



HOUSE OF REPRESENTATIVES

H. No. 8162

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BY REPRESENTATIVES MATUGAS, VERGARA, MACAPAGAL-ARROYO, SALCEDA, ROBES, ROMERO, GARCIA (A.), OLASO, CO-PILAR, TEVES (A.), RODRIGUEZ (R.), ACOP, MARIANO-HERNANDEZ, LIBANAN, SINGSON-MEEHAN, CAGAS, DUTERTE, YAP (ERIC), YAP (EDVIC), TAMBUNTING, TAN-TAMBU, ROMUALDO, ONGCHUAN, MARIÑO, YAP (C.), CRUZ (A.), PRIMICIAS-AGABAS, HERNANDEZ, NOGRALES (M.), SINGSON (R.V.), VILLAFUERTE (L.R.), BERNOS, MAGSINO, YU (D.G.), SUAREZ, MARAÑON, HATAMAN, CARI, YU (J.V.), VILLARICA, ACHARON, RIVERA, BONGALON, GOMEZ, CAJAYON-UY, YAMSUAN, TAN (K.M.), DY (F.), BARBA, CHATTO, CO (E.), QUIMBO, GONZALES (A.), PUMAREN, PALMA, DELOS SANTOS, CO (A.N.), VIOLAGO, NAVA, BAUTISTA-LIM, TY, LACSON, ZAMORA (M.C.), ABANTE, LIMKAICHONG, CAMPOS, DEL MAR, VARGAS-ALFONSO, LARA, CUARESMA, CABREDO, AQUINO, CUA, ALONTE, ALVAREZ (J.), ARENAS, LOYOLA, ALVAREZ (M.), FUENTEBELLA, ZUBIRI, UMALI, ADVINCULA, ATAYDE, GARCIA (D.), GARCIA (M.A.), GARDIOLA, PANCHO, BASCUG, PLAZA, TAN (J.), SALI, CRUZ (R.), BALINDONG, EUDELA, PLEYTO, MATIBAG, ANG, REYES, TULFO (J.), LAGON (S.), CARDEMA, VERZOSA, FORTES, MACEDA, COJUANGCO (J.), AMANTE, FRESNEDI, LAZATIN, REVILLA (R.J.), KHONGHUN, PANALIGAN, TALLADO, VARGAS, GO (M.), OUANO-DIZON, LAGON (D.), AUMENTADO, SANTOS, RODRIGUEZ (E.), PADUANO, DAGOOC, GUTIERREZ, ABALOS, COJUANGCO (M.), FLORES, GATO, MARQUEZ, SOLON, DALIPE AND GALEOS, PER COMMITTEE REPORT NO. 545

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**AN ACT**  
**INSTITUTING A NATIONAL LAND USE POLICY, PROVIDING THE**  
**IMPLEMENTING MECHANISMS, CREATING FOR THE PURPOSE**  
**THE NATIONAL LAND USE COMMISSION, AND APPROPRIATING**  
**FUNDS THEREFOR**

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

**CHAPTER I**

**INTRODUCTORY PROVISIONS**

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

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

6           Pursuant to the constitutional provision or mandate, it is the policy of the  
7 State to provide for a rational, holistic, and just allocation, utilization,  
8 management, and development of the country's land to ensure their optimum  
9 use to promote sustainable socioeconomic development and ecological  
10 protection.

11           The State recognizes the need for rational, optimal and sustainable  
12 settlements development, consistent with the principles of environmental  
13 management and equitable access to land and security.

14           Toward this end, the State institutionalizes land use and physical planning  
15 as mechanisms for identifying, determining, and evaluating appropriate land use  
16 and allocation patterns that promote and ensure:

- 17           (a) Sustainable management and utilization of natural resources;
- 18           (b) Maintenance and preservation of environmental integrity and  
19 stability specifically the perpetual protection of permanent forests and  
20 watershed and ecosystem services for the attainment of food, water and energy  
21 sufficiency;
- 22           (c) Disaster risk-reduction and climate change resiliency;

1 (d) Protection of prime agricultural lands for food security in basic  
2 commodities with emphasis on self-sufficiency in rice and corn;

3 (e) Water security through sustainable development and management  
4 of water resources towards water security;

5 (f) Provision of adequate and efficient settlements, transportation and  
6 infrastructure development in support of urban, peri-urban, and rural linkages  
7 towards regional development and inclusive growth;

8 (g) Harmony between the rights and the varied interests of every  
9 Filipino within the framework of people empowerment, decentralization, social  
10 justice, and equity;

11 (h) Respect for and protection of the sustainable traditional resource  
12 rights of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)  
13 to their ancestral domains to ensure their economic, social, and cultural well-  
14 being as well as recognition of the applicability of customary laws and  
15 sustainable traditional resource use and management, knowledge, and practices  
16 in ancestral domains in compliance with free and prior informed consent of  
17 ICC/IPs;

18 (i) Protection of the rights of basic sectors to equitable access to the  
19 country's land;

20 (j) Protection, preservation, and development of the country's  
21 historical, cultural, archaeological, and built heritage resources for the deeper  
22 understanding of our history and culture as a people;

- 1 (k) Attainment of energy security and self-sufficiency;
- 2 (l) A whole-of-society and whole-of-government orientation, through  
3 which thrusts and strategies espoused by different actors and sectors are heard  
4 and brought together to achieve complex and interrelated goals, is encouraged  
5 and adopted as a basic parameter in achieving efficiency in land use and  
6 allocation, within the framework of ecological development and equity;
- 7 (m) Promotion of the integrated approach to land use and urban  
8 transport planning to effectively manage growth in urban areas and ensure that  
9 the capacity of transport facilities can accommodate the demand for movement  
10 of passengers and goods to, from, and within the centers of socioeconomic  
11 activities;
- 12 (n) Vertical and horizontal linkages or spatial strategies and the  
13 potential for co-management and inter-locality cooperation across territorial  
14 jurisdictions and government levels, highlighting the imperative for a ridge-to-  
15 reef and ecosystem-based approach to land and water resource management and  
16 governance; and
- 17 (o) Data and evidence-informed management and governance of land  
18 and water resources, in line with the place-based aspirations and shared values  
19 of the community.

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

1 the 1987 Constitution and Republic Act RA 7160, as amended, also known as  
2 the "*Local Government Code of 1991*". Guided by the principle that the use of  
3 land bears a social function and that all economic agents contribute to the  
4 common good, landowners, land tenure holders, in the case of forestlands, be it  
5 an individual, communal, corporate or group, is held responsible for developing  
6 and conserving their lands, thereby making their lands productive and  
7 supportive of environmental stability.

8       SEC. 3. *Scope.* – This Act applies to all lands and natural resources in  
9 the country, whether public, private, government-owned or in the possession of  
10 any person, whether natural or juridical, and serves as guide for the rational,  
11 holistic and just allocation, utilization, development and management of the  
12 land and water resources in the country, including such activities that bear  
13 impact on those resources.

14       SEC. 4. *Definition of Terms.* – As used in this Act:

15       (a) *Agricultural land* refers to land of public domain which has been  
16 classified as such and is devoted to agricultural activity as defined under RA  
17 6657, as amended, otherwise known as the "*Comprehensive Agrarian Reform*  
18 *Law of 1988*," and not further classified for residential, commercial or industrial  
19 use and such other uses as may be provided by law;

20       (b) *Agricultural land use conversion* refers to the act or process of  
21 changing the current physical use of a piece of agricultural land into some other  
22 use not comprising an agricultural activity as defined under RA 6657, as

1 approved exclusively by the Department of Agrarian Reform (DAR) in an order  
2 of conversion;

3 (c) *Alienable and Disposable (A&D) lands* refer to lands of the public  
4 domain which have been delineated, classified, and certified as open and  
5 available for disposition under existing laws;

6 (d) *Ancestral domains* refer to all areas generally belonging to  
7 indigenous cultural communities or indigenous peoples as defined in RA 8371,  
8 otherwise known as "*The Indigenous Peoples' Rights Act of 1997*;"

9 (e) *Archaeological site* refers to any place, whether above or  
10 underground, underwater or at sea level, containing fossils, artifacts and other  
11 cultural, geological, botanical, zoological materials which depict and document  
12 culturally relevant paleontological, prehistoric or historic events;

13 (f) *Basic sector* refers to a group of people not referring to any  
14 organized groups, such as but not limited to women, youth, elderly, differently  
15 abled, peasants and fisherfolk;

16 (g) *Coastal area or zone* refers to a band of dry land and the adjacent  
17 ocean space, water and submerged land, in which terrestrial processes and uses  
18 directly affect oceanic processes and uses and *vice versa*, the geographic extent  
19 of which includes areas within a landward limit of one (1) kilometer from the  
20 shoreline at high tide to include mangrove swamps, brackish water ponds, nipa  
21 swamps, estuarine rivers, sandy beaches and other areas within a seaward limit

1 of two hundred (200) meters isobaths to include coral reefs, algal flats, seagrass  
2 beds, and other soft-bottom areas;

3 (h) *Comprehensive Land Use Plan (CLUP)* refers to a plan embodying  
4 a set of policies accompanied by maps and similar illustrations that serves as a  
5 policy guide for determining the future use of lands and natural resources within  
6 the territorial jurisdiction of the LGU, including municipal waters with due  
7 consideration to the biogeographic region within which the locality belongs,  
8 representing the community desired pattern of population distribution and  
9 proposes future allocation of land and resources to various activities including  
10 the processes and criteria employed in such determination of allocation of land  
11 and resources for a long-term management of the local territory covering a  
12 minimum period of twelve (12) years, reviewable not earlier than every  
13 six (6) years;

14 (i) *Comprehensive land use planning* refers to the act of defining the  
15 allocation, utilization, development and management of all lands and water  
16 resources within a given territory or jurisdiction according to the inherent  
17 characteristic and carrying capacities of the land itself and supportive of  
18 sustainable economic, demographic, socio-cultural and environmental  
19 objectives as an aid to decision-making and legislation;

20 (j) *Critical habitats* refer to areas outside protected areas as defined in  
21 RA 7586, otherwise known as the "*National Integrated Protected Areas System*  
22 *Act of 1992*", that are known habitats of threatened species and designated as

1 such based on scientific data taking into consideration species endemicity or  
2 richness, presence of human-made pressures or threats to the survival of wildlife  
3 living in the area;

4 (k) *Critical watershed* refers to a drainage area of a river system  
5 supporting existing and proposed hydroelectric power, irrigation works or  
6 existing water facilities needing immediate protection and rehabilitation to  
7 minimize erosion and improve water yield;

8 (l) *Cultural heritage* refers to the totality of cultural properties,  
9 whether natural or human made, preserved and developed through time and  
10 passed on for posterity;

11 (m) *Cultural property* refers to all products of human creativity by  
12 which a people and a nation reveal their identity, including churches, mosques  
13 and other places of religious worship, schools and natural history specimens and  
14 sites, whether public or privately-owned, movable or immovable, and tangible  
15 or intangible;

16 (n) *Customary laws* refer to a body of written or unwritten rules,  
17 usages, customs and practices traditionally and continually recognized,  
18 accepted, and observed by respective ICCs/IPs, consistent with RA 8371;

19 (o) *Development plan* refers to the activities and measures that the  
20 national government or LGUs intend to implement over a specified period of  
21 time to achieve the defined set of development goals identified in the national or  
22 local physical framework plans integrating socio-economic, financial, fiscal,



1 legal and legislative institutional and sectoral plans of the national government  
2 or any of its instrumentalities or a particular LGU, consistent with the objectives  
3 identified in spatial plans, such as land use plans or physical framework plans  
4 including an analysis of problems and resources, definition of goals and  
5 objectives, policy guidelines, programs and projects, and an implementation  
6 mechanism which defines the roles and contributions expected from the  
7 government and the private sector;

8 (p) *Ecologically fragile areas* refer to areas within critical watersheds,  
9 brackish and freshwater wetlands, pasture lands, inland rivers and waterways  
10 coastal and settlement areas, and croplands which require rehabilitation,  
11 protection and whose continued unsustainable use may result in physical risks  
12 and threats to life and property, public health and safety as well as adversely  
13 affect the productivity of lowland agricultural areas and stability of the upland  
14 system;

15 (q) *Ecotourism* refers to a form of sustainable tourism within a natural  
16 or cultural heritage area where community participation, protection and  
17 management of natural resources, culture and indigenous knowledge and  
18 practices, environmental education and ethics, as well as economic benefits are  
19 fostered and pursued for the enrichment of host community and satisfaction of  
20 visitors;

21 (r) *Energy resources* refer to surface or subsurface substances that  
22 serve as energy resources including traditionally mineral fuel deposits such as

1 coal petroleum, natural gas or renewable resources from geothermal, hydro  
2 reservoirs or non-conventional sources such as ocean waves, solar, wind,  
3 biomass, and other similar resources which serve the same purpose;

4 (s) *Energy resource lands* refer to lands where naturally occurring or  
5 indigenous energy resources exist in sufficient quantity or quality as to be  
6 economically viable for exploration, development production, utilization and  
7 distribution purposes;

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

13 (u) *Flood plain* refers to relatively smooth valley floors adjacent to and  
14 formed by rivers which overflow its banks at flood stages. The plain usually  
15 consist of unconsolidated fine sediments such as sand, silt, and clay;

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

21 (w) *Foreshore land* refers to a string of land margining a body of  
22 water, the part of a seashore between the low-water line usually at the seaward

1 margin of a low tide terrace and the upper limit of wave wash at high tide  
2 marked by a beach scarp or berm;

3 (x) *Forest* refers to an ecosystem or an assemblage of ecosystems  
4 dominated by trees and other woody vegetation or a community of plants and  
5 animals interacting with one another and its physical environment;

6 (y) *Forest lands* refer to one of the four classifications of land defined  
7 in the Constitution under the public domain determined as suitable for forest  
8 purposes and not classified as mineral land, national park or agricultural land  
9 such as all permanent forest reserves, forest reservations, and all the remaining  
10 unclassified lands of the public domain;

11 (z) *Geo-hazards* refer to a geological process or phenomenon that may  
12 cause loss of life, injury or other health impacts, property damage, loss of  
13 livelihoods and services, social and economic disruption or environmental  
14 damage. This includes internal earth processes such as earthquakes and  
15 volcanic activities, and geophysical processes like mass movements landslides,  
16 surface collapses, debris and mud flow;

17 (aa) *Geo-hazard prone areas* refer to areas frequently affected and/or  
18 are vulnerable or at risk to weather/climatic, hydrologic, geologic and other  
19 natural calamities;

20 (bb) *Heritage zone* refer to historical, anthropological, archaeological,  
21 artistic geographical areas and settings that are culturally significant to the

1 country, as declared by the National Commission for Culture and the Arts  
2 (NCCA) and/or the National Historical Commission of the Philippines (NHCP);

3 (cc) *Illegal conversion* refers to an attempt to or an actual change in the  
4 use of land from agricultural to a residential, commercial, or industrial and other  
5 non-agricultural activity, without a conversion grant or clearance based on the  
6 requirements under Section 65 of RA 6657, as amended, and to dispossess a  
7 tenant as provided under Section 73 (c) of RA 6657, as amended, when  
8 established from the following instances:

9 (1) an agricultural land is developed for use in non-agricultural activities  
10 without a DAR Conversion Order;

11 (2) the agricultural land being converted is irrigated or irrigable;

12 (3) there is land activity such as, but not limited to, earth  
13 filling/dumping, earth moving/digging, and quarrying, and in each  
14 case, bona fide conduct of agricultural activities on a greater portion  
15 of the land developed has ceased; and

16 (4) Other analogous activities.

17 (dd) *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPPs)*  
18 refer to groups of people or homogenous societies identified by self-ascription  
19 and ascription by others, who have continuously lived as organized community  
20 on communally bounded and defined territory, and who have, under claims of  
21 ownership since time immemorial, occupied, possessed, and utilized such  
22 territories, sharing common bonds of language, customs, traditions, and other

1 distinctive cultural traits, or who have, through resistance to political, social,  
2 and cultural inroads of colonization, non-indigenous religions and cultures,  
3 became historically differentiated from the majority of Filipinos including  
4 peoples who are regarded as indigenous on account of their descent from the  
5 populations which inhabited the country at the time of conquest or colonization,  
6 or at the time of inroads of non-indigenous religions and cultures, or the  
7 establishment of present state boundaries, who retain some or all of their own  
8 social, economic, cultural, and political institutions, but who may have been  
9 displaced from their traditional domains, or who may have resettled outside  
10 their ancestral domains;

11 (ee) *Key Biodiversity Areas (KBAs)* refer to the present most important  
12 sites for biodiversity conservation worldwide which are considered places of  
13 international importance for the conservation of biodiversity through protected  
14 areas and other governance mechanisms and which are identified nationally  
15 using simple standard criteria based on their importance in maintaining species  
16 populations;

17 (ff) *Land* refers to resources, both artificial and natural, found on the  
18 surface, below, and above the ground, including inland waters and the air  
19 therein;

20 (gg) *Land use* refers to the manner of allocation, utilization,  
21 management and development of land;

1           (hh) *Land use classification* refers to the act of delineating or  
2 allocating lands according to protection land use, production land use,  
3 settlements development and infrastructure development as provided for in this  
4 Act;

5           (ii) *Land use planning* refers to the rational and judicious approach of  
6 allocating available land resources to different land-using activities, such as but  
7 not limited to agricultural, residential, industrial, commercial, institutional,  
8 forest land uses, and for different functions consistent with the overall  
9 development vision/goal of a particular locality;

10          (jj) *Mandatory public hearings or consultations* refer to the  
11 mechanism of involving the concerned stakeholders and communities in land  
12 use planning, from the barangay to the national level, to ensure the social  
13 acceptability of the plans including giving notice of hearing or consultation to  
14 the concerned stakeholders through publication or posting in conspicuous  
15 places, conducting a reasonable number of hearings, and soliciting positions to  
16 arrive at a consensus through public presentations and validation of the planning  
17 results undertaken before the final adoption of the plans;

18          (kk) *Marine protected area* refers to a defined area of the sea  
19 established and set aside by law, administrative regulation or any other effective  
20 means to conserve and protect a part of the entire enclosed environment,  
21 through the establishment of management guidelines;

1 (ll) *Minerals* refer to naturally occurring inorganic substance beneath  
2 or at the surface of the earth, whether or not under water, and includes all  
3 metallic minerals, and non-metallic minerals such as precious stones, industrial  
4 rocks, and building stones;

5 (mm) *Mineral lands* refer to any area where mineral resources are found,  
6 including areas that are established as mineral reservations, areas with active  
7 mining operations; areas with projected mining tenurial rights; and areas  
8 declared by court decisions as mineral lands;

9 (nn) *Mineral reservations* refer to areas established and proclaimed as  
10 such by the President of the Philippines upon the recommendation of the  
11 Director of the Mines and Geosciences Bureau through the DENR Secretary  
12 including all submerged lands within the contiguous zone and exclusive  
13 Economic Zone.

14 (oo) *National Integrated Protected Areas System (NIPAS)* refers to the  
15 classification and administration of all designated protected areas to maintain  
16 essential ecological processes and life-support systems, to preserve genetic  
17 diversity, to ensure sustainable use of resources found therein, and to maintain  
18 their natural conditions to the greatest extent possible;

19 (pp) *National park* refers to forest reservation, essentially of natural  
20 wilderness character, which has been withdrawn from settlement, occupancy or  
21 any form of exploitation, except in conformity with the approved management  
22 plan and set aside as such exclusively to conserve the area or preserve the

1 scenery, natural and historic objects, wild animals and plants therein, and to  
2 provide enjoyment of these features in such areas including lands and waters of  
3 the public domain classified as such in the Constitution such as all areas under  
4 the NIPAS primarily designated for the conservation of native plants and  
5 animals and associated habitats and cultural diversity;

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

21 (rr) *Physical framework plans* refer to the national, regional or  
22 provincial indicative plans that outline the over-all and macro-level spatial and



1 physical development objectives, priorities, directions and strategies in its  
2 respective levels as prepared, reviewed, integrated and finalized by the national,  
3 regional and provincial land use councils or boards respectively based on the  
4 CLUPs of the LGUs and the national policy guidelines relating to land use,  
5 infrastructure development and environmental management to prevent or  
6 mitigate the adverse effects of inappropriate resource utilization on food  
7 security, the welfare of the people and their environment;

8 (ss) *Physical Planning* is the process of organizing physical activities  
9 and land uses, including settlements, environmental protection, economic  
10 activities, and infrastructure to ensure sustainable, orderly, and optimal siting  
11 and coordination of land uses;

12 (tt) *Prime agricultural lands* refer to all contiguous irrigated  
13 lands/areas and irrigable lands already covered by irrigation projects, including  
14 all alluvial plain lands highly suitable for agriculture, not irrigated that have  
15 been identified to satisfy the need for food self-sufficiency and food security  
16 and agro-industrial croplands or lands presently planted to industrial and high  
17 value crops that support the viability of existing agricultural infrastructure and  
18 agro-based enterprises, highlands or areas located at an elevation of five  
19 hundred (500) meters or above, highly suitable for growing semi-temperate and  
20 high value crops outside of declared permanent forestlands and protections  
21 forests, and are not located in ecologically fragile and environmentally  
22 critical areas;

1 (uu) *Production land use* refers to the most efficient, sustainable, and  
2 equitable utilization, development and management of land for productive  
3 purposes which are not classified for protection land use;

4 (vv) *Protected areas* refer to portions of land and water set aside by  
5 reason of their unique physical and biological diversity and protected against  
6 human exploitation including all natural forests and agricultural lands identified  
7 and delineated under this Act;

8 (ww) *Reclassification of agricultural lands* refer to the act of specifying  
9 how agricultural lands are classified or used for non-agricultural uses such as  
10 residential, industrial or commercial purposes, as embodied in the land use plan  
11 subject to the requirements and procedure for reclassification undertaken by the  
12 LGU in accordance with Section 20 of RA 7160, as amended;

13 (xx) *Resettlement areas* refer to areas identified by the appropriate  
14 national agency or by the LGU with respect to areas within its jurisdiction  
15 which are used for the relocation of the underprivileged and homeless, as  
16 defined under RA 7279, otherwise known as the “*Urban Development and*  
17 *Housing Act of 1992;*”

18 (yy) *Strategic Agriculture and Fisheries Development Zones (SAFDZ)*  
19 refers to the areas within the NPAAAD identified for production, agro-  
20 processing, and marketing activities to help develop and modernize, with the  
21 support of government, the agriculture and fisheries sectors in an

1 environmentally and socio-culturally sound manner pursuant to Section 4 of RA  
2 8435 or “*Agriculture and Fisheries Modernization Act of 1997*”;

3 (zz) *Settlements* refer to communities or built-up environment areas  
4 where people prefer to live in;

5 (aaa) *Settlements development* refers to any improvement on existing  
6 settlements or any proposed development of certain areas for settlement  
7 purposes involving the spatial distribution of population, identification of the  
8 roles and functions of key urban centers, determination of relationships among  
9 settlement areas, and the provision of basic services and facilities of identified  
10 major settlement areas of growth centers;

11 (bbb) *Shoreline* refers to a strip of land covering of at least one (1)  
12 kilometer from the point where seawater reaches during the highest high tide;

13 (ccc) *State universities and colleges (SUCs)* refer to public higher  
14 education institutions in the Philippines created and established by law which  
15 constitutes their charter and which have independent and separate governing  
16 boards;

17 (ddd) *SUC Land Use Plan* refers to a campus master plan mandated  
18 under RA 11396, otherwise known as the “*SUCs Land Use Development and*  
19 *Infrastructure Plan Act*” that contains the allocation and utilization of the land  
20 within a campus’ geographic boundary to meet the required academic and non-  
21 academic support services and facilities as well as the campus development  
22 programs and projects and the investment needed to implement them;

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

5           (fff) *Tourism development areas* refer to specific sites for tourism  
6 development located in areas identified as priorities in the national and regional  
7 tourism master plans and those designated through legislative and executive  
8 issuances as tourist spots and tourist zones which may be developed into  
9 tourism estates or integrated resort, leisure, recreation complexes, and other  
10 tourism related facilities;

11           (ggg) *Tourism ecozone* refers to tourism development areas, outside of  
12 protection lands which have been granted special economic zone status through  
13 the Philippine Export Zone Authority registration and issuance of the required  
14 Presidential Proclamation, with its metes and bounds, delineated by said  
15 proclamation, pursuant to RA 7916, as amended, otherwise known as "*The*  
16 *Special Economic Zone Act of 1995*";

17           (hhh) *Tourism estates* refer to large tracts of land with well-defined  
18 boundaries in any area, excluding those protection lands, identified in the  
19 Philippine tourism master plan and regional tourism by proclamation of the  
20 President of the Philippines or by acts of Congress or by local legislation and  
21 declared suited for the development of an integrated tourism and resort complex  
22 with prescribed carrying capacities and limits for its facilities and activities;

1 (iii) *Tourist spot* refers to a particular area, site or spot, man-made or  
2 natural, known for its unique tourist or visitor-drawing attributes and activities  
3 and which may be classified according to its social, cultural, natural, historical,  
4 aesthetic, visual, scientific, religious, or recreational significance;

5 (jjj) *Tourist zone* refers to a geographic area with well-defined  
6 boundaries proclaimed as such by the President of the Philippines or by acts of  
7 Congress where development projects for any purpose are initiated and  
8 introduced prior to formulation of a tourism master development plan which are  
9 undertaken in coordination with the Department of Tourism (DOT) and the  
10 Tourism Infrastructure Enterprise Zone (TIEZA) for the enhancement or the  
11 conservation of cultural and historical heritage, and for the appreciation and  
12 enjoyment of the local population and its visitors;

13 (kkk) *Transmission line corridor* refers to the land beneath, the air spaces  
14 surrounding, and the area traversed by electric power transmission lines  
15 including its horizontal, vertical, and similar clearance requirements;

16 (lll) *Urban areas* refer to all cities regardless of their population density  
17 and to municipalities with a population density of at least five hundred (500)  
18 persons per square kilometer;

19 (mmm) *Urbanizable areas* refer to sites and lands which,  
20 considering present characteristics and prevailing conditions, display great  
21 potential of becoming urban areas within a period of five (5) years;

1           (nnn) *Urban forest or green space* refers to the establishment or setting  
2 up of areas for mini-forest, eco-parks or small nature parks, in both public and  
3 private lands, wetlands, man-made lagoons and lakes systems, riverbanks and  
4 shores, grasslands, roof and rock gardens, lining roads and highways with trees,  
5 shrubs, or ornamental plants, and ground landscaping of schools, hospitals, and  
6 other government agencies in order to improve the environment in urban areas;

7           (ooo) *Water security* refers to the sufficient access throughout the year to  
8 the minimum daily requirement of clean water to maintain a healthy life;

9           (ppp) *Water use* refers to the appropriation of water for domestic,  
10 municipal, irrigation, power generation, inland fisheries, poultry and livestock,  
11 industrial and commercial, environmental, and recreational use;

12           (qqq) *Watershed* refers to a topographically delineated area of land from  
13 which rainwater can drain as surface run-off *vis-a-vis* a specific stream or river  
14 system to a common outlet point which may be a dam, irrigation system or  
15 urban water supply take off point, or where the stream discharges into a river,  
16 lake, or the sea;

17           (rrr) *Zoning* refers to the regulatory tool for delineating the specific land  
18 uses in accordance with the approved CLUP within the territorial jurisdiction of  
19 a city or municipality and specifying the conditions for their regulation, subject  
20 to the limitations imposed by law and competent authority; and

21           (sss) *Zoning ordinance* refers to a local law passed by the *Sangguniang*  
22 *Bayan* or *Panlungsod* approving the development control or zoning plan in

1 accordance with an approved or adopted CLUP of the city or municipality,  
2 providing for the regulations and other conditions on the land uses, including  
3 the limitation on the infrastructure that may be placed within the territorial  
4 jurisdiction of the city or municipality, incorporating the protected areas,  
5 protected agricultural lands and ancestral lands as provided for in this Act.

## 6 CHAPTER II

### 7 PHYSICAL FRAMEWORK AND LAND USE PLAN

8 SEC. 5. *National Physical Framework Plan.* – The National Land Use  
9 Commission (NLUC) created under Section 18 herein shall draft the National  
10 Physical Framework Plan (NPFPP), which shall have a timeframe of thirty (30)  
11 years, with regular review and updating every ten (10) years. The NPFPP, which  
12 guides the planning and management of the country's land and other physical  
13 resources at the national and sub-national levels, shall indicate broad spatial  
14 directions and policy guidelines on settlements development, production land  
15 use, protection land use, social services and utilities, transmission line corridor,  
16 and transportation and communication.

17 The Regional Physical Framework Plans (RPFPPs), Provincial Physical  
18 Framework and Development Plans (PPFDPs), and CLUPs shall cover the  
19 physical development of their respective territories and shall be consistent with  
20 the NPFPP: *Provided*, That the integration and harmonization of the physical  
21 framework plans at all levels shall be iterative to ensure that the concerns of  
22 both top and bottom levels of government are considered. The physical and land

1 use plans prepared at all levels shall have internal consistency specifically on,  
2 but not limited to, the development, management and conservation of  
3 forestlands, watersheds, and all terrestrial, aquatic, and marine ecosystems  
4 found within a given territory and the linkages of the major land use categories  
5 to ensure their complementation in the utilization, development, management,  
6 protection and conservation of all natural – resources. The NLUC shall issue  
7 procedural guidelines which shall guide the formulation and integration or  
8 harmonization of land use plans at all levels: *Provided*, That the National  
9 Economic Development Authority (NEDA), DENR, Department of Human  
10 Settlements and Urban Development (DHSUD), Department of the Interior and  
11 Local Government (DILG) and other agencies will continue to issue specific  
12 guidelines on the planning process and content of the plans consistent with the  
13 NLUC guidelines and their respective agency mandates.

14       **SEC. 6. *Regional Physical Framework Plans.*** – In consultation with  
15 concerned sectors, the Regional Land Use Policy Council (RLUPC) shall define  
16 the desired spatial arrangement of land and – land-use activities in the entire  
17 region, based on the consolidated and harmonized PPFDPs of provinces and  
18 independent cities within the territorial jurisdiction of the region. The RFPF,  
19 which depicts an end-state scenario toward which efforts and activities are  
20 directed, shall consist of spatially-based and area-focused policies, consistent  
21 with those in the national framework for physical planning, to guide detailed  
22 physical, socio-economic, sectoral and investment planning. The RFPF shall



1 have a planning period of twelve (12) years to be updated every six (6) years or  
2 when deemed necessary.

3       **SEC. 7. *Provincial Physical Framework and Development Plans.*** – In  
4 consultation with concerned sectors, the Provincial Planning and Development  
5 Office (PPDO) shall prepare a Provincial Physical Framework and  
6 Development Plans (PPFDP), which shall define the province's development  
7 vision, economic and social development policies, environmental and ecological  
8 protection policies, general land uses, and inter-city/municipal transportation  
9 system. The PPFDP shall integrate and harmonize the land use plans of  
10 component cities and municipalities using the ridge-to-reef (R2R) or watershed  
11 ecosystem management (WEM) approach taking into consideration shared  
12 watersheds, ecosystems and natural resources and planning concerns, and define  
13 the uses of land and other resources within the province consistent with the  
14 policies in the regional physical framework plan. The programs, projects and  
15 activities prescribed in the PPFDP shall be integrated into the provincial  
16 development investment program. The PPDO shall submit the PPFDP to the  
17 Provincial Land Use Policy Council (PLUPC), created under Section 24 of this  
18 Act, for review and endorsement to the *Sangguniang Panlalawigan*, which shall  
19 adopt the same pursuant to Section 468 (2) (vii) of RA 7160. The PPFDP shall  
20 have a planning period of twelve (12) years to be updated every six (6) years or  
21 when deemed necessary.

1           SEC. 8. *City/Municipal Land Use Plans.* – The City/Municipal Planning  
2 and Development Office (C/MPDO) shall prepare the comprehensive land use  
3 plan (CLUP) to determine the specific uses of land and other physical resources  
4 therein including areas co-managed with the national government and, as  
5 appropriate, the ancestral domain areas. This shall be done in consultation with  
6 concerned sectors through mandatory conduct of public hearings and with the  
7 use of technology-based systems such as, but not limited to, the Community-  
8 Based Monitoring System (CBMS) required to be established in every city and  
9 municipality under RA 11315 or the “*Community-Based Monitoring System*  
10 *Act*”. The CLUP shall be consistent with the R2R/WEM-based PPFDP and  
11 shall define the city or municipal development vision, appropriate economic,  
12 environmental and social development policies, densities and transportation  
13 system using the R2R/WEM approach. The CLUP shall have a planning period  
14 of twelve (12) years to be updated every six (6) years or when deemed  
15 necessary. The C/MPDO shall also use, among others, the CBMS in the  
16 updating of the CLUPs.

17           The R2R/WEM-based CLUP will be used as the common reference  
18 framework for the preparation of all sectoral development plans that will form  
19 part of the Comprehensive Land Use and Development Plan which merges the  
20 traditionally separate CLUP and comprehensive development plan to address  
21 the disconnect between spatial development and sectoral programs and to  
22 ensure the complementation between the medium- and long-term concerns and

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

6       **SEC. 9. *Physical Framework and Land Use Planning Process.*** – The  
7 land use and physical planning process shall be formulated following a  
8 combined bottom-up and top-down approach. The NLUC, in consultation with  
9 the concerned sectors through the mandatory conduct of public hearings, shall  
10 formulate, periodically update and ensure the implementation of the NPPF that  
11 shall prescribe and influence the country's land use and physical development.  
12 The NPPF shall operationalize the policies provided in this Act and shall be the  
13 basis for adopting land use and physical planning-related guidelines and  
14 standards, including zoning and other land use control standards that shall guide  
15 the formulation of city/municipal zoning ordinances. The policies prescribed in  
16 the NPPF shall be integrated into the Medium-Term Philippine Development  
17 Plan and Medium-Term Philippine Investment Program.

18       In the formulation of the respective National, Regional Provincial or  
19 City/Municipal Land Use Plans, the respective SUC Land Use Plans approved  
20 by the CHED prior to the approval of this Act shall be taken into consideration  
21 in the approval of the plans. As such, the President of the SUCs shall be  
22 consulted prior to the approval of the said plans.

1           SEC. 10. *Land Use Plans for Ancestral Domains.* – Land use plans  
2 for ancestral domains shall be formulated by the ICCs/IPs themselves in  
3 accordance with their needs and traditional resource and management systems  
4 with the assistance of the NCIP, the LGUs and civil society organizations  
5 (CSOs) concerned. Such plans shall be recognized and adopted in the  
6 City/Municipal, Provincial, Regional and National Physical Framework Plans.

7           Physical Framework Plans made prior to the delineation of ancestral  
8 domains included in such plans shall, without prejudice to the rights of the  
9 ICCs/IPs concerned, adopt different land use categories in accordance with their  
10 particular needs and traditional resources and management systems.

11          In cases where there are no ancestral domains sustainable development  
12 and protection plans (ADSDPPs), the LGUs and ICCs/IPs shall jointly  
13 formulate the land use within the ancestral domains until such time that the  
14 ICCS/IPS shall have formulated their ADSDPPs.

15          SEC. 11. *Revision of Existing Planning Guidelines.* – The existing  
16 planning guidelines on the NPPF, RPPF and PPFDP shall be reviewed and  
17 revised pursuant to Sections 5, 6, 7, and 9 of this Act.

### 18   **CHAPTER III**

### 19   **FRAMEWORK FOR LAND USE PLANNING**

20          SEC. 12. *Basic Objective of Land Use or Physical Framework*  
21 *Planning.* – The primary objective of a physical framework plan is to describe  
22 existing land uses and to identify an integrated physical framework, including

1 an overall vision, policies on social and economic development and  
2 environmental protection and supporting transportation and other infrastructure  
3 facilities, that shall define future development. Its output includes the  
4 identification of programs, projects and activities needed to achieve the desired  
5 development, without compromising environmental and ecological stability,  
6 and which shall serve as inputs to the investment program. In the case of the  
7 CLUP, it is also intended to provide specific development and building  
8 guidelines and parameters that be implemented through a zoning ordinance.

9       SEC. 13. *Priorities in Land Use Allocation and Planning.* – Using the  
10 R2R/WEM approach in projecting spatial allocation for different land uses, the  
11 LGUs shall first exclude areas under protection land use in Section 17 (a)  
12 hereof, national parks, energy resource lands, and prime agricultural lands to  
13 ensure ecological integrity, energy supply, and promote food security. Areas  
14 with prior rights and those with site-specific resources for basic services, such  
15 as but not limited to, water and indigenous energy resources, shall also be  
16 excluded. All land use activities inside the excluded areas that are not consistent  
17 with the general purposes of the excluded areas shall be assessed, regulated,  
18 and/or modified to ensure that these activities do not compromise the general  
19 purposes of the excluded areas. Spatial allocation and planning shall then  
20 proceed in accordance with Sections 16 and 17 hereof with priorities given to  
21 integrated watershed management areas, socialized housing sites, fisherfolk  
22 settlement in coastal areas, and waste disposal sites.

1           SEC. 14. *Approach to Land Use and Physical Framework Planning.* –

2   The R2R/WEM approach shall be used in land use and physical framework  
3   planning to promote a holistic, integrated, equitable and inclusive development,  
4   and a flourishing environment, watersheds and ecosystems. It shall include a  
5   description of existing land uses and land use trends, as well as the physical,  
6   demographic, economic, social, political, environmental, and ecological  
7   conditions that have shaped and are likely to shape future land use and physical  
8   developments. It shall then derive a land use plan or physical framework by  
9   matching, reconciling or integrating the demand for land with the supply of land  
10   in a holistic manner to optimize socioeconomic development and minimize the  
11   total impacts of the land use plan on watersheds and ecosystems. The resulting  
12   land use plan or physical framework shall be the basis for identifying necessary  
13   policies, programs, projects and activities, and development controls to guide  
14   future development. The land use plan or physical framework shall be holistic  
15   in nature and not emanate from specific individual or corporation which, in  
16   essence, constitutes as spot zoning.

17           SEC. 15. *Adoption of Multiple Uses of Land Resources.* – The primary  
18   and alternative uses of a specific unit of land resource based on its capability to  
19   support certain uses sustainably shall be determined and evaluated prior to any  
20   decision for the assignment of its use. Areas feasible for sustainable land  
21   resource use may be considered multiple-use zones wherein settlements ,  
22   tourism, agriculture, forestry, agro-forestry and extraction activities and other

1 income-generating or livelihood activities may be allowed by concerned  
2 agencies: *Provided*, That multiple uses of land resources shall be excluded in  
3 areas identified as protection land use: *Provided, further*, That such land uses  
4 shall maximize the socioeconomic benefits without compromising the desired  
5 levels of ecosystem services within a ridge to reef unit: *Provided, finally*, That  
6 such land uses shall be in accordance with priorities in land use allocation and  
7 planning and that no reclassification shall be allowed.

8       **SEC. 16. *Basic Land Use Planning Considerations.*** – In determining the  
9 various land uses, the people and their productive activities and the need for  
10 functional open spaces and preservation areas as well as the various  
11 interrelationships of the physical characteristics of the land and other elements  
12 therein shall be considered, among others, including the following:

13       (a) Availability of natural resources including indigenous energy  
14 resources for energy security and self-sufficiency;

15       (b) Geology, geomorphology, current and emerging geologic climate-  
16 related hazards and risks, soil, vegetative cover, demography and slope;

17       (c) Economic, environmental, cultural, social and related development  
18 activities;

19       (d) Existing government policies on land and natural resources  
20 allocation, utilization, management and disposition;

21       (e) Technological changes or advancement;

1 (f) Existing customary rights for the protection of indigenous peoples  
2 and vulnerable groups including women, rural and urban poor;

3 (g) Desired levels of ecosystem services like water quality and  
4 quantity, soil stability, biodiversity, agricultural and fishery productivity, among  
5 others; and

6 (h) Inventory of prior and existing rights, to harmonize determination  
7 of land use.

8 SEC. 17. *Categories of Land Uses for Planning Purposes.* – In  
9 determining and defining the national, regional and provincial framework plans,  
10 and CLUPs, land uses shall be grouped into four major functional uses as  
11 follows:

12 (a) *Protection land use* which include the use of land primarily for  
13 food, water and energy security, rehabilitation, conservation, and protection  
14 purposes to promote the country's ecological and life-support systems. Planning  
15 for protection land use intends to achieve food self-sufficiency in rice and corn,  
16 water and energy security, environmental stability and ecological integrity,  
17 ensure a balance between resource use and the preservation of some areas with  
18 environmental, aesthetic, educational, cultural, heritage and historical  
19 significance, and protect people and human-made structures from the ill-effects  
20 of natural hazards. All lands, either public or private, under protection land use  
21 shall be permanently conserved, preserved, rehabilitated and protected from all  
22 other land uses, disposition, intrusion, utilization and development that is not



1 consistent with its existing uses. Areas under this category also include those  
2 covered by RA 7586, as amended by RA 11038 or the "*Extended National*  
3 *Integrated Protected Areas Act of 2018*", and other coastal and marine  
4 protected areas, those areas outside NIPAS but nonetheless require protection  
5 because of their outstanding physical and aesthetic features, anthropological  
6 significance, and biological diversity, and those areas prone to natural hazards,  
7 such as but not limited to the following:

8 (1) Natural forests and mossy areas with more than 50% in slope  
9 gradient;

10 (2) Mangrove and fish sanctuaries, pursuant to RA 8435, and  
11 RA 8550, or "*The Philippine Fisheries Code of 1998*";

12 (3) Buffer zones or strips/easements, pursuant to Presidential  
13 Decree (PD) 389, otherwise known as the "*Forestry Reform Code of the*  
14 *Philippines*", as amended by PD 705, or the "*Revised Forestry Reform*  
15 *Code of the Philippines*" and PD 1067, or the "*Water Code of the*  
16 *Philippines*";

17 (4) Salvage zones along foreshore areas, freshwater swamps and  
18 marshes, plazas, archaeological, and heritage or historic sites, pursuant to  
19 Presidential Proclamation No. (PP) 2146, series of 1981 entitled  
20 "Proclaiming Certain Areas and Types of Projects Environmentally  
21 Critical and within the Scope of Environmental Impact Statement System  
22 Established under Presidential Decree No. 1586";

1 (5) Watersheds supporting bulk or domestic water supply;

2 (6) Utility easement like power lines of electric power  
3 generators, transmission and distributors, oil and gas facilities, cell sites,  
4 and bulk/domestic water lines;

5 (7) Amenity areas or those with high aesthetic values, pursuant  
6 to PP 2146;

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 RA 9147, otherwise known  
11 as the "*Wildlife Resources Conservation and Protection Act*";

12 (10) Significant caves under RA 9072, otherwise known as the  
13 "*National Caves and Cave Resources Management and Protection Act*";

14 or

15 (11) Key biodiversity areas under Executive Order No. 578,  
16 series of 2006, entitled "*Establishing the National Policy on Biodiversity,  
17 Prescribing its Implementation Throughout the Country, Particularly in  
18 the Sulu Sulawesi Marine Ecosystem and the Verde Island Passage  
19 Marine Corridor*".

20 Existing property and private rights shall be recognized and respected on  
21 the condition that these rights are harmonized with the intent of the identified  
22 protected land use.

1           (b) *Production Land Use* wherein there is a direct and indirect  
2 utilization of land resources for crop, fishery, livestock and poultry production,  
3 forestry, agroforestry, mining, industry, energy development, indigenous energy  
4 exploration and development, and tourism. Planning for production land  
5 determines the most efficient, sustainable, and equitable manner of utilizing,  
6 developing and managing land for productive purposes. Areas included in this  
7 category are agricultural lands, fishing grounds, coastal and marine zones,  
8 production forest, which can be made available for timber and agroforestry  
9 production, rangelands for grazing, forest lands for special uses including for  
10 energy and reforestation projects, mineral lands or mining areas and  
11 reservations, energy resource lands, industrial development areas, and tourism  
12 development areas where productive activities may be undertaken to meet the  
13 country's requirements for food security, economic growth and development.

14           (c) *Settlements development* wherein any improvement on existing  
15 settlements in urban and rural areas or any proposed development of certain  
16 areas for settlement purposes involves the spatial distribution of population,  
17 identification of the roles and functions of key urban centers, determination of  
18 relationships among settlement areas, and the provision of basic services and  
19 facilities to such settlement. The settlements development plan ensures for the  
20 present and future generation the following: (1) effective integration of  
21 activities within and among settlements, allowing efficient movement of people  
22 and production of commodities through the provision of appropriate land,

1 infrastructure, and facilities; (2) access of the population to housing, education,  
2 health care, recreation, transportation and communication, sanitation, and basic  
3 utilities such as water, power, waste disposal, and other services; and (3)  
4 security against risks associated with climate change and other natural hazards.

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

#### 16 CHAPTER IV

#### 17 IMPLEMENTING STRUCTURE AND MECHANISM

18 SEC. 18. *Creation of the National Land Use Commission.* – The  
19 National Land Use Commission (NLUC) is hereby created as a Commission  
20 under the Office of the President. It shall exercise the powers and  
21 responsibilities of the current National Land Use Committee, which is hereby  
22 abolished. The NLUC shall be chaired by a Commissioner to be appointed by

1 the President. The Commissioner will have the rank of a Cabinet Secretary. The  
2 Commissioner shall be a qualified professional in any of the fields of land use,  
3 physical planning, environmental management, engineering, public governance  
4 or law.

5 The NLUC shall act as the highest policy making body on land use and  
6 resolve land use policy conflicts between or among agencies, branches, or levels  
7 of the government. It shall coordinate efforts towards the development of  
8 integrated land use plans at the national, regional, provincial, and municipal/city  
9 levels, and monitor the implementation of all land use plans including relevant  
10 policies.

11 SEC. 19. *Composition of the NLUC.* – The NLUC will be composed of  
12 the following:

13

14 (a) Commissioner of NLUC as Chairperson;

15 (b) Secretary of NEDA as Vice-Chairperson;

16 As *Ex-Officio* Members:

17 (c) Secretary of DENR;

18 (d) Secretary of DHSUD;

19 (e) Secretary of DA;

20 (f) Secretary of DAR;

21 (g) Secretary of Department of Public Works and Highways

22 (DPWH);

1 (h) Secretary of DILG;

2 (i) A Representative from the LGUs;

3 (j) Chairperson of National Commission on Indigenous Peoples  
4 (NCIP); and

5 (k) Commissioner of the Bureau of Internal Revenue.

6 The Department Secretaries may designate a representative with a rank  
7 not lower than Assistant Secretary: *Provided*, That the designated representative  
8 shall be on a permanent basis. The representative from the LGUs shall come  
9 from the Leagues of Provinces, Cities and Municipalities.

10 SEC. 20. *Powers and Functions.* – The NLUC shall have the following  
11 powers and functions:

12 (a) Advise the President of the Philippines on all matters concerning  
13 land use and physical planning;

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

17 (c) Formulate policies and endorse land use and physical planning-  
18 related policies that may be formulated by the RLUPC, created under Section  
19 23 of this Act, and concerned agencies as well as promulgate zoning and other  
20 land use control standards and guidelines which shall guide the formulation of  
21 land use plans and zoning ordinances by local governments;

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

4           (e) Review and endorse all land use and physical planning related  
5 guidelines;

6           (f) Monitor and coordinate the gathering of data, the conduct of  
7 studies pertaining to land use planning including studies on the management of  
8 identified land uses and such other studies not undertaken by other government  
9 agencies;

10          (g) Recommend to the President of the Philippines the adoption,  
11 passage, or amendment of laws to ensure that sectoral programs, plans, projects,  
12 and activities, including local government initiatives affecting land use are  
13 consistent with national development objectives;

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

17          (i) Monitor and coordinate the activities of concerned agencies and  
18 entities of the government, as well as LGUs, in the enforcement and  
19 implementation of land use plans, policies and regulations relating to land use  
20 and resource management and development;

21          (j) Monitor and coordinate activities in the establishment of a national  
22 land resource information and management system of concerned agencies that

1 shall integrate and process information on land use and allocation generated by  
2 the various national government agencies; define information requirements at  
3 various levels; and standardize information inputs and outputs including scales  
4 and symbols used in territorial and sectoral maps;

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

7 (l) Call on any department, bureau, office, agency, or instrumentality  
8 of the government, and or private entities and organization for cooperation,  
9 support, and assistance in the performance of its functions;

10 (m) Decide and resolve policy conflicts and territorial jurisdiction on  
11 land use between or among agencies, branches, or levels of the government and  
12 act on unresolved land use policy conflicts at the regional level elevated by the  
13 RLUPC;

14 (n) Adopt rules of procedures for the orderly and expeditious conduct  
15 of meetings and other business of the Council; and

16 (o) Perform such other acts and functions and exercise such other  
17 powers as may be necessarily implied, inherent, incident, or related to the  
18 foregoing.

19 SEC. 21. *National Land Use Office (NLUO)*. – The National Land Use  
20 Office (NLUO) is hereby created under the Office of the President, which will  
21 serve as technical secretariat to the NLUC. The NLUO shall be headed by the



1 NLUC Commissioner with two (2) Deputy Commissioners with the rank of  
2 Undersecretary.

3 The DHSUD – Environmental, Land Use and Urban Planning and  
4 Development Bureau (DHSUD-ELUPDB) shall be converted into a line bureau  
5 that shall serve as the NLUO.

6 Further, the DHSUD-ELUPDB shall have service units for the planning  
7 and policy formulation, operations, monitoring and information systems  
8 management, technical assistance, legal, and special land use concerns. The  
9 staffing pattern of the NLUO shall be approved by the Department of Budget  
10 and Management.

11 **SEC. 22. *Regional Land Use Office.*** – A Regional Land Use Office  
12 (RLUO) is hereby created in each Region.

## 13 **CHAPTER V**

### 14 **REGIONAL AND LOCAL LAND USE POLICY BODIES**

15 **SEC. 23. *Regional Land Use Policy Council (RLUPC).*** – At the regional  
16 level, the RLUPC shall be institutionalized, replicating the NLUC structure and  
17 composition with DHSUD representative as Chairperson, NEDA representative  
18 as Vice-Chairperson and with a duly authorized representative from the DENR,  
19 DA, DAR, DPWH, DILG, NCCA, and LGU as members. The RLUPC shall  
20 have the following functions:

21 (a) Formulate and adopt regional policies on land use and physical  
22 planning;

1 (b) Prepare and periodically update an RPPF taking into consideration  
2 national polices and lower-level plans;

3 (c) Assist the provinces in preparing and periodically updating its  
4 physical framework plans to ensure consistency with the regional and national  
5 plans and policies and to facilitate its integration with the regional plans;

6 (d) Review, prior to adoption by respective *Sanggunians*, the PPFDP,  
7 and CLUPs of highly urbanized and independent component cities, to ensure  
8 consistency with the RPPF and national policies set forth by the NLUC and  
9 compliance with limits prescribed under RA 7160, as amended, for  
10 reclassifying agricultural lands;

11 (e) Decide and resolve policy conflicts on land use planning,  
12 classification, and allocation that may arise between or among regional line  
13 agencies, provinces and cities or municipalities;

14 (f) Monitor changes in land use and other physical resources in the  
15 region;

16 (g) Evaluate consistency of major programs and projects with the  
17 regional physical framework plans and their impact on land use and the  
18 environment;

19 (h) Undertake the gathering of regional data for the land resource  
20 information and management system; and

21 (i) Perform other related functions as may be directed by the NLUC.

1           SEC. 24. *Provincial Land Use Policy Council.* – The Provincial  
2 Development Council, created under Section 106 of RA 7160, shall act as the  
3 PLUPC that will tackle land use concerns whenever necessary. A duly  
4 authorized representative from the DENR, DHSUD, DAR, DA, DILG, and  
5 DPWH shall be included in the composition of the PLUPC. In addition to the  
6 functions enumerated in Section 109 of RA 7160, the PLUPC shall:

7           (a) Advise the *Sangguniang Panlalawigan* on all matters pertaining to  
8 land use and physical planning;

9           (b) Review and endorse to the *Sangguniang Panlalawigan* for  
10 adoption, the provincial physical framework plans, prepared and periodically  
11 updated by the PPDO and other land use and physical planning-related policies;

12           (c) Decide and resolve policy conflicts on land use planning,  
13 classification, and allocation that may arise between or among cities or  
14 municipalities and any unresolved land use conflicts at the city or municipal  
15 level. The PLUPC may call upon any local official concerned such as provincial  
16 planning and development coordinator, provincial agriculturist, provincial  
17 environment and natural resources officer, provincial engineer, provincial  
18 assessor, or any official of national agencies and other relevant agencies during  
19 discussions on land use and physical planning concerns; and

20           (d) Assist the *Sangguniang Panlalawigan* in reviewing the CLUPs of  
21 component cities or municipalities to ensure consistency with the provincial

1 physical framework plans and compliance with the limits prescribed under RA  
2 7160, as amended, for reclassifying agricultural lands.

3       **SEC. 25. *City/Municipal Land Use Policy Council*** – The City/Municipal  
4 Development Council (C/MDC), created under Section 106 of RA 7160, shall  
5 act as the C/MLUPC that will tackle land use concerns whenever necessary. A  
6 duly authorized representative from the DHSUD, DAR, DA, DENR, DPWH  
7 and DILG shall be included in the composition of the C/MLUPC. In addition to  
8 the functions enumerated in Section 109 of RA 7160, the C/MLUP shall:

9       (a) Advise the *Sangguniang Bayan* or *Sangguniang Panlungsod* on all  
10 matters pertaining to land use and physical planning;

11       (b) Review and endorse to the *Sangguniang Bayan* or *Sangguniang*  
12 *Panlungsod* for adoption, the CLUP prepared and periodically updated by the  
13 City/Municipal Planning and Development Office and other land use and  
14 physical planning-related policies;

15       (c) Decide and resolve policy conflicts on land use planning,  
16 classification, and allocation that may arise between and among barangays and  
17 any unresolved land use conflict at the barangay level regarding the violation of  
18 zoning ordinances including opposition to applications for locational clearances,  
19 permits or certificates; and

20       (d) Advise the local zoning board of appeals and adjustments on all  
21 issues and conflicts relating to zoning.

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

7 The C/MLUPC may call upon any local official concerned such as  
8 C/MPDC, city/municipal agriculturist, city/municipal environment and natural  
9 resources officer, city/municipal engineer, city/municipal assessor, or any  
10 official of national agencies during discussions on land use and physical  
11 planning concerns. LGUs without operational C/MPDC as mandated by RA  
12 7160, as amended, shall activate their respective councils within six (6) months  
13 from the effectivity of this Act.

## 14 CHAPTER VI

### 15 ADOPTION, APPROVAL AND REVIEW OF LOCAL LAND USE 16 AND PHYSICAL FRAMEWORK PLANS

17 SEC. 26. *Approval and Review of PPFDP and CLUPs.* – The PPFDP,  
18 CLUPs and zoning ordinances (Zos) of the respective LGUs, including  
19 provinces, highly urbanized cities and independent component cities, shall be  
20 submitted by the local land use committees to the local development councils  
21 for transmission to their respective local *Sanggunian* for approval.

22 SEC. 27. *Provinces and Independent and Highly Urbanized Cities.* –  
23 Provinces and independent and highly urbanized cities shall have the power and

1 authority to adopt and approve their respective CLUPs, zoning ordinances or  
2 provincial physical framework plan, as the case may be, through their  
3 respective *Sanggunian* but subject to the review of the RLUPC as provided in  
4 Section 23 (d).

## 5 CHAPTER VII

### 6 MAPPING AND DATA MANAGEMENT FOR LAND USE 7 PLANNING

8 SEC. 28. *National Base Mapping Program.* – A national mapping  
9 program shall be implemented, coordinated, and monitored through the creation  
10 of an Inter-agency Technical Committee (ITC) composed of the NAMRIA, as  
11 the lead agency, BSWM, the Forest Management Bureau (FMB), the Land  
12 Management Bureau (LMB), the Biodiversity Management Bureau (BMB), the  
13 Mines and Geosciences Bureau (MGB), the Philippine Institute of Volcanology  
14 and Seismology (PHIVOLCS), DAR, the National Water Resources Board  
15 (NWRB), Department of Energy (DOE), NEDA, Philippine Statistics Authority  
16 (PSA) , University of the Philippines Resilience Institute (UPRI), NCIP, and  
17 other concerned government agencies/bureaus. The ITC shall be constituted,  
18 and the mapping program shall be initiated, within thirty (30) days from the  
19 effectivity of this Act. The agencies mentioned in this Section shall finish their  
20 base mapping program within one (1) year upon the effectivity of this Act.

21 For purposes of uniformity and standardization, the LGUs, to be assisted  
22 by the appropriate agencies of the national government, shall likewise prepare  
23 their respective territorial maps using scales, symbols, and other indicators to be

1 prescribed in accordance with this Act. The completed maps shall be integrated  
2 in the NPPF pursuant to Section 5 of this Act.

3       **SEC. 29. *National Geospatial Information Program.*** – Within one (1)  
4 year upon the effectivity of this Act, the NAMRIA, in coordination with  
5 BSWM, FMB, LMB, BMB, MGB, PHIVOLCS, DAR, NWRB, NCIP, DOE,  
6 NEDA, PSA, UPRI, and other concerned government agencies or bureaus shall  
7 complete the updating of base maps including national disaster risk maps. These  
8 base maps and corresponding geospatial data shall be shared and disseminated  
9 to all agencies and LGUs to serve as reference in plan preparation and other  
10 planning activities.

11       **SEC. 30. *National Hazard Mapping Program.*** – Within thirty (30) days  
12 from the effectivity of this Act, a nationwide hazard mapping and probabilistic  
13 hazard risk assessment program shall be initiated jointly through the NLUC by  
14 the PHIVOLCS, the Philippine Atmospheric Geophysical and Astronomical  
15 Services Administration (PAGASA), NAMRIA, MGB, BSWM, DOE, and  
16 UPRI, in coordination with the National Disaster Risk Reduction and  
17 Management Council (NDRRMC), the Regional Disaster Risk Reduction and  
18 Management Council (RDRRMC), NCIP, NCCA, and other concerned  
19 government agencies. The program shall include the generation of indicative  
20 hazard zoning maps that will outline areas in the Philippines which are prone to  
21 liquefaction, landslides, severe flooding, lahar, ground rupturing, tsunami, river

1 erosion, coastal erosion, sinkhole collapse, earthquake, lava flow, pyroclastic  
2 flow, base surge, and other natural hazards.

3 For purposes of uniformity and standardization and in order to develop a  
4 safe-built environment, the LGUs shall subsequently incorporate and integrate  
5 the generated hazard zoning maps in their respective CLUPs. Said hazard maps  
6 shall serve as guide for all the LGUs in the preparation of their own hazards-  
7 constrained development plans. The NFPF, pursuant to Section 5 hereof, shall  
8 incorporate these hazard maps.

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

13 **SEC. 31. *Basic and Applied Research for Science and Technology***  
14 ***Development.*** – Within one (1) year from the effectivity of this Act, the  
15 Department of Science and Technology (DOST), in coordination with  
16 concerned agencies, academe, and research organizations, shall formulate a  
17 research agenda that will support physical framework and land use planning.

18 **SEC. 32. *Scope and Nature of Responsibilities of Other National***  
19 ***Government Agencies.*** – All concerned national government agencies shall  
20 periodically report to the NLUC on the various activities and accomplishments  
21 on land use, including their respective sectoral or development plans. The  
22 NLUC may call upon the agencies for technical and administrative support.



1            **SEC. 33. *Monitoring of CLUP Implementation.*** – The DHSUD shall  
2 design and install an information system for monitoring the actual use of land  
3 resources, the reclassification of agricultural lands authorized by cities and  
4 municipalities, and the implementation of CLUPs of LGUs with a view to  
5 ensuring the compliance with national policies, standards and guidelines:  
6 *Provided, That the system shall be developed in coordination with DA, DAR,*  
7 *DILG, DENR, DPWH, NEDA, league of provinces, league of cities, league of*  
8 *municipalities, other concerned national government agencies, academe, and*  
9 *research organizations .*

10            **SEC. 34. *Submission of Annual Report on the Implementation of***  
11 ***CLUPs.*** – The C/MLUPC shall submit an annual report on the implementation  
12 of their land use plans to the PLUPC, which shall integrate the same for  
13 submission to the RLUPC, which shall in turn integrate the provincial reports  
14 for submission to the NLUC.

15    **CHAPTER VIII**

16    **SPECIAL AREAS OF CONCERN**

17    **Article 1**

18    **Forest Lands and Reservation of Watershed**

19            **SEC. 35. *Reversion of Alienable and Disposable Lands to Forestlands.***  
20 – Upon the recommendation of the Secretary of the DENR, duly reviewed and  
21 endorsed by the NLUC, and after due consultations with the concerned LGUs  
22 and affected parties, Congress may authorize the reversion of alienable and

1 disposable lands of the public domain or portion thereof to forestlands, unless  
2 they are covered by existing titles, or actually occupied openly, continuously,  
3 adversely, and publicly for a period required by law: *Provided*, That, when  
4 public interest so requires, steps shall be taken to expropriate such lands, cancel  
5 defective titles, or eject occupants thereof. Thereafter, said lands shall be  
6 included in the preparation of land use plans within forestlands.

7       SEC. 36. *Critical Watershed Areas.* – The DENR, in coordination with  
8 the DA, LGUs and other government agencies, including government-owned  
9 and controlled corporation, and after mandatory public hearings or  
10 consultations, shall identify and delineate critical watershed areas that need to  
11 be protected, rehabilitated, enhanced or withdrawn from uses that contribute to  
12 their further degradation.

13       SEC. 37. *Formulation and Implementation of Integrated Watershed*  
14 *Management Plans.* – A Watershed Management Council (WMC), which is a  
15 multi-agency, inter-LGU, and multi-sectoral consortium, chaired by the DENR  
16 and co-chaired by the duly designated representative of the LGUs, shall be  
17 created at the provincial level to ensure effective and sustainable resource  
18 management of a particular watershed and provide the development needs of  
19 local communities. in cases where a watershed transcends more than one  
20 province, a WMC at the regional level shall be created.

1 The WMC shall prepare the Integrated Watershed Management Plans  
2 (IWMP) consistent with the existing DENR laws, guidelines, and rules and  
3 regulations. The said IWMPS shall be integrated into the CLUPs of the LGUs.

4 The DENR and the concerned LGUs shall jointly implement the  
5 Watershed Management Plan subject to regular consultations with and  
6 involvement of the community and other stakeholders.

7 **SEC. 38. *Establishment and Management of National Parks.*** – All  
8 areas proclaimed by the President of the Philippines and Congress of the  
9 Philippines to be under the NIPAS, unless disestablished, including those  
10 identified as initial components of the NIPAS as KBAs, shall comprise the  
11 national parks classification of the public domain. The DENR and concerned  
12 LGUs shall ensure that such areas are integrated in the CLUP and physical  
13 framework plans. The preparation of management plans of protected areas and  
14 national parks shall be in accordance with the provisions of RA 7586, as  
15 amended, and other laws establishing or declaring specific areas as protected  
16 areas.

17 **Article 2**

18 **Coastal Zones**

19 **SEC. 39. *Criteria on the Allocation and Utilization of Lands within the***  
20 ***Coastal Zones.*** – The allocation and utilization of lands within the coastal zones  
21 shall be guided by the following:

1 (a) Areas vegetated with mangrove species shall be preserved for  
2 mangrove - protection and shall not be converted to other uses;

3 (b) Areas which meet all accepted criteria on elevation, soil type, soil  
4 depth, topography, supply for successful fishpond development, and are not  
5 identified as mangrove protection areas, shall be utilized for aquaculture  
6 purposes;

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

11 (d) Areas accessible to the sea and identified for fisherfolk settlement  
12 and housing shall be allocated to traditional fisherfolk who are inhabitants of the  
13 coastal communities and members of legitimate fisherfolk organizations and/or  
14 holders of stewardship lease contracts or titles to ancestral domains or any form  
15 of property right arrangements who participate in coastal resource management  
16 initiatives, subject to the usual census procedures of the DHSUD.

17 (e) Areas which does not fall under (a) to (d) above may be devoted to  
18 recreational or tourism purposes: *Provided*, That such undertaking will not  
19 result in environmental degradation and displacement of small fishers;

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

1 (g) Areas which have been allocated for small infrastructure needed by  
2 fisherfolk shall be allowed;

3 (h) Areas which form part of foreshore lands as defined in this Act  
4 including those which are under lease agreements or arrangements shall  
5 undergo zoning and evaluation to determine their boundaries and actual sizes  
6 and corresponding uses: *Provided*, That vested rights under the lease  
7 agreements or arrangements shall be respected. Evaluation of the said lands  
8 shall also consider the natural, geologic and geomorphic conditions of the coast;  
9 and

10 (i) The free and prior informed consent of the concerned ICCs/IPs and  
11 the necessary certification from the NCIP shall be secured before any allocation  
12 and utilization of lands within the coastal zones that are found to be within  
13 ancestral domains.

14 SEC. 40. *Coastal Land Zone Sub-classification.* – All public lands in  
15 the coastal zones are sub-classified into any of the following: fishponds,  
16 mangroves for protection from tidal surge and for preservation of biodiversity,  
17 habitats and sanctuaries for endangered wildlife, fisherfolk settlement, or  
18 recreational or tourism areas. No sub-classification of coastal zones to different  
19 uses may be done without the following:

20 (a) Conduct of a comprehensive inventory and resource and  
21 environmental assessment by the DENR with the respective LGUs and  
22 accredited non-government organizations (NGOs) or peoples organizations

1 (POs) within their territorial jurisdiction. The result of the assessment along  
2 with a list of all existing applications and expired foreshore lease agreements  
3 must be posted in three (3) conspicuous places in the affected localities; and

4 (b) Prior consultation with the local Fisheries and Aquatic Resource  
5 Management Councils pursuant to RA 8550 as amended.

6 SEC. 41. *Zoning of Foreshore Areas.* – LGUs, in coordination with the  
7 DENR, shall conduct zoning of their respective foreshore areas to assist  
8 government and community fishers identify priority areas for conservation and  
9 development, and to enable them to set targets for mangrove reforestation and  
10 rehabilitation.

11 SEC. 42. *Protection of Waterways, Easements and Flood Plains.* –  
12 Structures of any kind may not be built in waterways and easements. Pursuant  
13 to PD 1067, the banks of rivers and streams and the shores of the seas and lakes  
14 throughout their entire length and within a zone of three (3) meters in urban  
15 areas, twenty (20) meters in agricultural areas and forty (40) meters in forest  
16 areas along their margins are subject to easement of public use only in the  
17 interest of recreation, navigation, floatage, fishing and salvage.

18 The protection of flood plains shall use the watershed management plan  
19 as the reference framework in formulating flood mitigation plan. Development  
20 within flood plains and other flood-prone areas must be controlled or, if  
21 allowed, must be so sited, constructed and serviced that the lives of occupants  
22 are not put at risk and that disruptions during floods are minimized. The

1 identification and characterization of flood-prone areas and flood plains must be  
2 an integral part of Watershed Management Plan that shall guide the preparation  
3 of CLUPs, local climate change action plans local disaster risk reduction and  
4 management plans and other prescribed thematic plans. The LGUs shall  
5 establish land use regulations to mitigate flood risks through the CLUPs and  
6 zoning ordinances.

7 To promote the best interest and coordinated protection of flood plains,  
8 the DPWH, in coordination with the DOST and DENR shall declare flood  
9 control areas as necessary and shall prohibit or control activities that may  
10 damage or cause deterioration of lakes and dikes, obstruct the flow of water,  
11 change the natural flow of rivers, increase flood losses or aggravate flood  
12 problems, pursuant to PD 1067.

### 13 Article 3

#### 14 Settlements Development

15 SEC. 43. *Municipalities, Cities, and Settlements Development.* – The  
16 development of municipalities, cities and settlements through CLUP and  
17 implemented by the zoning ordinances of cities and municipalities are guided  
18 by the urban zoning standards designed to maximize existing urban spaces,  
19 taking into account the studies of pertinent government agencies on climate  
20 change. The new and existing government buildings within the cities and  
21 municipalities shall comply with the government energy management program

1 and the Inter-Agency Energy Efficiency and Conservation Committee  
2 resolutions.

3 SEC. 44. *Settlements within Hazard Areas.* – Settlements, in particular,  
4 housing or residential developments, within hazard areas may be allowed:  
5 *Provided,* That mitigating or protective measures are adopted to address the  
6 potential danger or risk to lives and property within such settlements. In  
7 coordination with the concerned agencies of the government such as the  
8 PHIVOLCS, PAGASA, and MGB, the NLUC shall provide assistance to  
9 concerned LGUs and settlers in instituting safety and corrective measures to  
10 address the potential danger or risk. Residential zones as designated in the  
11 CLUP shall not be considered as outside the hazard areas. However, for this  
12 purpose, housing projects within such areas with less than or equal to one (1)  
13 hectare of project area shall be exempt from the ECC as well as the EGGAR  
14 and may be implemented without the need for any further certificate of  
15 exemption from the DENR or any other government regulatory agency.

16 SEC. 45. *Designation of Waste and Environment Management Site.* –  
17 Each city or municipality shall identify, designate and allocate a suitable area as  
18 indicated in the watershed management plan within their territorial jurisdiction  
19 to serve as sanitary landfill or solid waste disposal site as established in its solid  
20 waste management plan pursuant to RA 9003 or the “*Ecological Solid Waste*  
21 *Management Act of 2000*” within one (1) year from the effectivity of this Act.



1           SEC. 46. *Network of Settlements.* – The framework and policies for the  
2 development of network of settlements shall be provided by the National  
3 Physical Framework Plan formulated by the NLUC. Individual settlements shall  
4 be planned as part of a national network of settlements. The network shall be  
5 based on existing and potential settlements; production activities, particularly  
6 those that involve highly competitive industries and services and generate local  
7 employment; environmental constraints and sustainability considerations.  
8 Individual cities and municipalities shall be integrated through transportation  
9 and other infrastructure support facilities.

10           SEC. 47. *Criteria for Settlement Sites.* – The following shall be the  
11 criteria for identifying settlement areas:

12           (a) Within A&D lands but not in environmentally-critical, hazard-  
13 prone or other protection areas as assessed, identified and indicated in the  
14 Watershed Management Plans;

15           (b) Along established urban growth directions;

16           (c) Are already or can be provided with basic services and utilities;

17           (d) Ideally within the 0-8% slope range, but with mitigating measures  
18 from slope 9-17%;

19           (e) Reasonably accessible from existing built up areas and other  
20 employment centers through existing or proposed roads and other transportation  
21 facilities; and

1 (f) Identified ICCs/IPs settlement areas shall be located within  
2 ancestral domains.

3 Hazard-prone areas shall be defined, delineated and mapped by the  
4 DENR and other the mandated government agencies, together with LGUs  
5 during the preparation of management plans of the watersheds that are partially  
6 or wholly inside the jurisdiction of municipality or city. As such, new  
7 settlements within high-risk areas shall not be allowed. In cases where there are  
8 existing settlements within geo-hazard areas or high-risk areas, mitigating or  
9 protective measures shall be adopted to address the potential danger or risk to  
10 lives and property within such settlements. In coordination with the concerned  
11 agencies of the government, the NLUC, through the RLUPC and PLUPC, shall  
12 provide assistance to concerned LGUs and settlers in instituting safety and  
13 corrective measures to address the potential danger or risk. New developments  
14 within geo-hazard areas shall be required to submit an ECC and EGGAR  
15 consistent with the Revised Procedural Manual for DENR Administrative Order  
16 (DAO) No. 2003-30 otherwise known as the *“Implementing Rules and  
17 Regulations (IRR) for the Philippine Environmental Impact Statement (EIS)  
18 System”* and DAO No. 2000-28 otherwise known as the *“Implementing  
19 Guidelines on Engineering Geological and Geohazard Assessment as  
20 Additional Requirement for ECC Applications covering Subdivision, Housing  
21 and other Land Development and Infrastructure Projects”*.

1           SEC. 48. *Sustainable Communities.* – Each city or municipality or  
2 cluster of cities or municipalities, as appropriate, shall seek to follow the basic  
3 features of sustainable communities, as guided by the National Urban  
4 Development and Housing Framework: transit-oriented, pedestrian-biased, and  
5 multiple use, with systems and practices that promote water use efficiency,  
6 energy efficiency, waste segregation, recycling, and adequate community  
7 facilities. Cities and municipalities or clusters thereof shall identify, designate  
8 and allocate areas within their territorial jurisdiction to serve as waste disposal  
9 site following the provisions of RA 9003.

10           For energy efficiency, cities and municipalities or clusters thereof shall  
11 utilize energy consuming products which comply with the DOE’s efficiency  
12 rating and energy labeling system pursuant to the provision of RA 11285 or the  
13 “*Energy Efficiency and Conservation Act*”.

14           SEC. 49. *Designation and Zoning of Socialized Housing Zones.* – Each  
15 city or municipality in urban, urbanizable and rural areas shall designate  
16 through the CLUP adequate lands for housing or residential purposes, including  
17 socialized housing and resettlement areas for the immediate and future needs of  
18 the local population as well as the underprivileged and homeless in their  
19 territory, pursuant to existing laws and regulations. In order to ensure adequate  
20 availability of lands for the housing needs of the local population, the CLUP  
21 shall be updated, at maximum, every twelve (12) years for provinces, cities and  
22 municipalities.

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

5           Fisherfolk settlements and housing in coastal municipalities shall be  
6 zoned near the sea for easy access to their livelihood as provided under Section  
7 39 (d) of this Act.

8           The housing or residential lands designated in the CLUPs and zoning  
9 ordinances of cities and municipalities shall, on one hand, not be subject to  
10 further land reclassification by the LGU or land conversion procedure under  
11 DAR. On the other hand, agricultural lands as designated in the CLUP which  
12 are no longer economically feasible for agricultural use may be subject to land  
13 reclassification or land use conversion to housing or residential purposes and  
14 such land use conversion, as the case may be, shall be exempt from the  
15 coverage of any moratorium on land use conversion, provided such conversion  
16 shall not conflict with the prescriptions of watershed management plans and  
17 shall not result in serious environmental and ecological problems.

18           **SEC. 50. *Urban Forest or Green Space.*** – Each city or highly urbanizing  
19 municipality shall identify, designate, and allocate lands owned by the city or  
20 municipality as urban forest or green space based on the guidelines and  
21 standards to be issued by the DENR and approved by the NLUC.

1 **Article 4**

2 **NIPAS Areas**

3 SEC. 51. *Integrated Management Strategy.* – For a more effective  
4 planning, management, and protection of protected areas at the provincial, city  
5 or municipal levels, the Protected Area Management Plan referred to in RA  
6 7586, as amended, must be incorporated in the provincial physical framework  
7 plan and CLUPs, if applicable, wherein the protected area zoning must be  
8 reflected.

9 **Article 5**

10 **Agricultural Lands**

11 SEC. 52. *Priority Areas for Agricultural Development.* – Priority areas  
12 for agricultural development shall be those agricultural areas covered under RA  
13 6657 and those covered under NPAAAD and SAFDZ, defined in Section 4 of  
14 this Act and in RA 8435 or the “*Agriculture and Fisheries Modernization Act*”.

15 SEC. 53. *Conversion of Agricultural Lands.* – Prime agricultural lands  
16 and specific types of lands to the extent necessary for attaining food self-  
17 sufficiency in rice and food security in other basic commodities, as determined  
18 by the DA, subject to mandatory consultation with the LGUs, the private sector,  
19 the NGOs, and POs, shall be protected from conversion, which shall include but  
20 not limited to areas under the NPAAAD and SAFDZ: *Provided*, That all  
21 irrigated and irrigable lands, all lands developed or possessing the potential for  
22 development of high value crops, and all agricultural lands that are ecologically

1 fragile and whose conversion will result in serious environmental problems  
2 shall be given full protection from conversion, the areas under which are subject  
3 to review every – six (6) years by the DA, with the mandatory public  
4 consultations: *Provided, further,* That consistent with the State policy on giving  
5 priority to the completion of the comprehensive agrarian reform program, all  
6 lands subject to the comprehensive agrarian reform program including those  
7 lands covered under notice of compulsory acquisition or voluntary offer to sell,  
8 production or profit-sharing, or commercial farm deferment shall also be  
9 protected from conversion pending the distribution and installation of the farmer  
10 beneficiaries, but thereafter, Section 22 of RA 9700 shall apply: *Provided,*  
11 *furthermore,* That the conversion of prime agricultural lands for use in priority  
12 government projects for basic services such as, but not limited to, irrigation and  
13 power shall be allowed only upon the recommendation of the Secretaries of the  
14 DA and the DAR: *Provided, finally,* That the mapping of the NPAAAD under  
15 the RA 8435 shall be completed within one (1) year from the effectivity of this  
16 Act. Lands defined under Section 10 of RA 6657 shall remain exempted and  
17 excluded from the coverage of the comprehensive agrarian reform program.  
18 With due consideration of the above-mentioned conditions that provides for the  
19 full protection of prime agricultural land, only then, upon approval by the DAR  
20 of the application for conversion, agricultural lands are deemed converted to  
21 non-agricultural uses.

1           SEC. 54. *Sub-classification or Re- classification of Agricultural Lands*  
2 *by LGUs.* – Sub-classification or re-classification of agricultural lands to other  
3 uses under Section 20 of RA 7160 shall exclude the protected agricultural lands  
4 as stated in the preceding section. Moreover, such sub-classification or  
5 reclassification is not synonymous to conversion. Further, such sub-  
6 classification or re-classification shall not result to land uses that are in conflict  
7 with the prescriptions of the watershed management plans. The DA and DAR  
8 shall provide the LGUs with complete list and maps of protected agricultural  
9 lands within their territorial jurisdictions.

10           SEC. 55. *Criteria for the Utilization and Allocation of Land for Mining*

11 *Purposes.* – Consistent with this Act and the provisions of RA 7942, otherwise  
12 known as the “*Philippine Mining Act of 1995*”, and to ensure that the objectives  
13 of maintaining ecological balance and maximizing economic returns to mining  
14 operations are realized, the allocation and utilization of lands for mining  
15 purposes shall be guided by the following:

- 16           (a) The principles of sustainable development and responsible mining;
- 17           (b) In case of small-scale mining, adequate and acceptable safeguards  
18 shall be instituted by the holders of mining rights or permits to prevent  
19 environmental degradation of the mining sites and adjacent areas;
- 20           (c) Mineral reservations which have become non-operational as  
21 determined by the MGB shall be placed under appropriate surface management  
22 by the DENR after conducting scientific, geological, and environmental studies

1 in accordance with relevant laws on mineral reservation establishment and de-  
2 establishment;

3 (d) Natural forests, proclaimed watershed forest reserves, mangrove  
4 forests, and mossy forests are closed to mining operations pursuant to RA 7942,  
5 and other pertinent laws;

6 (e) Consistent with RA 7942, areas closed to mining operations like  
7 natural forests, proclaimed watershed forest reserves, mangrove forests, and  
8 mossy forests shall be periodically reviewed through mineral exploration to be  
9 undertaken by the DENR for the purpose of determining whether or not their  
10 continued closure is consistent with the national interest and with the  
11 prescriptions of watershed management plans and, if warranted, recommend  
12 their reclassification as mineral lands; and

13 (f) Protection forestlands and agricultural lands shall be exempt from  
14 mining activities to minimize the effect of natural calamities and to protect food  
15 security respectively. The small to large scale mining operations shall yield  
16 from and recognize the tenorial instrument given by the government such as  
17 original certificate of title, transfer certificate of title, certificate of ancestral  
18 domain title, emancipation patent-certificate of land ownership award and other  
19 instruments. If these be present, mining activity shall be allowed subject to  
20 clearances and consent, and: *Provided*, That mining activity shall not conflict  
21 with the prescriptions of watershed management plans and shall not have  
22 serious environmental and ecological problems.



1 SEC. 56. *Reversion of Mineral Lands.* – All mineral lands with  
2 exhausted mineral resources, as determined by the MGB upon the  
3 recommendation of the DENR, shall revert to its original land classification,  
4 that is, as forestland or agricultural land. In the case of forestlands, the DENR  
5 may classify such areas for other purposes in consultation with concerned  
6 LGUs, DOT, and other national government agencies, and consistent with the  
7 prescriptions of the watershed management plans.

8 **Article 6**

9 **Energy Resources**

10 SEC. 57. *Guidelines for the Utilization and Allocation of Lands for*  
11 *Energy Resource Exploration, Development, Production, Utilization, and*  
12 *Distribution Purposes.* – To ensure that the objectives of maintaining  
13 ecological balance and maximizing the power potential from indigenous energy  
14 resources in the most economical and environmentally-acceptable means are  
15 realized, the allocation and utilization of lands are be guided by the following,  
16 consistent with the existing laws, rules and regulations on energy resources:

17 (a) Indigenous energy resource exploration and development for the  
18 purpose of creating a national energy resource inventory and data base as well  
19 as an energy resource block map are allowed, subject to the prescriptions of  
20 watershed management plans and other land management plans;

21 (b) Indigenous energy resource exploration, development, production,  
22 utilization, and distribution are subject to the appropriate requirements and

1 processes of the Environmental Impact Statements (EIS) system. Each project  
2 must secure an ECC prior to project implementation to ensure that adequate and  
3 appropriate environmental management measures and optimum methods for  
4 resource access and recovery are used;

5 (c) Protected areas defined in Section 17 of this Act are closed to any  
6 kind of energy resource development except for installation or erection of  
7 power lines therein *Provided*, That vested rights granted through the Special  
8 Use Agreements in Protected Areas as granted by the DENR are respected;

9 (d) Energy reservations or portions thereof which have become or have  
10 been established to be non-economically viable to operate or are no longer used  
11 for energy purposes must be reclassified to other land uses, subject to existing  
12 laws covering energy reservations and to prescriptions of watershed  
13 management plans; and

14 (e) Renewable energy is preferred over other energy resource.

15 SEC. 58. *Reversion of Energy Resource Lands.* – All exhausted  
16 indigenous energy resource lands, as determined by the DOE, which are not  
17 covered by proclamations must automatically revert to the category of  
18 forestlands or agricultural lands, open to disposition, whichever is appropriate,  
19 unless the DENR classifies such areas for other purposes consistent with the  
20 prescriptions of watershed management plans. Exhausted energy resource lands  
21 are specific energy resource sites that the energy reserves of the desired type or

1 types are no longer in sufficient quantity or quality to justify additional  
2 expenditure for its extraction and utilization.

### 3 **Article 7**

#### 4 **Industrial Development Areas or Sites**

5 **SEC. 59. *Criteria for Designating Industrial Development Areas.*** – The  
6 identification and establishment of industrial development areas shall conform  
7 to the provisions of RAs 7916, 6657, 8371, 7279, 8550, and 8435, taking into  
8 consideration the following:

9 (a) Identified network of areas for agricultural development and  
10 protected agricultural areas pursuant to the RA 8435;

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

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

15 (d) NIPAS and non-NIPAS areas such as KBAs and restored areas that  
16 require protection;

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

18 (f) Identified socialized housing zones;

19 (g) National framework for physical planning and other existing  
20 national programs and policies; and

21 (h) Prescriptions of watershed management plans.

1 The designated industrial development areas must be located only in  
2 production land uses areas and shall form an integral part of the land use plan  
3 and zoning ordinance of the city or municipality where these areas are located  
4 pursuant to RAs 6657, 8371, 7279, 855, 8435, and 7160, as amended.

## 5 **Article 8**

### 6 **Tourism Development Areas**

7 **SEC. 60. *Designating Tourism Development Areas.*** – The  
8 identification, selection, and development of tourism development areas, and  
9 Tourism Enterprise Zones shall be done in consultation and coordination with  
10 the LGUs, TIEZA, DOT and other national government agencies, the private  
11 sector and the affected communities subject to the provisions of RA 9593,  
12 otherwise known as “*The Tourism Act of 2009.*” Tourism development areas  
13 include those covered by legislative and executive issuances such as tourist  
14 spots, tourist zones and tourism ecozones which can be developed into tourism  
15 estates or integrated resort, or integrated resort leisure and recreation  
16 complexes. Other tourism-related facilities and those identified in the national,  
17 regional and area-specific tourism master plans and other sector plans, such as  
18 ecotourism and agri-tourism sites are also considered as tourism development  
19 areas. The sites designated for tourism development must be outside of the  
20 areas identified for protection land use. As much as practicable, community-  
21 based tourism shall be the principal mode of tourist spot operation. RAs 6657,  
22 8371, 7279, 8435, 7160, and EO 111, series of 1999, which provided for the

1 national ecotourism strategy, shall apply to all tourist zones and tourist  
2 development areas.

3 Designated areas for tourism development form part of the CLUPs and zoning  
4 ordinances of the cities or municipalities where these areas are located.

5 **SEC. 61. *Identification and Declaration of Areas for Protection,***  
6 ***Conservation and Preservation of Cultural Heritage.*** – Pursuant to RA 10066  
7 or the “*National Cultural Heritage Act of 2009*”, the NHCP or the National  
8 Museum, the NCCA, in coordination with NCIP, DHSUD and other concerned  
9 agencies, local communities, and the private sector, shall identify declared areas  
10 and structures which shall be protected and preserved as part of the Philippine  
11 cultural heritage.

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

16 Declared and known archaeological sites shall likewise be protected by  
17 the NCCA, the DHSUD, NCIP, other concerned government agencies, and  
18 LGUs against modification, alteration, or destruction.

19 **Article 9**

20 **Infrastructure Development**

21 **SEC. 62. *Strategic Transport Network.*** – The national government,  
22 through the Department of Transportation, shall establish a strategic and

1 sustainable multimodal transport network that provides connectivity within the  
2 national network of settlements. Such connectivity shall include linkages  
3 among existing and proposed priority urban centers, rural areas, production  
4 hubs and tourism zones, distribution centers and markets, and key international  
5 points of entry. It shall be developed to promote network efficiency and social  
6 service delivery, to catalyze areas identified critical for economic growth, while  
7 minimizing negative impacts to environmentally-critical and protected areas as  
8 identified in the watershed management plans.

9         The national network of settlements, as defined in the NPPF, shall guide  
10 the development of a multi-modal transportation network. The network shall be  
11 designed and implemented to provide seamless connectivity among the various  
12 modes of transportation. The RPPFs, PPFDPs and city or municipal CLUPs  
13 shall focus on the transportation network that corresponds to their respective  
14 jurisdictions while maintaining consistency with the overall national networks.

15         **SEC. 63. *Allocation and Use of Land for Infrastructure Development.***

16 – Land, whether public or private, shall be allocated and utilized for priority  
17 infrastructure projects that are supportive of national or local development  
18 objectives. The NEDA, in consultation with the national government agencies,  
19 LGUs and the private sector, shall identify and periodically review, update or  
20 revise the list of priority infrastructure projects under an over-all national  
21 strategic infrastructure development plan subject to the provisions of this Act,

1 RA 8435 and RA 8371. The national strategic infrastructure development plan  
2 must be consistent and integrated in the objectives and directions of the NPPF.

3 In determining and evaluating the list of priority infrastructure projects,  
4 consideration shall be given to those that:

5 (a) Respond to immediate and vital requirements of the national and  
6 regional economy with priority to improving production-market integration,  
7 inter-modal transport, conveyance and logistics linkages, rural infrastructure  
8 and the development of the agriculture and fisheries sectors;

9 (b) Upgrade existing facilities to international public safety standards;

10 (c) Address the need for sustainable settlement development; and

11 (d) Mitigate the destructive effects of natural disaster-causing  
12 phenomena or serve as alternatives to existing infrastructure found in natural  
13 hazard-prone areas.

14 The provision and implementation of infrastructure support must be made  
15 compatible with existing environmental conditions and the physical, whether  
16 natural or human-made, and cultural character of the area. Mandatory public  
17 consultations pursuant to existing laws and regulations must be held prior to the  
18 conduct of all infrastructure projects that necessarily involve dislocation or  
19 displacement of people in the area.

20 The proponent of the infrastructure project shall follow the rules on just  
21 and humane eviction or demolition under Section 28 of RA 7279 as a last resort,  
22 notwithstanding the provisions of RA 8975, prohibiting lower courts from

1 issuing temporary restraining orders, preliminary injunctions or preliminary  
2 mandatory injunctions. The proponent shall also follow the provisions of RA  
3 8371, particularly those pertaining to the rights of IPs or ICCs in case of  
4 displacement. The national government infrastructure projects shall, after  
5 determining that displacement is unavoidable, include the budgetary  
6 requirements for the adequate relocation of displaced communities.

7       SEC. 64. *Infrastructure Projects within Geo-hazard Areas.* –  
8 Construction of priority infrastructure projects within hazard-prone areas are  
9 allowed. However, mitigating or preventive measures must be adopted and  
10 implemented to address the potential adverse economic, socio-cultural and  
11 environmental impacts that emanate from these infrastructure projects, subject  
12 to the findings and recommendations of a feasibility study or environment  
13 impact assessment in accordance with PD 1586 and RA 4846, otherwise known  
14 as the “*Cultural Properties Preservation and Protection Act.*”

15       Existing projects that were undertaken without the required  
16 environmental impact assessment and which pose a threat to the environment,  
17 or to the integrity of historic, archeological or scientifically significant areas, or  
18 impinge on critical ecosystems, and other areas identified in the watershed  
19 management plans may be terminated immediately or gradually phased-out and  
20 relocated. If the existing project is to be maintained within their life span,  
21 mitigating measures must be adopted and implemented. The rules on mandatory  
22 public hearings or consultations and just and humane eviction or demolition



1 shall also be observed prior to the termination, gradual phase-out, or relocation  
2 of projects that necessarily involve dislocations or displacement of the people in  
3 the area.

#### 4 **Article 10**

#### 5 **Agro-Industrial Development**

6 **SEC. 65. *Land Consolidation for Agro-industrial Development.*** - The  
7 consolidation of small-scale agricultural landholdings shall be promoted to take  
8 advantage of economies of scale in agricultural production, to promote value  
9 chain development, and to increase farm incomes and improve the quality of  
10 life of farmers. A Land Consolidation and Utilization Program under the DA  
11 shall be established. The program shall implement the following:

12 (a) Consolidation of small contiguous landholdings into bigger  
13 agricultural estates for farm operations and agro-industries;

14 (b) Crafting of a comprehensive plan and study of the optimum  
15 utilization and long-term productivity of bigger landholdings;

16 (c) Private sector participation in agricultural production and  
17 management through adequate security, incentives and reasonable return on  
18 investments, within limits set by existing laws;

19 (d) Development and adoption of cooperative systems that will  
20 increase the participation and protection of small farmers; and

1 (e) Provision of support to consolidated farms in such forms as  
2 farm-to-market roads, irrigation, utilities, logistics, processing facilities,  
3 upgrading of basic social amenities, and marketing assistance to farmers.

## 4 CHAPTER IX

### 5 TRAINING, EDUCATION AND VALUES FORMATION

6 SEC. 66. *Values Formation.* – In order to develop a well-informed,  
7 responsible and committed citizenry, who value the protection, conservation  
8 and development of the limited land and other physical resources of the country,  
9 the CHED, with prior consultation with concerned stakeholders, may include a  
10 subject or topic on sustainable land use in the general education curriculum of  
11 higher education institutions.

12 SEC. 67. *Information or Education Campaign and Capacity Building.*  
13 – The NLUC shall spearhead a nationwide information or education campaign  
14 on land use and physical planning together with the local and national  
15 government agencies. The DHSUD, in coordination with DILG, CHED and  
16 other concerned agencies shall formulate and implement a land use management  
17 capability building program for national and local government officials,  
18 community leaders, representatives of NGOs, POs, the religious sector and the  
19 general public.

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**CHAPTER X**

**INCENTIVES, SANCTIONS AND PENALTIES**

**Article 1**

**INCENTIVES**

**SEC. 68. *Formulation of a System of Incentives and Awards.*** –

The NLUC shall come out with a system of incentives and awards to LGUs that regularly update their CLUPs within the prescribed period, as follows:

- (a) Provinces, highly urbanized cities, and independent component cities once every twelve (12) years; and
- (b) Component cities and municipalities once every twelve (12) years.

**SEC. 69. *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. The same assistance and support shall also be provided to the fifth (5<sup>th</sup>) and sixth (6<sup>th</sup>) class municipalities: *Provided*, That the lack of technical assistance shall not exempt said municipalities from the provisions of Section 70.

1 **Article 2**

2 **SANCTIONS AND PENALTIES**

3 **SEC. 70. *Failure to Formulate, Enforce, or Implement the CLUPs.***

4 – Within three (3) years from the effectivity of this Act, all LGUs shall  
5 complete the formulation of their CLUPs.

6 Failure to formulate, enforce or implement the CLUPs shall be subject to  
7 the penalties and sanctions to be imposed by DHSUD pursuant to RA 11201,  
8 otherwise known as the “*Department of Human Settlement and Development*  
9 *Act*” and its Implementing Rules and Regulations. The DILG, consistent with  
10 due process, shall investigate, review, and impose appropriate action regarding  
11 local chief executives and other local officials and employees responsible for  
12 the formulation, enforcement, and/or implementation of the CLUPs in case of  
13 any of the following:

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

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

18 (c) Failure to complete the preparation and undergo review and  
19 approval process of the CLUP despite the availability of funds, resources, and  
20 support by the *Sanggunian* concerned.

21 **SEC. 71. *Causing Irrigated Agricultural Lands to be Idle.*** – Any  
22 person or juridical entity who shall cause any irrigated lands whether

1 contiguous or not, within the protected areas for agricultural development, to lie  
2 idle and unproductive for a period exceeding one (1) year, unless due to force  
3 majeure, shall be subject to an idle land tax equivalent to five percent (5%) of  
4 the value of the agricultural land as appearing in its real property tax  
5 declaration. In addition, the violator shall be required to put back such lands to  
6 productive agricultural use. Should the continued agricultural inactivity, unless  
7 due to force majeure, exceed period of two (2) years, the land shall be subject to  
8 escheat proceedings.

9       **SEC. 72. *Person Abetting Illegal Conversion.*** – Any person initiating,  
10 causing, inducing, or abetting illegal conversion as defined in Section 73(c) of  
11 RA 6657, as amended, and Section 4(cc) of this Act shall, upon conviction, be  
12 imprisoned from seven (7) to twelve (12) years and imposed a fine of not less  
13 than One hundred thousand (P100,000.00) pesos, or both at the discretion of the  
14 court: *Provided*, That if the offender is a public official or employee, whether  
15 elected or appointed, the penalty shall, in addition thereto, include dismissal  
16 through permanent separation from the service and forfeiture of all benefits and  
17 entitlements accruing to the public position and perpetual disqualification to run  
18 or apply for any elective or appointive public office: *Provided, further*, That if  
19 the offender is a juridical person, the penalty of imprisonment shall be imposed  
20 on the president, chief executive officer, manager, chairperson and all the  
21 members of the board, and other responsible officers thereof, and the fine shall  
22 be equivalent to the zonal value of the land or forty percent (40%) of the

1 shareholders equity, as determined at the time of judgment whichever is higher,  
2 plus forfeiture of the land in favor of the State for sale through public auction,  
3 the proceeds of which shall automatically accrue to the Agrarian Reform Fund  
4 as provided for in Section 79 of this Act.

5       SEC. 73. *Fine for Non-Completion and Non-Commencement of*  
6 *Development of Agricultural Lands with Approved Order of Conversion.* – A  
7 landowner and designated developer or duly authorized representative who,  
8 without justifiable cause, fails to commence or complete the development of  
9 agricultural lands with approved order of conversion shall be penalized, jointly  
10 or severally, with any of the following fines based on the zonal value of the land  
11 at the time the fine is imposed:

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

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

16           (2) Fifteen percent (15%) of the zonal value of the subject land  
17 for the next three hectares, and

18           (3) Thirty percent (30%) of the zonal value of the subject land  
19 for the remaining area: *Provided*, That the order of conversion shall be  
20 deemed revoked automatically and the land shall revert to its original  
21 agricultural use and covered automatically and the land shall revert to its  
22 original agricultural use and covered.

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

7 **SEC. 74. *Change of Use from the Previously Authorized Conversion***  
8 ***Order.*** – The landowner and future landowners of the property approved for  
9 conversion shall not change its use to another use not authorized under the  
10 Conversion Order without prior consent from the DAR. This prohibition  
11 extends to changes in housing standards, changes in selling schemes, changes  
12 from social housing to open market housing or vice-versa, and all other similar  
13 changes. Violation of which shall be penalized with revocation of Conversion  
14 Order and forfeiture of cash bond.

15 **SEC. 75. *Payment of Disturbance Compensation.*** – Following the order  
16 of priority as enumerated in Section 22 of RA 6657, as amended, qualified  
17 beneficiaries such as agricultural lessees and share tenants, regular farm  
18 workers, seasonal farm workers, other farm workers, actual tillers or occupants  
19 of public lands, collective, or cooperative of the above-mentioned beneficiaries,  
20 and others directly working on the land affected by agricultural land use  
21 conversion shall be entitled to the payment of disturbance compensation  
22 equivalent to five (5) times the average of the gross harvests on the landholding

1 during the last five (5) preceding calendar years or a certain percentage of the  
2 converted land, whichever is higher, as determined by the DAR.

3       SEC. 76. *Authority to Impose Fine.* – The DAR shall impose the penalty  
4 provided for under the preceding section.

5       SEC. 77. *Withdrawal of Local Development Permits or Licenses.* –  
6 Upon receipt of notice from the DAR of illegal conversion, the concerned  
7 agencies, city or municipality shall withdraw or revoke any development permit  
8 or license issued to illegally converted agricultural lands.

9       SEC. 78. *Penalty for Reclassification of Protected Agricultural Lands*  
10 *and Exceeding the Limit of Areas Allowed for Reclassification.* – Any person  
11 initiating, causing, inducing or abetting the reclassification to non-agricultural  
12 uses of protected agricultural areas as defined in this Act shall be punished with  
13 imprisonment of twelve (12) years or a fine of not less than One hundred  
14 thousand Pesos (P100,000.00), or both, at the discretion of the court.

15       If the offender is a public official or employee, whether elected or  
16 appointed, the penalty includes dismissal from the service, forfeiture of  
17 entitlements accruing to the public position, and perpetual disqualification to  
18 run or apply for any elective or appointive position.

19       If the offender is a juridical person, the president, chief executive officer,  
20 manager, chairperson, members of the board and other officers who directly  
21 participated in the violation of this Section shall be held liable.



1 The same penalty is applicable to persons who are responsible for  
2 exceeding the limits set forth under Section 20 of RA 7160 pertaining to  
3 reclassification of lands.

4 SEC. 79. *Utilization of Fines.* – The fines collected under Sections 72,  
5 73 and 78 of this Act shall accrue to the Agrarian Reform Fund and shall be  
6 used for the purpose for which the fund is established.

## 7 CHAPTER XI

### 8 TRANSITORY AND FINAL PROVISIONS

9 SEC. 80. *Convening of the NLUC.* – Within thirty (30) days from the  
10 effectivity of this Act, the chairperson shall convene the NLUC.

11 SEC. 81. *Implementing Rules and Regulations.* – Within six (6) months  
12 from the effectivity of this Act, the NLUC shall promulgate the rules and  
13 regulations to implement the provisions of this Act.

14 SEC. 82. *Congressional Oversight Committee on the Land Use Act.* –  
15 There is hereby created a joint congressional oversight committee to monitor  
16 the implementation of this Act. The committee shall be composed of seven (7)  
17 senators and seven (7) representatives to be appointed by the Senate President  
18 and the Speaker of the House of Representatives, respectively. The members  
19 from the Senate shall be appointed based on proportional representation of the  
20 parties or coalitions therein, with at least two (2) senators representing the  
21 minority. Likewise, the representatives from the House of Representatives shall

1 be appointed based on proportional representation of the parties or coalitions  
2 therein with at least two (2) Members representing the minority.

3 The mandate given to the joint congressional oversight committee under  
4 this Act shall be without prejudice to the performance of the duties and  
5 functions by the respective existing oversight committees of the Senate and the  
6 House of Representatives. The secretariat of the committee shall be drawn from  
7 the existing secretariat personnel of the committees comprising the oversight.

8 SEC. 83. *Appropriations.* – The amount necessary for the initial  
9 implementation of this Act shall be charged against the current year’s  
10 appropriations of the departments and agencies concerned. Thereafter, such  
11 amount shall be included in the annual General Appropriations Act.

12 SEC. 84. *Review of the Existing Land Use Plans.* – Provinces, cities,  
13 and municipalities with existing land use plans shall review, revise, reconcile,  
14 and harmonize their respective land use plans in accordance with the guidelines  
15 and standards issued by the National Land Use Commission (NLUC) within one  
16 (1) year from the effectivity of this Act.

17 All other laws, orders issuance, rules and regulations inconsistent  
18 herewith are repealed or modified accordingly.

19 SEC. 85. *Non-impairment Clause.* – Nothing in this Act shall be  
20 construed as to diminish or impair the rights recognized granted, or available to  
21 marginalized or the basic sectors under existing laws or to diminish or impair

1 vested rights generally, including the rights of indigenous cultural communities  
2 and indigenous peoples as provided under RA 8371.

3 SEC. 86. *Separability Clause.* – If any provision of this Act is declared  
4 unconstitutional, the remainder of this Act or any provisions not affected  
5 thereby shall remain in full force and effect.

6 SEC. 87. *Repealing Clause.* – Sections 10 and 11 of RA 8435, Sections  
7 447 (a2vii) and 458 (a2viii) of RA 7160, the pertinent provisions of EO 648,  
8 series of 1991, EO 72, series of 1993, EO 770, series of 2008, Letter of  
9 Instruction No. 1350, series of 1983, PP 2282, series of 1983 are hereby  
10 repealed, amended or modified accordingly.

11 SEC. 88. *Effectivity.* – This Act shall take effect fifteen (15) days after  
12 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,