, leisure, and recreation complexes, and other
14 tourism related facilities subject to restrictions imposed by its
15 protection status and land use category;

16 (cccc) "*Tourism Enterprise Zone*" shall refer to an area designated as
17 tourism enterprise zone by the Tourism Infrastructure and
18 Enterprise Zone Authority (TIEZA) pursuant to the provisions of
19 Republic Act No. 9593 otherwise known as the "Tourism Act of
20 2009";

21 (dddd) "*Tourism Estates*" shall refer to large tracts of land with well-
22 defined boundaries in any area identified in the Philippine tourism
23 master plan and regional tourism master plan, by proclamation of
24 the President and/or by an act of Congress or local legislation.
25 Such land shall be suitable for the development of an integrated
26 tourism and resort complex including but not limited to
27 accommodation facilities, food and beverage outlets, convention
28 and meeting areas, sports, recreational and leisure centers and
29 commercial outlets among others. It shall be provided with roads,
30 water supply facilities, power and utilities like potable water,
31 drainage sewerage disposal, solid waste disposal system and

1 other necessary infrastructure. The estate shall be under one
2 unified and continuous management;

3 (eeee) "*Tourist Spot*" shall refer to a particular area/site/spot, human-
4 made or natural, known for its unique tourist/visitor-drawing
5 attributes and activities. It may be classified according to its
6 social, cultural, natural, historical, scientific, religious, and
7 recreational significance;

8 (ffff) "*Tourist Zone*" shall refer to a geographic area not designated
9 under protection land use, with well-defined boundaries
10 proclaimed as such by the President of the Philippines and/or by
11 acts of Congress. No development projects for any purpose shall
12 be initiated and introduced within the zone prior to the
13 formulation of a tourism master development plan which shall be
14 undertaken in coordination with the Department of Tourism
15 (DOT) and Tourism Infrastructure and Enterprise Zone Authority
16 (TIEZA). A tourist zone is established for the enhancement and/or
17 the conservation of cultural and historical heritage and for the
18 appreciation and enjoyment of the local population and its
19 visitors;

20 (gggg) "*Urban Areas*" shall refer to all cities regardless of their population
21 density and to municipalities with population density of at least
22 Five hundred (500) persons per square kilometer;

23 (hhhh) "*Urbanizable Areas*" shall refer to sites and lands which,
24 considering present characteristics and prevailing conditions,
25 display marked and great potential of becoming urban areas
26 within a period of five (5) years;

27 (iiii) "*Urban Forestry or Green Space*" shall refer to the establishment
28 and management of forest in urban environment for the
29 physiological and psychological well-being of the people;

30 (jjjj) "*Water Security*" shall refer to the sufficient access throughout the
31 year to the minimum daily requirement of clean water to maintain
32 a healthy life;

1 (kkkk) "*Water Use*" shall refer to the appropriation of water for domestic,
2 municipal, irrigation, power generation, inland fisheries, poultry
3 and livestock raising, industrial and commercial, environmental,
4 and recreational use and other purposes;

5 (llll) "*Watershed*" shall refer to a land area drained by a stream or
6 fixed body of water and its tributaries having a common outlet for
7 surface runoff;

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

14 (nnnn) "*Zoning Ordinance or ZO*" shall refer to a local law passed by the
15 *Sangguniang Bayan* or *Panlungsod* approving the development
16 control/zoning plan in accordance with an approved or adopted
17 CLUP for the city/municipality, and providing for the regulations
18 and other conditions on the uses of land including the limitation of
19 the infrastructure that may be placed thereon within the territorial
20 jurisdiction of a city or municipality. It incorporates the protected
21 areas under Section 13(a) and the protected agricultural lands
22 under Section 32 of this Act.

23 **CHAPTER III**

24 **PHYSICAL FRAMEWORK AND LAND USE PLANS**

25 *Sec. 5. National Land Use Planning Process.* – The land use and physical
26 planning process shall be formulated following a combined bottom-up and top-down
27 approach. The National Land Use Commission (NLUC) shall draft the National
28 Physical Framework Plan (NFPF)/National Land Use Plan (NLUP) which shall have a
29 timeframe of thirty (30) years, with regular review and updating every ten (10)
30 years: *Provided, however,* That nothing herein shall prevent the NLUC from
31 reviewing and updating at anytime the NFPF/NLUP where public interest so requires.
32 The NFPF, which guides the planning and management of the country's land and

1 other physical resources at the national and sub-national levels, shall indicate broad
2 spatial directions and policy guidelines on settlements development, production land
3 use, protection land use, and infrastructure such as but not limited to social services,
4 and utilities, transportation and communication. The Regional Physical Framework
5 Plans (RPFs), Provincial Physical Framework and Development Plans (PPFDs), and
6 Comprehensive Land Use Plans (CLUPs), which shall also have a 30-year timeframe
7 and cover the physical development of their respective territories, shall be consistent
8 with the national physical framework development of their respective territories,
9 shall be consistent with the national physical framework plan: *Provided*, That the
10 integration and harmonization of the physical framework plans at all levels shall be
11 iterative to ensure that the concerns of both top and bottom levels of government
12 are considered. The physical and land use plans prepared at all levels shall have
13 internal consistency specifically on, but not limited to, the development,
14 management and conservation of forestlands found within a given territory and the
15 linkages of the major land use categories to ensure their complementation in the
16 utilization, development and management of resources.

17 All regional, provincial, city and municipal land use plans and zoning
18 ordinances shall only be amended or revised at the earliest after every ten (10)
19 years except if an earlier amendment or revision of the CLUP or ZO is authorized by
20 the NLUC due to extraordinary causes.

21 The NLUC shall issue procedural guidelines which shall guide the formulation
22 and integration/harmonization process: *Provided*, That the National Economic and
23 Development Authority (NEDA), the Human Settlements Adjudication Commission
24 (HSAC) created under Republic Act No. 11201, the Department of the Interior and
25 Local Government (DILG) and other agencies will continue to issue guidelines on the
26 content of the plans consistent with their respective agency mandates.

27 *Sec. 6. City and Municipal Land Use Plans.* – All barangays shall provide their
28 sectoral, temporal and spatial data for the CLUP which shall serve as the foundation
29 for the formulation of the city/municipal CLUPs. The data shall be provided by the
30 *Sangguniang Pambarangay* through stakeholder consultations. The CLUP shall
31 determine the specific use of land and other physical and natural resources, both
32 private and public, within their territorial jurisdiction including areas co-managed

1 with the national government and, as appropriate, management plans for ancestral
2 domains, critical watersheds, river basins, and protected areas.

3 The CLUP shall delineate actual boundaries on the ground within the
4 territorial jurisdictions, embody the desired land use patterns of the barangay, city or
5 municipality, translate and integrate sectoral plans, and provide appropriate policies
6 for each of the four land use planning categories. The spatial directions prescribed in
7 the CLUP shall serve as the basis for the preparation and formulation of the
8 Comprehensive Development Plan (CDP) and Local Development Investment Plan
9 (LDIP) of the LGUs.

10 The CLUP may be formulated as a component of a Comprehensive Land Use
11 and Development Plan (CLUDP), which merges the traditionally separate CLUP and
12 Comprehensive Development Plan to address the disconnect between the spatial and
13 sectoral factors and to ensure the complementation between the medium- and long-
14 term concerns: *Provided, That* the CLUDP shall remain consistent with the CLUP.

15 Consistent with the national standards and guidelines prescribed in Section 5,
16 the cities and municipalities shall, in consultation with the concerned sectors,
17 prepare their respective CLUPs. The City/Municipal Land Use Planning and
18 Management Board (C/MLUPB), created under this Act, shall be responsible for the
19 preparation and formulation of the CLUP and ensure its consistency with national
20 and regional physical planning guidelines and standards. Under the general
21 supervision of the respective C/MLUPB, the City/Municipal Planning and
22 Development Coordinator/Office (C/MPDC/PDO) shall provide technical, secretariat
23 and administrative support in the preparation, consultation, and integration and
24 formulation process of the respective CLUPs of each city or municipality.

25 The CLUPs shall be submitted by the city/municipal Local Development
26 Councils (LDC) for adoption and approval of the *Sangguniang Bayan* (SB). The
27 approved CLUPs shall be submitted to the province for integration into the PFP.

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

31 *Sec. 7. Provincial Physical Framework Plan (PPFP).* – The PFP shall
32 determine the physical development of the entire provincial territory, consolidate and

1 harmonize the comprehensive land use plans of component cities and municipalities,
2 consistent with the RPPF. It shall reflect the indicative land use management and
3 physical development direction of the province.

4 Further, the PPFPP shall serve as basis for other sectoral and development
5 plans related to land, natural resources, and infrastructure facilities, including the
6 development plan of the province; reconciliation and rationalization of land use
7 proposals among component cities and municipalities and with the higher level
8 framework plan; guiding development agencies and private developers, particularly
9 those that undertake large scale projects; and providing a basis for resolving
10 conflicts arising from the implementation of land use plans and development projects
11 involving two or more municipalities.

12 The PPFPP shall serve as the basis for the preparation of the Provincial
13 Development Plan (PDP) and Provincial Development Investment Program (PDIP).
14 The PPFPP, PDP, PDIP and/or Provincial Physical Framework and Development Plan
15 (PPFDP) shall serve as the basis for the formulation of sectoral action plans of
16 national government agencies in the province and all LGUs within its jurisdiction.
17 The province may opt to prepare their PDP alongside the preparation of PPFPP and
18 consolidate them into a PPFDP; *Provided*, That PPFDP shall remain consistent with
19 the PPFPP: *Provided, further*, That any review or changes in the PPFPP shall coincide
20 with the over-all review process of the NPFPP.

21 The Provincial Land Use Planning and Management Board (PLUPMB), created
22 under this Act, shall ensure that the PPFPP is consistent with the national and regional
23 planning framework and guidelines issued by the NLUPC/RLUPB. The PPFPP shall be
24 presented to the Provincial Development Council (PDC) for endorsement to the
25 *Sangguniang Panlalawigan*, who shall formally adopt and approve the PPFPP. The
26 approved PPFPP shall be submitted to the RLUPB for consolidation and integration
27 into the RPPF.

28 Under the general supervision of the PLUPMB, the Provincial Planning and
29 Development Coordinator/Office (PPDC/PPDO) shall provide technical, secretariat
30 and administrative support in the preparation, consultation, and integration and
31 formulation process of the PPFPP.

1 management areas, socialized housing sites, fisherfolk settlement in coastal areas,
2 and waste disposal sites.

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

12 Sec. 12. *Land Use Plans for Ancestral Domains.* – Land use plans of ancestral
13 domains shall be formulated by the ICCs/IPs themselves in accordance with their
14 particular needs and traditional resource and management systems with the
15 assistance of the NCIP, the LGUs and civil society organizations (CSOs) concerned.
16 Such plans shall be recognized and adopted in the barangay, city/municipal,
17 provincial and national physical framework plans.

18 Physical framework plans made prior to the delineation of ancestral domains
19 included in such plans or ordinances shall, without prejudice to the rights of the
20 ICCs/IPs concerned, adopt different land use categories in accordance with their
21 particular needs and traditional resource and management systems.

22 In cases where there are no ADSDPPS, the LGU and the ICCs/IPs shall jointly
23 formulate the land use plan within the ancestral domain until such time that the
24 ICCs/IPs have formulated their ADSDPPS.

25 Sec. 13. *Basic Land Use Considerations.* – Various land uses as categorized in
26 the succeeding section shall be determined in a manner that promotes the policies
27 and principles defined in Section 2 of this Act and shall consider the following
28 elements therein, among others:

29 (a) Protection land use category as defined in Section 14 shall prevail over
30 existing production land use category. The State shall undertake the
31 necessary action in changing the classification of these production
32 areas;

- 1 (b) Preservation, conservation, rehabilitation and protection to perpetuity
2 of permanent forestlands, critical watersheds, key biodiversity areas,
3 environmentally-critical and ecologically-fragile areas and prime
4 agricultural lands from any other land use, conversion, disposition,
5 intrusion, utilization and development aside from its determined use
6 and limits;
- 7 (c) Protection of natural forests and natural resources ensures
8 environmental stability, conserve biological diversity, improve
9 ecosystem functions and provide long-term ecological and economic
10 benefits. Designated restoration areas are designed to revive the
11 ecosystem functions and services of forests as well as improve the
12 economic and ecological benefits of local communities;
- 13 (d) Protection of forest and wetlands from infrastructure development to
14 preserve the ecological services they provide which are essential to
15 economic development. These activities include, but not limited to river
16 channelization and dredging, large scale irrigation and river diversions
17 which reduce riverine habitat and alters flood patterns and natural flow
18 regimes, reduce downstream water availability for agriculture and
19 contribute to salinization through saltwater intrusion in coastal areas;
- 20 (e) Resolution of land use conflicts which are life-threatening to public
21 safety, sustainability of key production resources or employment
22 activities and the delivery of basic services and are harmful or
23 destructive to protected areas, flora, fauna and other protected natural
24 resources. Greater consideration shall be given to the human and
25 tenurial rights of vulnerable groups in resolving land use conflicts;
- 26 (f) Identification of geo-hazard prone areas and high risk/danger zones
27 and corresponding risk reduction measures to ensure the prioritization
28 of life and safety: *Provided*, That specifically identified and assessed
29 extremely hazardous and high-risk/danger zones shall be similarly
30 protected and cleared from all forms of human-made obstacles,
31 obstructions and infrastructures to ensure and secure public health and
32 safety;

1 (g) Respect for existing customary rights and traditional land uses of
2 ICCS/IPS;

3 (h) Identification of settlement areas to check the demand for land and
4 establish the location of employment-generating industries and basic
5 services; and,

6 (i) The availability of natural resources including indigenous energy
7 resources for energy security and self-sufficiency. However,
8 infrastructure energy projects such as dams with large reservoirs in
9 natural ecosystems shall not be allowed if it would interrupt the
10 connectivity of river systems, disrupt fish spawning and migration, and
11 alter seasonal flood regimes.

12 Sec. 14. *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* shall refer to the use of land primarily for food,
16 water and energy security, rehabilitation, conservation, and protection
17 purposes for the promotion of the country's ecological and life-support
18 systems. Planning for protection land use intends to achieve food self-
19 sufficiency in rice and corn, water and energy security, environmental
20 stability and ecological integrity, ensure a balance between resources
21 use and the preservation of some areas with environmental, aesthetic,
22 educational, cultural, heritage and historical significance, and protect
23 people and human-made structures from the ill-effects of natural
24 hazards. All lands, either public or private, under protection land use
25 shall be permanently conserved, preserved, rehabilitated and protected
26 from all other land uses, disposition, intrusion, utilization and
27 development that is not consistent from its existing uses. Areas under
28 this category also include those covered by Republic Act No. 7586 or
29 the NIPAS Law, as amended by Republic Act No. 11038 or the E-NIPAS
30 Act of 2018," and other coastal and marine protected areas, those
31 areas outside NIPAS but nonetheless require protection because of
32 their outstanding physical and aesthetic features, anthropological

1 significance, and biological diversity, and those areas prone to natural
2 hazards. Areas outside the coverage of the NIPAS law include, but are
3 not limited to the following:

- 4 (1) Old-growth forest and mossy;
- 5 (2) Areas with more than 50% in slope gradient;
- 6 (3) Mangrove and fish sanctuaries, pursuant to Republic Act No.
7 8435 or the "Agriculture and Fisheries Modernization Act of
8 1997" and Republic Act No. 8550 or "The Philippine Fisheries
9 Code of 1998";
- 10 (4) Buffer zone or strips/easements, pursuant to Presidential Decree
11 No. 705, amending Presidential Decree No. 389, otherwise
12 known as the "Forestry Reform Code of the Philippines" and
13 Presidential Decree No. 1067 or the "Water Code of the
14 Philippines";
- 15 (5) Salvage zones along foreshore areas, freshwater swamps and
16 marshes, plazas and heritage/historic sites, pursuant to
17 Presidential Decree No. 2146;
- 18 (6) Watersheds;
- 19 (7) Utility easement like transmission lines of power companies, oil
20 and gas facilities, cell sites, and domestic water lines;
- 21 (8) Amenity areas or those with high aesthetic values, pursuant to
22 Presidential Decree No. 2146;
- 23 (9) Natural and human-made areas/sites of cultural, historical and
24 anthropological significance, which are declared as such by
25 internationally-recognized organizations and concerned national
26 agencies;
- 27 (10) Critical habitats as provided in Republic Act No. 9147 or the
28 "Wildlife Resources Conservation and Protection Act";
- 29 (11) Significant caves under Republic Act No. 9072 or the "National
30 Caves and Cave Resources Management and Protection Act";
- 31 (12) Key biodiversity areas under Executive Order 578, Series of
32 2006, or the "National Biodiversity Policy";

- 1 (13) Prime agricultural lands as defined under this Act; or,
2 (14) Areas within ancestral domains excluded by the IPs/ICCs from
3 any activities, except for the exclusive purposes for which they
4 are identified, such as sacred grounds and burial sites of ICCs;
5 identified international and local cultural and heritage sites;
6 critical areas identified or reserved by the ICCs/IPs for special
7 purposes; and other areas specifically identified by IPs/ICCs in
8 their ADSDPP.

9 (b) *Production Land Use* shall refer to the direct and indirect utilization of
10 land resources for crop, fishery, livestock and poultry production,
11 forestry, agro-forestry, mining, industry, energy development,
12 indigenous energy exploration and development, and tourism.
13 Planning for production land shall determine the most efficient,
14 sustainable, and equitable manner of utilizing, developing and
15 managing land for productive purposes. Areas included in this category
16 area agricultural lands, fishing grounds, coastal and marine zones,
17 production forest which comprise lands 18% to 50% in slope gradient
18 such as: residual dipterocarps, rangelands for grazing purposes,
19 industrial tree plantation/Integrated Forest Management Agreement
20 (IFMA), community based forest management areas and other
21 reforestation projects, mineral lands or mining areas and reservations,
22 energy resource lands, industrial development areas, and tourism
23 development areas where productive activities could be undertaken to
24 meet the country's requirements for food security, economic growth
25 and development.

26 (c) *Settlements Development* shall refer to any improvement on existing
27 settlements in urban and rural areas or any proposed development of
28 certain areas for settlement purposes involving the spatial distribution
29 of population, identification of the roles and functions of key urban
30 centers, determination of relationships among settlement areas, and
31 the provision of basic services and facilities to such settlement. The
32 settlements development plan ensures for the present and future

1 generation the following: (i) effective integration of activities within
2 and among settlements, allowing efficient movement of people and
3 production of commodities through the provision of appropriate land,
4 infrastructure, and facilities; and (ii) access of the population to
5 housing, education, health care, recreation, transportation and
6 communication, sanitation, and basic utilities such as water, power,
7 waste disposal, and other services.

8 (d) *Infrastructure Development* shall refer to the availability or supply of
9 basic services and fostering of economic and other forms of integration
10 necessary for producing or obtaining the material requirements of
11 Filipinos, in an efficient, responsive, safe and ecologically friendly built
12 environment. It covers sub-sectors of transportation, communication,
13 water resources, and social infrastructure: *Provided*, That the
14 determination of functional uses of lands within ancestral domains shall
15 consider traditional resource and management systems that do not
16 endanger the lives of the people and property of the local community
17 and neighboring areas or increase the vulnerability of the natural
18 environment to the effects of natural and human-induced geological
19 processes.

20 CHAPTER V

21 IMPLEMENTING STRUCTURE AND MECHANISMS

22 ARTICLE I

23 NATIONAL

24 Sec. 15. *Creation of the National Land Use Commission (NLUC)*. – The
25 National Land Use Commission, hereinafter referred to as NLUC, is hereby created as
26 a Commission under the Office of the President. It shall exercise the powers and
27 responsibilities of the current NEDA Board-National Land Use Committee which is
28 hereby abolished and the powers and functions pertaining to land use planning
29 vested by law to the Human Settlements Adjudication Commission (HSAC). The
30 NLUC shall act as the highest policy making body on land use and resolve land use
31 policy conflicts between or among agencies, branches, or levels of the government.

1 It shall integrate efforts, monitor developments relating to land use and the
2 evolution of policies. It shall also establish Regional Offices.

3 Sec. 16. *Composition of the NLUC.* – The NLUC shall be composed of the
4 following:

5 (a) Chairperson to be appointed by the President for a term of six (6)
6 years, with a rank of Cabinet Secretary;

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

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

13 The members shall be:

14 (c) The Secretaries of the Department of Human Settlements and Urban
15 Development (DHSUD), the Department of Agriculture (DA), the
16 Department of Agrarian Reform (DAR), the Department of Trade and
17 Industry (DTI), the Department of Public Works and Highways
18 (DPWH), the Department of Transportation (DOTr), the Department of
19 Information and Communications Technology (DICT), the Department
20 of Tourism (DOT), the Department of the Interior and Local
21 Government (DILG), the Department of Justice (DOJ), the Department
22 of Science and Technology (DOST), the Department of Finance (DOF),
23 the Department of Energy (DOE), and the Chairperson of the National
24 Commission on Indigenous Peoples (NCIP);

25 The Department Secretaries and the Chairperson of the NCIP may
26 designate a representative with a rank not lower than Assistant
27 Secretary and Commissioner, respectively: *Provided*, That the
28 designated representative shall be on a permanent basis.

29 (d) A representative each from the Leagues of Provinces, Cities and
30 Municipalities;

31 (e) A representative each from four (4) basic and marginalized sectors
32 directly involved in land use, namely: urban poor, farmer-peasants,

1 fisherfolk, and indigenous peoples who shall be appointed by the
2 President of the Philippines based on the nomination and
3 recommendation of the respective sectoral councils of the National
4 Anti-Poverty Commission (NAPC). At least two (2) sectoral
5 representatives shall be women;

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

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

12 *Sec. 17. Powers and Functions.* – The NLUC shall have the following powers
13 and functions:

14 (a) Advise the President of the Philippines and the NEDA Board on all
15 matters concerning land use and physical planning;

16 (b) Integrate and harmonize all laws, guidelines and policies relevant to
17 land use and physical planning to come up with a national, cohesive,
18 and comprehensive national land use framework;

19 (c) Formulate policies and approve land use and physical planning-related
20 policies that may be formulated by the Regional Land Use Policy Board
21 (RLUPB), created under Section 25 of this Act, and concerned agencies
22 as well as promulgate zoning and other land use control standards and
23 guidelines which shall guide the formulation of land use plans and
24 zoning ordinances by local governments;

25 (d) Prepare, periodically review and if necessary, update the national
26 framework for physical planning to provide the general framework for
27 the spatial development directions for the entire country and sub-
28 national levels;

29 (e) Review and approve all land use physical planning related guidelines;

30 (f) Monitor and coordinate the gathering of data, the conduct of studies
31 pertaining to land use planning including studies on the management

1 of identified land uses and such other studies not undertaken by other
2 government agencies;

3 (g) Report and recommend to the President of the Philippines and to
4 Congress the adoption, passage, or amendment of laws to ensure that
5 sectoral programs, plans, projects and activities including local
6 government initiatives affecting land use are consistent with national
7 development objectives;

8 (h) Coordinate with and assist other government agencies and LGUs in
9 planning, developing, and implementing their land use classification
10 programs, and provide, to the extent possible, technical assistance and
11 guidance;

12 (i) Monitor and coordinate the activities of concerned agencies and
13 entities of the government, as well as LGUs, in the enforcement and
14 implementation of policies and regulations relating to land use and
15 resource management and development;

16 (j) Monitor and coordinate activities in the establishment of a national land
17 resource information and management system of concerned agencies
18 that shall integrate and process information on land use and allocation
19 generated by the various national government agencies, define
20 information requirements at various levels; and standardize information
21 inputs and outputs including scales and symbols used in territorial and
22 sectoral maps;

23 (k) Be the repository of all RPFs, PPFDPs and CLUPs and all data and
24 information pertaining to land and land use;

25 (l) Call on any department, bureau, office, agency, or instrumentality of
26 the government, and/or private entities and organization for
27 cooperation, support, and assistance in the performance of its
28 functions;

29 (m) Decide and resolve policy conflicts and territorial jurisdiction on
30 land use between or among agencies, branches, or levels of the
31 government and act on unresolved land use policy conflicts at the
32 regional level elevated by the Regional Land Use Policy Board (RLUPB);

- 1 (n) Adopt rules of procedures for the orderly and expeditious conduct of
2 meetings and other business of the Council;
- 3 (o) Perform such other acts and functions and exercise such other powers
4 as may be necessarily implied, inherent, incident, or related to the
5 foregoing; and,
- 6 (p) Review and recommend fiscal policies and taxation on different land
7 uses and classification to achieve national goals.

8 **Sec. 18. *NLUC Technical Secretariat (NLUC-TS).*** – A Technical Secretariat
9 shall be created to provide technical support to the NLUC. It shall be headed by an
10 Executive Director with a rank of Undersecretary. He shall be a qualified professional
11 in any of the fields of land use, physical planning, environmental management,
12 engineering, public governance or law.

13 **Sec. 19. *The NLUC Technical Secretariat Executive Director.*** – The Executive
14 Director shall supervise the operations of the NLUC Technical Secretariat and assist
15 the NLUC Chairperson or his/her designated Chief Executive Officer (CEO).

16 In the absence of the CEO, he/she shall preside over the meetings of the
17 NLUC-TS.

18 He/she shall also perform such other functions as may be tasked by the
19 Chairperson or CEO-Vice Chairperson.

20 **Sec. 20. *Offices, Units and Staff Support.*** – The appropriate office in the
21 Human Settlements Adjudication Commission (HSAC) created under Republic Act No.
22 11201 or the “Department of Human Settlements and Urban Development Act” shall
23 be the core secretariat of the NLUC. The staff in the HSAC and NEDA Regional
24 Development Office who opted to transfer to the NLUC shall be given priority
25 without diminution in rank and remuneration. The staffing pattern shall be drafted
26 by the NLUC in coordination with the DBM and Civil Service Commission. Other
27 government agencies may also be called upon for staff support.

28 The NLUC technical secretariat shall be divided into the following service units
29 – Planning and Policy Services, Technical Advisory and Assistance Service, and
30 Administrative and Financial Services. Each service unit shall be headed by a Director
31 with a minimum rank of Director I (Salary Grade 22) and shall possess professional

1 qualifications that relate to land use, physical planning, management, engineering,
2 governance and law.

3 (a) Planning and Policy Services – shall provide planning and policy
4 support services to the NLUC. It shall be responsible for preparation,
5 formulation and issuance of national land use planning guidelines,
6 standards and policies that would be approved by the NLUC. It shall
7 also be responsible for assisting the NLUC in monitoring the
8 implementation and compliance of national and local agencies on the
9 national land use policies, directives, and guidelines. It shall also
10 maintain and update an open and publicly accessible national land use
11 plan inventory, information and database monitoring system that shall
12 collate, integrate and consolidate the general status of the country's
13 land uses at all LGU levels. It shall also provide legal and legislative
14 support to the NLUC and other policy-making bodies on land use
15 policies and land use related issues and concerns.

16 (b) Technical Advisory and Assistance Service – shall provide technical
17 advisory services to the NLUC and other policy making bodies related
18 to land use management and implementation. It shall also provide
19 technical assistance to local and national agencies in the preparation
20 and formulation of their local land use plans, development and sectoral
21 plans, and other land use-related concerns that may be raised by these
22 bodies. It shall maintain a national network of technically capable and
23 qualified representatives under its supervision and administration that
24 shall provide technical advisory and secretariat support to local land
25 use planning bodies at the LGU levels. The technical advisory and
26 assistance service shall develop and provide training and capacity
27 building programmes on land use planning, land management, zoning,
28 mapping and other related skills for local government units to enhance
29 and strengthen their capacity to effectively perform the functions of
30 LGUs under this Act.

31 (c) Administrative and financial services – shall provide day-to-day
32 administrative, human resources, budgeting, logistical support and

1 financial services to the NLUC and its technical secretariat. It shall also
2 perform other administrative and support services necessary for the
3 effective and efficient operation of the NLUC and NLUC secretariat.

4 **ARTICLE II**

5 **REGIONAL AND LOCAL LAND USE PLANNING BOARDS**

6 Sec. 21. *City/Municipal Land Use Planning and Management Board*
7 *(C/MLUPMB)*. -- The C/MLUPMB is hereby created under this Act in all municipalities
8 and cities, including highly urbanized and component cities, to oversee the
9 preparation, integration, adoption and approval of their respective Comprehensive
10 Land Use Plans (CLUPs) and shall ensure the consistency of such plans with
11 approved national, regional and provincial planning guidelines. The C/MLUPMB shall
12 also be directly responsible for the effective management and implementation of the
13 approved CLUP and for ensuring that any existing and future local policies, including
14 zoning ordinances, development initiatives, programs and projects introduced within
15 its jurisdiction are consistent with and supportive of land use resource management
16 and physical planning objectives, directions and character identified by the approved
17 CLUP.

18 Sec. 22. *Powers and Responsibilities of the City/Municipal Land Use Planning*
19 *and Management Board*. -- The following are the powers and responsibilities of the
20 C/MLUPMB

- 21 (a) In coordination with the city/municipal planning and development
22 office/coordinator, review and issue the necessary local planning
23 guidelines and/or implementing policies for the preparation and
24 formulation of the CLUPs within its jurisdiction as provided for by
25 approved national, regional and provincial planning policies and
26 guidelines;
- 27 (b) Review and endorse to the *Sangguniang Bayan* or *Sangguniang*
28 *Panlungsod* the draft CLUP for adoption;
- 29 (c) Ensure the input of the barangays within the jurisdiction of the
30 respective city/municipal on sectoral, temporal and spatial dimensions
31 of the plan and its consistency with approved national, regional and
32 provincial planning guidelines;

- 1 (d) Review, monitor and assess the implementation and operationalization
2 of the approved CLUP;
- 3 (e) Decide and resolve land use policy and zoning conflicts that may arise
4 between or among barangays within the LGUs;
- 5 (f) Resolve and decide any complaints regarding the issuance of
6 applications for locational clearances, building and zoning permits
7 and/or other planning-related requirement for any project, both private
8 and public, by the LGU to ensure consistency and conformity with the
9 approved CLUP and zoning ordinances;
- 10 (g) Advise the local chief executive and *Sangguniang Bayan* on all matters
11 pertaining to land use and physical planning;
- 12 (h) Promote cooperation and sharing of resources between and among its
13 barangays and neighboring LGUs to address common land use and
14 development issues including those related to geo-physical hazards,
15 watershed and river basins, coastal and marine waters, climate change
16 impact and disaster risks; and,
- 17 (i) Convene a technical working group composed of city/municipal
18 agriculturist, city/municipal environment and natural resources officer,
19 city/municipal engineer, city/municipal assessor and such other LGU
20 officials with land related functions in the preparation of the CLUP.
21 The TWG may request any field officials of national government
22 agencies with land administration function to assist for the same
23 purposes.

24 *Sec. 23. Composition of the C/MLUPMB.* – The C/MLUPMB shall be composed
25 of five (5) members and shall be headed by a Chairperson:

- 26 (a) City/municipal planning and development coordinator (C/MPDC);
- 27 (b) Chairperson of the *Sangguniang Bayan* Committee on Environment and
28 Natural Resources who shall serve as the chairperson of the
29 C/MLUPMB;
- 30 (c) One (1) representative from the local business/private sector
31 association/chamber of commerce, who shall be appointed from

1 among the accredited organizations within their respective
2 development councils;

3 (d) One (1) representative from the basic sector and marginalized groups
4 (urban poor, fisherfolk, farmers and indigenous peoples) who shall be
5 appointed from among the accredited organizations within their
6 respective development councils; and,

7 (e) NLUC representative who shall serve as ex-officio member.

8 Except for ex-officio members, the members of the C/MLUPMB shall be
9 appointed for a term of three (3) years, subject however to the elected office held,
10 government employment and/or official designation in the LGU, national agency
11 and/or local business/private sector association or basic and marginalized sector
12 group representation in the Board. The City/Municipal Planning and Development
13 Coordinator/Office (C/MPDC/O) shall provide technical secretariat and administrative
14 support and resources for the effective operation of the C/MLUPMB.

15 Aside from the C/MPDO/C, the C/MLUPMB may call upon other local and
16 national government offices and agencies such as the local engineer, the assessor
17 and the local field representatives of the DA, the DPWH, the DOTr, the DOT, the
18 DENR, the DAR, the DepEd and other concerned national agencies to assist the
19 C/MLUPMB in the performance of its roles and mandates.

20 Annual appropriations for the operation and activities of the C/MLUPMB shall
21 be included in the annual budget proposal of the C/MPDO/C: *Provided*, That other
22 funds and resources, including grants, applicable services fees and charges
23 collected, contributions, donations, and other funds to support its operations and
24 activities may be accepted and received by the C/MLUPMB, subject to existing
25 auditing and reporting procedures.

26 LGUs shall create and/or activate their respective C/MLUPMB upon guidelines
27 issued by the NLUC for such purposes, not later than six (6) months from the
28 effectivity of this Act.

29 *Sec. 24. Provincial Land Use Planning and Management Board (PLUPMB). –*
30 The PLUPMB is hereby created in all provinces under this Act to oversee the
31 preparation, integration, adoption and approval of the Provincial Physical Framework
32 Plan (PPFP) and shall ensure its consistency with approved national and regional

1 planning guidelines. The PLUPMB shall also be directly responsible for the effective
2 management and implementation of the approved PPF and ensure that any existing
3 and future development initiatives, programs and projects introduced within its
4 jurisdiction are consistent with and support of the land use resource management
5 and physical planning objectives, direction and character identified in the approved
6 PPF.

7 In addition to the functions enumerated in Section 109 of the Local
8 Government Code (LGC), the PLUPMB shall:

- 9 (a) Advise the *Sangguniang Panlalawigan* on all matters pertaining to land
10 use and physical planning;
- 11 (b) Review and endorse to the *Sangguniang Panlalawigan* for adoption,
12 the Provincial Physical Framework Plans, prepared and periodically
13 updated by the Provincial Planning and Development Office and other
14 land use and physical planning-related policies;
- 15 (c) Assist the *Sangguniang Panlalawigan* in reviewing the CLUPs of
16 component cities/municipalities to ensure consistency with the
17 provincial framework plans and compliance with the limits prescribed
18 under the 1991 LGC for reclassifying agricultural lands; and,
- 19 (d) Decide and resolve policy conflicts on land use planning, classification,
20 and allocation that may arise between or among cities/municipalities
21 and any unresolved land use conflicts at the city/municipal level.

22 The PLUPMB may call upon any local official concerned such as Provincial
23 Planning and Development Coordinator, Provincial Agriculturist, Provincial
24 Environment and Natural Resources Officer, Provincial Engineer, Provincial Assessor,
25 or any official of national agencies and other relevant agencies during discussion on
26 land use and physical planning concerns.

27 *Sec. 25. Composition of the PLUPMB.* – The PLUPMB shall be composed of the
28 following fourteen (14) members to be selected based on the rules to be formulated
29 by the NLUPC as provided in this Act:

- 30 (a) Provincial Planning and Development Coordinator (PPDC);
31 (b) Chairperson of SP Committee on Environment and Natural Resources;

- 1 (c) Provincial Chapter President – League of Municipalities and/or League
2 of Cities;
- 3 (d) Provincial Agrarian Reform Officer (PARO);
- 4 (e) Provincial Environment and Natural Resources Officer (PENRO);
- 5 (f) Provincial Agricultural Officer (PAO);
- 6 (g) NCIP Provincial Officer;
- 7 (h) NLUC Technical Representative;
- 8 (i) One (1) representative from the local business/private sector
9 association/chamber of commerce, who shall be appointed from
10 among the accredited organizations within their respective
11 development councils;
- 12 (j) Four (4) representatives from the basic and marginalized sector groups
13 (urban poor, fisherfolk, farmers, indigenous peoples): *Provided*, That at
14 least two (2) representatives shall be women: *Provided, further*, That
15 the representatives shall be appointed from among the accredited
16 organizations within their respective development councils; and,
- 17 (k) Designated board chairperson to be chosen among the members.

18 Except for ex-officio members, the members of the PLUPMB shall be
19 appointed for a term of three (3) years, subject however to the elected office held,
20 government employment and/or official designation of the local government unit,
21 national agency and/or local business/private sector association or basic and
22 marginalized sector group representation in the Board. The NLUPC, within ninety
23 (90) days from its establishment, shall formulate the rules for the selection of the
24 chairperson and the members of the PLUPMB. The Provincial Planning and
25 Development Coordinator/Office (PPDC/O) shall provide technical secretariat and
26 administrative support and resources for the effective operation of the PLUPMB.

27 Aside from the PPDO, the PLUPMB may call upon other local and national
28 government offices and agencies such as the local engineer, assessor, and local field
29 representatives of the DA, DPWH, DOTr, DOT, DENR, DAR, DepEd, NCIP and other
30 concerned national agencies to assist the PLUPMB in the performance of its roles
31 and mandates.

1 Appropriations for the regular operation and activities of the PLUPMB shall be
2 included in the annual budget proposal of the PPDO: *Provided*, That other funds and
3 resources, including grants, applicable service fees and charges collected,
4 contributions, donations, and other funds to support its operations and activities may
5 be accepted and received by the PLUPMB subject to existing auditing and reporting
6 procedures.

7 *Sec. 26. Regional Land Use Policy Board.* – At the regional level, the Regional
8 Land Use Policy Board (RLUPB) shall be institutionalized, replicating the NLUC
9 structure and composition which shall include a duly authorized representative from
10 the NEDA, the DENR, the DA, and the DAR. The PLUPB shall have the following
11 functions:

- 12 (a) Formulate and adopt regional policies on land use and physical
13 planning;
- 14 (b) Prepare and periodically update a regional physical framework plan,
15 taking into consideration national policies and lower level plans;
- 16 (c) Assist the provinces in preparing and periodically updating its physical
17 framework plans to ensure consistency with the regional and national
18 plans and policies and to facilitate its integration to the regional plans;
- 19 (d) Review, prior to adoption by respective *Sanggunians*, the Provincial
20 Physical Framework Plan and CLUPs of highly urbanized and
21 independent component cities to ensure consistency with the regional
22 physical framework plan and national policies set forth by LUPC and
23 compliance with limits prescribed under the 1991 LGC for reclassifying
24 agricultural lands;
- 25 (e) Decide and resolve policy conflicts on land use planning, classification,
26 and allocation that may arise between or among regional line agencies,
27 provinces and cities/municipalities;
- 28 (f) Monitor changes in land use and other physical resources in the region;
- 29 (g) Evaluate consistency of major programs and projects with the regional
30 physical framework plans and their impact on land use and the
31 environment;

- 1 (h) Undertake the gathering of regional data for the Land Resource
2 Information and Management System; and
3 (i) Perform other related functions as may be directed by the LUPC.

4 **ARTICLE III**

5 **ADOPTION, APPROVAL AND REVIEW OF LAND USE PLANS**

6 *Sec. 27. Component Cities and Municipalities.* – Component cities and
7 municipalities shall have the power and authority to adopt and approve their
8 respective CLUPs and ZOs through their respective *Sanggunians* subject to the
9 power of review of their respective provinces only with respect to the consistency of
10 the CLUPs and ZOs with Section 7 hereof on the preparation of the provincial
11 physical framework plan.

12 *Sec. 28. Provinces and Independent and Highly Urbanized Cities.* – Provinces
13 and independent and highly urbanized cities shall have the power and authority to
14 adopt and approve their respective CLUPs, ZOs or provincial physical framework
15 plan, as the case may be, through their respective *Sanggunian* but subject to the
16 review of the RLUPB as provided in Section 25 of this Act.

17 **ARTICLE IV**

18 **RESPONSIBILITIES OF THE NATIONAL GOVERNMENT AGENCIES**
19 **AND LGUs**

20 *Sec. 29. National Base Mapping Program.* – A national mapping program shall
21 be implemented, coordinated, and monitored through the creation of an Inter-
22 agency Technical Committee (ITC) composed of the NAMRIA, as the lead agency,
23 the Bureau of Soils and Water Management (BSWM), the Forest Management
24 Bureau (FMB), the Land Management Bureau (LMB), the Land Registration Authority
25 (LRA), the Protected Areas and Wildlife Bureau (PAWB), the Mines and Geosciences
26 Bureau (MGB), the Philippine Institute of Volcanology and Seismology (PHILVOLCS),
27 the DAR, the National Water Resources Board (NWRB), the DOE, the NEDA and
28 other concerned government agencies/bureaus. The ITC shall be constituted, and
29 the mapping program shall be initiated, within thirty (30) days from the effectivity of
30 this Act. The agencies mentioned in this Section shall endeavor to finish their base
31 mapping program within two (2) years upon the effectivity of this Act.

1 To facilitate land use planning and as a part of the National Base Mapping
2 Program, the Interagency Technical Committee (ITC) shall establish a nationally
3 consistent Alphanumeric Grid Reference System based on universally-defined
4 coordinate and grid systems for accurate and consistent identification and
5 communication.

6 The spatial and non-spatial data generated by these activities shall be
7 downloaded to the LGU as soon as practicable. On the other hand, existing land
8 information data available to the national government agencies as of the effectivity
9 of this Act shall be immediately downloaded to the LGU.

10 For purposes of uniformity and standardization, the LGUs, to be assisted by
11 the appropriate agencies of the national government, shall likewise prepare their
12 respective territorial maps using scales, symbols, and other indicators to be
13 prescribed in accordance with this Act. The completed maps shall be integrated in
14 the National Physical Framework Plan pursuant to Section 5 of this Act.

15 *Sec. 30. National Geo-Hazard Mapping Program.* – Within thirty (30) days
16 from the effectivity of this Act, a nationwide geo-hazard mapping program shall be
17 initiated jointly thru the NLUC by the PHILVOLCS, the Philippine Atmospheric
18 Geophysical and Astronomical Services Administration (PAGASA), the NAMRIA, the
19 MGB, the BSWM, and the DOE, in coordination with the National Disaster Risk
20 Reduction and Management Council (NDRRMC), the Regional Disaster Risk
21 Reduction and Management Council (RDRRMC), and other concerned government
22 agencies. The program shall include the generation of indicative geo-hazard zoning
23 maps that will outline areas in the Philippines which are prone to liquefaction,
24 landslides, severe flooding, *lahar*, ground rupturing, tsunami, river erosion, coastal
25 erosion, sinkhole collapse, earthquake, lava flow, pyroclastic flow, base surge, and
26 other natural hazards.

27 For purposes of uniformity and standardization and in order to develop a safe-
28 built environment, the LGUs shall subsequently incorporate and integrate the
29 generated geo-hazard zoning maps in their respective CLUPs. Said geo-hazard maps
30 shall serve as guide for all the LGUs in the preparation of their own hazards-
31 constrained development plans. The national physical framework planning, pursuant
32 to Section 5 hereof, shall incorporate these geo-hazard maps.

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

5 *Sec. 31. Scope and Nature of Responsibilities of Other National Government*
6 *Agencies.* – All concerned national government agencies/bodies shall periodically
7 report to the NLUC on the various activities and accomplishments relative to land
8 use. Likewise, they shall provide their respective sectoral/development plans and
9 render technical and administrative support if called upon by the NLUC relative to
10 the implementation of the provisions of this Act.

11 *Sec. 32. Submission of Annual Report for Agricultural Development.* – Priority
12 areas for agricultural development for purposes of agricultural production shall be
13 those agricultural areas under protection land use covered under Republic Act No.
14 6657 or the CARP, as amended, and those covered under Network of Protected
15 Areas for Agricultural and Agro-Industrial Development (NPAAAD), defined in Section
16 4 of this Act and in R.A. No. 8435 or the “Agriculture and Fisheries Modernization
17 Act”.

18 **CHAPTER VI**

19 **SPECIAL AREAS OF CONCERN**

20 **ARTICLE I**

21 **AGRICULTURAL LANDS**

22 *Sec. 33. Priority Areas for Agricultural Development.* – Priority areas for
23 agricultural development for purposes of agricultural production shall be those
24 agricultural areas under protection land use covered under Republic Act No. 6657 or
25 the CARP, as amended, and those covered under Network of Protected Areas for
26 Agricultural and Agro-Industrial Development (NPAAAD), defined in Section 4 of this
27 Act and in Republic Act No. 8435 or the “Agriculture and Fisheries Modernization
28 Act.”

29 *Sec. 34. Conversion of Agricultural Lands.* – Prime agricultural lands and
30 specific types of lands to the extent necessary for attaining food self-sufficiency in
31 rice and corn and food security in other basic commodities, as determined by the
32 DA, subject to mandatory public hearings/consultations with the LGUs, the private

1 sector, the NGOs, and POs, shall be protected from conversion, which shall include
2 but not limited to areas under the NPAAAD: *Provided*, That all irrigated and irrigable
3 lands, all lands developed or possessing the potential for development of high value
4 crops, and all agricultural lands that are ecologically fragile and whose conversion
5 will result in serious environmental problems cannot be converted, the areas under
6 which are subject to review every ten (10) years by the DAR, with the mandatory
7 public hearings/consultations.

8 *Sec. 35. Sub-classification or Re-classification of Agricultural Lands by LGUs. –*
9 Sub-classification or re-classification of agricultural lands to other uses under Section
10 20 of the LGC of 1991 shall exclude the protected agricultural lands as stated in the
11 preceding section. Moreover, such sub-classification/re-classification is not
12 synonymous to conversion. The DA and DAR shall provide the LGUs with complete
13 list and maps of protected agricultural lands within their territorial jurisdictions.

14 **ARTICLE II**

15 **ANCESTRAL DOMAIN**

16 *Sec. 36. Priority Areas for Agricultural Development within Ancestral Domain.*
17 – Agricultural lands within ancestral domain shall be developed in accordance with
18 their Ancestral Domain Sustainable Development Protection Plan (ADSDPP).

19 *Sec. 37. Respect for Ancestral Domains. –* The Ancestral Domain Management
20 Plan (ADMP) or ADSDDP shall be adopted in the CLUP and/or other plans that the
21 LGU is mandated to produce. The extent of the ancestral domains shall be reflected
22 in the land use plan, where it will be zoned as such in the zoning ordinance and shall
23 be co-managed by the LGU and IP community. Additionally, the ADSDPP shall be
24 included in the investment plans of the LGU.

25 *Sec. 38. Ancestral Domain Policy Adoption. –* Ancestral domain policies shall
26 be adopted in the LGU's land use policy framework. However, in the event that the
27 ADMP/ADSDPP is still in the formulation stage or remains to be formulated, the right
28 to self-determination and traditional resource and management systems and
29 processes shall be upheld at all times as provided for by the IPRA of 1997.

1 **ARTICLE III**

2 **FOREST LANDS AND WATERSHED MANAGEMENT**

3 *Sec. 39. Forestland Boundary Delineation.* – Pursuant to Section 4, Article 12
4 of the 1987 Constitution which mandates Congress to determine by law the specific
5 limits of forestlands and national parks, the Secretary of the DENR shall submit to
6 Congress the final forestland boundaries delineated by province and the Congress
7 shall consider the same for adoption.

8 *Sec. 40. Reversion of Alienable and Disposable Lands to Forestlands.* – Upon
9 the recommendation of the Secretary of the DENR, duly reviewed and endorsed by
10 the NLUC, and after due consultations with the concerned LGUs and affected parties,
11 Congress may authorize the reversion of alienable and disposable lands of the public
12 domain or portion thereof to forestlands. Thereafter, said lands shall be included in
13 the preparation of land use plans within forestlands.

14 *Sec. 41. Critical Watershed Areas.* – The DENR, in coordination with the DA,
15 LGUs, and other government agencies, including government-owned and –controlled
16 corporations, and with mandatory public hearings/consultations, shall review,
17 identify and delineate critical watershed areas that need to be protected,
18 rehabilitated, enhanced, and/or withdrawn from uses that contribute to their further
19 degradation.

20 *Sec. 42. Formulation and Implementation of Integrated Watershed*
21 *Management Plans.* – In the absence of a law on the protection and sustainable
22 management of our forests, the LGUs through their local land use committees and
23 upon mandatory public hearings/consultations with the concerned sectors, and with
24 the assistance of DENR, shall prepare their watershed management plans which
25 shall be integrated with their respective CLUPs. The formulation and integration of
26 the plans shall be guided, among others, by the principle that the management and
27 development of inland water resources shall be at the watershed level. A nationwide
28 mapping of watersheds in the country shall be implemented.

29 In cases where the watershed areas transcend the boundaries of a particular
30 municipality, an inter-LGU committee composed of representatives from local land
31 use committees of the LGUs where the watershed area is located shall be formed.
32 With the assistance of the DENR and upon mandatory public hearings/consultations

1 with the concerned sectors, the inter-LGU committee shall formulate the watershed
2 management plan for the said watershed area.

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

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

8 **ARTICLE IV**

9 **COASTAL ZONE**

10 *Sec. 43. Criteria on the Allocation and Utilization of Lands within the Coastal*
11 *Zones.* – The allocation and utilization of lands within the coastal zone shall be
12 guided by the following:

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

15 (b) Areas which meet all accepted criteria on elevation, soil type, soil
16 depth, topography, supply for successful fishpond development, and
17 are not identified as mangrove protected areas, shall be utilized for
18 aquaculture purposes: *Provided,* That a 4:1 ratio for mangroves and
19 fishponds is maintained to support ecological processes in mangrove
20 ecosystems;

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

26 (d) Areas accessible to the sea and identified for fisherfolk settlement and
27 housing shall be allocated to traditional fisherfolk who are inhabitants
28 of the coastal communities and members of legitimate fisherfolk
29 organizations and/or holders of stewardship lease contracts or titles to
30 ancestral domains or any form of property right arrangements who
31 participate in coastal resource management initiatives, subject to the

1 usual census procedures of the Department of Human Settlements and
2 Urban Development.

3 (e) Areas which are neither sub-classified as mangrove, fisherfolk
4 settlement nor fishpond may be devoted to recreational or tourism
5 purposes: *Provided*, That such undertaking will not result in
6 environmental degradation and displacement of small fishers;

7 (f) Areas which are considered as traditional fishing grounds shall be used
8 primarily for such purpose;

9 (g) Areas which have been allocated for small infrastructure needed by
10 fisherfolk shall be allowed; and,

11 (h) Areas which form part of foreshore lands as defined in this Act
12 including those which are under lease agreements or arrangements
13 shall undergo zoning and evaluation to determine their boundaries and
14 actual sizes and corresponding uses, taking into consideration the
15 protection of mangroves or restoration zones and the compliance with
16 the required 4:1 ratio between mangroves and fishponds.

17 *Sec. 44. Coastal Land Zone Sub-classification.* – All public lands in the coastal
18 zones shall be sub-classified into any of the following: estuaries, lagoons, inter-tidal
19 flats, mudflats, fishponds, mangroves, protection from tidal surge, for preservation
20 of biodiversity, habitats and sanctuaries for endangered wildlife, fisherfolk
21 settlement, or recreational/tourism areas. No sub-classification of coastal zone to
22 different uses shall be done without the following:

23 (a) Conduct of a comprehensive resource and environmental assessment
24 by the DENR and respective LGUs and accredited NGOs and POs within
25 their jurisdiction; and,

26 (b) Prior consultation with the Local Fisheries and Aquatic Resource
27 Management Councils (FARMCs) formed under Republic Act No. 8550
28 or the Philippine Fisheries Code.

29 *Sec. 45. Zoning of Foreshore Areas.* – Local government units, in coordination
30 with the DENR, shall conduct zoning of their respective foreshore areas to assist
31 government and community fishers identify priority areas for conservation and

- 1 (b) In case of small-scale mining, adequate and acceptable safeguards
2 shall be instituted by the holders of mining rights or permits to prevent
3 environmental degradation of the mining sites and adjacent areas;
- 4 (c) Mineral reservations which have become non-operational for more than
5 five (5) years as determined by the MGB shall be placed under
6 appropriate surface management by the DENR;
- 7 (d) Consistent with the Mining Act of 1995, areas closed to mining
8 operations shall be periodically reviewed through mineral exploration to
9 be undertaken by the DENR for the purpose of determining whether or
10 not their continued closure is consistent with the national interest and,
11 if warranted, recommend their re-classification as mineral lands;
- 12 (e) Land under protection land use shall be exempted from mining
13 activities to minimize the effect of natural calamities and to protect
14 food security, respectively.
- 15 (f) The small to large scale mining operations shall recognize the tenurial
16 instrument given by the government such as Original Certificate of Title
17 (OCT), Transfer Certificate of Title (TCT), Certificate of Ancestral
18 Domain Title (CADT), Emancipation Patent – Certificate of Land
19 Ownership Award (EP-CLOA) and other instruments.

20 *Sec. 48. Reversion of Mineral Lands.* – All mineral lands with exhausted
21 mineral resources, as determined by the MGB upon the recommendation of the
22 DENR, shall revert to its original land classification, either as forestland or
23 agricultural land. The full cost of rehabilitation shall be borne by the company or
24 entity which undertook the mining activity in the area. In the case of forestlands, the
25 DENR may classify such areas for other purposes in consultation with concerned
26 LGUs, the Department of Tourism (DOT), and other national government agencies.

27 **ARTICLE VI**

28 **ENERGY RESOURCE LANDS**

29 *Sec. 49. Guidelines for the Utilization and Allocation of Lands for Energy*
30 *Resource Exploration, Development, Production, Utilization, and Distribution*
31 *Purposes.* – To ensure that the objectives of maintaining ecological balance and
32 maximizing the power potential from indigenous energy resources in the most

1 economical and environmentally-acceptable means are realized, the allocation and
2 utilization of lands for said purposes shall be guided by the following, consistent with
3 existing regulations and laws on energy resources:

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

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

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

19 *Sec. 50. Reversion of Energy Resource Lands.* – All exhausted indigenous
20 energy resource lands not covered by proclamations shall automatically revert to the
21 category of forestlands or agricultural lands open to disposition, whichever is
22 appropriate. Exhausted energy resource lands shall refer to specific energy resource
23 sites whose energy reserves of the desired type/s are no longer in sufficient quantity
24 or quality to justify additional expenditure for their extraction and utilization.

25 **CHAPTER VII**

26 **SETTLEMENTS DEVELOPMENT**

27 *Sec. 51. Town, City, and Settlements Development.* – The development of
28 town, city and settlements through the zoning ordinances of cities and municipalities
29 shall be guided by the CLUPs and urban zoning standards designed to maximize
30 existing urban spaces. Socialized housing and settlement areas shall be established
31 only on alienable and disposable lands and which are expressly declared by an act of
32 Congress or Presidential Proclamation that the same are no longer intended for

1 public service or development of the national wealth or otherwise been converted to
2 patrimonial property in order to avoid further degradation of forestlands.

3 *Sec. 52. Settlements Within Geo-Hazard Areas.* – Settlements, in particular
4 housing or residential developments, within geo-hazard areas may be allowed
5 provided that mitigating and/or protective measures are adopted to address the
6 potential danger or risk to lives and property within such settlements.

7 *Sec. 53. Designation of Sanitary Landfill.* – Each city or municipality shall
8 identify, designate and allocate an area preferably within their territorial jurisdiction
9 to serve as sanitary landfill within one (1) year from the effectivity of this Act. The
10 LGUs, in coordination with the DENR or any other competent authority, shall identify
11 sanitary landfill in order to expedite the conduct of environmental impact assessment
12 study and to facilitate processing of the environmental compliance certificate. The
13 site or area shall be identified in the city or municipality’s CLUP. For this purpose,
14 cities and municipalities shall establish their solid waste management program,
15 pursuant to R.A. No. 9003, otherwise known as the “Ecological Solid Waste
16 Management Act of 2000”. Likewise, as provided under Section 33 of the LGC, cities
17 and municipalities may, through appropriate ordinances, bind themselves towards
18 the establishment of a common solid waste management program.

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

24 *Sec. 54. Designation and Zoning of Socialized Housing Zones.* – Each city or
25 municipality in urban, urbanizable and rural areas shall designate through the CLUP
26 adequate lands for housing or residential purposes, including socialized housing and
27 resettlement areas for the immediate and future needs of the local population as
28 well as the underprivileged and homeless in their territory, pursuant to existing laws
29 and regulations. In order to ensure adequate availability of land for the housing
30 needs of the local population, the CLUP shall be updated, at the earliest after every
31 ten (10) years for provinces, cities and municipalities.

1 The designated sites for socialized housing shall be located in residential
2 zones, and shall be zones as socialized housing zones that are integrated in the city
3 or municipality's zoning ordinance, pursuant to existing laws and regulations.
4 Preference shall be given to lands proximate to public transportation facilities which
5 may include inter alia railways and public terminals.

6 Fisherfolk settlements and housing in coastal municipalities shall be zones
7 near the sea for easy access to their livelihood pursuant to Section 42 of this Act.

8 *Sec. 55. Urban Forest or Green Space.* – Each city or highly urbanizing
9 municipality shall identify, designate, and allocate lands owned by the city of
10 municipality as urban forest or green space based on the guidelines and standards
11 to be issued by the DENR and approved by the NLUC.

12 **CHAPTER VIII**

13 **INDUSTRIAL DEVELOPMENT AREAS**

14 *Sec. 56. Criteria for Designating Industrial Development Areas.* – The
15 identification and establishment of industrial development areas including Special
16 Economic Zones and/or freeports shall conform with the provisions of R.A. No. 7916,
17 or the Philippine Economic Zone Authority (PEZA) Act, R.A. No. 6657 or the
18 Comprehensive Agrarian Reform Program (CARP) Act, as amended by R.A. No. 9700
19 or the Comprehensive Agrarian Reform Program with Extension and Reforms Act
20 (CARPER), R.A. No. 8371 or the Indigenous Peoples Rights Act (IPRA), R.A. No.
21 7279 or the Urban Development Housing Act (UDHA), and R.A. No. 8435 or the
22 Agriculture and Fisheries Modernization Act (AFMA), taking into consideration the
23 following:

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

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

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

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

32 (e) National and Urban Development and Housing Framework;

- 1 (f) Identified Socialized Housing Zones;
- 2 (g) National framework for physical planning and other existing national
- 3 programs and policies;
- 4 (h) Local Government Unit (LGU) consent through a resolution from the
- 5 affected LGU's respective *Sanggunians*;
- 6 (i) Environmental Compliance Certificate (ECC) and Environmental Impact
- 7 Statement (EIS);
- 8 (j) Certificate of no overlap from the DENR, DAR and the NCIP; and,
- 9 (k) NEDA approval.

10 The land use plans of all Special Economic Zones (SEZs) and/or freeports
11 whether created by special laws, through Republic Act No. 7916 (PEZA Law) or
12 executive proclamations shall conform to the approved Comprehensive Land Use
13 Plans pursuant to this Act. The NLUC shall order all Special Economic Zones and
14 freeports to submit revised land use plans, for review and approval by their
15 respective city or municipal councils where these areas are located.

16 Any ambiguity in the conflict or overlap in land use shall be resolved in favour
17 of the preferential rights of the basic and marginalized sectors protected by the
18 Constitution.

19 NEDA shall review and evaluate the viability in terms of the volume of
20 investments against the cost of environment, labor, tax incentive, and maintenance
21 of peace and order of Special Economic Zones and freeports.

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

25 **CHAPTER IX**

26 **TOURISM DEVELOPMENT AND HERITAGE AREAS**

27 *Sec. 57. Designating Tourism Development Areas.* – The identification,
28 selection, and development of tourism development areas, tourism estates and
29 tourism enterprise zones (TEZs) shall be done in consultation and coordination with
30 the concerned LGUs, the TIEZA and concerned national government agencies, the
31 private sector, and affected communities, subject to the provisions of R.A. No. 9593
32 or Tourism Act of 2009. Tourism development areas shall likewise include those

1 covered by legislative and executive issuances as tourist spots, tourist zones and
2 tourism ecozones which can be developed into tourism estates or integrated resort,
3 leisure and recreation complexes and other tourism-related facilities as well as those
4 identified in the national, regional and inter-regional tourism, and area specific
5 tourism master plans and other sector plans such as ecotourism and agri-tourism
6 sites.

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

9 Lands identified as part of a TEZ shall qualify for exemption from the
10 coverage of Republic Act Nos. 7279 and 6657 subject to rules and regulations to be
11 crafted by the TIEZA, DHSUD, DAR and DA: *Provided*, That a certificate shall be
12 obtained from the DA that said lands are no longer economically feasible and sound
13 for agricultural purposes, consistent with Section 33 of this Act.

14 *Sec. 58. Identification and Declaration of Areas for Protection, Conservation*
15 *and Preservation of Cultural Heritage.* – Pursuant to Republic Act No. 10066, the
16 National Historical Commission of the Philippines (NHCP) and/or the National
17 Museum in coordination with National Commission for Culture and the Arts (NCCA),
18 DHSUD and other concerned agencies, local communities, and the private sector,
19 shall identify declared areas and structures which shall be protected and/or
20 preserved as part of the Philippine cultural heritage subject to the IPRA.

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

25 **CHAPTER X**

26 **INFRASTRUCTURE DEVELOPMENT**

27 *Sec. 59. Allocation and Use of Land for Infrastructure Development.* – Land,
28 whether public or private, shall be allocated and utilized for priority infrastructure
29 projects that are supportive of national or local development objectives. The NEDA,
30 in consultation with the concerned national government agencies, LGUs, and the
31 private sector shall identify and periodically review, update and/or revise the list of
32 priority infrastructure projects subject to Sections 5 and 33 of this Act, and Section

1 47 of Republic Act No. 8435 or AFMA. In determining and evaluating the list of
2 priority infrastructure projects, consideration shall be given to those that:

3 (a) Respond to immediate and vital requirements of the national economy
4 with priority on improving rural infrastructure and the development of
5 the agriculture and fisheries sectors;

6 (b) Upgrade existing facilities to international standards;

7 (c) Address the need for sustainable settlements development; and,

8 (d) Help mitigate the destructive effects of natural disaster-causing
9 phenomena or those that shall serve as alternatives to existing
10 infrastructures found in natural hazard-prone areas: *Provided*, That
11 the provision and implementation of infrastructure support shall be
12 made compatible with existing environmental conditions and the
13 physical, whether natural or human-made, and cultural character of
14 the area. Mandatory public hearings/consultations pursuant to existing
15 laws and regulations shall be held prior to the conduct of all
16 infrastructure projects that will necessarily involve dislocation or
17 displacement of people in the area: *Provided, further*, That the
18 proponent of the infrastructure project shall follow the rules on just
19 and humane eviction or demolition under Section 28 or R.A. No. 7279
20 or the Urban Development Housing Act (UDHA), notwithstanding the
21 provisions of R.A. 8975, prohibiting lower courts from issuing
22 temporary restraining orders, preliminary injunctions, or preliminary
23 mandatory injunctions, and proponent shall follow IPRA: *Provided*,
24 *finally*, That national government infrastructure projects shall allocate
25 budget for the adequate relocation of displaced communities.

26 *Sec. 60. Infrastructure Projects Within Geo-Hazard Areas.* – Construction of
27 priority infrastructure projects within hazard-prone areas shall be allowed: *Provided*,
28 That mitigating and/or preventive measures are adopted to address the potential
29 adverse economic, socio-cultural, and environmental impacts that will emanate from
30 these infrastructure projects, subject to the findings and recommendations of a
31 feasibility study/environmental impact assessment in accordance with Presidential
32 Decree No. 1586 entitled, "Establishing an Environmental Impact Statement System,

1 Including Other Environmental Management Related Measures”, and Republic Act
2 No. 4846 or the “Cultural Properties Preservation and Protection Act”, as amended
3 by Presidential Decree No. 374.

4 Existing projects that did not go through the process of an environmental
5 impact assessment and pose threats to the environment, integrity of historic,
6 archeological, or scientifically significant areas; or are impinging on critical
7 ecosystems, shall either be, as determined by the concerned agencies: (a)
8 terminated immediately, (b) required to implement an Environmental Management
9 Plan; (c) gradually phased-out and relocated; or, (d) maintained up to their life
10 span, subject, however, to mitigating measures: *Provided*, That the rules on
11 mandatory public hearings/consultations and just and humane eviction or demolition
12 shall also be observed prior to the termination, gradual phase-out, or relocation of
13 projects that will necessarily involve dislocation or displacement of people in the
14 area.

15 **CHAPTER XI**

16 **TRAINING, EDUCATION, AND VALUE FORMATION**

17 *Sec. 61. Value Formation.* – In order to create a well-informed, responsible
18 and committed citizenry who values the protection, conservation and development of
19 the country’s limited land, and other physical resources, the State shall mandate the
20 inclusion of sustainable land use education or any subject related thereto into the
21 curricula of primary, secondary and tertiary education.

22 *Sec. 62. Information and Education Campaign.* – The NLUC shall undertake a
23 nationwide education information campaign in land use and physical planning to be
24 implemented by local and national government agencies. The DILG and concerned
25 agencies shall formulate and implement a land use management capability-program
26 for national and local government officials, community leaders, NGOs, POs, religious
27 sector, and the general public: *Provided*, That it shall be mandatory for local
28 government officials involved in the preparation of CLUPs and PPFDP, including the
29 municipal, city and provincial development officer to attend the Land Use
30 Management Capability-Building Program.

1 **CHAPTER XII**

2 **INCENTIVES, SANCTIONS, AND PENALTIES**

3 **ARTICLE I**

4 **INCENTIVES AND AWARDS**

5 *Sec. 63. Formulation of a System of Incentives and Awards.* – The NLUC shall
6 issue a system of incentives and awards to LGUs that regularly update their
7 CLUPs/ZOs within the prescribed period, as follows:

8 (a) Provinces, Highly Urbanized Cities, and Independent Component Cities
9 once every ten (10) years; and,

10 (b) Component cities and municipalities once every ten (10) years.

11 *Sec. 64. Priority in Giving Technical Assistance to LGUs.* – In providing
12 technical assistance and other forms of support related to land use management and
13 the implementation of development plans, the national government agencies shall
14 give priority to cities and municipalities with approved CLUPs/ZOs.

15 **ARTICLE II**

16 **SANCTIONS AND PENALTIES**

17 *Sec. 65. Fine for Non-Completion and Non-Commencement of Development*
18 *of Agricultural Lands with Approved Order of Conversion.* – A landowner and his/her
19 designated developer or duly authorized representative who fail to commence
20 and/or complete the development of agricultural lands with approved order of
21 conversion shall be penalized, jointly or severally, with any of the following fines
22 based on the zonal value of the land at the time the fine is imposed:

23 (a) On failure to commence within one (1) year from the date of
24 conversion order:

25 (1) Six percent (6%) of the zonal value of the subject land for the
26 first three (3) hectares;

27 (2) Fifteen percent (15%) of the zonal value of the subject land for
28 the next three (3) hectares; and,

29 (3) Thirty percent (30%) of the zonal value of the subject land for
30 the remaining area: *Provided*, That the order of conversion shall
31 be deemed revoked automatically and the land shall revert to its

1 original agricultural use and covered by the DAR through
2 compulsory acquisition for distribution to qualified beneficiaries.

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

9 Sec. 66. *Authority to Impose Fine.* – The DAR shall impose the penalty
10 provided for under the preceding section.

11 Sec. 67. *Withdrawal of Local Development Permits or Licenses.* – Upon
12 receipt of notice from the DAR, the concerned agencies and the city or municipality
13 shall withdraw or revoke any development permits and other licenses that may be
14 necessary to develop the agricultural land subject of conversion.

15 Sec. 68. *Utilization of Fines.* – The fines collected under Sections 64, 69 and
16 70 hereof shall automatically accrue to the Agrarian Reform Fund consistent with the
17 provisions of the CARP, as amended.

18 Sec. 69. *Failure to Formulate, Enforce, and/or Implement the CLUPs.* –
19 Consistent with due process, the DILG shall investigate, review, and impose
20 appropriate action regarding local chief executives and other local officials and
21 employees responsible for the formulation, enforcement, and/or implementation of
22 the CLUPs in case of any of the following:

- 23 (a) Failure to implement and enforce the CLUP due to negligence of duty;
24 (b) Failure to provide appropriate budgetary allocation to effect its
25 implementation; and,
26 (c) Failure to complete the preparation of the CLUP despite the availability
27 of funds, resources, and support by the *Sanggunian* concerned.

28 Any public official or employee, regardless of whether elected or appointed or
29 holding office or employment in a casual, temporary, holdover, permanent, or
30 regular capacity, found to be responsible for any of the foregoing acts, after due
31 notice and hearing by the appropriate body or agency, shall be punished with
32 forfeiture of salaries and allowances and suspension from:

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

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

5 *Sec. 70. Person/s Abetting Illegal Conversion.* – Any person initiating,
6 causing, inducing, or abetting illegal conversion shall, upon conviction, be
7 imprisoned from seven (7) to twelve (12) years and imposed a fine of not less than
8 One hundred thousand pesos (P100,000.00), or both at the discretion of the Court:
9 *Provided,* That if the offender is a public official or employee, whether elected or
10 appointed, the penalty shall, in addition thereto, include dismissal, through
11 permanent separation from the service and forfeiture of all benefits and entitlements
12 accruing to the public position and perpetual disqualification to run or apply for any
13 elective or appointive public office: *Provided, further,* That if the offender is a
14 juridical person, the penalty of imprisonment shall be imposed on the president,
15 chief executive officer, manager, chairperson and all the members of the board, and
16 other responsible officers thereof, and the fine shall be equivalent to the zonal value
17 of the land or forty percent (40%) of the shareholders equity, as determined at the
18 time of judgment whichever is higher, plus forfeiture of the land in favour of the
19 State for sale through public auction, the proceeds of which shall automatically
20 accrue to the Agrarian Reform Fund as provided for in Section 67 of this Act.

21 *Sec. 71. Penalty for Reclassification of Protected Agricultural Lands and*
22 *Exceeding the Limit Areas Allowed for Re-classification.* – Any person initiating,
23 causing, inducing, or abetting the re-classification of protected agricultural areas into
24 non-agricultural uses and exceeding the limits set forth under Section 20 of the LGC
25 of 1991, shall be penalized with imprisonment of twelve (12) years and a fine of not
26 less than One hundred thousand pesos (P100,000.00), or both at the discretion of
27 the court: *Provided,* That if the offender is a public official or employee, the penalty
28 shall, in addition thereto, include dismissal through permanent separation from the
29 service, whether elected or appointed, and forfeiture of entitlements accruing to the
30 public position, and perpetual disqualification to run or apply for any elective or
31 appointive public position: *Provided, further,* That if the offender is a juridical
32 person, the penalty shall be imposed on the president, chief executive officer,

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

5 *Sec. 76. Appropriations.* – The appropriations of the National Land Use
6 Commission shall be taken from the budget of the Office of the President in the
7 General Appropriations Act in the year following the effectivity of this Act. It shall be
8 used to carry out the initial operations of the National Land Use Commission.
9 Thereafter, additional sums as may be necessary for the full implementation of
10 NLUC’s functions shall be included in the annual General Appropriations Act.

11 *Sec. 77. Review of Existing Land Use Plans.* – Provinces, cities, and
12 municipalities especially managed/administered areas by government, all Special
13 Economic Zones and/or freeports with existing land use plans shall review, revise,
14 reconcile, and harmonize the same with the guidelines and standards set forth under
15 this Act within three (3) years from the effectivity of this Act. Actual use shall be
16 preferred over future or reserve use: *Provided,* That all existing locational clearances
17 and zoning permits issued by the LGUs, prior to the effectivity of this Act, shall
18 remain valid pending review of the existing CLUPs and zoning ordinances and they
19 shall not be invalidated because of the sole reason that the new and approved
20 CLUPs and ZOs have determined that they should be properly located in a different
21 land use zoning area: *Provided, further,* That appropriate measures shall be adopted
22 by the local government unit concerned, the landowner and the developer should
23 any existing structure and facilities are found to be properly covered by a different
24 land use zoning category in areas where they are currently located: *Provided, finally,*
25 That existing structures and facilities within extremely hazardous and high-
26 risk/danger zone which cannot be addressed by any mitigating and/or protective
27 measures shall be required to relocate.

28 *Sec. 78. Repealing Clause.* – All republic acts, executive orders, rules and
29 regulations, and other issuances, or parts thereof, that are inconsistent with the
30 provisions of this Act are hereby repealed or modified accordingly.

31 *Sec. 79. Non-impairment Clause.* – Nothing in this Act shall be construed as
32 to diminish, impair, or repeal rights recognized, granted, or available to marginalized

1 or basic sectors under existing laws including but not limited to Republic Act Nos.
2 7279, 6657, 8371, and 8550.

3 *Sec. 80. Separability Clause.* – If for any reason or reasons, any part or
4 provision of this Act shall be declared or held to be unconstitutional or invalid, other
5 parts or provisions hereof, which are not affected thereby shall continue to be in full
6 force and effect.

7 *Sec. 81. Effectivity Clause.* – This Act shall take effect fifteen (15) days after
8 its publication in the Official Gazette or in at least two (2) national newspapers of
9 general circulation.

Approved,