



HOUSE OF REPRESENTATIVES

H. No. 5240

---

BY REPRESENTATIVES BAG-AO, QUIMBO, TUGNA, BIAZON, BAGUILAT, RODRIGUEZ (M.), VILLARIN, BELMONTE (J.C.), NOGRALES (K.A.), LACSON, SY-ALVARADO, SAGARBARRIA, PINEDA, BONDOC, GONZALES (A.D.), ABAD, SALCEDA, SANDOVAL, LOBREGAT, SAMBAR, ESCUDERO, GO (M.), UMALI, ZUBIRI, AMATONG, MACAPAGAL-ARROYO, SARMIENTO (E.M.), YU, VILLARICA, CUA, MARQUEZ, MONTORO, ALMONTE, NAVA, ARCILLAS, PRIMICIAS-AGABAS, BORDADO, ROMUALDO, FORTUN, PANGANIBAN, ESPINO, SARMIENTO (C.), ROCAMORA AND TAN (A.), PER COMMITTEE REPORT NO. 167

---

AN ACT INSTITUTING A NATIONAL LAND USE AND MANAGEMENT POLICY, PROVIDING THE IMPLEMENTING MECHANISMS, 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. *Title.* – This Act shall be known and cited as the “National Land Use and Management Act of the Philippines”.

SEC. 2. *Declaration of Policies and Principles.* – It is the policy of the State to:

(a) Provide for a rational, holistic and just allocation, utilization, management, and development of the country’s land and water resources so that their use is consistent with the principles of equity, social

1 justice, environmental integrity and sustainable development for the common  
2 good;

3 (b) Hold owners and users of land responsible for developing and  
4 conserving their lands thereby making these productive and supportive of  
5 sustainable development and environmental stability in accordance with the  
6 principle that the use of land bears a social function and that all economic  
7 agents shall contribute to the common good;

8 (c) Treat groups of islands, including parts of islands, interconnecting  
9 waters and other natural features which are so closely interrelated, as forming  
10 an intrinsic geographical, economic and political entity, or which historically  
11 have been regarded as such entity;

12 (d) Strengthen the capacity of the local government units (LGUs) to  
13 manage and maintain ecological balance within their territorial jurisdiction, in  
14 partnership with the national government, in accordance with the Philippine  
15 Constitution and Republic Act No. 7160 or the Local Government Code of  
16 1991.

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

20 (1) Maintenance and preservation of environmental integrity and  
21 stability;

22 (2) Sustainable and just management and utilization of natural  
23 resources;

24 (3) Disaster risk reduction and climate risk-based planning;

25 (4) Protection of prime agricultural lands for food security, with  
26 emphasis on self-sufficiency through efficient and sustainable use of land  
27 resources consistent with the principles of sound agricultural development,  
28 natural resources development, and agrarian reform;

1 (5) Protection and conservation of the country's natural heritage,  
2 permanent forest lands, natural forests, critical watersheds and key  
3 biodiversity areas to ensure adequate forest cover to maintain ecological  
4 processes in the country;

5 (6) Sustainable development and management of water resources;

6 (7) Settlements, transportation and other infrastructure development in  
7 support of inclusive growth and rural, urban and regional development;

8 (8) Improved access to affordable housing by increasing the supply  
9 thereof through direct allocation, better access to unutilized lands, and  
10 increased production of multiple use and higher density projects, where  
11 appropriate;

12 (9) Respect for and protection of the traditional resource right of the  
13 Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their  
14 ancestral domains; compliance with free and prior informed consent of  
15 ICCs/IPs; and recognition of customary laws and traditional resource use and  
16 management, knowledge, and practices in ancestral domains;

17 (10) Equitable access to land through State intervention that  
18 guarantees its affordability to the basic disadvantaged sectors defined under  
19 Republic Act No. 8425 or the Social Reform and Poverty Alleviation Act;

20 (11) Energy security or energy self-sufficiency;

21 (12) Preservation and conservation of parks and protected areas to keep  
22 the scenery, the natural and historic objects, and the biodiversity therein in  
23 their natural state and prevent them from being damaged for purposes of  
24 public recreational use and enjoyment; and

25 (13) Meaningful participation of the basic sectors.

26 SEC. 3. *Scope.* - This Act shall apply to all lands and all resources  
27 therein, whether public, private, government-owned, and/or in the possession  
28 of any person, whether natural or juridical, and shall guide the rational, holistic  
29 and just allocation, utilization, development and management of the country's

1 land and water resources including such activities that bear impact on said  
2 resources.

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

4 (a) *Agricultural land* refers to the subclass of classified agricultural  
5 lands devoted to or suitable for the cultivation of the soil, planting of crops,  
6 growing of trees, raising of livestock, poultry, fish or aquaculture production,  
7 including the harvesting of such farm products, and other farm activities and  
8 practices performed in conjunction with such farming operations, by persons  
9 whether natural or juridical, and not classified as residential land, commercial  
10 land or industrial land;

11 (b) *Agricultural land use conversion* refers to the undertaking of any  
12 development activity which modifies or alters the physical characteristics of  
13 agricultural lands to render them suitable for nonagricultural purposes under  
14 an approved order of conversion issued by the appropriate government agency;

15 (c) *Alienable and disposable lands of the public domain* refer to lands  
16 of the public domain which have been delineated, classified, and certified as  
17 such and available for disposition under Commonwealth Act No. 141,  
18 otherwise known as the Public Land Act, as amended;

19 (d) *Ancestral domains* refer to all areas generally belonging to  
20 ICCs/IPs as defined in Republic Act No. 8371, otherwise known as the  
21 Indigenous Peoples Rights Act (IPRA) of 1997;

22 (e) *Ancestral Domain Sustainable Development and Protection Plan*  
23 (*ADSDPP*) refers to a plan formulated and pursued in accordance with the  
24 rights of ICCs/IPs to manage and develop the land as well as natural and  
25 human resources within their ancestral domains based on their indigenous  
26 knowledge systems and practices on the principle of self-determination;

27 (f) *Classified agricultural land* refers to one of the four (4)  
28 classifications of land under the Constitution not classified by law as mineral

1 land, forest land or national park and the only land classification subject to  
2 alienation;

3 (g) *Coastal area/Zone* refers to a band of dryland and the adjacent  
4 ocean space (water and submerged land) in which terrestrial processes and  
5 uses directly affect oceanic processes and uses, and vice versa. Its geographic  
6 extent may include areas within a landward limit of one (1) kilometer from the  
7 shoreline at high tide to include mangrove swamps, brackish water ponds, nipa  
8 swamps, estuarine rivers, sandy beaches and other areas within a seaward limit  
9 of two hundred (200) meters isobath to include coral reefs, algal flats, seagrass  
10 beds, and other soft-bottom areas;

11 (h) *Comprehensive Land Use Plan (CLUP)* refers to a document  
12 embodying a set of policies, accompanied by maps and similar illustrations  
13 that serve as a policy guide for determining the future use of lands and natural  
14 resources within the territorial jurisdiction of the LGUs. It represents the  
15 community-desired pattern of population distribution and proposes future  
16 allocation of land and resources to various activities. It includes the processes  
17 and criteria employed in such determination of allocation of land and  
18 resources. It is a plan for the long-term management of the local territory  
19 covering a period of a minimum of ten (10) years, reviewable not earlier than  
20 every five (5) years based on the four (4) categories of land use planning  
21 provided in Section 6 of this Act;

22 (i) *Comprehensive land use planning* refers to the act of defining the  
23 allocation, utilization, development, and management of all lands within a  
24 given territory or jurisdiction according to the inherent characteristics of  
25 the land itself and supportive of sustainable, economic, demographic,  
26 sociocultural and environmental objectives as an aid to decision-making  
27 and legislation;

28 (j) *Critical watershed* refers to watersheds or forest lands that have  
29 been identified and evaluated to provide critical and vital natural, ecological,

1 environmental and physical beneficial services such as water, biodiversity,  
2 energy, irrigation, social and cultural, among others, to a specific area or  
3 community and whose biophysical condition demands immediate  
4 rehabilitation, protection and management to prevent its further denudation,  
5 deterioration and exploitation;

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

9 (l) *Customary laws* refer to a body of written and/or unwritten rules,  
10 usages, customs and practices traditionally and continually recognized,  
11 accepted, and observed by respective ICCs/IPs consistent with the IPRA;

12 (m) *Danger zones* refer to areas with high level of threat to the lives  
13 and well-being of people that cannot be addressed through scientific, physical  
14 and engineering methods, and are therefore not suitable for settlement and  
15 permanent structures. Areas can only be declared as danger zones after proper  
16 technical studies and public consultations with affected families are  
17 conducted;

18 (n) *Development plan* refers to a document that defines the activities  
19 and measures that the national government or LGUs intend to implement over  
20 a specified period of time in order to achieve the defined set of development  
21 goals identified in the national or local physical framework plans. It integrates  
22 socioeconomic, financial, fiscal, legal and legislative, institutional and sectoral  
23 plans of the national government or any of its instrumentalities or a particular  
24 LGU, consistent with the objectives identified in spatial plans such as land use  
25 plans or physical framework plans. It may include an analysis of problems  
26 and resources, definition of goals and objectives, policy guidelines, project and  
27 target achievements, and an implementation mechanism which defines the  
28 roles and contributions expected from the government and the private sector;

1           (o) *Disaster-prone areas* or *Geo-hazard areas* refer to areas frequented  
2 by and/or vulnerable to experience weather, climatic, hydrologic, geologic,  
3 and other natural disturbances or calamities;

4           (p) *Disaster risk reduction* refers to the concept and practice of  
5 reducing disaster risks through systematic efforts to analyze and manage the  
6 causal factors of disasters, including reduced exposure to hazards, lessened  
7 vulnerability of people and property, wise management of land and the  
8 environment, and improved preparedness for adverse events;

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

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

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

27           (t) *Energy resource lands* refer to lands where naturally occurring or  
28 indigenous energy resources exist in sufficient quantity and/or quality as to be

1 economically viable for exploration, development, production, utilization, and  
2 distribution purposes;

3 (u) *Environmentally critical areas* refer to areas declared by law as:

4 (1) areas for natural parks, watershed reserves, wildlife preserves, and  
5 sanctuaries; (2) areas set aside for aesthetic and visual value; (3) areas that  
6 constitute the habitat for any endangered or threatened species of indigenous  
7 Philippine wildlife both flora and fauna; (4) areas of unique historic,  
8 archaeological, or scientific interests; (5) areas that are traditionally occupied  
9 by ICCs/IPs; (6) areas with critical slopes; (7) areas frequented and/or hard  
10 hit by natural calamities such as, but not limited to, geologic hazards, floods,  
11 typhoons and volcanic activities; (8) recharge areas of aquifers; (9) mangrove  
12 areas; (10) coral reefs; (11) mossy and virgin forests; (12) rivers  
13 and riverbanks; (13) swamp forests and marshlands; (14) foreshore lands;  
14 (15) protected areas pursuant to Republic Act No. 7586 or the NIPAS Act of  
15 1992; and (16) areas set aside as aesthetic potential tourist spots. This term  
16 shall also include other terrestrial, aquatic and marine areas that need special  
17 protection and conservation measures because they are ecologically fragile or  
18 they are needed for food security and food self-sufficiency as determined  
19 by concerned agencies and LGUs in consultation with the concerned  
20 stakeholders;

21 (v) *Exhausted mineral resources* refer to a situation where the mineral  
22 resources in specific sites are no longer in sufficient quantity or quality to  
23 justify additional expenditure for extraction or utilization;

24 (w) *Flood plain* refers to the portion of a river valley adjacent to a  
25 river channel which is covered with water when the river overflows its banks  
26 at flood stages, and which usually consists of silt deposited by the stream;

27 (x) *Flood-prone areas* refer to low-lying areas usually adjacent to large  
28 or active water bodies and which therefore experience regular or seasonal  
29 inundation as a result of changes in the mean water level of these bodies or



1 because of land reclamation and other artificial interference with the natural  
2 processes;

3 (y) *Food security* refers to the policy objective of meeting the  
4 requirements for food availability, accessibility, and affordability of the  
5 present and future generations of Filipinos in a sustainable manner, through  
6 local production or importation in cases of shortage based on a micro level  
7 situation, or both, and taking into account the country's existing and potential  
8 resource endowments and related production advantages, and consistent with  
9 the overall national development objectives and policies;

10 (z) *Food self-sufficiency* refers to the policy objective of meeting the  
11 food requirements through intensive local food production in a sustainable  
12 manner based on the country's existing and potential resources and related  
13 production advantages;

14 (aa) *Foreshore land* refers to a string of land margining a body of  
15 water, the part of a seashore between the low-water line usually at the seaward  
16 margin of a low tide terrace and the upper limit of wave wash at high tide  
17 often marked by a beach scarp or berm;

18 (bb) *Forest* refers to an ecosystem or an assemblage of ecosystems  
19 dominated by trees and other woody vegetation; a community of plants and  
20 animals interacting with one another and its physical environment;

21 (cc) *Forest lands* refer to one of the four (4) classifications of land  
22 under the Constitution under the public domain classified and/or determined as  
23 suitable for forest purposes not classified as mineral land, national park and  
24 classified agricultural land. These include all permanent forest, forest reserves,  
25 forest reservations, and all the remaining unclassified lands of the public  
26 domain;

27 (dd) *Forest Land Use Plan (FLUP)* refers to the allocation of forest  
28 lands into their appropriate uses consistent with existing biophysical  
29 conditions such as topography, soil type, land use, climate, water sources and

1 socioeconomic, cultural and political realities. Forest land use planning should  
2 be able to delineate protection and production forests;

3 (ee) *Forest land subclassification* refers to the process of determining  
4 the most appropriate and sustainable use of forest lands primarily as protection  
5 forest and production forest. They may be further subclassified as  
6 grazing/pasture land, recreational areas and other uses taking into account  
7 ecological, social and economic considerations;

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

14 (gg) *Geo-hazards* refer to nature and human-induced geological  
15 processes that have potential to cause destruction and which pose a threat or  
16 risk to a person's life and property. These may include, but are not limited to,  
17 ground, water and weather-related conditions, volcanic and earthquake  
18 induced hazards such as ground shaking, ground rupture, earthquake-induced  
19 landslides, liquefaction and tsunami;

20 (hh) *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)*  
21 refer to groups of people or homogenous societies identified by self-ascription  
22 and ascription by others, who have continuously lived as organized  
23 community on communally bounded and defined territory, and who have,  
24 under claims of ownership since time immemorial, occupied, possessed and  
25 utilized such territories, sharing common bonds of language, customs,  
26 traditions and other distinctive cultural traits, or who have, through  
27 resistance to political, social and cultural inroads of colonization,  
28 nonindigenous religions and cultures, became historically differentiated from  
29 the majority of Filipinos. ICCs/IPs shall likewise include peoples who are

1 regarded as indigenous on account of their descent from the populations which  
2 inhabited the country at the time of conquest or colonization, or at the time of  
3 inroads of nonindigenous religions and cultures, or the establishment of  
4 present State boundaries, who retain some or all of their own social, economic,  
5 cultural and political institutions, but who may have been displaced from their  
6 traditional domains, or who may have resettled outside their ancestral  
7 domains;

8 (ii) *Inland waters* refer to waters, which are not coastal and marine  
9 waters, and not subject to acquisitive prescription consistent with the  
10 provisions of Presidential Decree No. 1067 or the Water Code of the  
11 Philippines;

12 (jj) *Integrated watershed management* refers to a planning strategy  
13 or program for watershed areas that complement environmentally sound  
14 soil and water management practices with mechanisms for ensuring greater  
15 responsibility, involvement, or participation of individuals, groups,  
16 communities and other stakeholders benefiting from these areas and  
17 water-related infrastructure;

18 (kk) *Key Biodiversity Areas (KBAs)* refer to the present most important  
19 sites for biodiversity conservation worldwide. These are places of  
20 international importance for the conservation of biodiversity through protected  
21 areas and other governance mechanisms. They are identified nationally using  
22 simple, standard criteria, based on their importance in maintaining species  
23 populations;

24 (ll) *Land* refers to resources, both artificial and natural, found on the  
25 surface, below, and above the ground including inland waters and the air  
26 therein;

27 (mm) *Land subclassification* refers to the act of determining and  
28 assigning specific uses of classified lands such as forest lands, classified

1 agricultural lands, mineral lands and national parks in accordance with  
2 existing laws and this Act;

3 (nn) *Land use* refers to the manner of allocation, utilization,  
4 management and development of land;

5 (oo) *Land use classification* refers to the act of delineating or allocating  
6 lands according to protection land use, production land use, settlements  
7 development and infrastructure development as defined and provided for in  
8 this Act;

9 (pp) *Mandatory public hearings/Consultations* refer to the  
10 mechanism to ensure the involvement of concerned stakeholders and  
11 communities in land use planning, from the barangay to the national level, to  
12 ensure the social acceptability of the plans. It should involve giving notice of  
13 hearing/consultation to concerned stakeholders through publication or posting  
14 in conspicuous places, conduct of a reasonable number of hearings, and  
15 solicitation of positions to arrive at a consensus. Public presentation and  
16 validation of the planning results shall also be undertaken before the final  
17 adoption of the plans;

18 (qq) *Marine Protected Area (MPA)* refers to a defined area of the sea  
19 established and set aside by law, administrative regulation or any other  
20 effective means in order to conserve and protect a part of or the entire enclosed  
21 environment, through the establishment of management guidelines. It includes  
22 all declared areas governed by specific rules or guidelines in order to protect  
23 and manage activities within the enclosed area;

24 (rr) *Mineral exploration* refers to the systematic searching or  
25 prospecting for mineral resources including energy resources;

26 (ss) *Mineral lands* refer to lands of the public domain, excluding those  
27 in permanent forestlands and protection lands, where mineral resources are  
28 found in sufficient quantity and quality for extraction, development and  
29 utilization;

1           (tt) *Multiple use of land resources* refer to the utilization or  
2 management strategy for any land, which allows any activity, involving one or  
3 more of its resources, depending on the result of prior evaluation on its  
4 numerous beneficial use, that will produce the optimum benefits to the  
5 development and progress of the country and the public welfare without  
6 impairment or with the least injury to its other resources;

7           (uu) *Municipal waters* refers to not only streams, lakes, inland bodies  
8 of water and tidal waters within the municipality which are not included within  
9 the protected areas as defined under Republic Act No. 7586 of the National  
10 Integrated Protected Areas System or the NIPAS Act of 1992, public forest,  
11 timber lands, forest reserves or fishery reserves, but also marine waters  
12 included between two (2) lines drawn perpendicular to the general coastline  
13 from points where the boundary lines of the municipality touch the sea at low  
14 tide and a third line parallel with the general coastline including offshore  
15 islands and fifteen (15) kilometers from such coastline. Where the territory of  
16 a municipality includes several islands, the outermost points of such islands  
17 shall be used as base points and connected by archipelagic baselines,  
18 irrespective of the lengths of such baselines from the main coastlines. Where  
19 two (2) municipalities are situated on opposite shores that there is less than  
20 thirty (30) kilometers of marine waters between them, the third line shall be  
21 equally distant from opposite shore of the respective municipalities;

22           (vv) *National Integrated Protected Areas System (NIPAS)* refers to the  
23 classification and administration of all designated protected areas to maintain  
24 essential ecological processes and life-support systems, to preserve genetic  
25 diversity, to ensure sustainable use of resources found therein, and to maintain  
26 their natural conditions to the greatest extent possible;

27           (ww) *National Land Use Policy Council (NLUPC)* refers to the  
28 administrative, policy-making, and regulatory body created under this Act;

1 (xx) *National park* refers to forest reservation essentially of natural  
2 wilderness character which has been withdrawn from settlement, occupancy or  
3 any form of exploitation except in conformity with approved management plan  
4 and set aside as such exclusively to conserve the area or preserve the scenery,  
5 natural and historic objects, wild animals and plants therein and to provide  
6 enjoyment of these features in such areas. It shall also refer to lands and waters  
7 of the public domain classified as such in the 1987 Constitution which include  
8 all areas under the NIPAS, pursuant to Republic Act No. 7586 or the NIPAS  
9 Act of 1992, primarily designated for the conservation of native plants and  
10 animals and associated habitats and cultural diversity;

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

26 (zz) *Permanent forests* or *Forest reserves* refer to lands of the private  
27 or public domain which have been identified and determined to be needed for  
28 protection, conservation, preservation and management as forests and shall be  
29 reserved, conserved and protected into perpetuity for such purpose;

1            (aaa) *Permanent forestlands* refer to forestlands, within public lands,  
2 that have been identified, determined and demarcated on the ground by the  
3 State to serve such purpose and shall be protected, conserved, preserved,  
4 maintained and managed as forestlands free from any form of utilization,  
5 exploitation or development, and reserved permanently as such for the benefit  
6 and use of future generations;

7            (bbb) *Physical framework plans* refer to the national, regional or  
8 provincial indicative plans that outline the overall and macro-level physical  
9 development objectives, priorities, directions and strategies in its respective  
10 levels as prepared, reviewed, integrated and finalized by the national, regional  
11 and provincial land use councils/boards, respectively, based on the  
12 Comprehensive Land Use Plans (CLUPs) of the LGUs and the national policy  
13 guidelines relating to land use and environmental management to prevent or  
14 mitigate the adverse effects of inappropriate resource utilization on food  
15 security, the people's welfare, and their environment;

16            (ccc) *Premature or illegal conversion* refers to any activity that  
17 modifies or alters the physical characteristics of agricultural lands to render  
18 them suitable for nonagricultural purposes without an approved order of  
19 conversion from the Department of Agrarian Reform (DAR) Secretary;

20            (ddd) *Prime agricultural lands* refer to all contiguous irrigated areas  
21 and irrigable lands already covered by irrigation projects; all alluvial plain  
22 lands highly suitable for agriculture whether irrigated or not that have been  
23 identified to satisfy the country's needs for food self-sufficiency and security;  
24 agro-industrial croplands or lands presently planted and suitable to industrial  
25 and high value crops; highlands, or areas located at an elevation of five  
26 hundred (500) meters or above and have the potential for growing  
27 semi-temperature and high value crops outside of declared permanent  
28 forestlands and protection forests, and are not located in ecologically fragile  
29 and environmentally critical areas;

1 (eee) *Production forest* refers to forestland located in production lands  
2 managed primarily for the production of timber and other tree products;

3 (fff) *Production land use* refers to the direct and indirect utilization of  
4 land to generate outputs resulting from the following activities: agricultural,  
5 fish farming or aquaculture, timber or agro-forestry, grazing and pasture,  
6 mining, indigenous energy resource development, industry, and tourism;

7 (ggg) *Protected areas* refer to portions of land and water set aside by  
8 reason of their unique physical and biological significance, managed to  
9 enhance biological diversity, and protected against human exploitation. For  
10 purposes of this Act, these shall also include all natural forests and agricultural  
11 lands identified and delineated under this Act;

12 (hhh) *Protection forests* refer to forests and forestlands, in both public  
13 and private lands, that have been identified and determined by the State for the  
14 beneficial use of present and future generations and shall be preserved,  
15 conserved, protected and maintained as such free from any form of utilization,  
16 exploitation or development;

17 (iii) *Protection land use* refers to the use of land primarily reserved  
18 for rehabilitation, conservation, and protection purposes and the promotion of  
19 the country's ecological and life-support systems;

20 (jjj) *Public domain* refers to lands belonging to the State which may  
21 be classified as agricultural, forest or timber, mineral, or national park as  
22 provided for in the Constitution;

23 (kkk) *Reclassification of agricultural lands* refer to the act of  
24 specifying how agricultural lands shall be utilized for nonagricultural uses  
25 such as for residential, industrial, or commercial purposes, through the local  
26 planning and zoning processes pursuant to the Local Government Code of  
27 1991, and subject to the requirements and procedure for conversion;

28 (lll) *Resettlement sites* refer to areas identified by the appropriate  
29 national agency or by the LGU, with respect to areas within its jurisdiction,



1 which shall be used for the relocation of the underprivileged and homeless, as  
2 defined under Republic Act No. 7279 or the Urban Development and Housing  
3 Act (UDHA) of 1992;

4 (mmm) *Restoration* refers to returning forestland to its original  
5 forested state in terms of species' composition, structure, function and  
6 productivity;

7 (nnn) *Restoration zones* refer to forest areas where activities are  
8 conducted to restore its forested state;

9 (ooo) *River basin* refers to the horizontal projection of area from which  
10 a river and its tributaries receive surface water originating from precipitation;

11 (ppp) *Settlements* refer to communities or built-up environment areas  
12 where people prefer to live in;

13 (qqq) *Settlements development* refers to any improvement on existing  
14 settlements or any proposed development of certain areas for settlement  
15 purposes. It also involves the spatial distribution of population, identification  
16 of the roles and functions of key urban centers, determination of relationships  
17 among settlement areas, and the provision of basic services and facilities of  
18 identified major settlement areas or growth centers;

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

21 (sss) *Spatial data infrastructure* refers to a system consisting of spatial  
22 data, technology, policies, practices, relationships, people and resources  
23 necessary to acquire, process, store and distribute spatial information to  
24 improve sharing and use throughout all levels of the government and private  
25 sector, among others, which shall be operationalized through electronic system  
26 that provides access to a network of spatial data sources and users and shall  
27 serve as the official linkage of the government to international and regional  
28 spatial data infrastructure;

1 (ttt) *Socialized housing* refers to housing programs and projects  
2 covering homelots, houses and lots, or low-rise to medium-rise buildings, or  
3 high density housing projects undertaken by the government or the private  
4 sector for the underprivileged and homeless citizens which shall include sites  
5 and services development, long-term financing, direct subsidy programs,  
6 liberalized terms on interest payments, and such other benefits in accordance  
7 with the UDHA and Batas Pambansa Blg. 220;

8 (uuu) *Socialized housing sites* refer to lands identified and designated  
9 by LGUs as sites for socialized housing pursuant to Article IV of the UDHA  
10 and its implementing guidelines;

11 (vvv) *Strategic Agriculture and Fisheries Development Zones*  
12 (*SAFDZs*) refer to areas within the NPAAAD identified for production,  
13 agro-processing and marketing activities to help develop and modernize, with  
14 the support of government, the agriculture and fisheries sectors in an  
15 environmentally and socioculturally sound manner;

16 (www) *Subclassification or Reclassification of Agricultural Lands*  
17 refers to the process undertaken by the LGUs of allocating declared  
18 agricultural lands in their respective territorial jurisdictions to specific uses  
19 such as residential, industrial or commercial purposes and may be used as a  
20 basis for application for land conversion by the owners thereof;

21 (xxx) *Sustainable development* refers to the development objective of  
22 meeting the needs of the present generation without compromising the ability  
23 of future generations to meet their own needs, consistent with the principles of  
24 social equity, efficiency, and environmental integrity;

25 (yyy) *Sustainable traditional resource rights* refer to the rights of  
26 ICCs/IPs to sustainably use, manage, protect and conserve: (1) land, air, water,  
27 and minerals; (2) plants, animals and other organisms; (3) collecting, fishing  
28 and hunting grounds; (4) sacred sites; and (5) other areas of economic,

1 ceremonial and aesthetic value in accordance with their indigenous  
2 knowledge, beliefs, systems and practices;

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

9 (aaaa) *Tourism ecozone* refers to tourism development areas, outside  
10 protection lands, which have been granted Special Economic Zone status,  
11 through the Philippine Export Zone Authority (PEZA) registration and  
12 issuance of the required Presidential Proclamation, with its metes and bounds  
13 delineated by said Proclamation, pursuant to Republic Act No. 7916 or The  
14 Special Economic Zone Act (SEZA) of 1995, as amended;

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

22 (cccc) *Tourist spot* refers to a particular area/site/spot, human-made or  
23 natural, known for its unique tourist/visitor-drawing attributes and activities  
24 and which may be classified according to its social, cultural, natural, historical,  
25 aesthetic, visual, scientific, religious, and recreational significance;

26 (dddd) *Tourist zone* refers to a geographic area with well-defined  
27 boundaries proclaimed as such by the President of the Philippines and/or by  
28 acts of Congress. No development projects for any purpose shall be initiated  
29 and introduced within the zone prior to the formulation of a tourism master

1 development plan which shall be undertaken in coordination with the  
2 Department of Tourism (DOT) and the Tourism Infrastructure and Enterprise  
3 Zone Authority (TIEZA). A tourist zone is established for the enhancement  
4 and/or the conservation of cultural and historical heritage and for the  
5 appreciation and enjoyment of the local population and its visitors;

6 (eeee) *Urban areas* refer to all cities regardless of their population  
7 density and to municipalities with a population density of at least five hundred  
8 (500) persons per square kilometer;

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

12 (gggg) *Urban forestry or Green space* refers to the establishment or  
13 setting-up of areas for mini-forest, eco-parks or small nature parks, in both  
14 public and private lands: wetlands, human-made lagoons and lakes systems,  
15 riverbanks and shores, grasslands, roof and rock gardens: lining roads and  
16 highways with trees, shrubs, or ornamental plants, and ground landscaping of  
17 schools, hospitals, and other government agencies in order to improve the  
18 environment in urban areas;

19 (hhhh) *Water security* refers to the sufficient access throughout the year  
20 to the minimum daily requirement of clean water to maintain a healthy life;

21 (iiii) *Water use* refers to the appropriation of water for domestic,  
22 municipal, irrigation, power generation, inland fisheries, poultry and livestock,  
23 industrial and commercial, environmental, and recreational use;

24 (jjjj) *Watershed* refers to a topographically delineated area of land  
25 from which rainwater can drain as surface run-off *vis-a-vis* a specific stream  
26 or river system to a common outlet point which may be a dam, irrigation  
27 system or urban water supply take-off point, or where the stream discharges  
28 into a river, lake, or the sea;

1 (kkkk) *Zoning* refers to the regulatory tool for delineating the specific  
2 land uses in accordance with the approved CLUP within the territorial  
3 jurisdiction of a city/municipality and specifying the conditions for their  
4 regulation; subject to the limitations imposed by law and competent authority;  
5 and

6 (llll) *Zoning ordinance (ZO)* refers to a local law passed by the  
7 Sangguniang Bayan or Panlungsod approving the development control/zoning  
8 plan in accordance with an approved or adopted CLUP of the  
9 city/municipality, providing for the regulations and other conditions on the  
10 land uses including the limitation on the infrastructure that may be placed  
11 within the city's/municipality's territorial jurisdiction. It incorporates the  
12 protected areas, protected agricultural lands and ancestral lands as provided for  
13 in this Act.

## 14 CHAPTER II

### 15 FRAMEWORK FOR LAND USE PLANNING

16 SEC. 5. *Basic Land Use Considerations.* – Various land uses as  
17 categorized in the succeeding section shall be determined in a manner that  
18 promotes the policies and principles defined in Section 2 of this Act and shall  
19 consider the following elements of the framework therefor, among others:

20 (a) Protection land use category as defined in Section 6 shall prevail  
21 over existing production land use category. The State shall undertake the  
22 necessary action in changing the classification of these production areas;

23 (b) Preservation, conservation, rehabilitation and protection to  
24 perpetuity of permanent forestlands, critical watersheds, key biodiversity  
25 areas, environmentally critical and ecologically fragile areas and prime  
26 agricultural lands from any other land use, conversion, disposition, intrusion,  
27 utilization and development aside from their determined use and limits;

28 (c) Protection of natural forests and natural resources ensures  
29 environmental stability, conserve biological diversity, improve ecosystem

1 functions and provide long-term ecological and economic benefits.  
2 Designated restoration areas are designed to revive the ecosystem functions  
3 and services of forests as well as improve the economic and ecological  
4 benefits of local communities;

5 (d) Protection of forest and wetlands from infrastructure development  
6 to preserve the ecological services they provide which are<sup>4</sup> essential to  
7 economic development. These activities include, but not limited to, river  
8 channelization and dredging, large-scale irrigation and river diversions which  
9 reduce riverine habitat and alter flood patterns and natural flow regimes,  
10 reduce downstream water availability for agriculture and contribute to  
11 salinization through saltwater intrusion in coastal areas;

12 (e) Resolution of land use conflicts which are life-threatening or  
13 threatening to public safety, sustainability of key production resources or  
14 employment activities and the delivery of basic services which are harmful or  
15 destructive to protected areas, flora, fauna, and other protected natural  
16 resources. Greater consideration shall be given to the human and tenurial  
17 rights of vulnerable groups in resolving land use conflicts;

18 (f) Identification of geo-hazard prone areas and high-risk/danger zones  
19 and corresponding risk reduction measures to ensure the prioritization of life  
20 and safety: *Provided*, That specifically identified and assessed as extremely  
21 hazardous and high-risk/danger zones shall be similarly protected and cleared  
22 from all forms of human-made obstacles, obstructions and instructions to  
23 ensure and secure public health and safety;

24 (g) Respect for existing customary rights and traditional land uses of  
25 ICCs/IPs;

26 (h) Identification of settlement areas to check the demand for land and  
27 establish the location of employment-generating industries and basic services;  
28 and

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

6 SEC. 6. *Categories of Land Uses for Planning Purpose.* — In  
7 determining and defining the national, regional and provincial framework  
8 plans, and CLUPs, land uses shall be grouped into four (4) major functional  
9 uses as follows:

10 (a) Protection Land Use refers to the use of land primarily reserved for  
11 rehabilitation, conservation, and protection purposes and the promotion of the  
12 country's ecological and life-support systems. Planning for protection land  
13 use intends to achieve environmental stability and ecological integrity, ensure  
14 a balance between resource use and the preservation of some areas with  
15 environmental, aesthetic, educational, cultural and historical significance, aid  
16 and protect people and human-made structures from the ill-effects of natural  
17 hazards.

18 Areas under this category are those covered by the NIPAS Act of 1992  
19 and other coastal and marine protected areas; areas outside NIPAS, which  
20 include, but are not limited to:

21 (1) Natural and restored forests, which consist of:

22 (i) All existing areas within forestland containing primary and  
23 secondary forests of whatever types or species;

24 (ii) All existing areas within forestland containing secondary-growth or  
25 residual forests of whatever type or specie;

26 (iii) Areas identified as key biodiversity areas (KBAs);

27 (iv) Restoration areas;

28 (v) All mangrove forests;

1 (vi) All easement areas as defined under Presidential Decree No. 1067,  
2 otherwise known as the Water Code of the Philippines; and

3 (vii) All other areas that would be deemed appropriate for protection, as  
4 designated by the Department of Environment and Natural Resources  
5 (DENR), subject to the approval of the NLUPC created pursuant to Section 55  
6 hereof.

7 (2) Rehabilitated and/or reforested degraded mining areas;

8 (3) Critical ecosystems for protection, such as:

9 (i) Coral reefs;

10 (ii) Marshes and wetlands;

11 (iii) Lakes and rivers;

12 (iv) Caves; and

13 (v) Waterfalls.

14 (4) Disaster-prone areas that include areas subject to, or may be subject

15 to:

16 (i) Recurrent flooding;

17 (ii) Liquefaction;

18 (iii) Tsunamis;

19 (iv) Storm surges;

20 (v) Polar vortex;

21 (vi) Mass wasting;

22 (vii) Volcanic eruption;

23 (viii) Direct impact of seismic activity;

24 (ix) Other disasters caused by climatic conditions; and

25 (x) Other areas that pose a high degree of hazard to human occupation

26 and activity.

27 (5) Critical watershed areas;

28 (6) Marine protected areas;

29 (7) All prime agricultural lands as defined under this Act;



1 (8) Ecologically fragile and environmentally critical areas whose  
2 conversion will result to serious environmental problems and threats to public  
3 health and safety;

4 (9) Natural and human-made areas/sites of cultural, historical  
5 and anthropological significance, which are declared as such by  
6 internationally recognized institutions; and

7 (10) All other areas not included and declared as production areas shall  
8 become protected areas.

9 (b) Production Land Use refers to the most efficient, sustainable, and  
10 equitable utilization, development and management of land for productive  
11 purposes which are not classified for protection land use as defined in this  
12 section. Areas included in this category are agricultural lands, coastal and  
13 marine zones, production forest, mineral lands, energy resource lands,  
14 industrial, and tourism development areas where productive activities could be  
15 undertaken to meet the country's requirements for economic growth and  
16 development. Production land use shall comprise of, but shall not be limited  
17 to:

18 (1) Other agricultural lands not identified as prime agricultural lands.  
19 They shall consist of, but shall not be limited to:

20 (i) Lands whose soils are suitable for agricultural development;

21 (ii) All alluvial plain lands that are suitable for agricultural production  
22 and/or can be devoted to food production;

23 (iii) All lands that are traditional sources of staple food;

24 (iv) All croplands required to attain a certain scale of production to  
25 sustain the economic viability of existing agro-based industries in the  
26 municipality, city or province; and

27 (v) All lands in areas not highly prone to natural hazards that are  
28 suitable for the production of tree crops and other cash crops.

29 (2) Coastal, inland water and marine zones, such as fishponds;

1 (3) Production forests, such as:

2 (i) All areas within forestland not classified as protection forests under  
3 Section 6(a) and shall be devoted to the production of timber and/or non-forest  
4 products or the establishment of industrial tree plantations, tree farms,  
5 woodlots, agro-forestry, or as multiple-use forests;

6 (ii) All areas within forestlands considered as rangelands for grazing  
7 purposes; and

8 (iii) All areas within forestlands managed under the community-based  
9 forest management in areas not classified as protection forests.

10 (4) Rangelands for grazing;

11 (5) Industrial development areas; and

12 (6) Tourism development areas, including potential small islands for  
13 similar purposes.

14 (c) Settlements and Institutional Land Use refers to the use of urban  
15 and rural lands for settlements development purposes and/or improvements on  
16 existing settlements involving 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 settlements.

20 It shall also include lands identified for institutional uses such as  
21 educational, administrative, government, law enforcement, health care and  
22 social services. Settlements and institutional land uses aim to ensure for the  
23 present and future generation the:

24 (1) Effective integration of activities within and among settlements,  
25 allowing efficient movement of people and production of commodities  
26 through the provision of appropriate land, infrastructure, and facilities; and

27 (2) Access of the population to housing, education, health care,  
28 recreation, transportation and communication, sanitation, and basic utilities  
29 such as water, power, waste disposal, and other services;

1 (d) Infrastructure Land Use refers to the use of land dedicated to the  
2 provision of basic services that foster economic and other forms of integration  
3 necessary for producing or obtaining the material requirements of Filipinos, in  
4 an efficient, responsive, safe and ecologically friendly built environment. It  
5 includes, among others, subsectors like: road networks, transportation and  
6 communication facilities, social services, environmental service facilities, and  
7 utilities.

8 *Provided, That the determination of the functional uses of lands within*  
9 *ancestral domains should be consistent with the land use categories provided*  
10 *for in this Act: *Provided, further, That other subcategories of land uses in**  
11 *delineated ancestral domains may be formulated by the concerned ICCs/IPs*  
12 *themselves in accordance with their particular needs and traditional resource*  
13 *and management systems.*

14 **SEC. 7. Land Use Plans for Ancestral Domains.** – Land use plans for  
15 ancestral domains shall be formulated by the ICCs/IPs themselves in  
16 accordance with their particular needs and traditional resource and  
17 management systems with the assistance of the National Commission on  
18 Indigenous Peoples (NCIP), the LGUs and civil society organizations (CSOs)  
19 concerned. Such plans shall be recognized and adopted in the barangay,  
20 city/municipal, provincial, regional and national physical framework plans.

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

26 In cases where there are no ADSDPPs, the LGUs and the ICCs/IPs shall  
27 jointly formulate the land use plan within the ancestral domain until such time  
28 that the ICCs/IPs have formulated their ADSDPPs.

1         **SEC. 8. Adoption of Multiple Uses of Land.** – The primary and  
2 alternative uses of a specific land resource shall be determined and evaluated  
3 by the respective local land use boards prior to any decision for the assignment  
4 of its use. Areas feasible for sustainable land resource use may be considered  
5 multiple-use zones wherein settlements, tourism, agriculture, agro-forestry and  
6 extraction activities and other income-generating, or livelihood activities may  
7 be allowed, except areas under protection land use: *Provided*, That multiple  
8 uses of land resources shall be in accordance with priorities in land use  
9 allocation identified in the approved physical framework and land use plans  
10 wherein such multiple uses are compatible with the original land use and  
11 planning, and that no reclassification shall be allowed: *Provided, further*,  
12 That, where there are vested rights, titles, and claims prior to the enactment of  
13 this Act over the areas feasible for sustainable land resource use, the same  
14 shall be respected.

### 15   CHAPTER III

#### 16   SPECIAL AREAS OF CONCERN

##### 17                   ARTICLE ONE. LAND USE CLASSIFICATION

18         **SEC. 9. Review of Land Use Classification.** – The NLUPC shall  
19 review and assess the current land use classification system and definitions  
20 used in the country to ensure that it reflects the actual use of lands in the  
21 country.

22         The Land Management Bureau (LMB) shall provide the necessary  
23 technical information, conduct the needed assessment of the status of the  
24 existing land use classification and shall submit an assessment report to  
25 the NLUPC not later than ninety (90) days from the establishment of the  
26 latter.

27         **SEC. 10. Consideration of Assessment Report.** – Upon validation and  
28 affirmation by local land use boards, the land use classification assessment

1 report submitted by the LMB shall be taken into consideration by the NLUPC  
2 in the formulation of its planning guidelines.

3 ARTICLE TWO. NIPAS AREAS

4 SEC. 11. *Integrated Management Strategy.* – For more effective  
5 planning, management, and protection of protected areas at the provincial and  
6 city/municipal levels, the Protected Area Management Plan (PAMP) referred  
7 to in the NIPAS Law shall be incorporated in the Provincial Physical  
8 Framework Plan (PPFP) and CLUPs if applicable, wherein protected area  
9 zoning shall be reflected.

10 ARTICLE THREE. AGRICULTURAL LANDS

11 SEC. 12. *Priority Areas for Agricultural Development.* – The priority  
12 areas for agricultural development are the areas distributed under agrarian  
13 reform, areas that can be covered by the Comprehensive Agrarian Reform  
14 Program (CARP), and those identified as part of the NPAAAD. The mapping  
15 of the NPAAAD under the Agriculture and Fisheries Modernization Act  
16 (AFMA) shall be completed not later than one (1) year from the effectivity of  
17 this Act.

18 SEC. 13. *Conversion of Agricultural Lands.* – All lands considered  
19 and identified as prime agricultural lands shall be maintained, managed and  
20 protected for agricultural use and shall not be subjected to any form of  
21 conversion or reclassification.

22 All other agricultural lands not identified as prime agricultural lands can  
23 only be converted to nonagricultural uses upon issuance of a DAR conversion  
24 order: *Provided*, That such conversion shall not drastically change the nature  
25 of the overall land uses in the surrounding and adjacent areas from its existing  
26 land use.

27 *Provided*, That consistent with the State policy on giving priority to the  
28 completion of the CARP, those lands covered under compulsory  
29 acquisition/voluntary offer to sell, production or profit-sharing subject to

1 CARP shall also be protected from conversion pending the distribution and/or  
2 installation of the farmer beneficiaries.

3 *Provided, further,* That pending the completion of mapping activities of  
4 the specific areas under the NPAAAD and the SAFDZs under the AFMA and  
5 their incorporation in the National Physical Framework Plan (NPFP), the  
6 application for conversion of these areas shall not be given due course by the  
7 appropriate government agency.

#### 8 ARTICLE FOUR. ANCESTRAL DOMAIN

9 SEC. 14. *Priority Areas for Agricultural Development Within Ancestral*  
10 *Domain.* – Agricultural lands within ancestral domain shall be developed in  
11 accordance with their ADSDPP.

12 SEC. 15. *Respect for Ancestral Domains.* – The Ancestral Domain  
13 Management Plan (ADMP) or ADSDPP shall be adopted and integrated into  
14 the CLUP and/or other plans that the LGU is mandated to produce. The extent  
15 of ancestral domains shall be reflected in the land use plan, and shall be zoned  
16 as such in the zoning ordinance. It shall be comanaged by the LGU and  
17 ICC/IP community. Additionally, the ADMP/ADSDPP shall be included in  
18 the investment plans of the LGU.

19 SEC. 16. *Ancestral Domain Policy Adoption.* – Ancestral domain  
20 policies shall be adopted in the LGU's land use policy framework. However,  
21 in the event that the ADMP/ADSDPP is still in the formulation stage or  
22 remains to be formulated, the right to self-determination, and the observance  
23 of traditional resource and management systems and processes shall be upheld  
24 at all times, as provided for under Republic Act No. 3871.

#### 25 ARTICLE FIVE. FOREST LANDS AND RESERVATION OF WATERSHED

26 SEC. 17. *Permanent Forestlands.* – All forestlands are classified as  
27 forest or timberlands. Titles, settlements, permits, leases, and/or agreements  
28 within critical habitats, critical watershed areas, protected areas and KBAs  
29 shall be reviewed, and their legality affirmed. All erroneous titles, settlements,

1 permits, leases and/or agreements within permanent forestlands shall be  
2 cancelled or revoked in due course. Noncompliance with and violations of  
3 these instruments shall be grounds for their cancellation or revocation:  
4 *Provided*, That the applicable provisions of Republic Act No. 3871 shall be  
5 respected.

6 Upon recommendation by the LGU, or the Forest Board, the DENR  
7 Secretary shall revoke the abovementioned instruments.

8 **SEC. 18. *Additional Areas to be Included as Permanent Forestlands.*** –

9 The following lands are needed for environmental protection and forestry  
10 purposes and shall not be reclassified as agricultural lands or for any other  
11 land use:

12 (a) Isolated patches of forest, regardless of size and/or area, with rocky  
13 terrain or which protect a spring/water source for communal use;

14 (b) All mangroves and swamplands including twenty (20)-meter wide  
15 strips facing oceans, lakes and other bodies of water not yet classified as  
16 alienable and disposable lands;

17 (c) Ridge tops and plateaus regardless of size found within or  
18 surrounded wholly or partially by forestlands where headwaters emanate;

19 (d) Twenty (20)-meter wide strips of land from the edge of the normal  
20 high waterline of rivers and streams with channels of at least five (5) meters  
21 width which are not yet classified as alienable and disposable;

22 (e) Areas needed for public interest such as research or experimental  
23 purposes; and

24 (f) Areas considered as environmentally critical because of their  
25 vulnerability to damage from landslides, volcanic eruptions, and other natural  
26 causes.

27 **SEC. 19. *Reversion of Alienable and Disposable Lands to Forestlands.***

28 – Upon the recommendation of the DENR Secretary, duly reviewed and  
29 endorsed by the NLUPC, and after due consultations with the concerned LGUs

1 and the affected parties, Congress may authorize the reversion of alienable and  
2 disposable lands of the public domain or portion thereof to forestlands.

3 SEC. 20. *Critical Watershed Areas.* – The DENR, in coordination with  
4 the DA, the LGUs concerned, and other government agencies, including  
5 government-owned and -controlled corporations, and after mandatory public  
6 hearings/consultations, shall identify and delineate critical watershed areas that  
7 need to be protected, rehabilitated, enhanced, and/or withdrawn from uses that  
8 contribute to their further degradation.

9 SEC. 21. *Formulation and Implementation of Integrated Watershed*  
10 *Management Plans.* – With the assistance of the DENR and upon mandatory  
11 consultations with the concerned sectors and communities, the LGUs, through  
12 their local land use boards, shall prepare their watershed management plans  
13 which shall be integrated into their respective CLUPs. The formulation and  
14 integration of the plan shall be guided, among others, by the principle of the  
15 management and development of inland water resources at the watershed level  
16 and shall be consistent with the National Forestry Master Plan (NFMP).

17 The DENR and the concerned LGUs shall jointly implement the  
18 watershed management plan subject to regular consultations with and  
19 involvement of the community and other stakeholders in the implementation  
20 of the plan.

21 SEC. 22. *Establishment and Management of National Parks.* – All  
22 areas proclaimed by the President and Congress to be under the NIPAS, unless  
23 disestablished, including those identified initial components of the NIPAS as  
24 KBAs shall comprise the National Parks classification of the public domain.  
25 The DENR and concerned LGUs shall ensure that such areas are integrated in  
26 the CLUP and physical framework plans: *Provided, however,* That the  
27 preparation of management plans of protected areas and national parks shall be  
28 in accordance with the provisions of the NIPAS Act and other laws  
29 establishing or declaring specific areas as protected areas.



1           SEC. 23. *Establishment of Restoration Zones.* – Restoration areas  
2 shall be designated in the management plan as such. Designation of restoration  
3 zones is compulsory in all forest management plans and for all LGUs.

4                           ARTICLE SIX. COASTAL ZONES

5           SEC. 24. *Criteria for the Allocation and Utilization of Lands Within the*  
6 *Coastal Zones.* – The allocation and utilization of lands within the coastal  
7 zones shall be subject to the following guidelines:

8           (a) Areas vegetated with mangrove species shall be protected,  
9 preserved and managed as mangrove forestland and shall not be converted to  
10 other uses;

11           (b) Areas that meet all accepted criteria on elevation, soil type, soil  
12 depth topography, supply for successful fishpond development, and are not  
13 identified as mangrove protected areas, shall be utilized for aquaculture  
14 purposes as long as a 4:1 ratio for mangroves and fishponds is maintained to  
15 support ecological processes in mangrove ecosystems;

16           (c) Areas subclassified as mangrove and still suitable for use as such,  
17 or due to environmental conditions need to be preserved as mangroves but are  
18 devoid of mangrove stands, shall not be converted to other uses. The DENR  
19 shall ensure that these lands shall be reforested within a given period of time;

20           (d) Areas accessible to the sea and identified for fisherfolk settlement  
21 and housing but are not part of or are not within any protected land use areas  
22 shall be allocated to traditional fisherfolk who are inhabitants of the coastal  
23 communities, members of registered fisherfolk organizations, holders of  
24 stewardship lease contracts or titles to ancestral domains or any form of  
25 property right arrangements who participate in coastal resource management  
26 initiatives, subject to the usual census procedures of the Housing and  
27 Urban Development Coordinating Council (HUDCC): *Provided*, That the  
28 government shall issue marine tenurial rights to organizations concerned  
29 based on a criteria to be established by the NLUPC;

1 (e) Areas that are neither subclassified as mangrove, fisherfolk  
2 settlement nor fishpond may be devoted to recreational or tourism purposes:  
3 *Provided*, That such undertaking will not result in environmental degradation  
4 and displacement of small fisherfolk;

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

7 (g) Areas shall be allocated for small infrastructure needed by  
8 municipal fisherfolk and for fishing gear, boats, and post-harvest facilities;  
9 and

10 (h) Areas which form part of foreshore lands as defined in this Act,  
11 including those under lease agreements or arrangements shall undergo zoning  
12 and evaluation so their boundaries, actual sizes and corresponding uses can be  
13 determined while ensuring that mangrove protection or restoration zones are  
14 considered to keep the required 4:1 ratio between mangroves and fishponds.

15 **SEC. 25. Coastal Land Zone Subclassification.** – All public lands in  
16 the coastal zones shall be subclassified into any of the following: fishponds,  
17 mangroves, protection from tidal surge for preservation of biodiversity,  
18 habitats and sanctuaries for endangered wildlife, fisherfolk settlement, or  
19 recreational/tourism areas. No subclassification of coastal zones to different  
20 uses shall be done without the following:

21 (a) Conduct of a comprehensive inventory and resource and  
22 environmental assessment by the DENR with respective LGUs and accredited  
23 Nongovernment organizations/peoples organizations (NGOs/ POs) within their  
24 jurisdiction. The result of such assessment along with a list of all existing  
25 applications and expired Foreshore Lease Agreements shall be posted in three  
26 (3) conspicuous places in the affected localities; and

27 (b) Prior consultation with local Fisheries and Aquatic Resource  
28 Management Councils (FARMCs) formed pursuant to Republic Act No. 8550  
29 or The Philippine Fisheries Code of 1998.

1           SEC. 26. *Zoning of Coastal Areas.* – The LGUs, in coordination with  
2 the DENR, the FARMCs, local fisherfolk organizations and other concerned  
3 stakeholders such as women and the youth, shall prepare the Coastal Zoning  
4 Resource Management Plan (CZRMP) which shall be incorporated in the  
5 CLUP. Management zones defined in the CZRMP should be reflected in the  
6 CLUP and the subsequent ZO.

7           SEC. 27. *Tourism and Recreation Zone.* – The designation of areas  
8 for tourism and resorts near or over fishery areas or ports thereof shall be with  
9 the consent of the concerned LGUs and FARMCs, and shall comply with the  
10 policies and guidelines set forth in this Act.

11          SEC. 28. *Protection of Waterways, Easements and Flood Plains.* –  
12 Structures of any kind shall not be built in waterways and easements. Pursuant  
13 to Presidential Decree No. 1067 or the Water Code of the Philippines, the  
14 banks of rivers and streams and the shores of the seas and lakes throughout  
15 their entire length and within a zone of three (3) meters in urban areas, twenty  
16 (20) meters in agricultural areas and forty (40) meters in forest areas, along  
17 their margins are subject to the easement of public use only in the interest of  
18 recreation, navigation, floatage, fishing and salvage.

19          The protection of flood plains shall adopt a river basin management  
20 approach, in order to come up with integrated flood mitigation interventions.  
21 Development within flood plains and other flood-prone areas must be  
22 controlled or, if allowed, must be so sited, constructed and serviced that the  
23 lives of occupants are not put at risk and that disruptions during floods are  
24 minimized. The identification and characterization of flood-prone areas and  
25 flood plains shall be an integral part of the CLUP preparation. The LGUs  
26 shall establish land use regulations to mitigate flood risks through the CLUPs  
27 and ZOs.

28          To promote the best interest and the coordinated protection of flood  
29 plains, the Department of Public Works and Highways (DPWH), in

1 coordination with the Department of Science and Technology (DOST) and  
2 the DENR, shall declare flood control areas, as necessary, and shall prohibit or  
3 control activities that could damage or cause deterioration of lakes and dikes,  
4 obstruct the flow of water, change the natural flow of rivers, increase flood  
5 losses or aggravate flood problems pursuant to the Water Code of the  
6 Philippines.

7       SEC. 29. *Disposition of Public Lands for Fishponds.* – Upon the  
8 effectivity of this Act, but subject to existing rights and the preceding section,  
9 no fishpond lease agreement (FLA) shall be issued for tidal swamps,  
10 mangroves and oilier swamps, marshes, ponds, foreshore lands, and coastal  
11 areas within public lands, including those presently declared available for  
12 fishpond development. The NLUPC, in coordination with the DENR, the DA,  
13 the FARMCs and the LGUs shall set aside a portion of available public lands  
14 for fish propagation, fish sanctuary, conservation, ecological purposes and  
15 fisherfolk settlement areas. Fishponds covered by existing FLAs, but are  
16 abandoned or are not operating efficiently and are found suitable for  
17 mangroves shall be reforested with mangroves.

18       SEC. 30. *Immediate Restoration of Converted Mangrove Areas.* –  
19 The DENR, in coordination with the FARMCs and other concerned  
20 agencies, shall immediately take steps in the restoration of all abandoned,  
21 undeveloped and underutilized fishponds to their original state as mangrove  
22 forests.

#### 23                               ARTICLE SEVEN. MINERAL LANDS

24       SEC. 31. *Policies on Mineral Lands.* – Land use policies for mineral  
25 lands shall be geared towards the rational, ecologically sound, and sustainable  
26 use of mineral resources which shall promote economic growth for the local  
27 economy and uphold the human rights of indigenous peoples and local  
28 communities in the affected areas.

1           SEC. 32. *Criteria for the Allocation and Utilization of Lands for*  
2 *Mining Purposes.* – The allocation and utilization of lands for mining purposes  
3 shall be guided by the following:

4           (a) The principles of sustainable development shall be observed at all  
5 times;

6           (b) In case of small-scale mining, adequate and acceptable  
7 safeguards shall be instituted by the holders of mining rights or permits  
8 to prevent environmental degradation of the mining sites and adjacent  
9 areas;

10          (c) Mineral reservations which have become nonoperational for more  
11 than ten (10) years as determined by the Mines and Geosciences Bureau  
12 (MGB) shall be placed under appropriate surface management by the DENR;  
13 and

14          (d) Ancestral domains declared as protected by virtue of their  
15 ADSDPP as well as all watershed areas shall be closed to mining.

16           SEC. 33. *Reversion of Mineral Lands.* – All mineral lands with  
17 exhausted mineral resources, as determined by the MGB, shall automatically  
18 revert to their original land classification, that is, as forest land or agricultural  
19 land. The concerned mining companies shall bear the full cost of rehabilitation  
20 of these areas.

21   ARTICLE EIGHT. ENERGY RESOURCES

22           SEC. 34. *Guidelines for the Allocation and Utilization of Lands for*  
23 *Energy Resource Exploration, Development, Production, Utilization, and*  
24 *Distribution Purposes.* – To ensure that the objectives of maintaining  
25 ecological balance and maximizing the power potential from indigenous  
26 energy resources in the most economical and environmentally acceptable  
27 means are realized, the allocation and utilization of lands shall be guided by  
28 the following, consistent with existing regulations and laws on energy  
29 resources:

1 (a) Indigenous energy resource exploration and development, for the  
2 purpose of creating a National Energy Resource Inventory and Database as  
3 well as an Energy Resource Block Map shall be allowed subject to the  
4 implementation of complementary watershed and other land management  
5 plans;

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

13 (c) Protected areas as defined in Section 4 hereof shall be closed to any  
14 kind of energy resource development;

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

19 (e) Renewable energy shall be preferred over other energy resource.

20 **SEC. 35. *Reversion of Energy Resource Lands.*** – All exhausted  
21 indigenous energy resource lands as determined by the Department of Energy  
22 (DOE), which are not covered by proclamations shall automatically revert to  
23 the category of forestlands or agricultural lands open to disposition, whichever  
24 is appropriate, unless the DENR shall classify such areas for other purposes.  
25 Exhausted energy resource lands shall refer to specific energy resource sites  
26 whose energy reserves of the desired type/s are no longer in sufficient  
27 quantity or quality to justify additional expenditure for their extraction and  
28 utilization.

## ARTICLE NINE. SETTLEMENTS DEVELOPMENT

1  
2       SEC. 36. *Municipalities, Cities, and Settlements Development.* – The  
3 development of municipalities, cities, and settlements through CLUP and  
4 implemented by the ZOs of cities and municipalities shall be guided  
5 by urban zoning standards designed to maximize existing urban spaces  
6 taking into account studies of pertinent government agencies on climate  
7 change.

8       SEC. 37. *Settlements Within Geo-hazard Areas and/or High*  
9 *Risk/Danger Zones.* – Settlements within geo-hazard areas and/or high  
10 risk/danger zones shall not be allowed. In cases where there are existing  
11 settlements within geo-hazard areas and/or high risk/danger zones, the  
12 concerned government agencies shall provide assistance to concerned LGUs  
13 and settlers in instituting safety and corrective measures to address the  
14 potential danger or risk.

15       SEC. 38. *Designation of Waste and Environment Management Site.* –  
16 Each city or municipality shall identify and designate an area to serve as waste  
17 and environment management, waste disposal, and facilities within one (1)  
18 year from the effectivity of this Act. The LGUs, in coordination with the  
19 DENR or any other competent authority, shall identify sanitary landfill in  
20 order to fast-track the conduct of the Environmental Impact Assessment (EIA)  
21 study and to facilitate the processing of the ECC. The site or area shall be  
22 identified in the city's or municipality's CLUP. For this purpose, cities and  
23 municipalities shall establish their solid waste management program, pursuant  
24 to Republic Act No. 9003, otherwise known as the "Ecological Solid Waste  
25 Management Act of 2000". Likewise, as provided under Section 33 of the  
26 Local Government Code of 1991, cities and municipalities may, through  
27 appropriate ordinances, bind themselves towards the establishment of a  
28 common solid waste management program.

1           Within ninety (90) days from the effectivity of this Act, the DENR, in  
2 coordination with concerned agencies, shall promulgate the necessary  
3 guidelines and standards for the formulation and establishment of solid waste  
4 management programs by cities and municipalities, and shall submit the same  
5 to the NLUPC for review and approval.

6           SEC. 39. *Designation and Zoning of Socialized Housing Sites.* – Each  
7 city or municipality in urban, urbanizable and rural areas shall designate,  
8 through the CLUP, adequate lands for housing or residential purposes,  
9 including socialized housing and resettlement areas for the immediate and  
10 future needs of the local population as well as the underprivileged and  
11 homeless in their territory, pursuant to existing laws and regulations. In order  
12 to ensure adequate availability of land for the housing needs of the local  
13 population, the CLUP may be revised at the minimum of ten (10) years, and  
14 reviewable not earlier than every five (5) years.

15           The designated sites for socialized housing shall be located in  
16 residential zones, and shall be zoned as socialized housing zones that are  
17 integrated in the city's or municipality's ZO, duly approved by the NLUPC,  
18 pursuant to existing laws and regulations. Preference shall be given to lands  
19 proximate to public transportation facilities which may include *inter alia*  
20 railways and public terminals.

21           The location of resettlement areas may either be on-site or off-site and  
22 may be within the city or municipality: *Provided*, That designated settlement  
23 and socialized housing areas shall consider the proximity and accessibility  
24 of the affected community to employment, economic activities and social  
25 services.

26           Within ninety (90) days from the effectivity of this Act, the NLUPC,  
27 in coordination with concerned agencies, pursuant to HUDCC Resolution  
28 No. 521, Series of 1992; Executive Order No. 124, Series of 1993; and other  
29 pertinent guidelines on the matter, shall promulgate the necessary guidelines



1 for the identification and designation of socialized housing sites. All cities and  
2 municipalities in urban and urbanizing areas shall identify and designate their  
3 socialized housing sites within one (1) year from the effectivity of this Act and  
4 must submit the list of these sites and their respective areas to the HUDCC.  
5 These sites shall be used exclusively for socialized housing as defined in the  
6 UDHA.

7       SEC. 40. *Zoning of Identified Sites for Socialized Housing.* – The  
8 identified sites for socialized housing shall be located in residential zones  
9 identified by the city's or municipality's CLUP and ZO duly approved by the  
10 NLUPC. However, for cities and municipalities where the identified sites are  
11 not within the said residential zones, the location shall be within the priority  
12 sites and conform with the suitability criteria as defined in Sections 6.3 and 6.4  
13 of the Guidelines in HUDCC Resolution No. 521, Series of 1992, or as may be  
14 defined in subsequent issuances. The identified sites shall be zoned as  
15 socialized housing zones as defined herein.

16       The current ZO of LGUs shall be reviewed and revised such that the  
17 socialized housing component shall be integrated thereto.

18       SEC. 41. *Valuation of Lands for Socialized Housing.* – Equitable land  
19 valuation guidelines for socialized housing shall be set by the Department of  
20 Finance (DOF) on the basis of the market value reflected in the zonal  
21 valuation, or in its absence, on the latest real property tax declaration. For  
22 sites already occupied by qualified beneficiaries under the UDHA, and sites  
23 identified as socialized housing zones as defined in this Act, the DOF shall  
24 factor into the valuation, the blighted status of the land as certified by the LGU  
25 or the National Housing Authority (NHA).

26       SEC. 42. *Guidelines for Identification of Settlement Sites.* – In  
27 identifying settlement areas, prospective sites should be:

28       (a) Within alienable and disposable lands but not in environmentally  
29 critical, geo-hazard or other protection areas;

1 (b) Along established urban growth directions;

2 (c) With provisions for or can be provided with basic services and  
3 utilities;

4 (d) Within the 0 to 8% slope range; and

5 (c) Accessible from existing built-up areas and other employment  
6 centers through existing or proposed roads and other transportation facilities.

7 SEC. 43. *Urban Forest or Green Space.* – Each city or  
8 highly-urbanizing municipality shall identify, designate, and allocate lands  
9 owned by the city or municipality as urban forest or green space, based on the  
10 guidelines and standards to be issued by the DENR and approved by the  
11 NLUPC.

12 SEC. 44. *Protection of Ecological Harmony.* – To ensure the  
13 ecological harmony of towns, cities and settlements, certain projects that can  
14 alter the present use of a zoned area shall not be issued a building permit,  
15 business permit, and/or development permit. The identification of these  
16 projects shall be done in coordination with the LGU concerned. All LGUs  
17 shall be required to designate restoration areas in their forest land use plans.

18 ARTICLE TEN. INDUSTRIAL DEVELOPMENT AREAS/SITES

19 SEC. 45. *Criteria for Designating Industrial Development Areas.* –  
20 The identification and establishment of industrial development areas shall  
21 conform to the provisions of Republic Act No. 7916 or the SEZA of 1995 as  
22 amended by Republic Act No. 8748, Republic Act No. 6657 or the  
23 Comprehensive Agrarian Reform Law (CARL) as amended by Republic Act  
24 No. 9700 or the Comprehensive Agrarian Reform Program Extension with  
25 Reforms (CARPER), Republic Act No. 8371 or the IPRA, Republic Act  
26 No. 7279 or the UDHA, Republic Act No. 8550 or the Philippine Fisheries  
27 Code as amended by Republic Act No. 10654, and Republic Act No. 8435 or  
28 the AFMA, taking into consideration the following:

- 1 (a) Identified network of areas for agricultural development and  
2 protected agricultural areas pursuant to Republic Act No. 8435;
- 3 (b) National policies on the regional dispersal of industries and  
4 agri-based industrial development;
- 5 (c) Identified growth areas and corridors in the National Development  
6 Plan;
- 7 (d) NIPAS and non-NIPAS areas such as, but not limited to, KBAs and  
8 restored areas that require protection;
- 9 (e) National and Urban Development and Housing Framework;
- 10 (f) Identified Socialized Housing Zones; and
- 11 (g) National Framework for Physical Planning and other existing  
12 national programs and policies.

13 The designated industrial development areas shall be located only in  
14 production land use areas and shall become an integral part of the land use  
15 plan and ZO of the city or municipality where these areas are located.  
16 Republic Act No. 9700, Republic Act No. 8371, Republic Act No. 7279,  
17 Republic Act No. 8550, Republic Act No. 8435, and Republic Act No. 7160 or  
18 the Local Government Code of 1991 shall apply to all Special Economic  
19 Zones and Free Ports.

20 **ARTICLE ELEVEN. TOURISM DEVELOPMENT AREAS**

21 **SEC. 46. Designating Tourism Development Areas.** - The  
22 identification, selection, and development of tourism development areas,  
23 and tourism enterprise zones (TEZs) shall be done in consultation and  
24 coordination with the concerned LGUs, the TIEZA, the DOT, and other  
25 concerned national government agencies, the private sector and the affected  
26 communities, subject to the provisions of Republic Act No. No. 9593 or  
27 the Tourism Act of 2009. Tourism development areas shall likewise include  
28 those covered by legislative and executive issuances such as tourist  
29 spots, tourist zones and tourism ecozones which can be developed into

1 tourism estates or integrated resort, leisure and recreation complexes and other  
2 tourism-related facilities as well as those identified in the national, regional,  
3 and area-specific tourism master plans and other sector plans, such as  
4 ecotourism and agritourism sites: *Provided*, That such sites designated for  
5 tourism development are outside of areas identified for protection land use.  
6 As much as practicable, community-based tourism shall be the principal mode  
7 of tourist spot operation. Republic Act No. 9700, Republic Act No. 8371,  
8 Republic Act No. 7279, Republic Act No. 8550, Republic Act No. 8435, and  
9 Republic Act No. 7160 shall apply and Executive Order No. 111, Series of  
10 1999 that provided for the National Ecotourism Strategy shall likewise apply  
11 to all tourist zones and tourist development areas.

12 Designated areas for tourism development shall become part of the  
13 CLUPs and ZOs of the cities or municipalities where these are located.

14 *SEC. 47. Identification and Preservation of Cultural Heritage.* – In  
15 accordance with Republic Act No. 10066 or the National Cultural Heritage  
16 Act of 2009, the National Historical Commission of the Philippines (NHCP),  
17 the National Museum (NM), and the National Commission for Culture and the  
18 Arts (NCCA) in coordination with other concerned agencies, local  
19 communities, and the private sector, shall identify and declare areas and  
20 structures which shall be protected and preserved as part of Philippine cultural  
21 heritage.

22 The NHCP and the NM, in consultation with the NCCA and the  
23 HLURB, shall designate heritage zones to protect the historical and  
24 cultural integrity of a geographical area that is significant to national  
25 history.

26 The LGUs, in consultation with the NHCP, the NM, and the NCCA,  
27 shall designate heritage zones to protect the historical and cultural integrity of  
28 geographical areas and cultural spaces of intangible cultural properties, which  
29 are significant to a city or municipality and the community.

## ARTICLE TWELVE. INFRASTRUCTURE DEVELOPMENT

SEC. 48. *Allocation and Use of Land for Infrastructure Development.*

– Land, whether public or private, shall be allocated and utilized for priority infrastructure projects that are supportive of national or local development objectives. The National Economic and Development Authority (NEDA), in consultation with the concerned national government agencies, LGUs, and the private sector, shall identify and periodically review, update and/or revise the list of priority infrastructure projects under an overall national strategic infrastructure development plan subject to the provisions of this Act, Republic Act No. 8435 and Republic Act No. 8371: *Provided*, That such national strategic infrastructure development plan shall be consistent and integrated in the objectives and directions of the NPPF.

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

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

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

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

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

*Provided*, That the provision and implementation of infrastructure support shall be made compatible with existing environmental conditions and the physical, whether natural or human-made, and cultural character of the area. Mandatory public consultations pursuant to existing laws and regulations

1 shall be held prior to the conduct of all infrastructure projects that will  
2 necessarily involve dislocation or displacement of people in the area.

3 *Provided, further,* That the proponent of the infrastructure project shall  
4 follow the rules on just and humane eviction or demolition under Section 28 of  
5 Republic Act No. 7279 as a last resort, notwithstanding the provisions of  
6 Republic Act No. 8975, prohibiting lower courts from issuing temporary  
7 restraining orders, preliminary injunctions, or preliminary mandatory  
8 injunctions, and that the proponent shall follow provisions of Republic Act  
9 No. 8371, particularly those pertaining to the rights of ICCs/IPs in case of  
10 displacement.

11 *Provided, finally,* That national government infrastructure projects shall  
12 provide budgetary allocations for the adequate relocation of displaced  
13 communities.

14 SEC. 49. *Infrastructure Projects Within Geo-hazard Areas.* -  
15 Construction of priority infrastructure projects within hazard-prone areas  
16 shall be allowed: *Provided,* That mitigating and/or preventive measures are  
17 adopted and implemented to address the potential adverse economic,  
18 sociocultural, and environmental impacts that will emanate from these  
19 infrastructure projects, subject to the findings and recommendations of  
20 a feasibility study/EIA in accordance with Presidential Decree No. 1586  
21 (EIS System) and Republic Act No. 4846 or the Cultural Properties  
22 Preservation and Protection Act.

23 Existing projects that were undertaken without the required EIA and  
24 which pose a threat to the environment, or to the integrity of historic,  
25 archaeological, or scientifically significant areas, or impinge on critical  
26 ecosystems, may be terminated immediately, or gradually phased-out and  
27 relocated, or maintained within their life span subject, however, to  
28 mitigating measures: *Provided,* That the rules on mandatory public  
29 hearings/consultations and just and humane eviction or demolition shall

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

#### 4 CHAPTER IV

##### 5 PHYSICAL FRAMEWORK AND LAND USE PLAN

6 SEC. 50. *National Land Use Planning Process.* – The physical  
7 framework and land use planning process shall be participatory, following a  
8 combined bottom-up and top-down approach, with mandatory public  
9 hearings/consultations conducted at all levels, and shall consider available and  
10 updated multidisciplinary scientific information of land uses.

11 A set of national policy guidelines and standards for physical planning  
12 shall be formulated by the NLUPC. These shall guide the preparation and  
13 formulation of the NPPF, Regional and Provincial Physical Framework  
14 Plans (RPPFPs).

15 These standards shall give due consideration to conflicting uses and  
16 areas being used, declared or designated for agrarian reform, protected areas,  
17 coastal resource management and/or ancestral domains.

18 The NPPF shall define the national strategy and objectives of the  
19 country's urban, rural and regional development. It shall guide the  
20 rational distribution of population, access to economic opportunities and  
21 social services, sustainable utilization of resources, and maintenance of  
22 environmental integrity.

23 Furthermore, it shall consider the existing Regional Physical  
24 Framework Plans (RPFs) and the Provincial Physical Framework Plans  
25 (PPFPs).

26 The RPFs, the PPFPs and the CLUPs, which cover the physical  
27 development of their respective territories, shall be consistent with the NPPF:  
28 *Provided*, That the integration and harmonization of physical framework plans  
29 at all levels shall be iterative to ensure that the concerns of both top and

1 bottom levels of government are considered in the NPPF, the RPPFs,  
2 the PFPs and the CLUPs.

3 The physical framework and land use plans prepared at all levels shall  
4 be consistent with each other, specifically on the linkages of the major land  
5 use categories to ensure their complementation in the utilization, development  
6 and management of resources.

7 The period of coverage of the national, regional and provincial  
8 framework plans shall be thirty (30) years with regular review and updating  
9 every ten (10) years.

10 SEC. 51. *National Physical Framework Plan.* – The NPPF shall guide  
11 the planning and management of the country's land and other physical  
12 resources at the national and sub-national levels, and indicate broad spatial  
13 directions and policy guidelines on protection land use, production land use,  
14 settlement development and infrastructure development. The NPPF shall be  
15 the basis for adopting the land use and physical planning-related guidelines,  
16 including zoning and other land use control standards that will guide the  
17 formulation of city/municipal ZOs.

18 The NLUPC, in consultation with concerned sectors and communities  
19 shall update the NPPF after such period that objectives and goals set by the  
20 NPPF have been substantially achieved. It shall also formulate and issue the  
21 appropriate planning guidelines and standards through which all physical  
22 planning, land use and management of resources shall be reviewed, prepared,  
23 formulated and monitored.

24 The resulting land use plan/physical framework shall be the basis for  
25 the identification, formulation and development of national and local  
26 development plans, programs, projects and activities of government at all  
27 levels.

28 SEC. 52. *Regional Physical Framework Plan (RPPF).* – The RPPF  
29 shall provide broad spatial directions and policy guidelines on protection land



1 use, production land use, settlement development, and infrastructure  
2 development at the regional level and guide the formulation of the PPFs. The  
3 RPPF shall consider the existing PPFs and the CLUPs of LGUs within the  
4 territorial jurisdiction of the region.

5 The Regional Land Use Policy Council (RLUPC), created under  
6 Section 59 of this Act, shall formulate and periodically update the RPPF based  
7 on the guidelines issued by the NLUPC, in a manner consistent with and  
8 following the objective of the NPPF. Likewise, the Medium-Term Regional  
9 Development Plan (MTRDP) and the Medium-Term Regional Development  
10 Investment Program (MTRDIP) shall be guided by and made consistent with  
11 the objectives identified in the RPPF.

12 **SEC. 53. *Provincial Physical Framework Plan (PPFP).*** – The PPFP  
13 shall determine the physical development of the entire provincial territory,  
14 consolidate and harmonize the comprehensive land use plans of component  
15 cities and municipalities, consistent with the RPPF. It shall reflect the  
16 indicative land use management and physical development direction of the  
17 province.

18 Further, the PPFP shall serve as basis for other sectoral and  
19 development plans related to land, natural resources, and infrastructure  
20 facilities, including the development plan of the province; the reconciliation  
21 and rationalization of land use proposals among component cities and  
22 municipalities with the higher level framework plan; guiding development  
23 agencies and private developers, particularly those that undertake large-scale  
24 projects; and providing a basis for resolving conflicts arising from the  
25 implementation of land use plans and development projects involving two (2)  
26 or more municipalities.

27 The PPFP shall serve as the basis for the preparation of the Provincial  
28 Development Plan (PDP) and the Provincial Development Investment  
29 Program (PDIP). The PPFP, the PDP, the PDIP and/or the Provincial Physical

1 Framework and Development Plan (PPFDP) shall serve as the basis for the  
2 formulation of sectoral action plans of national government agencies in the  
3 province and all LGUs within its jurisdiction. The province may opt to  
4 prepare their PDP alongside the preparation of PFPF and consolidate them into  
5 a PPFDP: *Provided*, That PPFDP shall remain consistent with the PFPF:  
6 *Provided, further*, That any review or changes in the PFPF shall coincide with  
7 the overall review process of the NFPF.

8 The Provincial Land Use Planning and Management Board (PLUPMB)  
9 created under this Act shall ensure that the PFPF is consistent with the  
10 national and regional planning framework and guidelines issued by the  
11 NLUPC/RLUPC. The PFPF shall be presented to the Provincial Development  
12 Council (PDC) for endorsement to the Sangguniang Panlalawigan, which shall  
13 formally adopt and approve the PFPF. The approved PFPF shall be submitted  
14 to the RLUPC for consolidation and integration into the RFPF.

15 Under the general supervision of the PLUPMB, the Provincial Planning  
16 and Development Coordinator/Office (PPDC/PPDO) shall provide technical,  
17 secretariat and administrative support in the preparation, consultation,  
18 integration and formulation process of the PFPF.

19 *SEC. 54. City and Municipal Comprehensive Land Use Plans*  
20 *(CLUPs).* – All barangays shall provide their sectoral, temporal and spatial  
21 data for the CLUP which shall serve as the foundation for the formulation of  
22 the city/municipal CLUPs. The data shall be provided by the Sangguniang  
23 Pambarangay through stakeholder consultations. The CLUP shall determine  
24 the specific uses of land and other physical and natural resources, both private  
25 and public, within their territorial jurisdiction including areas comanaged with  
26 the national government and, as appropriate, management plans for ancestral  
27 domains, critical watersheds, river basins, and protected areas.

28 The CLUP shall delineate actual boundaries on the ground within the  
29 territorial jurisdiction, embody the desired land use patterns of the barangay,

1 city or municipality, translate and integrate sectoral plans, and provide  
2 appropriate policies for each of the four (4) land use planning categories. The  
3 spatial directions prescribed in the CLUP shall serve as the basis for the  
4 preparation and formulation of the Comprehensive Development Plan (CDP)  
5 and Local Development Investment Program (LDIP) of the LGUs.

6 Consistent with the national standards and guidelines prescribed in  
7 Section 50 of this Act, the cities and municipalities shall, in consultation with  
8 the concerned sectors, prepare their respective CLUPs. The City/Municipal  
9 Land Use Planning and Management Board (C/MLUPMB) created under this  
10 Act shall be responsible for the preparation and formulation of the CLUP and  
11 ensure its consistency with national and regional physical planning guidelines  
12 and standards. Under the general supervision of the respective C/MLUPMB,  
13 the City/Municipal Planning and Development Office/Coordinator  
14 (C/MPDO/C) shall provide technical, secretariat and administrative support  
15 in the preparation, consultation, integration and formulation process of the  
16 respective CLUPs of each city or municipality.

17 The CLUPs shall be submitted by the city/municipal local development  
18 councils (LDCs) for adoption and approval of the Sangguniang Bayan (SB).  
19 The approved CLUPs shall be submitted to the province for integration into  
20 the PFPF.

## 21 CHAPTER V

### 22 IMPLEMENTING STRUCTURE AND MECHANISM

#### 23 SEC. 55. *Creation of the National Land Use Policy Council (NLUPC).*

24 – The National Land Use Committee (NLUC) under the NEDA Board (NB)  
25 is hereby abolished and in its stead, the NLUPC shall be created. It shall  
26 exercise the powers and responsibilities identified under this Act and  
27 assume the functions of the NEDA Board-National Land Use Committee  
28 (NB-NLUC). It shall further exercise the powers and functions pertaining  
29 to land use planning vested by law on the Housing and Land Use Regulatory

1 Board (HLURB), except the following which shall remain as official  
2 functions of the HLURB:

3 (a) Formulate land use planning guidelines in the preparation of the  
4 CLUPs and ZOs of LGUs to ensure compliance with the national policies,  
5 objectives, priorities and directions set by the NLUPC;

6 (b) Provide technical and other forms of planning assistance to,  
7 including capacity-building for, LGUs and zoning boards; and

8 (c) Act as the appellate body on decisions of local zoning bodies on  
9 locational clearance applications and/or oppositions thereto and other zoning  
10 issues involving private rights.

11 The NLUPC shall act as the highest policy-making body on land use  
12 and shall resolve land use policy conflicts between or among agencies,  
13 branches, or levels of the government. It shall integrate efforts, and monitor  
14 developments relating to land use and the evolution of policies.

15 *SEC. 56. Composition of the NLUPC.* – The NLUPC shall be headed  
16 by the Director General of the NEDA as Chairperson. It shall choose a Vice  
17 Chairperson from among the members of the Council, who shall assume the  
18 functions of the Chairperson in case of absence. The NLUPC shall meet at  
19 least once every quarter.

20 The members of the Council shall be the following:

21 (a) The Secretary of the DAR;

22 (b) The Secretary of the DA;

23 (c) The Secretary of the DENR;

24 (d) The Secretary of the Department of the Interior and Local  
25 Government (DILG);

26 (e) The Chairperson of the NCIP;

27 (f) The Chairperson of the HUDCC;

28 (g) The Chief Executive Officer of the HLURB;

29 (h) The Administrator of the NAMRIA;

- 1 (i) The President of the League of Cities of the Philippines (LCP);  
2 (j) The President of the League of Municipalities of the Philippines  
3 (LMP);  
4 (k) Two (2) representatives each from four (4) basic sectors directly  
5 involved in land use, namely: urban poor, peasants, fisherfolk, and indigenous  
6 peoples who shall be appointed by the respective National Anti-Poverty  
7 Commission (NAPC) sectoral councils. Of the eight (8) sectoral  
8 representatives, at least four (4) shall be women, provided that one of  
9 whom shall be from the Moro sector;
- 10 (l) Four (4) representatives from the developers' associations, the  
11 accredited associations of professionals dealing with land use such as, but not  
12 limited to, urban and regional planners, environmental planners, architects,  
13 geologists and geodetic engineers, the business or private sectors; and
- 14 (m) The Head of the NLUPC Secretariat who shall be a nonvoting  
15 *ex officio* member.

16 The members of the Council who are Cabinet Secretaries may designate  
17 their duly authorized and permanent representatives whose ranks shall in no  
18 case be lower than Undersecretary.

19 SEC. 57. *Powers and Functions of the NLUPC.* – The NLUPC shall  
20 have the following powers and functions:

- 21 (a) Guide the determination and identification of the country's  
22 strategic land use development and physical planning objectives, priorities and  
23 direction, as well as recommend the adoption, passage, or amendment of laws  
24 to ensure that plans, programs, projects, and activities, including local  
25 government initiatives affecting land use are consistent with national  
26 development objectives;
- 27 (b) Formulate the necessary national policy guidelines in the  
28 preparation of the country's physical framework plans, including the setting of

1 limits/target key land uses needed for protection, production, settlements and  
2 infrastructure for present and future needs;

3 (c) Ensure that policies, guidelines and standards on land use and  
4 physical planning, including zoning, shall be followed by the RLUPC, local  
5 land use boards and concerned national agencies, and that the RPPF, the PPF  
6 and the CLUPs shall be consistent with the NPPF;

7 (d) Ensure the consistency of other national development and sectoral  
8 plans and programs, including the Medium-Term Philippine Development  
9 Plan (MTPDP) and Public Investment Program (PIP), with the NPPF;

10 (e) Integrate and harmonize all laws and policies relevant to land use  
11 in order to come up with a rational, cohesive, and comprehensive national land  
12 use framework, and if warranted, recommend to Congress the adoption,  
13 passage or amendment of laws to ensure that sectoral plans, projects and  
14 activities, including local government initiatives affecting land use are  
15 consistent with national development objectives;

16 (f) Resolve policy conflicts on land uses between or among agencies,  
17 branches, or levels of government and unresolved land use policy conflicts at  
18 the regional level;

19 (g) Issue locational clearances for projects of national significance;

20 (h) Call on any department, bureau, office, agency, or instrumentality  
21 of the government and or private entities and organizations for cooperation,  
22 support, and assistance in the performance of its functions;

23 (i) Review the NPPF every ten (10) years;

24 (j) Advise the President of the Philippines and the NEDA Board on all  
25 matters concerning land use and physical planning;

26 (k) Adopt rules of procedures for the orderly and expeditious conduct  
27 of meetings and other business of the Council; and

1 (l) Perform such other acts and functions and exercise such other  
2 powers as may be necessarily implied, inherent, incidental, or related to the  
3 foregoing.

4 SEC. 58. *NLUPC Secretariat.* – The existing unit of the NEDA in  
5 charge of Land Use and Physical Planning Division shall act as the NLUPC  
6 Secretariat which shall perform functions such as, but not limited to, managing  
7 information, gathering of data, coordinate the monitoring of government  
8 agencies and LGUs, ensuring multi-stakeholder participation towards  
9 formation of local land use policy boards, sharing of database and mapping  
10 systems, and reinforcing relevant assessment tools and capability-building  
11 programs.

## 12 CHAPTER VI

### 13 REGIONAL AND LOCAL LAND USE POLICY BODIES

14 SEC. 59. *Regional Land Use Policy Council (RLUPC).* – At the  
15 regional level, the Regional Land Use Committee (RLUC) is hereby abolished  
16 and in its stead, the RLUPC shall be created. The RLUPC shall be  
17 institutionalized, replicating the NLUPC structure and composition. It shall be  
18 chaired by the NEDA Regional Director and shall exercise the following  
19 functions:

20 (a) Formulate regional policies and guidelines which are consistent  
21 with the national planning guidelines issued by the NLUPC in the preparation  
22 and formulation of the respective provincial physical planning and CLUPs of  
23 LGUs within its jurisdiction;

24 (b) Prepare and periodically update the RPPF, taking into  
25 consideration national policies and lower level plans;

26 (c) Review, prior to adoption by respective Sanggunians, the  
27 PPFs and the CLUPs of highly urbanized and independent component cities  
28 to ensure consistency with the RPPF and national policies set forth by the  
29 NLUPC;

1 (d) Decide and resolve policy conflicts on land use planning,  
2 classification, and allocation that may arise between or among regional line  
3 agencies, provinces and cities/municipalities;

4 (e) Monitor changes in land use and other physical resources in the  
5 region;

6 (f) Coordinate and monitor the land use activities of regional line  
7 agencies and LGUs;

8 (g) Evaluate consistency of major programs and projects of regional  
9 agencies and entities with the RPPF and their impact on land use and the  
10 environment; and

11 (h) Perform other related functions as may be directed by the NLUPC.

12 In forest land use management, where the watershed area/continuum  
13 covers several municipalities across different provinces, an inter-LGU task  
14 force composed of representatives from the RLUPC and the concerned  
15 municipal LGUs where the watershed area is located shall be formed. With the  
16 assistance of the DENR and upon mandatory consultations with the concerned  
17 sectors, the inter-LGU task force shall formulate the Watershed Management  
18 Plan for the said watershed area.

19 *SEC. 60. Provincial Land Use Planning and Management Board*  
20 *(PLUPMB).* - The Provincial Land Use Committee (PLUC) is hereby  
21 abolished. The Provincial Land Use Planning and Management Board or  
22 PLUPMB is created in all provinces under this Act to oversee the preparation,  
23 integration, adoption and approval of the PPFPP and shall ensure its consistency  
24 with approved national and regional planning guidelines. The PLUPMB shall  
25 also be directly responsible for the effective management and implementation  
26 of the approved PPFPP and ensure that any existing and future development  
27 initiatives, programs and projects introduced within its jurisdiction are  
28 consistent with and supportive of the land use resource management and



1 physical planning objectives, directions and character identified in the  
2 approved PPFPP.

3       SEC. 61. *Powers and Responsibilities of the Provincial Land Use*  
4 *Planning and Management Board.* – The following are the powers and  
5 responsibilities of the PLUPMB:

6       (a) Formulate necessary provincial planning guidelines and/or  
7 implementing policies for the preparation and formulation of the respective  
8 CLUPs within its jurisdiction consistent with approved national and regional  
9 planning policies and guidelines;

10       (b) Submit to the PDC the draft CLUP for its transmission to the  
11 Sangguniang Panlalawigan and for the PDC to use it as reference for  
12 consistency and complementation with other development plans;

13       (c) Review, monitor and assess the implementation and  
14 operationalization of the approved CLUP and its consistency with physical  
15 planning and land use management objectives and goals identified in the  
16 CLUP;

17       (d) After an appropriate period of time or upon instruction and advice  
18 by the NLUPC, conduct and initiate a progress review of the PPFPP and the  
19 achievement of its stated objectives and goals and update the PPFPP;

20       (e) Decide and resolve policy conflicts on land use planning,  
21 classification, and allocation that may arise between or among  
22 cities/municipalities and facilitate the resolution of any unresolved land use  
23 conflict, including political boundary conflicts, at the city/municipality level;

24       (f) Advise the Sangguniang Panlalawigan on all matters pertaining to  
25 land use and physical planning;

26       (g) Promote cooperation and sharing of resources between and among  
27 component LGUs of the province or with neighboring LGUs to address  
28 common land use and development issues including those related to

1 geo-physical hazards, watershed and river basin management, coastal and  
2 marine waters, climate change impact and disaster risks; and

3 (h) Assist the Sangguniang Panlalawigan in reviewing the submitted  
4 CLUPs of component cities/municipalities to ensure consistency with the  
5 PFPF.

6 In cases where the watershed areas transcend the boundaries of a  
7 particular municipality, an inter-LGU task force composed of representatives  
8 from the PLUPMB of the municipal LGUs where the watershed area is located  
9 shall be formed.

10 SEC. 62. *Composition of the PLUPMB.* – The PLUPMB shall be  
11 composed of the following fifteen (15) members to be selected based on the  
12 rules to be formulated by the NLUPC as provided in this Act:

13 (a) The Provincial Planning and Development Coordinator (PPDC);

14 (b) The Chairperson of Sangguniang Panlalawigan Committee on  
15 Environment and Natural Resources;

16 (c) The Provincial Chapter President-League of Municipalities and/or  
17 League of Cities;

18 (d) The Provincial Agrarian Reform Officer (PARO);

19 (e) The Provincial Environment and Natural Resources Officer  
20 (PENRO);

21 (f) The Provincial Agricultural Officer (PAO);

22 (g) The NCIP Provincial Officer;

23 (h) The HLURB Regional Officer;

24 (i) Three (3) representatives from the local business or private sector;  
25 the developers' association and accredited associations of professionals  
26 dealing with land use such as, but not limited to, urban and regional planners,  
27 environmental planners, architects, geologists, geodetic engineers, and  
28 chamber of commerce, who shall be appointed from among the accredited  
29 organizations within their respective development councils;

1 (j) Four (4) representatives from the basic sector groups (urban  
2 poor, fisherfolk, farmers, indigenous peoples): *Provided*, That at least two (2)  
3 representatives shall be women: *Provided, further*, That the representatives  
4 shall be appointed from among the accredited organizations within their  
5 respective development councils: *Provided, finally*, That in predominantly  
6 Muslim areas, one shall be from the Moro sector; and

7 (k) The designated Board Chairperson to be chosen among the  
8 members.

9 Except for *ex officio* members, the members of the PLUPMB shall be  
10 appointed for a term of three (3) years, subject however to the elected office  
11 held, government employment and/or official designation of the LGU,  
12 national agency and/or local business/private sector association or basic sector  
13 group representation in the Board. The NLUPC, within ninety (90) days from  
14 its establishment, shall formulate the rules for the selection of the Chairperson  
15 and the members of the PLUPMB. The Provincial Planning and Development  
16 Coordinator/Office (PPDC/PPDO) shall provide technical secretariat and  
17 administrative support and resources for the effective operation of the  
18 PLUPMB.

19 Aside from the PPDO, the PLUPMB may call upon other local and  
20 national government offices and agencies such as the local Engineer, Assessor,  
21 and local field representatives of the DA, the DPWH, the DOTr, the DOT,  
22 the DENR, the DAR, the DepED, the NCIP and other concerned national  
23 agencies to assist the PLUPMB in the performance of its roles and mandates.

24 The appropriations for the regular operation and activities of the  
25 PLUPMB shall be included in the annual budget proposal of the PPDO:  
26 *Provided*, That other funds and resources, including grants, applicable service  
27 fees and charges collected, contributions, donations, and other funds to support  
28 its operations and activities may be accepted and received by the PLUPMB  
29 subject to existing auditing and reporting procedures.

1           **SEC. 63. *City/Municipal Land Use Planning and Management Board***  
2 **(C/MLUPMB).** – A City/Municipal Land Use Planning and Management  
3 Board or C/MLUPMB is hereby created under this Act in all municipalities  
4 and cities, including highly urbanized and component cities, to oversee the  
5 preparation, integration, adoption and approval of their respective CLUPs.  
6 It shall issue a Certificate of Compliance prior to the submission of the CLUP  
7 to the Sanggunian to ensure the consistency of such plans with approved  
8 national, regional and provincial planning guidelines. The C/MLUPMB shall  
9 also be directly responsible for the effective management and implementation  
10 of the approved CLUP and for ensuring that existing and future local policies,  
11 including ZOs, development initiatives, programs and projects introduced  
12 within its jurisdiction are consistent with and supportive of the land use  
13 resource management and physical planning objectives, directions and  
14 character identified by the approved CLUP.

15           **SEC. 64. *Powers and Responsibilities of the City/Municipal Land Use***  
16 ***Planning and Management Board.*** – The C/MLUPMB shall exercise the  
17 following powers and functions:

18           (a) Ensure the inclusion of the input of the barangays within the  
19 jurisdiction of the respective city/municipality on sectoral, temporal and  
20 spatial dimensions of the plan and its consistency with approved national,  
21 regional and provincial planning guidelines;

22           (b) Review, monitor and assess the implementation and  
23 operationalization of the approved CLUP and its consistency with physical  
24 planning and land use management objectives and goals identified in the  
25 CLUP;

26           (c) Issue a Certificate of Compliance to the Sanggunian as proof that  
27 the CLUP is compliant with national land use policies, guidelines and  
28 standards;

1 (d) Submit to the LDC the draft CLUP for its transmission to the  
2 Sanggunian and for the LDC to use it as basis for consistency and  
3 complementation with other development plans;

4 (e) Decide and resolve policy conflicts on land use planning,  
5 classification, and allocation that may arise between or among barangays and  
6 facilitate the resolution of any unresolved land use conflict, including  
7 boundary conflicts, involving barangays;

8 (f) Based on the CLUP, review and endorse for approval/disapproval  
9 applications for locational clearances, building and zoning permits and/or  
10 other planning-related requirement for any project, both private and public,  
11 that is submitted to the LGU for issuance;

12 (g) Advise the Sangguniang Bayan on all matters pertaining to land use  
13 and physical planning; and

14 (h) Promote cooperation and sharing of resources between and among  
15 its barangays and neighboring LGUs to address common land use and  
16 development issues including those related to geo-physical hazards, watershed  
17 and river basins, coastal and marine waters, climate change impact and  
18 disaster risks.

19 *SEC. 65. Composition of the C/MLUPMB.* – The C/MLUPMB shall  
20 be composed of the following thirteen (13) members and shall be headed by  
21 a Chairperson:

22 (a) The City/Municipal Planning and Development Coordinator  
23 (C/MPDC);

24 (b) The Chairperson, Sangguniang Bayan Committee on Environment  
25 and Natural Resources;

26 (c) The President of the Association of Barangay Captains (ABC);

27 (d) The Municipal Agrarian Reform Officer (MARO);

28 (e) The LGU Environment and Natural Resources Officer  
29 (City/Municipal ENRO);

1 (f) The Municipal Agriculture Officer (MAO);

2 (g) Three (3) representatives from the local business/private sector, the  
3 developers' associations, and the accredited associations of professionals  
4 dealing with land use such as, but not limited to, urban and regional planners,  
5 environmental planners, architects, geologists and geodetic engineers, and  
6 chamber of commerce, who shall be appointed from among the accredited  
7 organizations within their respective development councils;

8 (h) Four (4) representatives from the basic sector groups (urban poor,  
9 fisherfolk, farmers and indigenous peoples): *Provided*, That at least two (2)  
10 representatives shall be women: *Provided, further*, That the representatives  
11 shall be appointed from among the accredited organizations within their  
12 respective development councils: *Provided, finally*, That in predominantly  
13 Muslim areas, one shall be from the Moro sector; and

14 (i) The designated Board Chairperson to be chosen among the  
15 members.

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

26 Aside from the C/MPDO/C, the C/MLUPMB may call upon other local  
27 and national government offices and agencies such as the local Engineer,  
28 Assessor, and local field representatives of the DA, the DPWH, the DOTr,  
29 the DOT, the DENR, the DAR, the DepED and other concerned national

1 agencies to assist the C/MLUPMB in the performance of its roles and  
2 mandates.

3 The annual appropriations for the operation and activities of the  
4 C/MLUPMB shall be included in the annual budget proposal of the  
5 C/MPDO/C: *Provided*, That other funds and resources, including grants,  
6 applicable service fees and charges collected, contributions, donations, and  
7 other funds to support its operations and activities may be accepted and  
8 received by the PLUPMB subject to existing auditing and reporting  
9 procedures.

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

#### 13 CHAPTER VII

##### 14 ADOPTION, APPROVAL AND REVIEW OF LOCAL LAND USE

##### 15 AND PHYSICAL FRAMEWORK PLANS

16 *SEC. 66. Approval and Review of PFP and CLUPs.* – The PFP  
17 and CLUPs of the respective city/municipal LGUs, including highly urbanized  
18 cities and independent component cities shall be submitted by the local land  
19 use boards to the LDCs for transmission to the local Sanggunian for approval.

20 *SEC. 67. Approval of RFP and NFP.* – The RFP and NFP  
21 shall be submitted for review and approval of the RLUPC and NLUPC,  
22 respectively, upon the conduct of appropriate stakeholder and agency  
23 consultations: *Provided*, That such processes and guidelines shall be prepared  
24 and issued by the NLUPC within six (6) months from the effectivity of  
25 this Act.

#### 26 CHAPTER VIII

##### 27 MAPPING AND DATA MANAGEMENT FOR LAND USE PLANNING

28 *SEC. 68. National Mapping and Spatial Data Infrastructure Program*  
29 *(NMSDIP).* – A national mapping program shall be implemented,

1 coordinated and monitored by the Interagency Technical Committee (ITC)  
2 which is hereby created. It shall be composed of the NAMRIA as the lead  
3 agency, the BSWM, the Forest Management Bureau (FMB), the LMB,  
4 the Land Registration Authority (LRA), the Protected Areas and Wildlife  
5 Bureau (PAWB), the MGB, the Philippine Institute of Volcanology and  
6 Seismology (PHIVOLCS), the DAR, the DA, the NCIP, the National Water  
7 Resources Board (NWRB), the DOE, the National Disaster Risk Reduction  
8 and Management Council (NDRRMC), the NEDA, and other concerned  
9 government agencies. The ITC shall be constituted, and the mapping and  
10 spatial data infrastructure program shall be initiated within thirty (30) days  
11 from the effectivity of this Act. The program shall be responsible for the  
12 production of base and decision maps and associated spatial databases for all  
13 planning levels based on the guidelines of the NLUPC.

14 Under the program, all government stakeholders concerned in the  
15 production of maps of various themes shall collaboratively formulate the  
16 government's spatial data infrastructure master plan and respective  
17 government agency/stakeholders' spatial data infrastructure plans which shall  
18 be the basis for subsequent funding and eventual project implementation  
19 and/or operation.

20 All pertinent and updated thematic maps/data from supporting agencies  
21 of the program shall be submitted to the NAMRIA for compilation and  
22 integration into a national geospatial database established under the program.

23 The NAMRIA shall finish its base mapping program within two (2)  
24 years upon the effectivity of this Act and provide updates thereof to support  
25 the implementation of the spatial data infrastructure program.

26 The spatial and nonspatial data generated by these activities shall be  
27 transmitted to the LGU as soon as practicable. Existing land information data  
28 available to the national government agencies as of the effectivity of this Act  
29 shall be immediately transmitted to the LGUs.



1 For purposes of uniformity and standardization, the LGUs, assisted by  
2 the appropriate agencies of the national government, shall likewise prepare  
3 their respective maps using scales, symbols, and other indicators to be  
4 prescribed in accordance with this Act. The completed maps shall be  
5 integrated in the NPPF pursuant to Section 51 of this Act.

6 SEC. 69. *Maps for Planning.* – Within one (1) year after the  
7 NLUPC's approval of the Guidelines and Standards for planning at all levels,  
8 available NAMRIA maps and all maps made available to NAMRIA by  
9 supporting agencies shall be submitted to the NLUPC for national, provincial,  
10 cities and municipalities planning. The NLUPC shall forward these maps to  
11 the respective PLUPMBs and C/MLUPMBs after it has reviewed and  
12 approved them. Pertinent maps to be produced through the NMSDIP shall  
13 include, among others:

- 14 (a) Topographic Maps;
- 15 (b) Geologic Maps;
- 16 (c) Hydrologic Maps;
- 17 (d) Climate Maps;
- 18 (e) Soils Maps;
- 19 (f) Slope Maps;
- 20 (g) Mineral Resource Maps;
- 21 (h) Existing Land Use Maps;
- 22 (i) Land Suitability Maps for:
  - 23 (1) Settlements;
  - 24 (2) Agriculture;
  - 25 (3) Industrial areas; and
  - 26 (4) Others.
- 27 (j) Agricultural Maps:
  - 28 (1) Network of Protected Areas for Agricultural and Agro-industrial  
29 Development;

- 1 (2) Commodity Specific Development Guide Maps;
- 2 (3) Land Limitation Maps;
- 3 (4) Cropping System Zones Maps;
- 4 (5) Hydro-ecological Conditions Map; and
- 5 (6) Irrigation Systems Maps.
- 6 (k) Land Classification Maps;
- 7 (l) Municipal Waters Delineation Maps and MPAs;
- 8 (m) Geo-Hazard Maps:
  - 9 (1) Flood-Prone Areas;
  - 10 (2) Hazard Zonation Maps for Volcanoes;
  - 11 (3) Map of Fault Systems;
  - 12 (4) Tsunami-Prone Areas; and
  - 13 (5) Erosion Prone Areas.
- 14 (n) Tourism Maps;
- 15 (o) Transportation Maps;
- 16 (p) Traffic Flow;
- 17 (q) Maps Designating Areas Served by:
  - 18 (1) Power;
  - 19 (2) Telecommunications; and
  - 20 (3) Water.
- 21 (r) Maps indicating the following facilities:
  - 22 (1) Health;
  - 23 (2) Education; and
  - 24 (3) Power.
- 25 (s) Domestic Water Supply;
- 26 (t) Industrial Areas;
- 27 (u) Population Distribution Map;
- 28 (v) Ancestral Domain Map;
- 29 (w) NIPAS Areas;

- 1 (x) Areas Suitable for Urban Expansion;
- 2 (y) Watershed Areas; and
- 3 (z) Forest Lands:
- 4 (1) Protection Areas;
- 5 (2) Production Areas; and
- 6 (3) Restoration Areas:
- 7 (i) Key Biodiversity Areas; and
- 8 (ii) Marine Protected Areas.

9 SEC. 70. *Ground Delineation of the Country's Permanent Forest Line.*

10 – Pursuant to the Constitution and as provided under this Act, the final  
11 determination and ground delineation of the country's permanent forest line  
12 shall be completed within one (1) year from the effectivity of this Act:  
13 *Provided*, That appropriations for the fulfillment of this provision shall be  
14 included in the annual appropriations of the DENR: *Provided, further*, That  
15 the complete report on the delineation of the country's permanent forest line  
16 shall be submitted to the NLUPC for appropriate integration in the country's  
17 strategic land use development plan and policies.

18 SEC. 71. *Completion and Updating of Existing Cadastral Surveys.* –  
19 The completion of incomplete cadastral surveys of LGUs and the updating of  
20 existing surveys shall be given priority consideration and allocation of  
21 resources in the implementation of this Act. The DENR shall include in its  
22 annual appropriations the completion and updating of all incomplete and  
23 existing cadastral surveys of all LGUs in the country: *Provided*, That such  
24 surveys and maps shall be integrated into the National Spatial Database  
25 Information and Mapping System.

26 In cases of ancestral domains, self-delineation by ICCs/IPs of their  
27 ancestral lands shall be employed to determine boundaries as provided for  
28 under Republic Act No. 8371.

1           SEC. 72. *Ground Delineation of Land Use.* -- For effective planning  
2 to take place at the local level and for easy enforcement of the ZO of each  
3 city/municipality, land uses must be identifiable both on the map and on the  
4 ground. A Joint Committee comprised of the LGU, as represented by its  
5 C/MLUPMB, and of the national government agency concerned, to be assisted  
6 by the C/MPDC, shall identify and delineate on the ground the land uses  
7 within their jurisdiction. The following shall be given priority:

8           (a) Forest Lands:

9           (1) Protection; and

10          (2) Production.

11          (b) Ancestral Domains:

12          (c) NIPAS Areas:

13          (1) Strict Protection Zone; and

14          (2) Multiple Use Zone.

15          (d) Watershed Areas:

16          (1) Critical; and

17          (2) Multiple Use.

18          (e) Network of Protected Areas for Agricultural and Agro-industrial  
19 Development (NPAAAD);

20          (f) Socialized Housing Sites and Settlement Expansion Areas;

21          (g) Extents of Environmentally Constrained Areas;

22          (h) Easement Areas;

23          (i) Critical coastal areas:

24          (1) Mangroves; and

25          (2) Sea grass.

26          Critical marine resources shall also be delineated both on the map  
27 and in the waters. Perimeters of critical offshore areas, such as coral reefs,  
28 shall be marked in accordance with the coastal resource management plans  
29 concerned.

1 All maps shall be updated as new important information and data  
2 become available or as determined by urgent need. Updating of maps shall be  
3 undertaken not more often than every ten (10) years.

4 *SEC. 73. National Geo-hazard Mapping Program.* – Within thirty (30)  
5 days from the effectivity of this Act, a nationwide geo-hazard mapping  
6 program shall be initiated jointly through the NLUPC by the PHIVOLCS,  
7 the Philippine Atmospheric Geophysical and Astronomical Services  
8 Administration (PAGASA), the NAMRIA, the MGB, and the DOE, in  
9 coordination with the NDRRMC, the Regional Disaster Risk Reduction  
10 and Management Councils, and other concerned government agencies. The  
11 program shall include the generation of indicative geo-hazard zoning maps  
12 that will outline areas in the Philippines which are prone to liquefaction,  
13 landslides, flooding, lahar, ground rupturing, tsunami, river erosion, coastal  
14 erosion, sinkhole collapse, earthquake, lava flow, pyroclastic flow, base surge,  
15 and other natural hazards.

16 For purposes of uniformity and standardization and in order to develop  
17 a safe-built environment, the LGUs shall subsequently incorporate and  
18 integrate the generated geo-hazard zoning maps into their respective CLUPs  
19 and ZOs. Said geo-hazard maps shall serve as guide for all the LGUs in the  
20 preparation of their own hazards-constrained development plans. The NPPF  
21 shall incorporate these geo-hazard maps.

22 All entities conducting infrastructure activities including real estate and  
23 subdivision projects and the development of tourist spots requiring an ECC  
24 shall submit an Engineering Geological and Geo-hazard Assessment Report  
25 (EGGAR).

26 *SEC. 74. Scope and Nature of Responsibilities of Other National*  
27 *Government Agencies.* – All concerned national government agencies/bodies

1 shall periodically report to the NLUPC on the various activities and  
2 accomplishments on land use. Likewise, they shall provide their respective  
3 sectoral/development plans and provide technical and administrative support if  
4 called upon by the NLUPC for the implementation of the provisions of this  
5 Act.

6        **SEC. 75. *Submission of Annual Report on the Implementation of***  
7 ***CLUPs and ZOs.*** – The local land use boards shall submit their annual report  
8 on the implementation of their land use plans to their respective Sanggunian  
9 which shall submit the same to the RLUPCs for consolidation. The RLUPC  
10 shall thereafter transmit the consolidated reports to the NLUPC for monitoring  
11 and evaluation.

## 12   CHAPTER IX

### 13                                 TRAINING, EDUCATION AND VALUES FORMATION

14        **SEC. 76. *Values Formation.*** – In order to develop a well-informed,  
15 responsible and committed citizenry who value the protection, conservation  
16 and development of the country’s limited land, and other physical resources,  
17 the State shall mandate the inclusion of sustainable land use education or any  
18 subject related thereto in the curricula of primary, secondary and tertiary  
19 education.

20        **SEC. 77. *Information/Education Campaign and Capacity-Building.*** –  
21 The NLUPC shall undertake a nationwide information/education campaign on  
22 land use and physical planning to be implemented by local and national  
23 government agencies. The DILG and concerned agencies shall formulate and  
24 implement a land use management capability-building program for national  
25 and local government officials, community leaders, representatives of NGOs,  
26 POs, the religious sector, and the general public.

## CHAPTER X

## INCENTIVES, SANCTIONS AND PENALTIES

## ARTICLE ONE. INCENTIVES AND AWARDS

SEC. 78. *Formulation of a System of Incentives and Awards.* – The NLUPC shall come up with a system of incentives and awards to LGUs that regularly update their CLUPs/ZOs once every eight (8) years.

SEC. 79. *Priority in Giving Technical Assistance to LGUs.* – In providing technical assistance and other forms of support related to land use management and implementation of development plans, national government agencies shall give priority to cities and municipalities with approved CLUPs and ZOs.

## ARTICLE TWO. SANCTIONS AND PENALTIES

SEC. 80. *Fine for Failure to Commence or Complete the Development of Agricultural Lands With Approved Conversion Order.* – For agricultural lands with approved conversion orders, the provisions of Republic Act No. 6657 (CARL), as amended by Republic Act No. 9700, shall apply. A landowner and/or the designated developer or duly authorized representative who fail to commence and/or complete the development plan defined in the conversion order shall be jointly and severally penalized. The following fines based on the zonal value or the fair market value of the land, whichever is higher, at the time the fine shall be imposed:

(a) Failure to commence within three (3) years from the date of the conversion order:

- (1) Three percent (3%) for the first three (3) hectares;
- (2) Ten percent (10%) for the next three (3) hectares; and
- (3) Fifteen percent (15%) for the remaining area.

In such case, the order of conversion shall be revoked by operation of law. The land shall revert to its original use as agricultural land and may be

1 covered by the DAR through compulsory acquisition for distribution to  
2 qualified beneficiaries.

3 (b) Failure to complete sixty percent (60%) of the approved conversion  
4 plan within a specified time frame shall result to the automatic revocation by  
5 the DAR of the conversion plan on the undeveloped portion. The land shall be  
6 reverted to its original use as agricultural land and may be covered under the  
7 CARP for land distribution.

8 *SEC. 81. Persons Abetting Illegal Conversion.* – Any person initiating,  
9 causing, inducing, or abetting illegal conversion with intent shall be punished  
10 with imprisonment or a fine in accordance with Act No. 3815 or Republic Act  
11 No. 3019, or both, at the discretion of the court.

12 If the offender is a public official or employee, whether elected or  
13 appointed, the penalty shall also include dismissal from service, forfeiture of  
14 all benefits and entitlements accruing to the public position, and perpetual  
15 disqualification to run or apply for any elective or appointive public office.

16 If the offender is a juridical person, the penalty of imprisonment shall  
17 be imposed on the president, chief executive officer, manager, chairperson and  
18 all the members of the Board, and other responsible officers thereof. The  
19 imposable fine shall be equivalent to the zonal value of the land or forty  
20 percent (40%) of the shareholders' equity, whichever is higher. Furthermore,  
21 the land shall be forfeited in favor of the State and sold through public auction.  
22 The proceeds of the sale shall automatically accrue to the Agrarian Reform  
23 Fund.

24 *SEC. 82. Penalty for Reclassification of Protected Agricultural Lands*  
25 *and Exceeding the Limit of Areas Allowed for Reclassification.* – Any person  
26 initiating, causing, inducing, or abetting the reclassification to nonagricultural  
27 uses of protected agricultural areas as defined in Section 13 hereof shall be  
28 penalized with imprisonment of twelve (12) years or a fine of not less than one  
29 hundred thousand pesos (P100,000.00), or both, at the discretion of the court.



1           If the offender is a public official or employee, whether elected or  
2 appointed, the penalty shall also include dismissal from service, forfeiture of  
3 entitlements accruing to the public position, and perpetual disqualification to  
4 run or apply for any elective or appointive public position.

5           If the offender is a juridical person, the penalty shall be imposed on the  
6 president, chief executive officer, manager, chairperson and all the members  
7 of the Board, and other responsible officers thereof.

8           The same penalty shall be applicable to persons who will be responsible  
9 for exceeding the limits set forth under Section 20 of the Local Government  
10 Code pertaining to reclassification of lands.

11           **SEC. 83. *Payment of Disturbance Compensation.*** – Following the  
12 order of priority stated in Section 22 of Republic Act No. 6657, as amended  
13 by Republic Act No. 9700, agricultural lessees and share tenants, regular  
14 farmworkers, seasonal farmworkers, other farmworkers, actual tillers or  
15 occupants of public lands, collective, or cooperative of the above beneficiaries,  
16 and others directly working on the land affected by agricultural land use  
17 conversion, shall be entitled to the payment of disturbance compensation  
18 equivalent to five (5) times the average of the gross harvests on the  
19 landholding during the preceding five (5) calendar years or a certain  
20 percentage of the converted land, whichever is higher, as determined by the  
21 DAR.

22           **SEC. 84. *Authority to Impose Fine.*** – The DAR shall have the  
23 authority to impose the fines provided under Sections 80, 81, 82 and 83 of this  
24 Act.

25           **SEC. 85. *Withdrawal of Local Development Permits and/or Licenses.***  
26 – Upon receipt of notice from the DAR, the concerned agencies, cities or  
27 municipalities shall withdraw and/or revoke any development permit and/or  
28 other licenses that may be necessary to develop the agricultural land subject  
29 of conversion.

1           SEC. 86. *Utilization of Fines.* – The fines collected under Section 84  
2 hereof shall automatically accrue to the Agrarian Reform Fund consistent with  
3 the provision of the Comprehensive Agrarian Reform Law.

4           SEC. 87. *Failure to Formulate, Implement and/or Enforce the CLUPs*  
5 *and Zoning Ordinances (ZOs).* – Consistent with due process, the NLUPC, in  
6 coordination with the DILG, shall evaluate, review, and recommend the filing  
7 of charges against local chief executives and other local officials and  
8 employees responsible for the formulation, implementation and/or  
9 enforcement of the CLUPs for the following acts:

10           (a) Failure of the CLUPs/ZOs to conform to the guidelines provided in  
11 the NPPF;

12           (b) Failure to complete the preparation of the CLUP despite  
13 the availability of funds, resources, and support by the Sanggunian  
14 concerned;

15           (c) Failure to provide appropriate budgetary allocation to effect its  
16 implementation; and

17           (d) Failure to implement and enforce the CLUP/ZO due to negligence  
18 of duty.

19           Any public official or employee, whether elected, appointed or  
20 holding office/employment in a casual, temporary, holdover, permanent, or  
21 regular capacity, found to be responsible for any of the foregoing acts, shall  
22 be punished with forfeiture of salaries and allowances, and suspension  
23 from:

24           (1) Three (3) to six (6) months, in case of noncompletion of the CLUP;

25 or

26           (2) Three (3) to six (6) months, in case of nonconformity with the  
27 NPPF; or

28           (3) Six (6) to nine (9) months, in case of nonimplementation of the  
29 CLUP.

1 Failure to comply with the provisions of Republic Act No. 8371 on the  
2 formulation of CLUP shall be penalized according to Section 72 of Republic  
3 Act No. 8371.

4 SEC. 88. *Illegal Conversion of City or Municipal Parks, Communal*  
5 *Forests, and Tree Parks in Subdivisions.* – Penalties in the amount of  
6 one hundred thousand pesos (P100,000.00) to five hundred thousand pesos  
7 (P500,000.00), or imprisonment of six (6) years and one (1) day to twelve (12)  
8 years, or both, at the discretion of the court, shall be imposed for each of the  
9 following offenses:

10 (a) Illegally converting or causing the conversion of a city/municipal  
11 park, communal forest, or tree parks within subdivisions established pursuant  
12 to Presidential Decree No. 953, requiring the planting of trees in certain  
13 places, into other uses including the construction of permanent buildings;

14 (b) Destroying or causing damage to the timberlands and other forest  
15 products found in the abovementioned forest and parks;

16 (c) Setting the abovementioned forest and parks on fire, or negligently  
17 permitting a fire to be set therein; and

18 (d) Assisting, aiding or abetting another person to commit the offenses  
19 stated in this section.

20 The offender shall likewise be imposed a fine equivalent to eight (8)  
21 times the commercial value of the forest products destroyed without prejudice  
22 to payment of the full cost of rehabilitation of the areas as determined by the  
23 DENR.

24 The maximum penalty prescribed shall be imposed upon the offender  
25 who repeats the same offense, and double the maximum penalty upon the  
26 offender who commits the same offense for the third time or more.

27 All improvements made therein, as well as all vehicles, domestic  
28 animals, and equipment of any kind used in the commission of the offense  
29 shall be forfeited in favor of the government.

1 If not suitable for use by the DENR, said improvements, vehicles,  
2 domestic animals and equipment shall be sold at public auction, the proceeds  
3 from which shall accrue to the Forest Conservation and Development Fund  
4 (FCDF).

## 5 CHAPTER XI

### 6 TRANSITORY AND FINAL PROVISIONS

7 SEC. 89. *Mandatory Review Every Ten (10) Years.* – The Congress  
8 shall undertake a mandatory review of this Act at least once every ten (10)  
9 years from its effectivity or as often as it may be deemed necessary to ensure  
10 that land use policies and guidelines remain responsive to changing  
11 circumstances.

12 For this purpose, the Congress may call upon the NLUPC to undertake  
13 the necessary researches and consultations.

14 SEC. 90. *Convening of the NLUPC.* – Within thirty (30) days from the  
15 effectivity of this Act, the Chairperson shall convene the NLUPC and the  
16 Head of the NLUPC Secretariat shall immediately assume office.

17 SEC. 91. *Implementing Rules and Regulations.* – Within ninety (90)  
18 days from the effectivity of this Act, the NLUPC shall promulgate its  
19 implementing rules and regulations (IRR) including the rules on the selection  
20 of the members of the C/MLUPMB and the PLUPMB. It shall take effect  
21 fifteen (15) days after its complete publication in the *Official Gazette* or in at  
22 least two (2) newspapers of national circulation.

23 SEC. 92. *Transfer of Powers and Functions.* – The functions of the  
24 HLURB on land use planning as provided for under Sections 5a, 5b, 5c, 5d,  
25 5e, and 5f of Executive Order No. 648, Series of 1991; and Executive Order  
26 No. 72, Series of 1993, shall be immediately transferred to the NLUPC and its  
27 appropriate subnational LGU structures, except as provided in Section 55  
28 hereof. Nothing in this Act shall be construed to transfer or limit functions

1 embraced within the said provisions that pertain to or relate to HLURB  
2 non-planning functions.

3       SEC. 93. *Review of Existing Land Use Plans.* – Provinces, cities, and  
4 municipalities with existing land use plans shall review, revise, reconcile, and  
5 harmonize the same with the guidelines and standards issued by the NLUPC  
6 within one (1) year from the effectivity of this Act.

7       SEC. 94. *Access to Information.* – Access to records and documents  
8 pertaining to official acts, transactions, or decisions as well as to data used as  
9 basis for policy development by the NLUPC shall be made available to the  
10 public.

11       SEC. 95. *Appropriations.* – The amount needed for the initial  
12 implementation of this Act shall be charged against the current year's  
13 appropriations of the NEDA Board-National Land Use Committee  
14 (NB-NLUC). Thereafter, such sums as may be necessary for the continued  
15 implementation of this Act shall be included in the annual General  
16 Appropriations Act.

17       SEC. 96. *Congressional Oversight Committee on the Land Use Act.* –  
18 A Congressional Oversight Committee on the Land Use Act shall be created.  
19 It shall be composed of seven (7) members from the Senate and seven (7)  
20 members from the House of Representatives. The Members from the Senate  
21 shall be appointed by the Senate President based on proportional  
22 representation of the parties or coalitions therein, with at least two (2) Senators  
23 representing the minority. The Members from the House of Representatives  
24 shall be appointed by the Speaker of the House of Representatives, also based  
25 on proportional representation of the parties or coalitions therein, with at least  
26 two (2) Members representing the minority.

27       The Oversight Committee shall function for a period of not more than  
28 three (3) years to oversee the implementation of this Act. The secretariat of

1 the Oversight Committee shall be drawn from the existing secretariat  
2 personnel of the committees comprising the oversight.

3       SEC. 97. *Non-impairment Clause.* – Nothing in this Act shall be  
4 construed as to diminish or, impair rights recognized, granted, or available to  
5 marginalized or the basic sectors under existing laws including, but not limited  
6 to, Republic Acts Numbered 7279 and 6657, as amended by Republic Acts  
7 Numbered 7942, 8371, 8550 and 9700.

8       SEC. 98. *Repealing Clause.* – Section 10 of Republic Act No. 8435  
9 and Sections 447 (a2vii) and 458 (a2viii) of Republic Act No. 7160 and  
10 related laws and administrative issuances are hereby modified by Section 13  
11 hereof. The pertinent provisions of Executive Order No. 648; Executive Order  
12 No. 72, Series of 1993; and Executive Order No. 770, Series of 2008,  
13 amending Letter of Instruction (LOI) No. 1350, are also modified accordingly.  
14 Section 11 of Republic Act No. 8435 as to the penalty for agricultural  
15 inactivity and premature conversion is also modified by Section 83 hereof.  
16 LOI No. 1350, Series of 1983; Presidential Proclamation No. 2282, Series of  
17 1983; and all other general and special laws, acts, decrees, executive  
18 orders, proclamations and administrative regulations, or any part thereof  
19 which are inconsistent with this Act are hereby repealed or modified  
20 accordingly.

21       All republic acts, executive orders, rules and regulations, and other  
22 issuances or parts thereof which are inconsistent with the provisions of this  
23 Act are hereby repealed or amended accordingly.

24       SEC. 99. *Separability Clause.* – If, for any reason, any section  
25 or provision of this Act is declared unconstitutional or invalid, the other  
26 sections or provisions not affected thereby shall remain in full force and  
27 effect.

- 1           SEC. 100. *Effectivity.* — This Act shall take effect fifteen (15) days
- 2 after its publication in the *Official Gazette* or in at least two (2) national
- 3 newspapers of general circulation.

Approved,

O