



HOUSE OF REPRESENTATIVES

H. No. 6342

BY REPRESENTATIVES GUTIERREZ, BELLO (W.), BELMONTE (J.), OLIVAREZ,
CIRIACO, DIMAPORO (A.), KATOI, ABELLANOSA, ABU, FUENTEBELLA,
CASTELO AND REVILLA, PER COMMITTEE REPORT NO. 952

AN ACT STRENGTHENING THE RIGHT OF GOVERNMENT TO
EXPROPRIATE LANDS FOR SOCIALIZED HOUSING,
AMENDING FOR THE PURPOSE SECTIONS 9, 10, AND 11 OF
REPUBLIC ACT NO. 7279, OTHERWISE KNOWN AS THE
"URBAN DEVELOPMENT AND HOUSING ACT OF 1992"

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

1 SECTION 1. Sections 9, 10, and 11 of Republic Act No. 7279 are hereby
2 amended to read as follows:

3 "SEC. 9. [*Priorities in the*] *Acquisition of Land FOR*
4 *SOCIALIZED HOUSING.* - [Lands for socialized housing shall be
5 acquired in the following order] **THE FOLLOWING LANDS MAY**
6 **BE ACQUIRED FOR SOCIALIZED HOUSING:**

7 "(a) Those owned by the Government or any of
8 its subdivisions, instrumentalities, or agencies, including

1 government-owned or -controlled corporations and their
2 subsidiaries;

3 "(b) Alienable lands of the public domain;

4 "(c) Unregistered or abandoned and idle lands;

5 "(d) Those within the declared Areas for Priority
6 Development, Zonal Improvement Program sites, and Slum
7 Improvement and Resettlement Program sites which have not yet
8 been acquired;

9 "(e) Bagong Lipunan Improvement of Sites and Services
10 or BLISS sites which have not yet been acquired; and

11 "(f) Privately-owned lands.

12 "[Where on-site development is found more practicable
13 and advantageous to the beneficiaries, the priorities mentioned in
14 this section shall not apply. The local government units shall give
15 budgetary priority to on-site development of government lands.]

16 "THE POWER TO IDENTIFY AND TO PRIORITIZE THE
17 PARTICULAR AREA TO BE ACQUIRED SHALL BE WITH THE
18 LOCAL GOVERNMENT UNIT OR THE PROPER AGENCY
19 ACQUIRING LAND FOR SOCIALIZED HOUSING. FOR THIS
20 PURPOSE, THE ENUMERATION IN THIS SECTION SHALL NOT, IN
21 ANY WAY, BE INTERPRETED AS SETTING AN ORDER OF
22 PRIORITY."

23 "SEC. 10. *Modes of Land Acquisition.* - The modes of
24 acquiring lands for purposes of this Act shall include, among
25 others, community mortgage, land swapping, land assembly or
26 consolidation, land banking, donation to the Government,
27 joint-venture agreement, negotiated purchase, and expropriation:
28 *Provided, [however, That expropriation shall be resorted to only*

1 when other modes of acquisition have been exhausted: *Provided,*
2 *further,*] That where expropriation is resorted to, parcels of land
3 owned by small property owners shall be exempted for purposes
4 of this Act: *Provided, [finally] FURTHER,* That abandoned
5 property, as herein defined, shall be reverted and escheated to
6 the State in a proceeding analogous to the procedure laid down
7 in Rule 91 of the Rules of Court.

8 "For the purpose of socialized housing, government-owned
9 and foreclosed properties shall be acquired by the local
10 government units, or by the National Housing Authority
11 primarily through negotiated purchase: *Provided,* That qualified
12 beneficiaries who are actual occupants of the land shall be given
13 the right of first refusal."

14 "SEC. 11. *Expropriation of Idle Lands.* - All idle lands in
15 urban and urbanizable areas, as defined and identified in
16 accordance with this Act, shall be expropriated and shall form
17 part of the public domain. These lands shall be disposed of or
18 utilized by the Government for such purposes that conform with
19 their land use plans. Expropriation proceedings shall be
20 instituted if, after the lapse of one (1) year following receipt of
21 notice of acquisition, the owner fails to introduce improvements
22 as defined in Section 3(f) hereof, except in the case of *force*
23 *majeure* and other fortuitous events. Exempted from this
24 provision, however, are residential lands owned by small
25 property owners [or those the ownership of which is subject of a
26 pending litigation]."

1 **SEC. 2. Repealing Clause.** – All laws, decrees, executive orders,
2 proclamations, rules and regulations, or any part thereof which are inconsistent
3 with this Act, are hereby repealed or modified accordingly.

4 **SEC. 3. Effectvity.** – This Act shall take effect fifteen (15) days after
5 its publication in the *Official Gazette* or in a newspaper of national circulation.

Approved,

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