



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

22 NOV -8 A9:33

RECEIVED BY:

SENATE

S.B. No. 1479

Introduced by Senator JOEL VILLANUEVA

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

EXPLANATORY NOTE

The Philippines, as an archipelagic nation, has a vast and substantial amount of natural resources at its disposal to benefit generations of Filipino people. With a total land area of 298,170 km² (29,817,000 hectares),¹ and a total forest cover of 7,226,394 hectares² as of 2020, the Philippines has a rich bank of natural resources which should be managed properly as an instrument of economic development with due regard to environmental sustainability and the realities of climate change.

Because of the unique location in the Philippines, our country is more vulnerable to typhoons and devastating earthquakes. In July 2022, a magnitude 7.1 earthquake struck the northern Philippines, leaving five dead and causing millions in damages, including the unquantifiable destruction wrought to historical structures in the area.³ More recently in October 2022, typhoon Paeng devastated 16 out of the 17 regions in the country,⁴ with four regions (Calabarzon, Bicol, Western Visayas, and BARMM) declared under a state of calamity for a period of six months.⁵ Indeed, these natural calamities continue to result in billions of losses to lives and properties.

¹ <https://data.worldbank.org/indicator/AG.LND.TOTL.K2?locations=PH> (date last accessed on November 5, 2022).

² Philippine Forestry Statistics. DENR. Available at <https://drive.google.com/file/d/1V2JS74-DPvMc4A8r3AJwrMDoAmXptl9f/view> (date last accessed on November 5, 2022).

³ July 28, 2022. Powerful 7.1 earthquake strikes Philippines; at least 5 dead. Reuters. Available at <https://www.reuters.com/world/asia-pacific/magnitude-7-2-earthquake-strikes-luzon-philippines-emsc-2022-07-27/> (date last accessed: November 5, 2022).

⁴ October 30, 2022. 'Paeng' leaves '16 of 17 regions at high risk.' Manila Times. Available at <https://www.manilatimes.net/2022/10/30/news/paeng-leaves-16-of-17-regions-at-high-risk/1864337> (date last accessed: November 5, 2022).

⁵ November 2, 2022. Marcos declares state of calamity in 4 regions hardest-hit by Paeng. Rappler. Available at <https://www.rappler.com/nation/marcos-declares-state-calamity-regions-hardest-hit-paeng/> (date last accessed: November 5, 2022).

This alarming development was further emphasized by the latest United Nations Environment Program (UNEP), which found that the Philippines is the third most vulnerable country in the world to destruction and losses brought about by climate change.⁶ According to the latest studies of the UNEP, between 1997 and 2016, an average of 860 Filipinos die every year due to extreme weather-related phenomena, translating to one death for every pool of 100,000 Filipinos.⁷ Further, this translates to total losses amounting to \$2.89 billion annually.⁸

The rate and utilization of our land continues to be adversely affected by natural occurrences and other unforeseen catastrophes. Thus, it is imperative that the Philippines institute a proper system that will fully allow us to determine the propriety and viability of how the country makes use of its lands, taking into consideration economic, environmental and geological factors.


This bill proposes the institutionalization of a national land use policy, with a view towards institutionalizing protections for our country's agricultural lands and critical watersheds. Further, this bill mandates the creation of a National Land Use Council (NLUC), which shall serve as the central authority and policy-making body concerning utilization and designation of land in the country.

This bill also mandates the crafting of the National Land Use Plan (NLUP), which shall serve as the general framework for determining plans and programs of the government for land utilization. The NLUP shall provide quantitative and qualitative parameters and spatial boundaries for allocation, usage and development of the country's land and other natural resources.

This bill also classifies land into four uses: 1) Protection Land Use; 2) Productive Land Use; 3) Settlements Development and 4) Infrastructure Development. Further, to incentivize local government units to update their land use plans, this bill introduces a system of awards and incentives to LGUs that comply with the requisite submission.

In the face of environmental concerns, population growth and dwindling natural resources, a comprehensive and well-planned land use administration system is essential to protect the future of our people. Land use planning is essential for almost all social needs, such as housing, transportation, electricity and other utilities, employment opportunities and health care, among others.

Considering the foregoing, and as one of the priority measures of the Marcos Administration, the passage of this bill is of utmost importance.


SENATOR JOEL VILLANUEVA

⁶ April 14, 2019. Climate vulnerability of PHL, 19 other nations costs \$62B more. Business Mirror. Available at <https://businessmirror.com.ph/2019/04/14/climate-vulnerability-of-phl-19-other-nations-costs-62b-more/> (date last accessed on November 5, 2022).

⁷ *Id.*

⁸ *Id.*



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AN ACT
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PURPOSES

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

1 **SECTION 1. Title.** –This Act shall be known as the “National Land Use Policy
2 Act.”

3
4 **SEC. 2. Policies and Principles.** – All lands of the public domain, waters,
5 minerals, coal, petroleum, and other mineral oils, all forces of potential energy,
6 fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are
7 owned by the State. With the exception of agricultural lands, all other natural resources
8 shall not be alienated.

9
10 It is the policy of the State to provide for a rational, holistic, and just allocation,
11 utilization, management, and development of the country's land to ensure their
12 optimum use, consistent with the principle of sustainable development.

13
14 The State shall recognize the need for rational, optimal and sustainable
15 development, consistent with the principles of environmental management and
16 equitable access to land and security.

17
18 Toward this end, the State shall institutionalize land use and physical planning
19 as mechanisms for identifying, determining, and evaluating appropriate land use and
20 allocation patterns that promote and ensure:

- 21
22 a) Sustainable management and utilization of natural resources;
23

- 1 b) Maintenance and preservation of environmental integrity and stability,
2 specifically the perpetual protection of permanent forests and watershed for the
3 attainment of food, water and energy sufficiency;
4
5 c) Disaster risk-reduction and climate change resiliency;
6
7 d) Protection of prime agricultural lands for food production activities and highest
8 priority to the completion of the Comprehensive Agrarian Reform Program
9 (CARP);
10
11 e) Sustainable development and management of water resources towards water
12 security;
13
14 f) Settlements, transportation and infrastructure development in support of urban,
15 rural and regional development and inclusive growth;
16
17 g) Harmony between the rights and the varied interests of every Filipino within the
18 framework of people empowerment, decentralization, social justice, and equity;
19
20 h) Respect for and protection of the sustainable traditional resource rights of the
21 Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their
22 ancestral domains to ensure their economic, social, and cultural well-being as
23 well as recognition of the applicability of customary laws and sustainable
24 traditional resource use and management, knowledge, and practices in
25 ancestral domains in compliance with free and prior informed consent of
26 ICC/IPs;
27
28 i) Protection of the rights of basic sectors to equitable access to the country's land
29 and other resources through State regulation of land valuation to prevent
30 uncontrolled land speculation resulting in tremendous increase in land pricing;
31
32 j) Equitable and sustainable economic growth, and balanced and dispersed
33 industrial and tourism development, guided by the principles of agrarian reform,
34 urban land reform, and rural development;
35
36 k) Protection, conservation, preservation, and development of the Filipino
37 historical, cultural, and built cultural heritage and resources for the deeper
38 understanding of our history and culture as a people;
39
40 l) Attainment of energy security and self-sufficiency through sustainable and
41 priority development of indigenous energy resources; and
42
43 m) Market orientation where the interplay of market forces and fair trade within the
44 framework of ecological development and equity consideration is encouraged
45 and adopted as the basic parameter in achieving efficiency in land use and
46 allocation.
47

48 It is also the policy of the State to ensure that local government units (LGUs)
49 share with the national government the responsibility of managing and maintaining
50 ecological balance within their territorial jurisdiction as stated in the 1987 Constitution

1 and Republic Act No. 7160, otherwise known as the "Local Government Code (LGC)
2 of 1991."
3

4 Guided by the principle that the use of land bears a social function and that all
5 economic agents shall contribute to the common good, landowners, land tenure
6 holders, in the case of forestlands, be it an individual, communal, corporate or group
7 shall be held responsible for developing and conserving their lands thereby making
8 their lands productive and supportive of environmental stability.
9

10 **SEC. 3. Scope.** – This Act shall apply to all lands whether public, private,
11 government-owned, and/or in the possession of individuals, communities, indigenous
12 people, or groups of people, to provide for a rational, holistic, and just allocation,
13 development and management of land including such activities that bear impact on
14 said resources.

15 **CHAPTER II** 16 **DEFINITIONS** 17

18 **SEC. 4. Definition of Terms.** – As used in and for purposes of this Act, the
19 following terms shall mean:
20

21 a) **Agricultural land** refers to a land devoted to or suitable for the cultivation of the
22 soil, planting of crops, growing of fruit trees, raising of livestock, poultry, fish or aqua-
23 culture production, including the harvesting of such farm products, and other farm
24 activities and practices performed in conjunction with such farming operations done
25 by persons whether natural or juridical and not classified by law as mineral land, forest
26 land, residential land, commercial land, or industrial land;
27

28 b) **Agricultural land use conversion** refers to the undertaking of any development
29 activity which modifies or alters the physical characteristics of agricultural lands to
30 render them suitable for non-agricultural purposes with an approved order of
31 conversion issued exclusively by the Department of Agrarian Reform (DAR);
32

33 c) **Alienable and disposable (A&D) lands** refers to lands of the public domain which
34 have been delineated, classified, and certified as open and available for disposition
35 under the provisions of Commonwealth Act No.141, otherwise known as the "Public
36 Land Act," as amended;
37

38 d) **Ancestral domains** refers to all areas generally belonging to ICCs/IPs as defined
39 in Republic Act No. 8371, otherwise known as the "Indigenous Peoples Rights Act
40 (IPRA) of 1998;"
41

42 e) **Basic Sector** refers to a group of people not referring to any organized groups such
43 as but not limited to women, youth, elderly, differently-abled, peasants and fisher folk;
44

45 f) **Basic Shelter** refers to any subdivision unit, housing unit or condominium satisfying
46 the barest minimum shelter requirements under the minimum design standards of
47 Batas Pambansa Blg. 220 or An Act Authorizing the Ministry of Human Settlements to
48 Establish and Promulgate Different Levels of Standards and Technical Requirements
49 for Economic and Socialized Housing Projects in Urban and Rural Areas from Those
50 Provided Under Presidential Decrees Numbered 957, 1216, 1096 and 1185;

- 1
2 g) **Comprehensive Land Use Plan (CLUP)** refers to a document embodying a set of
3 policies and guidelines, accompanied by official maps and similar illustrations, that
4 serves as principal basis for determining the future land use of lands and natural
5 resources for production and protection purpose within the territorial jurisdiction of the
6 city or municipality. It represents the community-desired pattern of population
7 distribution and proposes future allocation of land resources to various land-using
8 activities. It identifies the allocation, character, and extent of the areas of land
9 resources to be used for different purposes and includes the processes and the criteria
10 employed in the determination of the land use. It has a long-term perspective,
11 encompassing a minimum of ten (10) years except if an earlier amendment or revision
12 of the CLUP is authorized by the NLUC due to extraordinary causes;
13
14 h) **Comprehensive land use planning** refers to the act of defining the allocation,
15 utilization, development and management of all lands within a given territory or
16 jurisdiction according to the inherent characteristic of the land itself and supportive of
17 sustainable, economic, demographic, socio-cultural and environmental objectives as
18 an aid to decision-making and legislation;
19
20 i) **Coastal area/zone** refers to a band of dry land and the adjacent ocean space (water
21 and submerged land) in which terrestrial processes and uses directly affect oceanic
22 processes and uses, and vice versa. Its geographic extent may include areas within a
23 landmark limit of one (1) kilometer from the shoreline at high tide to include mangrove
24 swamps, brackish water ponds, nipa swamps, estuarine rivers, sandy beaches and
25 other areas within a seaward limit of 200 meters isobath to include coral reefs, algal
26 flats, seagrass beds, and other soft-bottom areas. For purposes of initiating and
27 implementing sustainable coastal resources protection and management, it shall
28 include foreshore lands;
29
30 j) **Critical habitats** refer to areas outside protected areas as defined in Republic Act
31 No. 7586, as amended by Republic Act No. 11038, otherwise known as the “Expanded
32 National Integrated Protected Areas System Act of 2018”, that are known habitats of
33 threatened species and designated as such based on scientific data taking into
34 consideration species endemicity and/or richness, presence of human-made
35 pressures/threats to the survival of wildlife living in the area, among others;
36
37 k) **Critical watershed** refers to a drainage area of a river system supporting existing
38 and proposed hydro-electric power, domestic water consumption, irrigation works or
39 existing water facilities needing immediate protection and rehabilitation to minimize
40 erosion and improve water yield;
41 l) **Cultural heritage** refers to the totality of cultural properties preserved and
42 developed through time and passed on for posterity;
43
44 m) **Customary laws** refers to a body of written and/ or unwritten rules, usages,
45 customs and practices traditionally and continually recognized, accepted, and
46 observed by respective ICCs/IPs, consistent with Republic Act No. 8371, otherwise
47 known as “The Indigenous People’s Rights Act of 1997” (IPRA);
48
49 n) **Development plan** refers to a document that defines the activities or measures that
50 the national government or local government units (LGUs) intend to implement in order

1 to achieve a defined set of development goals. It integrates the socio-economic and
2 sectoral plans of the national government or its instrumentality or a particular LGU with
3 land use or physical framework plans. It may include an analysis of problems and
4 resources, definition of goals and objectives, policy guidelines, project and target
5 achievements, and an implementation mechanism which defines the roles and
6 contributions expected from the government and the private sector;

7
8 o) **Ecologically-fragile lands** refer to lands within the critical watershed, brackish and
9 freshwater wetlands, pasture lands, and croplands which require rehabilitation and
10 whose continued unsustainable use would adversely affect the productivity of lowland
11 agricultural areas and the stability of the upland ecosystem;

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

19
20 q) **Energy resource lands** refer to lands where naturally occurring or indigenous
21 energy resources exist in sufficient quantity or quality as to be economically viable for
22 exploration, development, production, utilization, and distribution process;

23
24 r) **Energy resources** refer to surface or subsurface substances that serve as energy
25 sources. These are traditionally mineral fuel deposits such as coal, petroleum, natural
26 gas or renewable resources from geothermal, hydro reservoirs, or non-conventional
27 sources such as ocean waves, solar, wind, biomass, and other similar resources which
28 serve the same purpose;

29
30 s) **Environmentally critical areas** refers to areas declared by law as:

- 31
32 (i) protected areas pursuant to Republic Act No. 7586, as amended by the E-
33 NIPAS Act of 2018;
- 34 (ii) areas for natural parks, watershed reserves, wildlife preserves, and
35 sanctuaries;
- 36 (iii) areas set aside as aesthetic potential tourist spots;
- 37 (iv) Areas which constitute the habitat of any endangered or threatened species
38 or indigenous Philippine wildlife (flora and fauna);
- 39 (v) areas of unique historic, archaeological, or scientific interests;
- 40 (vi) areas which are traditionally occupied by ICCs/IPs;
- 41 (vii) areas with critical slopes;
- 42 (viii) areas exposed to geologic and hydro-meteorological hazards;
- 43 (ix) prime agricultural lands;
- 44 (x) recharge areas of aquifers;
- 45 (xi) water bodies;
- 46 (xii) mangrove areas;
- 47 (xiii) coral reefs;
- 48 (xiv) mossy and old-growth forests;
- 49 (xv) rivers and river banks;
- 50 (xvi) swamp forest and marshlands; and

1 (xvii) foreshore lands.

2
3 This term shall also include other terrestrial, aquatic and marine areas that need
4 special protection and conservation measures because they are ecologically fragile or
5 they are needed for food security and food self-sufficiency as determined by
6 concerned agencies and LGUs in consultation with the concerned sectors;

7
8 t) **Estuary** refers to a wetland type where the river mouth widens into a marine
9 ecosystem, the salinity of which is intermediate between salt and freshwater where
10 tidal action is an important biophysical regulator;

11
12 u) **Exhausted energy resource lands** refer to specific energy resource sites whose
13 energy reserves of the desired type(s) are no longer in sufficient quantity or quality to
14 justify additional expenditure for their extraction and utilization as certified by the
15 Department of Energy (DOE);

16
17 v) **Exhausted mineral lands** refer to specific sites whose mineral deposits are no
18 longer in sufficient quantity or quality to justify additional expenditure for their
19 extraction and utilization as may be determined by the latest technology available;

20
21 w) **Exhausted mineral resources** refer to a situation where the mineral resources in
22 specific sites are no longer in sufficient quantity or quality to justify
23 additional expenditure for extraction or utilization as determined by the Mines and
24 Geosciences Bureau (MGB) and approved by the DENR;

25
26 x) **Flood plain** refers to the portion of a river valley adjacent to a river channel which
27 is covered with water when river overflows its banks at flood stages. The plain usually
28 consists of silt deposited by the stream;

29
30 y) **Flood-prone areas** refer to low lying areas usually adjacent to large or active water
31 bodies and therefore experience regular or seasonal inundation as a result of changes
32 in the mean water level of these bodies or because of land reclamation and other
33 artificial interference with the natural processes;

34
35 z) **Food security** refers to the policy objective of meeting the food availability,
36 accessibility, quality and affordability requirements of the present and future
37 generations of Filipinos in a sustainable manner, through local production or
38 importation, only when there is shortage established based on a micro level situation,
39 or both, based on the country's existing and potential resource endowments and
40 related production advantages, and consistent with the overall national development
41 objectives and policies;

42
43 aa) **Food self-sufficiency** refers to the policy objective of meeting the food
44 requirements through intensive local food production in a sustainable manner based
45 on the country's existing and potential resource endowments and related production
46 advantages;

47
48 bb) **Forestlands** refer to lands of the public domain classified and/or determined as
49 needed. They include all permanent forests or forest reserves, forest reservations and
50 all remaining unclassified lands of the public domain;

1
2 cc) **Foreshore land** refers to the part of the shore which is alternately covered and
3 uncovered by the ebb and flow of the tide;

4
5 dd) **Free and Prior Informed Consent** refers to consensus of all members of the
6 ICCs/IPs to be determined in accordance with their respective customary laws and
7 practices, free from any external manipulation, interference and coercion, and
8 obtained after fully disclosing the intent and scope of the activity, in a language and
9 process understandable to the community;

10
11 ee) **Geo-hazards** refer to natural and human-induced geological processes that have
12 potential to cause destruction and pose a threat or risk to human life and property;

13
14 ff) **Geo-hazard prone areas** refer to areas frequently visited and/or vulnerable or
15 prone to experience weather/climatic, hydrologic, geologic, and other natural
16 calamities;

17
18 gg) **Heritage Zones** refer to historical, anthropological, archaeological and artistic
19 geographical areas and settings that are culturally significant to the country as
20 declared by the National Museum and/or the National Historical Commission of the
21 Philippines (NHCP), pursuant to Republic Act No. 10066, otherwise known as the
22 "National Cultural Heritage Act of 2009;"

23
24 hh) **Illegal agricultural land conversion** refers to any activity that modifies or alters
25 the physical characteristics of agricultural lands to render them suitable for non-
26 agricultural purposes without an approved order of conversion from the DAR
27 Secretary;

28
29 ii) **Indigenous Cultural Communities/ Indigenous Peoples (ICCs/IPs)** refer to
30 groups of people or homogenous societies identified under the IPRA;

31
32 jj) **Indigenous energy resources** refer to energy resources, which originate or occur
33 naturally in the Philippines;

34
35 kk) **Inland waters** refer to waters, which are not coastal and marine waters not subject
36 to acquisitive prescription consistent with the provisions of Presidential Decree No.
37 1067, otherwise known as the "Water Code of the Philippines;"

38
39 ll) **Integrated watershed management** refers to a planning strategy or program for
40 watershed areas that complement environmentally-sound soil and water management
41 practices with mechanisms for ensuring greater responsibility, involvement, or
42 participation of individuals, groups, communities and other stakeholders benefiting
43 from these areas and water-related infrastructure;

44
45 mm) **Key biodiversity areas** refer to sites that are nationally and globally significant
46 for biodiversity conservation primarily containing species that require site-scale
47 conservation to prevent extinction in the short-term and medium-term. Such species
48 may be nationally and globally threatened, restricted-range and/or nationally and
49 globally significant congregations of species;

- 1 nn) **Lagoon** refers to a semi-enclosed coastal basin with limited freshwater input, high
2 salinity and restricted circulation which often lies behind sand dunes. It is often highly
3 productive, and a habitat for variety of plants and animal, serves as nurseries of
4 prawns and shrimps and also site for harbor, aquaculture, industry and recreation;
5
- 6 oo) **Land** refers to resources, both natural and man-made, found on the surface,
7 below, and above the ground including inland waters and the air therein;
8
- 9 pp) **Land use** refers to the manner of utilization of land, including its allocation,
10 development, and management;
11
- 12 qq) **Land use classification** refers to the act of delineating or allocating lands
13 according to protection land use, production land use, settlements development, and
14 infrastructure development as defined and provided for in this Act;
15
- 16 rr) **Land sub-classification** refers to the act of determining and assigning specific
17 uses of classified lands of the public domain, such as forest or timber lands, alienable
18 or disposable agricultural lands, national parks, and mineral lands in accordance with
19 existing laws and this Act;
20
- 21 ss) **Mandatory public hearings/consultations** refer to the mechanism to ensure the
22 active participation of concerned sectors in all affected areas in land use planning from
23 the local to the national level. It involves giving effective notice of hearing/consultation
24 to concerned sectors within an affected area through direct written invitations, using
25 regular mail or electronic means, and publication/posting in conspicuous places,
26 conduct of a reasonable number of hearings in or proximate to the specific area
27 affected, and solicitation of positions and the public presentation and public
28 confirmation of the planning results in the specific area affected before the final
29 adoption of the plans;
30
- 31 tt) **Minerals** refer to all naturally occurring inorganic substance in solid, gas, liquid or
32 intermediate state excluding energy materials such as coal, petroleum, natural gas,
33 radioactive materials and geothermal energy;
34
- 35 uu) **Mineral exploration** refers to the systematic searching or prospecting of mineral
36 resources;
37
- 38 vv) **Mineral lands** refer to lands where mineral resources are found;
39
- 40 ww) **Mineral resources** refer to any concentration of minerals/rocks with potential
41 economic value;
42
- 43 xx) **Mudflat** refers to a wetland type that is usually an unvegetated area, dominated
44 by muddy substrate which provides rich feeding grounds for vertebrates, such as fish
45 and water birds and also important in preventing soil erosion;
46
- 47 yy) **National Integrated Protected Areas System (NIPAS)** refers to the classification
48 and administration of all designated protected areas to maintain essential ecological
49 processes and life-support systems, to preserve genetic diversity, to ensure
50 sustainable use of resources found therein, and to maintain their natural conditions to

1 the greatest extent possible;

2
3 zz) **National Land Use Commission (NLUC)** refers to the highest land use policy
4 making body created under Section 14 of this Act;

5
6 aaa) **National Parks** refer to a forest reservation essentially of natural wilderness
7 character which has been withdrawn from settlement, occupancy or any form of
8 exploitation except in conformity with approved management plan and set aside as
9 such exclusively to conserve the area or preserve the scenery, the natural and historic
10 objects, wild animals and plants therein and to provide enjoyment of these features in
11 such areas;

12
13 bbb) **National physical framework plan** refers to an indicative plan containing the
14 policy areas promoting the most appropriate and rational use of land and other
15 physical resources, such as, but not limited to, protection, production, settlement and
16 infrastructure land use. It provides policy guidelines for all decisions relating to land
17 use and environmental management, to prevent and mitigate the adverse effects of
18 inappropriate resource utilization on the country's food security and food self-
19 sufficiency on rice and corn, the people's welfare and their environment. It embodies
20 both policies and strategies necessary to carry out goals and objectives of this Act;

21
22 ccc) **Network of Protected Areas for Agriculture and Agro-industrial**
23 **Development (NPAAAD)** refers to agricultural areas identified by the Department of
24 Agriculture (DA), through the Bureau of Soils and Water Management (BSWM), in
25 coordination with the National Mapping and Resource Information Authority (NAMRIA)
26 in order to ensure the efficient utilization of land for agriculture and agro-industrial
27 development and promote sustainable growth. The NPAAAD covers all irrigated
28 areas, all irrigable lands already covered by irrigation projects with firm funding
29 commitments, all alluvial plains, land highly suitable for agriculture whether irrigated
30 or not, agro-industrial croplands or lands planted to industrial crops that support the
31 validity of existing agricultural infrastructure and agro-based enterprises, highlands or
32 areas located at an elevation of five hundred (500) meters or above and have the
33 potential for growing semi-temperate and high value crops, all agricultural lands that
34 are ecologically fragile the conversion of which will result in serious environmental
35 degradation, and all mangrove areas and fish sanctuaries;

36
37 ddd) **Non-agricultural land use conversion** refers to the act of changing the current
38 use of a piece of non-agricultural land into some other uses;

39
40 eee) **Non-government organization** refers to a private and non-profit voluntary
41 organization which is committed to the task of political, socio- economic, physical,
42 cultural and environmental development and established primarily to provide service
43 to marginalized sectors in these areas;

44
45 fff) **Patrimonial properties** refer to all the properties belonging to the State that are
46 not intended for public use or for public service for the development of national wealth;

47
48 ggg) **People's organization** refers to a private, non-profit, voluntary and community-
49 based organization with membership constituency established primarily to provide
50 service to its members and the community in general;

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

10 iii) **Premature or illegal conversion of agricultural lands** refer to any activity that
11 modifies or alters the physical characteristics of agricultural lands to render them
12 suitable for non-agricultural purposes, without an approved order of conversion from
13 the DAR Secretary;
14

15 jii) **Prime agricultural lands** refer to all irrigated areas; all irrigable lands already
16 covered by irrigation projects with firm funding commitments; all rain-fed areas planted
17 to rice and other crops; all alluvial plain lands highly suitable for agriculture, whether
18 irrigated or not, agro-industrial croplands or lands presently planted to industrial crops
19 that support the viability of existing agricultural infrastructure and agro-based
20 enterprises, highlands, or areas located at elevation of 500 meters or above and have
21 the potential for growing semi-temperate and high value crops; all agricultural lands
22 that are ecologically fragile, the conversion of which will result in serious environmental
23 degradation, and mangrove areas and fish sanctuaries;
24

25 kkk) **Production land use** refers to the direct and indirect utilization of land to generate
26 outputs resulting from the following activities, but not limited to: agricultural, fish,
27 farming or aquaculture, timber production, agro-forestry, grazing and pasture, mining,
28 indigenous energy resource development, industry, and tourism;
29

30 lll) **Protected areas** refer to portions of land set aside by reason of their unique
31 physical and biological significance, managed to enhance biological diversity, and
32 protected against destructive human exploitation. For purposes of this Act, it shall
33 include agricultural lands identified and delineated under Section 29 hereof;
34

35 mmm) **Protection land use** refers to the utilization of land primarily for rehabilitation,
36 conservation, and protection purposes for the promotion of the country's ecological
37 and life-support systems;
38

39 nnn) **Public domain** refers to lands that belong to the State which may be any of the
40 following: agricultural, forest or timber, mineral, or national park as provided for in the
41 Constitution;
42

43 ooo) **Public lands** refer to lands which have not been subject to private property rights
44 or subject to sale or other modes of acquisition or concession under the general laws,
45 and are devoted to public use;
46

47 ppp) **Reclassification of agricultural lands** refers to the act of specifying how
48 agricultural lands shall be utilized for non-agricultural uses such as residential,
49 industrial, or commercial purposes through the local planning and zoning processes
50 pursuant to the Local Government Code of 1991, and subject to the requirements and

1 procedure for conversion. It is equivalent to land sub-classification, as defined in this
2 Act for classified lands of the public domain and also includes the reversion of non-
3 agricultural lands to agricultural use;

4
5 qqq) **Resettlement sites** refer to areas identified by the appropriate national agency
6 or by the local government unit, with respect to areas within its jurisdiction, which shall
7 be used for the relocation of the underprivileged and homeless, as defined under
8 Republic Act No. 7279 or the "Urban Development and Housing Act" (UDHA) and
9 other related laws;

10
11 rrr) **River basin** refers to the portion of land drained by a river and its tributaries. It
12 encompasses the entire land surface dissected and drained by many streams and
13 creeks that flow downhill into one another, and eventually into one river. The final
14 destination is an estuary or an ocean;

15
16 sss) **Settlements** refer to formal and informal communities or built-up residential areas
17 where people prefer to live in land areas classified, zoned, or converted for current or
18 future residential or housing development purposes, including socialized housing
19 zones for the homeless and underprivileged citizens;

20
21 ttt) **Settlements development** refers to any improvement on existing formal or
22 informal residential or housing settlements or any proposed development of certain
23 areas for residential or mass housing settlement purposes. It also involves the spatial
24 distribution of population, identification of the roles and functions of key urban centers,
25 determination of relationships among settlement areas, and the provision of basic
26 services and facilities of identified major residential or housing settlement areas or
27 growth centers. It is also concerned with the interrelationship of settlements as they
28 develop and establish functional linkages based on their respective resource
29 endowments and comparative advantages;

30
31 uuu) **Shoreline** refers to the line where shore and water meet;

32
33 vvv) **Significant caves** refer to caves which contain materials or possess features that
34 have archaeological, cultural, ecological, historical or scientific value as determined by
35 the Department of Environment and Natural Resources (DENR) in coordination with
36 the scientific community and the academe;

37
38 www) **Socialized housing** refers to housing programs and projects undertaken by the
39 government or the private sector for the underprivileged and homeless citizens which
40 shall include sites and services development, long-term financing, liberalized terms on
41 interest payments, and such other benefits in accordance with the UDHA;

42
43 xxx) **Socialized housing zones** refer to lands identified and designated by LGUs as
44 sites for socialized housing, pursuant to the UDHA, and its implementing guidelines.
45 It shall include areas that are presently occupied by the urban poor, as well as those
46 identified as resettlement areas as defined herein;

47
48 yyy) **Sustainable development** refers to the development objective of meeting the
49 needs of the present generation without compromising the ability of future generations
50 to meet their own needs consistent with the principles of social equity, generations to

1 meet their own needs consistent with the principles of social equity, efficiency, and
2 environmental integrity;

3
4 **zzz) Tourism development areas** refer to specific sites for tourism development
5 located in areas identified as priorities in the national, regional, and inter-regional area
6 specific tourism master plans and other sector plans such as eco-tourism and agri-
7 tourism sites, including those designated through legislative and executive issuances
8 such as tourist spots, tourist zones and tourism ecozones which can be developed
9 into tourism estates or integrated resort, leisure, and recreation complexes, and other
10 tourism related facilities;

11
12 **aaaa) Tourism Enterprise Zone** refers to an area designated as tourism enterprise
13 zone by the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) pursuant to
14 the provisions of Republic Act No. 9593, otherwise known as the "Tourism Act of
15 2009;"

16
17 **bbbb) Tourism estates** refer to large tracts of land with well-defined boundaries in
18 any area identified in the Philippine tourism master plan and regional tourism master
19 plan, by proclamation of the President and/or by an act of Congress, including local
20 legislation. Such land shall be suitable for the development of an integrated tourism
21 and resort complex, including, but not limited, to accommodation facilities, food and
22 beverage outlets, convention and meeting areas, sports, recreational and leisure
23 centers and commercial outlets among others. It shall be provided with roads, water
24 supply facilities, power and utilities, like potable water, drainage sewerage disposal,
25 solid waste disposal system, and other necessary infrastructure. The estate shall be
26 under one unified and continuous management;

27
28 **cccc) Tourist spot** refers to a particular area/site/spot, human-made or natural, known
29 for its unique tourist/visitor-drawing attributes and activities. It may be classified
30 according to its social, cultural, natural, historical, scientific, religious, and recreational
31 significance;

32
33 **dddd) Tourist zone** refers to a geographic area with well-defined boundaries
34 proclaimed as such by the President of the Philippines and/or by acts of Congress. No
35 development projects for any purpose shall be initiated and introduced within the zone
36 prior to the formulation of a tourism master development plan, which shall be
37 undertaken in coordination with the Department of Tourism (DOT) and TIEZA. A tourist
38 zone is established for the enhancement and/or the conservation of cultural and
39 historical heritage and for the appreciation and enjoyment of the local population and
40 its visitors;

41
42 **eeee) Urban areas** refer to all cities, regardless of their population density, and to
43 municipalities with population density of at least Five hundred (500) persons per
44 square kilometer;

45
46 **ffff) Urbanizable areas** refer to sites and lands which, considering present
47 characteristics and prevailing conditions, display marked and great potential of
48 becoming urban areas within a period of five (5) years;

49
50 **gggg) Urban forestry or Green Space** refers to the establishment and management

1 of forest in urban environment for the physiological and psychological well-being of the
2 people;

3
4 hhhh) **Water security** refers to the sufficient access throughout the year to the
5 minimum daily requirement of clean water to maintain a healthy life;

6
7 jjjj) **Water use** refers to the appropriation of water for domestic, municipal, irrigation,
8 power generation, inland fisheries, poultry and livestock raising, industrial and
9 commercial, environmental, and recreational use and other purposes;

10
11 kkkk) **Watershed** refers to a land area drained by a stream or fixed body of water and
12 its tributaries having a common outlet for surface runoff;

13
14 llll) **Zoning** refers to the process of delineating the specific uses of lands in accordance
15 with the approved CLUP within the territorial jurisdiction of a city/municipality and
16 specifying the conditions for their regulation, subject to the limitations imposed by law
17 and competent authority; and

18
19 mmmm) **Zoning ordinance** or **ZO** refers to a local law passed by the Sangguniang
20 Bayan or Panglunsod approving the development control/zoning plan in accordance
21 with an approved or adopted CLUP for the city/municipality, and providing for the
22 regulations and other conditions on the uses of land including the limitation on the
23 infrastructure that may be placed thereon within the territorial jurisdiction of a city or
24 municipality. It incorporates the protected areas under Section 13(a) and the protected
25 agricultural lands under Section 29 of this Act.

26
27 **CHAPTER III**
28 **PHYSICAL FRAMEWORK AND LAND USE PLANS**
29

30 **SEC. 5. National Land Use Planning Process.** – The land use and physical
31 planning process shall be formulated following a combined bottom-up and top-down
32 approach. The National Land Use Commission (NLUC) shall draft the National
33 Physical Framework Plan (NPF) which shall have a timeframe of thirty (30) years:
34 *Provided, however,* That nothing herein shall prevent the NLUC from reviewing and
35 updating at any time the NPF where public interest so requires.

36
37 The NPF, which guides the planning and management of the country's land
38 and other physical resources at the national and sub-national levels, shall indicate
39 broad spatial directions and policy guidelines on settlements development, production
40 land use, protection land use, social services and utilities, and transportation and
41 communication.

42
43 The Regional Physical Framework Plans (RPFs), Provincial Physical
44 Framework and Development Plans (PPFDs), and CLUPs, which shall also have a
45 30-year timeframe and cover the physical development of their respective territories,
46 shall be consistent with the NPF: *Provided, That* the integration and harmonization
47 of the physical framework plans at all levels shall be frequent to ensure that the
48 concerns of both top and bottom levels of government are considered. The physical
49 and land use plans prepared at all levels shall have internal consistency specifically
50 on, but not limited to, the development, management and conservation of forestlands

1 found within a given territory and the linkages of the major land use categories to
2 ensure their complementation in the utilization, development and management of
3 resources.

4
5 All regional, provincial, city and municipal land use plans and zoning ordinances
6 shall only be amended or revised at the earliest after every ten (10) years, except if an
7 earlier amendment or revision of the CLUP is authorized by the NLUC due to
8 extraordinary causes.

9
10 The NLUC shall issue procedural guidelines which shall guide the formulation
11 and integration/harmonization process: *Provided*, That the National Economic and
12 Development Authority (NEDA), the Department of Human Settlements and Urban
13 Development (DHSUD), the Department of the Interior and Local Government (DILG)
14 and other agencies shall continue to issue guidelines on the content of the plans
15 consistent with their respective agency mandates.

16
17 **SEC. 6. City and Municipal Land Use Plans.** – The City/Municipal Planning
18 and Development Office (C/MPDO), in consultation with concerned sectors through
19 the conduct of mandatory public hearings/consultations, shall prepare the CLUP to
20 determine the specific uses of land and other physical resources therein, including
21 areas co-managed with the national government and, as appropriate, the ancestral
22 domain areas. The CLUP shall be consistent with the PPFDP and shall define the
23 city/municipal development vision, appropriate economic, environmental and social
24 development policies, densities and transportation system.

25
26 The CLUP may be formulated as a component of a Comprehensive Land Use
27 and Development Plan (CLU DP), which merges the traditionally separate CLUP and
28 comprehensive development plan to address the disconnect between spatial and
29 sectoral factors and to ensure the complementation between the medium- and long-
30 term concerns.

31
32 The CLUP shall be translated into a zoning ordinance by the concerned
33 *sanggunian* to regulate the uses of land, including the limitations on height, density
34 and bulk of buildings and other infrastructure that may be placed thereon.

35
36 **SEC. 7. Provincial Physical Framework and Development Plans (PPFDP).**
37 – In consultation with concerned sectors, the Provincial Planning and Development
38 Office (PPDO) shall prepare a Provincial Physical Framework and Development Plan
39 (PPFDP) which shall define the province's development vision, economic and social
40 development policies, general land uses, and inter-city/municipal transportation
41 system. The PPFDP shall harmonize the land use plans of component cities and
42 municipalities, taking into consideration shared resources and planning concerns, and
43 define the uses of land and other resources within the province consistent with the
44 policies in the RPPF. The programs, projects and activities prescribed in the PPFDP
45 shall be integrated into the provincial development investment program. The PPDO
46 shall submit the PPFDP to the Provincial Land Use Policy Council (PLUPC), created
47 under Section 21 of this Act, for review and endorsement to the Sangguniang
48 Panlalawigan, which shall adopt the same pursuant to the Local Government Code of
49 1991.

50

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

10
11 **SEC. 9. National Physical Framework Plan.** – The NLUC created in Section
12 14 herein, in consultation with the concerned sectors through the conduct of
13 mandatory public hearings/ consultations, shall formulate, periodically update and
14 ensure the implementation of a NFPF that shall prescribe and influence the country's
15 land use and physical development. The NFPF shall operationalize the policies
16 provided in this Act and will be the basis for adopting land use and physical planning-
17 related guidelines and standards, including zoning and other land use control
18 standards that will guide the formulation of city/municipal zoning ordinances.

19
20 The policies prescribed in the NFPF shall be integrated into the MTPDP and
21 Medium-Term Philippine Investment Program.

22
23 **CHAPTER IV**
24 **FRAMEWORK FOR LAND USE PLANNING**
25

26 **SEC. 10. Priorities in Land Use Allocation and Planning.** – In projecting
27 spatial allocation for different land uses, the LGUs shall first exclude areas under
28 protection land use of Section 13(a) hereof, national parks, energy resource lands,
29 and prime agricultural lands to ensure ecological integrity, energy supply, and promote
30 food security. Areas with prior rights and those with site-specific resources for basic
31 services, such as but not limited to, water and indigenous energy resources, shall also
32 be excluded. Spatial allocation and planning shall then proceed in accordance with
33 Sections 12 and 13 hereof with priorities given to integrated watershed management
34 areas, socialized housing sites, fisherfolk settlement in coastal areas, and waste
35 disposal sites.

36
37 **SEC. 11. Adoption of Multiple Uses of Land Resources.** – The primary and
38 alternative uses of a specific land resource shall be determined and evaluated prior to
39 any decision for the assignment of its use. Areas feasible for sustainable land resource
40 use may be considered multiple-use zones wherein settlements, tourism, agriculture,
41 forestry, agro-forestry and extraction activities and other income-generating or
42 livelihood activities may be allowed: *Provided*, That multiple uses of land resources
43 shall be excluded in areas identified as protection land use: *Provided, further*, That
44 such land resources shall be in accordance with priorities in land use allocation and
45 planning and that no reclassification shall be allowed.

46
47 **SEC. 12. Basic Land Use Planning Considerations.** – In determining the
48 various land uses, the people and their productive activities and the need for functional
49 open spaces and preservation areas, as well as the various interrelationships of the
50 physical characteristics of the land and other elements therein shall be considered,

1 among others, the following:
2

3 a) Availability of natural resources, including indigenous energy resources for
4 energy security and self-sufficiency;
5

6 b) Geology, geomorphology, geologic hazard, climate, soil, vegetative cover,
7 demography and slope;
8

9 c) Economic, environmental, cultural, social and related development activities;
10

11 d) Existing government policies on land and natural resources allocation,
12 utilization, management and disposition;
13

14 e) Technological changes/advancement;
15

16 f) Existing customary rights for the protection of indigenous peoples and
17 vulnerable groups, including women and urban poor; and
18

19 g) Inventory of prior and existing rights to harmonize determination of land use.
20

21 **SEC 13. Categories of Land Uses for Planning Purposes.** – In determining
22 and defining the national, regional and provincial framework plans, and CLUPs, land
23 uses shall be grouped into four major functional uses as follows:
24

25 a) **Protection Land Use.** Planning for protection land use intends to achieve
26 environmental stability and ecological integrity, ensure a balance between resource
27 use and the preservation of some areas with environmental, aesthetic, educational,
28 cultural, heritage and historical significance, and protect people and human-made
29 structures from the ill-effects of natural hazards. All lands, either public or private,
30 under protection land use shall be permanently conserved, preserved, rehabilitated
31 and protected from all other land uses, disposition, intrusion, utilization and
32 development that is not consistent from its existing uses. Areas under this category
33 also include those covered by the NIPAS and E-NIPAS Acts and other coastal and
34 marine protected areas, those areas outside NIPAS and E-NIPAS, but nonetheless
35 require protection because of their outstanding physical and aesthetic features,
36 anthropological significance, and biological diversity, and those areas prone to natural
37 hazards. Areas outside the coverage of the NIPAS and E-NIPAS Acts include, but are
38 not limited to the following:
39

40 1) Reserved second growth forests above 1,000 meters in
41 elevation and those 50% in slope gradient;

42 2) Mangrove and fish sanctuaries, pursuant to Republic Act No.
43 8435, otherwise known as the "Agriculture and Fisheries Modernization
44 Act of 1997" (AFMA) and Republic Act No. 8550, as amended, otherwise
45 known as "The Philippine Fisheries Code of 1998;"

46 3) Buffer zones or strips/easements, pursuant to Presidential
47 Decree No. 705, amending Presidential Decree No. 389, otherwise known
48 as the "Forestry Reform Code of the Philippines" and Presidential Decree
49 No. 1067 or the "Water Code of the Philippines;"

- 1 4) Salvage zones along foreshore areas, freshwater swamps
2 and marshes, plazas and heritage/historic sites;
- 3 5) Watersheds supporting domestic water supply;
- 4 6) Utility easement-like transmission lines of power companies,
5 oil and gas facilities, cell sites, and domestic water lines;
- 6 7) Amenity areas or those with high aesthetic values;
- 7 8) Natural and human-made areas/sites of cultural, historical
8 and anthropological significance, which are declared as such by
9 internationally recognized organizations and concerned national agencies;
- 10 9) Critical habitats as provided in Republic Act No. 9147,
11 otherwise known as the "Wildlife Resources Conservation and Protection
12 Act;"
- 13 10) Significant caves under Republic Act No. 9072, otherwise
14 known as the "National Caves and Cave Resources Management and
15 Protection Act;" or
- 16 11) Key biodiversity areas under Executive Order No. 578,
17 Series of 2006, otherwise known as the "National Biodiversity Policy."

18
19 **b) Production Land Use.** Planning for production land shall determine the
20 most efficient, sustainable, and equitable manner of utilizing, developing and
21 managing land for productive purposes. Areas included in this category are agricultural
22 lands, fishing grounds, coastal and marine zones, production forest which comprise
23 lands 18% to 50% in slope gradient such as: residual dipterocarps, rangelands for
24 grazing purposes, industrial tree plantation/Integrated Forest Management Agreement
25 (IFMA), community-based forest management areas and other reforestation projects,
26 mineral lands or mining areas and reservations, energy resource lands, industrial
27 development areas, and tourism development areas where productive activities could
28 be undertaken to meet the country's requirements for food security, economic growth
29 and development;

30
31 **c) Settlements Development.** The settlements development plan ensures for
32 the present and future generation the following: (i) effective integration of activities
33 within and among settlements, allowing efficient movement of people and production
34 of commodities through the provision of appropriate land, infrastructure, and facilities;
35 and (ii) access of the population to housing, education, health care, recreation,
36 transportation and communication, sanitation, and basic utilities such as water, power,
37 waste disposal, and other services.

38
39 **d) Infrastructure Development** refers to the availability or supply of basic
40 services and fostering of economic and other forms of integration necessary for
41 producing or obtaining the material requirements of Filipinos, in an efficient,
42 responsive, safe and ecologically friendly built environment. It covers sub-sectors of
43 transportation, communications, water resources, and social infrastructure: *Provided,*
44 That the determination of functional uses of lands within ancestral domains shall
45 consider traditional resource and management systems that do not endanger the lives
46 of the people and property of the local community and neighboring areas or increase
47 the vulnerability of the natural environment to the effects of natural and human-

1 induced geological processes.
2

3 **CHAPTER V**
4 **IMPLEMENTING STRUCTURE AND MECHANISMS**

5
6 **Article I**
7 **NATIONAL LAND USE COMMISSION**
8

9 **SEC 14. Creation of the National Land Use Commission (NLUC).** – The
10 National Land Use Commission, hereinafter referred to as NLUC, is hereby created
11 as a Commission under the Office of the President. It shall exercise the powers and
12 responsibilities of the current NEDA Board-National Land Use Committee which is
13 hereby abolished. The NLUC shall act as the highest policy-making body on land use
14 and resolve land use policy conflicts between or among agencies, branches, or levels
15 of the government. It shall integrate efforts, monitor developments relating to land use
16 and the evolution of policies. It may also establish Regional Offices.
17

18 **SEC. 15. Composition of the NLUC.** – The NLUC shall be composed of the
19 following:
20

- 21 a) The Secretary of NEDA as Chairperson;
22 b) The Secretaries of DENR and DA as Vice-Chairpersons;
23 c) The Secretaries of DAR, Department of Trade and Industry (DTI), Department
24 of Public Works and Highways (DPWH), Department of Transportation (DOTr),
25 Department of Tourism (DOT), Department of Interior and Local Government
26 (DILG), Department of Justice (DOJ), and Department of Energy (DOE);
27 d) A representative each from four (4) basic sectors directly involved in land use,
28 namely: urban poor, peasants, fisherfolk and indigenous peoples who shall be
29 appointed by the President of the Philippines based on nomination and
30 recommendation of the respective sectoral councils of the National Anti-Poverty
31 Commission (NAPC). Two sectoral representatives shall be women; and
32 e) A representative each from the Leagues of Provinces, Cities and Municipalities;

33 A consultative body shall likewise be convened by the NLUC at least once a
34 year or as often as may be necessary. It shall be composed of representatives from
35 the Leagues of Municipalities, Cities, and Provinces, other government agencies not
36 represented in the NLUC, and from non-government sectors such as the private
37 sector, non-government organizations (NGOs) and people's organizations (POs), and
38 the academic community.
39

40 **SEC. 16. Powers and Functions.** – The NLUC shall have the following powers
41 and functions:
42

- 43 a) Advise the President of the Philippines and the NEDA Board on all matters
44 concerning land use and physical planning;
45
46 b) Integrate and harmonize all laws, guidelines and policies relevant to land use
47 and physical planning to come up with a rational, cohesive, and comprehensive
48 national land use framework;

- 1
2 c) Formulate policies and endorse land use and physical planning-related policies
3 that may be formulated by the Regional Land Use Policy Council (RLUPC)
4 created under Section 22 of this Act, and concerned agencies, as well as
5 promulgate zoning and other land use control standards and guidelines which
6 shall guide the formulation of land use plans and zoning ordinances by LGUs;
7
8 d) Prepare, periodically review, and if necessary, update the national framework
9 for physical planning to provide the general framework for the spatial
10 development directions for the entire country and sub-national levels;
11
12 e) Review and endorse all land use and physical planning related guidelines;
13
14 f) Monitor and coordinate the gathering of data, the conduct of studies pertaining
15 to land use planning, including studies on the management of identified land
16 uses and such other studies not undertaken by other government agencies;
17
18 g) Recommend to the President of the Philippines the adoption, passage, or
19 amendment of laws to ensure that sectoral programs, plans, projects, and
20 activities, including local government initiatives affecting land use are
21 consistent with national development objectives;
22
23 h) Coordinate with and assist other government agencies and LGUs in planning,
24 developing, and implementing their land use classification programs, and
25 provide, to the extent possible, technical assistance and guidance;
26
27 i) Monitor and coordinate the activities of concerned agencies and entities of the
28 government, as well as LGUs, in the enforcement and implementation of
29 policies and regulations relating to land use and resource management and
30 development;
31
32 j) Monitor and coordinate activities in the establishment of a national land
33 resource information and management system of concerned agencies that
34 shall integrate and process information on land use and allocation generated
35 by the various national government agencies; define information requirements
36 at various levels; and standardize information inputs and outputs, including
37 scales and symbols used in territorial and sectoral maps;
38
39 k) Be the repository of all RPFs, PPFs and CLUPs and all data and
40 information pertaining to land and land use;
41
42 l) Call on any department, bureau, office, agency, or instrumentality of the
43 government, and or private entities and organization for cooperation, support,
44 and assistance in the performance of its functions;
45
46 m) Decide and resolve policy conflicts and territorial jurisdiction on land use
47 between or among agencies, branches, or levels of the government and act on
48 unresolved land use policy conflicts at the regional level elevated by the
49 Regional Land Use Policy Council (RLUPC);
50

- 1 n) Adopt rules of procedures for the orderly and expeditious conduct of
2 meetings and other business of the Council; and
3
4 o) Perform such other acts and functions and exercise such other powers as may
5 be necessarily implied, inherent, incident, or related to the foregoing.
6

7 **SEC. 17. NLUC Technical Secretariat (NLUC-TS).** – A Technical Secretariat
8 shall be created to provide technical support to the NLUC. It shall be composed of:
9

- 10 a) NEDA Deputy Director-General for Regional Development as Chairperson;
11
12 b) Representatives of the member agencies/institutions of the NLUC, who shall
13 have a rank not lower than Director level; and
14
15 c) The representatives the four (4) basic sectors as enumerated in Section 15(d)
16 of this Act.
17

18 **SEC. 18. Offices, Units and Staff Support.** – The NEDA Regional
19 Development Office shall continue to provide core secretariat services of NLUC, its
20 Technical Board and the RLUPCs. Other government agencies may also be called
21 upon for staff support.
22

23 ARTICLE 2

24 LOCAL DEVELOPMENT COUNCILS AS LOCAL LAND USE POLICY COUNCILS 25

26 **SEC. 19. City/Municipal Land Use Policy Council (C/MLUPC).** – The
27 City/Municipal Development Council (C/MDC), created under the Local Government
28 Code of 1991, shall act as the City/Municipal Land Use Policy Council (C/MLUPC) that
29 will tackle land use concerns, whenever necessary. A duly authorized representative
30 from the DAR, the DENR and the DA shall be included in the composition of the
31 C/MLUPC.
32

33 In addition to the functions enumerated in the Local Government Code of 1991,
34 the C/MLUP shall:
35

- 36 a) Advise the Sangguniang Bayan or the Sangguniang Panlungsod on all matters
37 pertaining to land use and physical planning;
38
39 b) Review and endorse to the Sangguniang Bayan or Sangguniang Panlungsod,
40 for adoption, the CLUP prepared and periodically updated by the City/Municipal
41 Planning and Development Office and other land use and physical planning-
42 related policies;
43
44 c) Decide and resolve policy conflicts on land use planning, classification, and
45 allocation that may arise between and among barangays and any unresolved
46 land use conflict at the barangay level regarding the violation of zoning
47 ordinances, including opposition to applications for locational clearances,
48 permits or certificates; and
49
50 d) The C/MLUPC may call upon any local official concerned, such as the C/MPDC,

1 City/Municipal Agriculturist, City/Municipal Environment and Natural Resources
2 Officer, City/Municipal Engineer, City/Municipal Assessor, or any official of
3 national agencies during discussions on land use and physical planning
4 concerns.
5

6 For purposes of this Act, the City/Municipal Planning and Development
7 Coordinator (C/MPDC) shall:
8

- 9 a) Act on all applications for locational clearances for all projects except those of
10 vital and national economic or environmental significance; automate,
11 modernize and integrate all spatial and non-spatial data related to land within
12 the LGU for a more effective and efficient use of land information for land use
13 and physical planning and such other public and private uses;
14
- 15 b) Monitor on-going/existing projects within their respective jurisdictions and issue
16 notices of violation to owners, developers, or managers of projects that are
17 violative of zoning ordinances; and
18
- 19 c) Convene a Technical Working Group composed of City/Municipal Agriculturist,
20 City/Municipal Environment and Natural Resources Officer, City/Municipal
21 Engineer, City/Municipal Assessor and such other LGU officials with land
22 related functions in the preparation of the CLUP. The TWG may request any
23 field officials of National Government Agencies with land administration function
24 to assist for the same purpose.
25

26 LGUs without operational C/MDCs, as mandated by the Local Government
27 Code of 1991, shall activate their respective Councils within six (6) months from the
28 effectivity of this Act.
29

30 **SEC 20. Provincial Land Use Policy Council (PLUPC).** – The Provincial
31 Development Council (PDC), created under the Local Government Code of 1991, shall
32 act as the Provincial Land Use Policy Council (PLUPC) that will tackle land use
33 concerns, whenever necessary. A duly authorized representative from the DENR,
34 DAR and the DA shall be included in the composition of the PLUPC. In addition to the
35 functions enumerated in the Local Government Code of 1991, the PLUPC shall:
36

- 37 a) Advise the Sangguniang Panlalawigan on all matters pertaining to land use and
38 physical planning;
39
- 40 b) Review and endorse to the Sangguniang Panlalawigan, for adoption, the
41 provincial physical framework plans, prepared and periodically updated by the
42 Provincial Planning and Development Office and other land use and physical
43 planning- related policies;
44
- 45 c) Assist the Sangguniang Panlalawigan in reviewing the CLUPs of component
46 cities/municipalities to ensure consistency with the provincial physical
47 framework plans and compliance with the limits prescribed under the Local
48 Government Code of 1991 for reclassifying agricultural lands; and
49
- 50 d) Decide and resolve policy conflicts on land use planning, classification, and

1 allocation that may arise between or among cities/municipalities, and any
2 unresolved land use conflicts at the city /municipal level.

3
4 The PLUPC may call upon any local official concerned, such as the Provincial
5 Planning and Development Coordinator, Provincial Agriculturist, Provincial
6 Environment and Natural Resources Officer, Provincial Engineer, Provincial Assessor,
7 or any official of national agencies and other relevant agencies during discussions on
8 land use and physical planning concerns.
9

10 **SEC. 21. Regional Land Use Policy Council (RLUPC).** – At the regional level,
11 the Regional Land Use Policy Council (RLUPC) shall be institutionalized, replicating
12 the NLUC structure and composition. The RLUPC shall have the following functions:
13

- 14 a) Formulate and adopt regional policies on land use and physical planning;
15
16 b) Prepare and periodically update a regional physical framework plan, taking into
17 consideration national policies and lower level plans;
18
19 c) Assist the provinces in preparing and periodically updating its physical
20 framework plans to ensure consistency with the regional and national plans
21 and policies and to facilitate its integration to the regional plans;
22
23 d) Review, prior to adoption by respective *sanggunians*, the provincial physical
24 framework plan and CLUPs of highly urbanized and independent component
25 cities to ensure consistency with the regional physical framework plan and
26 national policies set forth by the NLUC and compliance with limits prescribed
27 under the Local Government Code of 1991 for reclassifying agricultural lands;
28
29 e) Decide and resolve policy conflicts on land use planning, classification, and
30 allocation that may arise between or among regional line agencies, provinces
31 and cities/municipalities;
32
33 f) Monitor changes in land use and other physical resources in the region;
34
35 g) Evaluate consistency of major programs and projects with the RPFs and
36 their impact on land use and the environment;
37
38 h) Undertake the gathering of regional data for the Land Resource Information
39 and Management System; and
40
41 i) Perform other related functions as may be directed by the NLUC.
42

43 **Article 3**

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

45
46 **SEC. 22. Component Cities and Municipalities.** – Component cities and
47 municipalities shall have the power and authority to adopt and approve their respective
48 CLUPs and ZOs through their respective *sanggunians*, subject to the power of review
49 of their respective provinces only with respect to the consistency of the CLUPs and
50 ZOs with this Act on the preparation of the provincial physical framework plan. Upon

1 adoption and approval of the CLUP and ZO by the *Sanggunian*, all land areas zoned
2 for residential purposes or for settlements development shall cease to be covered by
3 the Comprehensive Agrarian Reform Program (CARP) and therefore, shall not be
4 required to secure further order of land conversion or exemption certificates from the
5 DAR, except for the payment of disturbance compensation if applicable, as well as the
6 requirements pertaining to the issuance of environmental compliance certificate (ECC)
7 by the DENR.
8

9 **SEC. 23. Provinces and Independent and Highly Urbanized Cities.** –
10 Provinces and independent and highly urbanized cities shall have the power and
11 authority to adopt and approve their respective CLUPs, ZOs or provincial physical
12 framework plan, as the case may be, through their respective sanggunian, but subject
13 to the review of the RLUPC as provided in Section 21 of this Act.
14

15 Article 4

16 RESPONSIBILITIES OF THE NATIONAL GOVERNMENT AGENCIES AND LGUS

17

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

31 The spatial and non-spatial data generated by these activities shall be
32 downloaded to the LGU as soon as practicable. On the other hand, existing land
33 information data available to the national government agencies as of the effectivity of
34 this Act shall be immediately downloaded to the LGU.
35

36 For purposes of uniformity and standardization, the LGUs, to be assisted by the
37 appropriate agencies of the national government, shall likewise prepare their
38 respective territorial maps using scales, symbols, and other indicators to be prescribed
39 in accordance with this Act. The completed maps shall be integrated in the national
40 physical framework plan pursuant to this Act.
41

42 **SEC. 25. National Geo-hazard Mapping Program.** – Within thirty (30) days
43 from the effectivity of this Act, a nationwide geo-hazard mapping program shall be
44 initiated jointly thru the NLUC by the PHIVOLCS, the Philippine Atmospheric
45 Geophysical and Astronomical Services Administration (PAGASA), the NAMRIA, the
46 MGB, the BSWM, and the DOE, in coordination with the National Disaster Risk
47 Reduction and Management Council (NDRRMC), the Regional Disaster Risk
48 Reduction and Management Council (RDRRMC), and other concerned government
49 agencies. The program shall include the generation of indicative geo-hazard zoning
50 maps that will outline areas in the Philippines which are prone to liquefaction,

1 landslides, severe flooding, lahar, ground rupturing, tsunami, river erosion, coastal
2 erosion, sinkhole collapse, earthquake, lava flow, pyroclastic flow, base surge, and
3 other natural hazards.

4
5 For purposes of uniformity and standardization and in order to develop a safe-
6 built environment, the LGUs shall subsequently incorporate and integrate the
7 generated geo-hazard zoning maps in their respective CLUPs. These geo-hazard
8 maps shall serve as guides for all the LGUs in the preparation of their own hazards-
9 constrained development plans. The national physical framework planning, pursuant
10 to Section 5 hereof, shall incorporate these geo-hazard maps.

11
12 All infrastructure activities including real estate and subdivision projects and the
13 development of tourist spots requiring an Environmental Compliance Certificate (ECC)
14 shall be required to submit an Engineering Geological and Geo-hazard Assessment
15 Report (EGGAR).

16
17 **SEC. 26. Scope and Nature of Responsibilities of Other National**
18 **Government Agencies.** – All concerned national government agencies/bodies shall
19 periodically report to the NLUC on the various activities and accomplishments relative
20 to land use.

21
22 They shall also provide their respective sectoral/development plans and render
23 technical and administrative support if called upon by the NLUC relative to the
24 implementation of the provisions of this Act.

25
26 **SEC. 27. Submission of Annual Report on the Implementation of CLUPs.**
27 – The C/MLUPC shall submit an annual report on the implementation of their land use
28 plans to the PLUPC, which shall integrate the same for submission to the RLUPC,
29 which shall in turn integrate the provincial reports for submission to the NLUC.

30
31 **CHAPTER VI**
32 **SPECIAL AREAS OF CONCERN**

33
34 **Article I**
35 **AGRICULTURAL LANDS**

36
37 **SEC. 28. Priority Areas for Agricultural Development.** – Priority areas for
38 agricultural development shall be those agricultural areas covered under the CARP,
39 as amended, and those covered under the Network of Protected Areas for Agricultural
40 and Agro-Industrial Development (NPAAAD), defined in Section 4 of this Act and in
41 the "Agriculture and Fisheries Modernization Act."
42

43 **SEC. 29. Conversion of Agricultural Lands.** – Agricultural lands are deemed
44 converted to non-agricultural uses upon approval by the DAR of the application for
45 conversion. Prime agricultural lands and specific types of lands to the extent
46 necessary for attaining food self-sufficiency in rice and corn and food security in other
47 basic commodities, as determined by the DA, subject to mandatory public
48 hearings/consultations with the LGUs, the private sector, the NGOs, and POs, shall
49 be protected from conversion, which shall include but not limited to areas under the
50 NPAAAD: *Provided*, That all irrigated and irrigable lands, all lands developed or

1 possessing the potential for development of high value crops, and all agricultural lands
2 that are ecologically fragile and whose conversion will result in serious environmental
3 problems shall be given full protection from conversion, the areas under which are
4 subject to review every seven (7) years by the DA, with the mandatory public
5 hearings/consultations: *Provided, further,* That consistent with the State policy on
6 giving priority to the completion of the CARP, all lands subject to CARP, including
7 those lands covered under the notice of compulsory acquisition/voluntary offer to sell,
8 production or profit-sharing, or commercial farm deferment shall also be protected
9 from conversion pending the distribution and installation of the farmer beneficiaries:
10 *Provided, furthermore,* That the conversion of agricultural lands for use of priority
11 government projects for basic services, such as, but not limited, to irrigation and power
12 shall be allowed only upon the recommendation of the Secretaries of the DA and the
13 DAR: *Provided, finally,* That the mapping of the NPAAAD under the AFMA shall be
14 completed within two (2) years from the effectivity of this Act.
15

16 Lands defined under Section 10 of Republic Act No. 6657, as amended,
17 otherwise known as the Comprehensive Agrarian Reform Law (CARL) shall remain
18 exempted and excluded from the coverage of CARP.
19

20 **SEC. 30. Sub-classification or Re-classification of Agricultural Lands by**
21 **LGUs.** – Sub-classification or re-classification of agricultural lands to other uses under
22 the Local Government Code of 1991 shall exclude the protected agricultural lands as
23 stated in the preceding section. Moreover, such sub- classification/reclassification is
24 not synonymous to conversion. The DA and DAR shall provide the LGUs with
25 complete list and maps of protected agricultural lands within their territorial
26 jurisdictions.
27

28 Article 2

29 FOREST LANDS AND WATERSHED MANAGEMENT

30
31 **SEC. 31. Reversion of Alienable and Disposable Lands to Forestlands.** –
32 Upon the recommendation of the Secretary of the DENR, duly reviewed and endorsed
33 by the NLUC, and after due consultations with the concerned LGUs and affected
34 parties, Congress may authorize the reversion of alienable and disposable lands of
35 the public domain or portion thereof to forestlands. Thereafter, said lands shall be
36 included in the preparation of land use plans within forestlands.
37

38 **SEC. 32. Critical Watershed Areas.** – The DENR, in coordination with the DA,
39 the LGUs, and other government agencies, including government-owned and-
40 controlled corporations (GOCCs), and with mandatory public hearings/consultations,
41 shall identify and delineate critical watershed areas that need to be protected,
42 rehabilitated, enhanced, and/or withdrawn from uses that contribute to their further
43 degradation.
44

45 **SEC. 33. Formulation and Implementation of Integrated Watershed**
46 **Management Plans.** – In the absence of a law on the protection and sustainable
47 management of forests, the LGUs through their local land use councils and upon
48 mandatory public hearings/consultations with the concerned sectors, and with the
49 assistance of the DENR, shall prepare their watershed management plans, which shall
50 be integrated with their respective CLUPs. The formulation and integration of the plan

1 shall be guided, among others, by the principle that the management and
2 development of inland water resources shall be at the watershed level. A nationwide
3 mapping of watersheds in the country shall be implemented.
4

5 In cases where the watershed areas transcend the boundaries of a particular
6 municipality, an inter-LGU committee composed of representatives from local land use
7 councils of the LGUs where the watershed area is located shall be formed. With the
8 assistance of the DENR and upon mandatory public hearings/consultations with the
9 concerned sectors, the inter-LGU committee shall formulate the watershed
10 management plan for the said watershed area.
11

12 The DENR and the concerned LGUs shall jointly implement the watershed
13 management plan, subject to regular consultations with and involvement of the
14 community and other stakeholders in the implementation of the plan.
15

16 The preparation of forest land use plans shall make use of the watershed as
17 the basic planning unit.
18

19 Article 3 20 COASTAL ZONE

21
22 **SEC. 34. Criteria on the Allocation and Utilization of Lands within the**
23 **Coastal Zones.** – The allocation and utilization of lands within the coastal zones shall
24 be guided by the following:
25

- 26 a) Areas vegetated with mangrove species shall be preserved for mangrove
27 production and shall not be converted to other uses;
28
- 29 b) Areas which meet all accepted criteria on elevation, soil type, soil depth,
30 topography, supply for successful fishpond development, and are not identified
31 as mangrove protected areas, shall be utilized for aquaculture purposes;
32
- 33 c) Areas sub-classified as mangrove and still suitable for use as such, or due to
34 environmental conditions need to be preserved as mangrove, but is devoid of
35 mangrove stands shall not be converted to other uses. The DENR shall ensure
36 that these lands shall be reforested within a given period of time;
37
- 38 d) Areas accessible to the sea and identified for fisherfolk settlement and housing
39 shall be allocated to traditional fisherfolk who are inhabitants of the coastal
40 communities and members of legitimate fisherfolk organizations and/or holders
41 of stewardship lease contracts or titles to ancestral domains or any form of
42 property right arrangements who participate in coastal resource management
43 initiatives, subject to the usual census procedures of the relevant housing
44 agency;
45
- 46 e) Areas which are neither sub-classified as mangrove, fisherfolk settlement nor
47 fishpond may be devoted to recreational or tourism purposes: *Provided*, That
48 such undertaking will not result in environmental degradation and displacement
49 of small fishers;
50

- 1 f) Areas which are considered as traditional fishing grounds shall be used
2 primarily for such purpose;
3
4 g) Areas which have been allocated for small infrastructure needed by fisherfolk
5 shall be allowed; and
6
7 h) Areas which form part of foreshore lands as defined in this Act including those
8 which are under lease agreements or arrangements shall undergo zoning and
9 evaluation to determine their boundaries and actual sizes and corresponding
10 uses.
11

12 **SEC. 35. Coastal Land Zone Sub-classification.** – All public lands in the
13 coastal zones shall be sub-classified into any of the following: estuaries, lagoons,
14 inter-tidal flats, mudflats, fishponds, and mangroves, for protection from tidal surge,
15 and preservation of biodiversity, habitats and sanctuaries for endangered wildlife,
16 fisherfolk settlement, or recreational/tourism areas. No sub-classification of coastal
17 zones to different uses shall be done without the following:
18

19 a) Conduct of a comprehensive resource and environmental assessment by the
20 DENR and respective LGUs and accredited NGOs and POs within their jurisdiction;
21 and
22

23 b) Prior consultation with the Local Fisheries and Aquatic Resource
24 Management Councils (FARMCs) formed under the Philippine Fisheries Code.
25

26 **SEC. 36. Zoning of Foreshore Areas.** – LGUs, in coordination with the DENR,
27 shall conduct zoning of their respective foreshore areas to assist government and
28 community fishers identify priority areas for conservation and development, and to
29 enable them to set targets for mangrove reforestation and rehabilitation.
30

31 **SEC. 37. Protection of Waterways Easements and Flood Plains.** –
32 Structures of any kind shall not be built in waterways easements. Pursuant to the
33 Water Code, the banks of rivers and streams and the shores of the seas and lakes
34 throughout their entire length and within a zone of three (3) meters in urban areas,
35 twenty (20) meters in agricultural areas and forty (40) meters in forest areas, along
36 their margins, are subject to the easement of public use only in the interest of
37 recreation, navigation, floatage, fishing and salvage.
38

39 The protection of flood plains shall adopt a river basin management approach
40 in order to come up with integrated flood mitigation interventions. Development within
41 flood plains and other flood-prone areas must be controlled or, if allowed, must be so
42 sited, constructed and serviced that the lives of the occupants are not put at risk and
43 that disruptions during floods are minimal. The identification and characterization of
44 flood-prone areas and flood plains shall be an integral part of CLUP preparation.
45 Through the CLUPs and zoning ordinances, LGUs shall establish land use regulations
46 to mitigate flood risks .
47

48 The DPWH, in coordination with the Department of Science and Technology
49 (DOST) and the DENR, shall declare flood control areas, as necessary, and prohibit
50 or control activities that could damage or cause deterioration of lakes and dikes,

1 obstruct the flow of water, change the natural flow of rivers, increase flood losses or
2 aggravate flood problems pursuant to the Water Code.

3
4 **Article 4**
5 **MINERAL LANDS**
6

7 **SEC. 38. Criteria for the Utilization and Allocation of Land for Mining**
8 **Purposes.** – Consistent with Section 6 of this Act and the provisions of Republic Act
9 No. 7942, otherwise known as the Mining Act of 1995, and to ensure that the objectives
10 of maintaining ecological balance and maximizing economic returns to mining
11 operations are realized, the allocation and utilization of lands for mining purposes shall
12 be guided by the following:
13

14 a) The principles of sustainable development and responsible mining;

15
16 b) In case of small-scale mining, adequate and acceptable safeguards shall be
17 instituted by the holders of mining rights or permits to prevent environmental
18 degradation of the mining sites and adjacent areas;

19
20 c) Mineral reservations which have become non-operational for more than five
21 (5) years as determined by the MGB shall be placed under appropriate surface
22 management by the DENR;

23
24 d) Consistent with the Mining Act of 1995, areas closed to mining operations
25 shall be periodically reviewed through mineral exploration to be undertaken by the
26 DENR for the purpose of determining whether or not their continued closure is
27 consistent with the national interest and, if warranted, recommend their reclassification
28 as mineral lands;

29
30 e) Protection forestlands and agricultural lands shall be exempt from mining
31 activities to minimize the effect of natural calamities and to protect food security,
32 respectively. The small to large scale mining operations shall yield from and recognize
33 the tenurial instrument given by the government, such as the Original Certificate of
34 Title (OCT), Transfer Certificate of Title (TCT), Certificate of Ancestral Domain Title
35 (CADT), Emancipation Patent - Certificate of Land Ownership Award (EP-CLOA), and
36 other instruments. If these are present, no mining activity shall be conducted.
37

38 **SEC. 39. Reversion of Mineral Lands.** – All mineral lands with exhausted
39 mineral resources, as determined by the MGB upon the recommendation of the
40 DENR, shall revert to its original land classification, that is, as forestland or agricultural
41 land. In the case of forestlands, the DENR may classify such areas for other purposes,
42 in consultation with concerned LGUs, the DOT, and other national government
43 agencies.
44

45 **Article 5**
46 **ENERGY RESOURCE LANDS**
47

48 **SEC. 40. Guidelines for the Utilization and Allocation of Lands for Energy**
49 **Resource Exploration, Development, Production, Utilization, and Distribution**
50 **Purposes.** – To ensure that the objectives of maintaining ecological balance and

1 maximizing the power potential from indigenous energy resources in the most
2 economical and environmentally-acceptable means are realized, the allocation and
3 utilization of lands for said purposes shall be guided by the following, consistent with
4 existing regulations and laws on energy resources:
5

6 a) Indigenous energy resource exploration and development for the purpose of
7 a National Energy Resource Inventory and Data Base, as well as Energy Resource
8 Block Map shall be allowed, subject to the implementation of complementary
9 watershed and other land management plans;
10

11 b) Indigenous energy resource exploration, development, production,
12 utilization, and distribution shall be subject to the appropriate requirements and
13 processes of the Philippine Environmental Impact Statement (EIS) System. Each
14 project shall secure an ECC prior to project implementation to ensure adequate and
15 appropriate environmental management measures and optimum methods for
16 resource access and recovery are utilized; and
17

18 c) Energy reservations or portions thereof which have become or have been
19 established to be non-economically viable to operate or are no longer used for energy
20 purposes shall be released to give way to other land uses, subject to existing laws
21 covering energy reservations.
22

23 **SEC. 41. Reversion of Energy Resource Lands.** – All exhausted indigenous
24 energy resource lands not covered by proclamations shall automatically revert to the
25 category of forestlands or agricultural lands open to disposition, whichever is
26 appropriate. Exhausted energy resource lands shall refer to specific energy resource
27 sites whose energy reserves of the desired type/s are no longer in sufficient quantity
28 or quality to justify additional expenditure for their extraction and utilization.
29

30 **CHAPTER VII** 31 **SETTLEMENTS DEVELOPMENT** 32

33 **SEC. 42. Town, City, and Settlements Development.** – The development of
34 town, city, and settlements through the zoning ordinances of cities and municipalities
35 shall be guided by CLUPs and urban zoning standards designed to maximize existing
36 urban spaces. Socialized housing and settlement areas shall be established only on
37 alienable and disposable lands in order to avoid further degradation of forestlands.
38

39 **SEC. 43. Settlements Within Geo-hazard Areas.** – Settlements, in particular
40 housing or residential developments, within geo-hazard areas may be allowed
41 provided that mitigating and/or protective measures are adopted to address the
42 potential danger or risk to lives and property within such settlements. In coordination
43 with the concerned agencies of the government, the NLUC shall provide assistance to
44 concerned LGUs and settlers in instituting safety and corrective measures to address
45 the potential danger or risk.
46

47 Residential zones as designated in the CLUP shall be considered as outside
48 the geo-hazard areas. For this purpose, housing projects within such areas shall be
49 exempted from the ECC, as well as the EGGAR and may be implemented without the
50 need for any further certificate of exemption from the DENR or any other government

1 regulatory agency.
2

3 **SEC. 44. Designation of Sanitary Landfill.** – Each city or municipality shall
4 identify, designate and allocate an area within their territorial jurisdiction to serve as
5 sanitary landfill within one (1) year from the effectivity of this Act. The LGUs, in
6 coordination with the DENR or any other competent authority, shall identify sanitary
7 landfills in order to fast-track the conduct of EIS study and to facilitate processing of
8 the ECC. The site or area shall be identified in the city or municipality's CLUP. For this
9 purpose, cities and municipalities shall establish their solid waste management
10 program, pursuant to Republic Act No. 9003, otherwise known as the "Ecological Solid
11 Waste Management Act of 2000." In addition, cities and municipalities may, through
12 appropriate ordinances, bind themselves towards the establishment of a common solid
13 waste management program.
14

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

20 **SEC. 45. Designation and Zoning of Socialized Housing Zones.** – Each city
21 or municipality in urban, urbanizable and rural areas shall designate through the CLUP
22 adequate lands for housing or residential purposes, including socialized housing and
23 resettlement areas for the immediate and future needs of the local population, as well
24 as the underprivileged and homeless in their territory, pursuant to existing laws and
25 regulations. In order to ensure adequate availability of land for the housing needs of
26 the local population, the CLUP shall be updated, at maximum, every ten (10) years for
27 provinces, cities and municipalities, except if an earlier amendment or revision of the
28 CLUP is authorized by the NLUC due to extraordinary causes.
29

30 The designated sites for socialized housing shall be located in residential
31 zones, and shall be zoned as socialized housing zones that are integrated in the city
32 or municipality's zoning ordinance, pursuant to existing laws and regulations.
33

34 Fisherfolk settlements and housing in coastal municipalities shall be zoned near
35 the sea for easy access to their livelihood as provided under this Act.
36

37 The housing or residential lands designated in the CLUPS and ZOs of cities
38 and municipalities shall not be subject to further land reclassification by the LGU or
39 land conversion procedure under DAR. However, agricultural lands as designated in
40 the CLUP which are no longer economically feasible for agricultural use may be
41 subject to land reclassification or conversion to housing/residential purposes and such
42 conversion, as the case may be, shall be exempt from the coverage of any moratorium
43 on land conversion.
44

45 **SEC. 46. Urban Forest or Green Space.** – Each city or highly urbanizing
46 municipality shall identify, designate, and allocate lands owned by the city or
47 municipality as urban forest or green space based on the guidelines and standards to
48 be issued by the DENR and approved by the NLUC.
49

50 **CHAPTER VIII**

1 **INDUSTRIAL DEVELOPMENT AREAS**

2
3 **SEC. 47. Criteria for Designating Industrial Development Areas.** – The
4 identification and establishment of industrial development areas shall conform with the
5 provisions of Republic Act No. 7916, otherwise known as the “Philippine Economic
6 Zone Authority (PEZA) Act,” CARL, as amended by Republic Act No. 9700, otherwise
7 known as the “Comprehensive Agrarian Reform Program with Extension and Reforms
8 Act” (CARPER), IPRA, UDHA, and AFMA, taking into consideration the following:
9

10 a) Identified network of areas for agricultural development and protected
11 agricultural areas pursuant to the AFMA;
12

13 b) National policies on the regional dispersal of industries and agri-based
14 industrial development;
15

16 c) Identified growth areas and corridors in the National Development Plan;
17

18 d) NIPAS, E-NIPAS and non-NIPAS areas that require protection;
19

20 e) National and Urban Development and Housing Framework;
21

22 f) Identified Socialized Housing Zones; and
23

24 g) National framework for physical planning and other existing national
25 programs and policies.
26

27 The designated industrial development areas shall become an integral part of
28 the land use plan and zoning ordinance of the city or municipality where these areas
29 are located.
30

31 **CHAPTER IX**
32 **TOURISM DEVELOPMENT AND HERITAGE AREAS**
33

34 **SEC. 48. Designating Tourism Development Areas.** – The identification,
35 selection, and development of tourism development areas, tourism estates and
36 tourism enterprise zones (TEZs) shall be done in consultation and coordination with
37 the concerned LGUs, the TIEZA and concerned national government agencies, the
38 private sector, and the affected communities, subject to the provisions of the Tourism
39 Act of 2009. Tourism development areas shall likewise include those covered by
40 legislative and executive issuances as tourist spots, tourist zones and tourism
41 ecozones which can be developed into tourism estates or integrated resort, leisure
42 and recreation complexes and other tourism-related facilities, as well as those
43 identified in the national, regional and inter-regional tourism, and area-specific tourism
44 master plans and other sector plans such as ecotourism and agri-tourism sites.
45

46 Designated areas for tourism development shall become part of the CLUPs of
47 the cities or municipalities where these are located.
48

49 Lands identified as part of a TEZ shall qualify for exemption from the coverage
50 of the UDHA and CARL, as amended by CARPER, subject to rules and regulations to

1 be crafted by the TIEZA, DHUSD, DAR and DA: *Provided*, That a certificate shall be
2 obtained from the DA that said lands are no longer economically feasible and sound
3 for agricultural purposes, consistent with the provisions of this Act.
4

5 **SEC. 49. Identification and Declaration of Areas for Protection,**
6 **Conservation and Preservation of Cultural Heritage.** – Pursuant to the National
7 Cultural Heritage Act of 2009, the NHCP and/or the National Museum, in coordination
8 with National Commission for Culture and the Arts (NCCA), DHSUD, and other
9 concerned agencies, local communities, and the private sector, shall identify declared
10 areas and structures which shall be protected and/or preserved as part of the
11 Philippine cultural heritage.
12

13 The LGUs, in coordination with the NHCP, the NCCA and the Cultural Center
14 of the Philippines (CCP) shall designate historical zones to protect the historical
15 integrity of said geographical areas and cultural space of intangible cultural properties.
16

17 **CHAPTER X**

18 **INFRASTRUCTURE DEVELOPMENT**

19

20 **SEC. 50. Allocation and Use of Land for Infrastructure Development.** –
21 Land, whether public or private, shall be allocated and utilized for priority infrastructure
22 projects that are supportive of national or local development objectives. The NEDA, in
23 consultation with the concerned national government agencies, LGUs, and the private
24 sector shall identify and periodically review, update and/or revise the list of priority
25 infrastructure projects, subject to the provisions of this Act, and the AFMA. In
26 determining and evaluating the list of priority infrastructure projects, consideration shall
27 be given to those that:
28

- 29 a) Respond to immediate and vital requirements of the national economy with
30 priority on improving rural infrastructure and the development of the agriculture and
31 fisheries sectors;
- 32
- 33 b) Upgrade existing facilities to international standards;
- 34
- 35 c) Address the need for sustainable settlements development; and
36
- 37 d) Help mitigate the destructive effects of natural disaster-causing phenomena or
38 those that shall serve as alternatives to existing infrastructures found in natural
39 hazard-prone areas: *Provided*, That the provision and implementation of infrastructure
40 support shall be made compatible with existing environmental conditions and the
41 physical, whether natural or human-made, and cultural character of the area.
42 Mandatory public hearings/consultations pursuant to existing laws and regulations
43 shall be held prior to the conduct of all infrastructure projects that will necessarily
44 involve dislocation or displacement of people in the area: *Provided, further*, That the
45 proponent of the infrastructure project shall follow the rules on just and humane
46 eviction or demolition under the UDHA, notwithstanding the provisions of Republic Act
47 No. 8975, prohibiting lower courts from issuing temporary restraining orders,
48 preliminary injunctions, or preliminary mandatory injunctions, and proponent shall
49 follow IPRA: *Provided, finally*, That national government infrastructure projects shall
50 allocate budget for the adequate relocation of displaced communities.

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Article 1
INCENTIVES AND AWARDS

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SEC. 55. Formulation of a System of Incentives and Awards. – The NLUC shall draft and devise a system of incentives and awards to LGUs that regularly update their CLUPs within the prescribed period, as follows:

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

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SEC. 56. Priority in Giving Technical Assistance to LGUs. – In providing technical assistance and other forms of support related to land use management and the implementation of development plans, the national government agencies shall give priority to cities and municipalities with approved CLUPs.

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Article 2
SANCTIONS AND PENALTIES

SEC. 57. Fine for Non-Completion and Non-Commencement of Development of Agricultural Lands with Approved Order of Conversion. – A landowner and his/her designated developer or duly authorized representative who fails to commence and/or complete the development of agricultural lands with approved order of conversion shall be penalized, jointly or severally, with any of the following fines based on the zonal value of the land at the time the fine is imposed:

- a) On failure to commence within one year from the date of conversion order:
 - 1) Six percent (6%) of the zonal value of the subject land for the first three (3) hectares;
 - 2) Fifteen percent (15%) of the zonal value of the subject land for the next three (3) hectares; and
 - 3) Thirty percent (30%) of the zonal value of the subject land for the remaining area: *Provided*, That the order of conversion shall be deemed revoked automatically and the land shall revert to its original agricultural use and covered by the DAR through compulsory acquisition for distribution to qualified beneficiaries.

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

SEC. 58. Authority to Impose Fine. – The DAR shall impose the penalty provided for under the preceding section.

SEC. 59. Withdrawal of Local Development Permits or Licenses. – Upon receipt of notice from the DAR, the concerned agencies and the city or municipality

1 shall withdraw or revoke any development permit and other licenses that may be
2 necessary to develop the agricultural land subject of conversion.

3
4 **SEC. 60. Utilization of Fines.** – The fines collected under this Act shall
5 automatically accrue to the Agrarian Reform Fund, consistent with the provisions of
6 the CARL, as amended by CARPER.

7
8 **SEC. 61. Failure to Formulate, Enforce, and/or Implement the CLUPs.** –
9 Consistent with due process, the DILG shall investigate, review, and impose
10 appropriate action, regarding local chief executives and other local officials and
11 employees responsible for the formulation, enforcement, and/or implementation of the
12 CLUPs in case of any of the following:

13
14 a) Failure to implement and enforce the CLUP due to negligence of duty;

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16 b) Failure to provide appropriate budgetary allocation to effect its
17 implementation; and

18
19 c) Failure to complete the preparation of the CLUP, despite the availability of
20 funds, resources, and support by the *sanggunian* concerned.

21
22 Any public official or employee, regardless of whether elected or appointed or
23 holding office or employment in a casual, temporary, holdover, permanent, or regular
24 capacity, found to be responsible for any of the foregoing acts, after due notice and
25 hearing by the appropriate body or agency, shall be punished with forfeiture of salaries
26 and allowances and suspension ranging from:

27
28 a) Six (6) to nine (9) months, in case of non-implementation of CLUP; or

29
30 b) Three (3) to six (6) months, in case of non-completion of the CLUP.

31
32 **SEC. 62. Person(s) Abetting Illegal Conversion.** – Any person initiating,
33 causing, inducing, or abetting illegal conversion shall, upon conviction, be imprisoned
34 from seven (7) to twelve (12) years, and imposed a fine of not less than One hundred
35 thousand (P100,000.00) pesos, or both at the discretion of the court: *Provided*, That if
36 the offender is a public official or employee, whether elected or appointed, the penalty
37 shall, in addition thereto, include dismissal through permanent separation from the
38 service and forfeiture of all benefits and entitlements accruing to the public position
39 and perpetual disqualification to run or apply for any elective or appointive public office:
40 *Provided, further*, That if the offender is a juridical person, the penalty of imprisonment
41 shall be imposed on the president, chief executive officer, manager, chairperson, and
42 all the members of the board, and other responsible officers thereof. The fine shall be
43 equivalent to the zonal value of the land or forty percent (40%) of the shareholders
44 equity, as determined at the time of judgment, whichever is higher. In addition, such
45 violation shall result in the forfeiture of the land in favor of the State for sale through
46 public auction, the proceeds of which shall automatically accrue to the Agrarian
47 Reform Fund as provided for in Section 60 of this Act.

48
49 **SEC. 63. Penalty for Reclassification of Protected Agricultural Lands and**
50 **Exceeding the Limit of Areas Allowed for Reclassification.** – Any person initiating,

1 causing, inducing, or abetting the reclassification of protected agricultural areas into
2 non-agricultural uses and exceeding the limits set forth under the Local Government
3 Code of 1991, shall be penalized with imprisonment of twelve (12) years and a fine of
4 not less than One hundred thousand (P100,000.00) pesos, or both at the discretion of
5 the court: *Provided*, That if the offender is a public official or employee, the penalty
6 shall, in addition thereto, include dismissal through permanent separation from the
7 service, whether elected or appointed, and forfeiture of entitlements accruing to the
8 public position, and perpetual disqualification to run or apply for any elective or
9 appointive public position: *Provided, further*, That if the offender is a juridical person,
10 the penalty shall be imposed on the president, chief executive officer, manager,
11 chairperson and all the members of the board, and other responsible officers thereof.
12

13 **SEC. 64. Payment of Disturbance Compensation.** – Following the order of
14 priority as enumerated in Section 22 of the CARL, as amended, qualified beneficiaries
15 such as agricultural lessees and share tenants, regular farm workers, seasonal farm
16 workers, other farm workers, actual tillers or occupants of public lands, collective, or
17 cooperative of the above-mentioned beneficiaries, and others directly working on the
18 land affected by agricultural land use conversion shall be entitled to the payment of
19 disturbance compensation equivalent to five (5) times the average of the gross
20 harvests on the landholding during the last five (5) preceding calendar years or a
21 certain percentage of the converted land, whichever is higher, as determined by the
22 DAR.
23

24 **CHAPTER XIII**
25 **TRANSITORY AND FINAL PROVISIONS**
26

27 **SEC. 65. Convening of the NLUC.** – Within thirty (30) days from the effectivity
28 of this Act, the President shall convene the NLUC.
29

30 **SEC. 66. DAR Conversion of Agricultural Lands.** – This Act shall not, in any
31 way, derogate from the mandate of DAR to facilitate the conversion of agricultural land
32 under any existing comprehensive agrarian reform policy, directive or law.
33

34 **SEC. 67. Implementing Rules and Regulations.** – Within six (6) months from
35 the effectivity of this Act, the NLUC shall promulgate the rules and regulations to
36 implement the provisions of this Act.
37

38 **SEC. 68. Congressional Oversight Committee on the Land Use Act.** –
39 There is hereby created a Congressional Oversight Committee which shall monitor
40 the implementation of this Act. It shall be composed of seven (7) members from the
41 Senate and seven (7) members from the House of Representatives. The Chairpersons
42 of the Senate Committee on Environment and Natural Resources and the House of
43 Representatives Committee on Natural Resources shall be the Chair and Co-Chair of
44 the Congressional Oversight Committee, respectively. The other members from the
45 Senate shall be appointed by the Senate President based on proportional
46 representation of the parties or coalitions therein with at least one (1) senator
47 representing the minority. The other members from the House of Representatives shall
48 be appointed by the Speaker also based on proportional representation of the parties
49 or coalitions therein with at least one (1) member representing the minority.
50

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 shall
3 be taken from the appropriations of both the Senate and the House of
4 Representatives.
5

6 **SEC. 69. Appropriations.** – The appropriations for the NLUC shall be taken
7 from the budget of the Office of the President in the General Appropriations Act in the
8 year following the effectivity of this Act shall be used to carry out the initial operations
9 of the National Land Use Commission. Thereafter, additional sums as may be
10 necessary for the full implementation of NLUC's functions shall be included in the
11 annual General Appropriations Act.
12

13 **SEC. 70. Review of Existing Land Use Plans.** – Provinces, cities, and
14 municipalities with existing land use plans shall review, revise, reconcile, and
15 harmonize the same with the guidelines and standards set forth under this Act within
16 three (3) years from the effectivity of this Act.
17

18 **SEC. 71. Repealing Clause.** – All republic acts, executive orders, rules and
19 regulations, and other issuances, or parts thereof, that are inconsistent with the
20 provisions of this Act are hereby repealed or modified accordingly.
21

22 **SEC. 72. Non-impairment Clause.** – Nothing in this Act shall be construed to
23 diminish, impair, or repeal rights recognized, granted, or available to marginalized or
24 basic sectors under existing laws , including, but not limited, to the UDHA, CARL,
25 IPRA, and the Philippine Fisheries Code of 1998.
26

27 **SEC. 73. Separability Clause.** – If for any reason or reasons, any part or
28 provision of this Act shall be declared or held to be unconstitutional or invalid, other
29 parts or provisions hereof, which are not affected thereby shall continue to be in full
30 force and effect.
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32 **SEC. 74. Effectivity Clause.** – This Act shall take effect fifteen (15) days after
33 its publication in the Official Gazette or in at least two (2) national newspapers of
34 general circulation.
35

36 **Approved,**