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SENATE

S. No. 595

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Introduced by Senator JUAN MIGUEL F. ZUBIRI

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

EXPLANATORY NOTE

A national land use policy is a primary tool to achieve national development and social equity. It is envisioned to provide a policy for the rational, holistic and just allocation, utilization, management and development of our land resources. It includes the parameters that will guide planning at the national and local levels.

This proposed national land use policy also provides for guidelines in major areas, as follows: agricultural lands, forestlands and watersheds, coastal zones, mineral lands, energy resource lands, settlements development areas, industrial development areas, tourism development and heritage areas. Land use and physical planning shall at all times adhere to important policies and principles that promote:

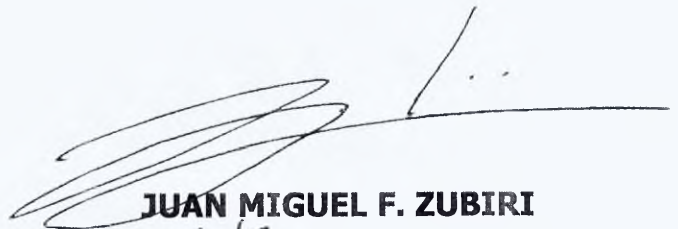
- a) sustainable development and just management of resources;
- b) environmental integrity and stability;
- c) disaster risk-reduction and climate change resiliency;
- d) food security;
- e) protection of prime agricultural lands;
- f) water security;
- g) rational settlements development;
- h) physical and economic integration;
- i) agrarian reform, urban land reform and rural development;
- j) private-public partnership;
- k) people empowerment, decentralization, social justice and equity;
- l) respect and protection of the rights of indigenous cultural communities and indigenous peoples;
- m) protection of the rights of basic sectors;
- n) deeper understanding of our history and culture;
- o) energy security; and
- p) market orientation within the framework of ecological and intergenerational factors.

Planning processes at all levels shall include mandatory consultation in a bottom-up, top-down approach. Meanwhile, plans shall be subject to review and shall include clear timelines for their approval and adoption. The proposed national land use measure addresses the vital issues of agrarian reform, climate change, the completion of a national database and geo-hazard mapping and disaster risk reduction and management. These

issues had emerged and exerted great impact on the Philippines since Congress had first initiated the crafting of a national land use policy, more than two decades ago.

The proposed national land use policy will also harmonize existing laws governing the allocation, utilization, development and management of land resources. Furthermore, conflicting land uses and interests of our growing population over limited land resources show the need to institutionalize a comprehensive national land use policy.

In view of the foregoing, the passage of this measure is earnestly urged.



JUAN MIGUEL F. ZUBIRI
JMF

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AN ACT
INSTITUTING A NATIONAL LAND USE POLICY, PROVIDING THE
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Be it enacted by the Senate and the 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 Act of the Philippines."

SEC. 2. *Declaration of Policies and Principles.* - It is the policy of the State to provide for a rational, holistic, and just allocation, utilization, management, and development of the country's land resources to ensure their optimum use consistent with the principle of sustainable development.

Toward this end, the State shall institutionalize land use and physical planning as a mechanism for identifying, determining, and evaluating alternative land use and allocation patterns that promote and ensure:

- a) Sustainable and just management and utilization of natural resources;
- b) Maintenance and preservation of environmental integrity and stability;
- c) Food security in basic food commodities with emphasis on self-sufficiency in rice and corn production through efficient and sustainable use of land resources consistent with the principles of sound agricultural development, natural resources development, and agrarian reform;
- d) Protection of prime agricultural lands for food production activities and highest priority to the completion of the Comprehensive Agrarian Reform Program (CARP);
- e) Sustainable development and management of water resources towards water security;

- 1 f) Rational population distribution and settlements development;
- 2 g) Spatial integration that links consumption and production areas to achieve
- 3 physical and economic integration through appropriate infrastructure systems;
- 4 h) Equitable and sustainable economic growth and balanced and dispersed
- 5 industrial and tourism development guided by the principles of agrarian reform,
- 6 urban land reform, and rural development;
- 7 i) Private-public partnership where government provides the appropriate policy,
- 8 legal and institutional framework to guide the private sector's management of
- 9 resources
- 10 j) Harmony between the rights and the varied interests of every Filipino within
- 11 the framework of people empowerment, decentralization, social justice, and
- 12 equity;
- 13 k) Respect for and protection of the sustainable traditional resource right of the I
- 14 ndigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral
- 15 domains to ensure their economic, social, and cultural well-being as well as
- 16 recognition of the applicability of customary laws and sustainable traditional
- 17 resource use and management, knowledge, and practices in ancestral domains;
- 18 l) Protection of the right of basic sectors to equitable access to the country's land
- 19 and other resources through State regulation of land valuation to prevent
- 20 uncontrolled land speculation resulting in tremendous increase in land pricing;
- 21 m) Protection, conservation and preservation of the Filipino historical and cultural
- 22 heritage and resources for the deeper understanding of our history and culture
- 23 as a people;
- 24 n) Attainment of energy security or energy self-sufficiency through sustainable
- 25 and priority development of indigenous energy resources;
- 26 o) An integrated approach to the utilization, allocation, development and
- 27 management of water as a limited resource to complement and support
- 28 sustainable land utilization; and
- 29 p) Market orientation where the interplay of market forces within the framework
- 30 of ecological and intergenerational factors is encouraged and adopted as the
- 31 basic parameter in achieving efficiency in land use and allocation.
- 32

33 It is also the policy of the State to ensure that local government units (LGUs)

34 share with the national government the responsibility of managing and maintaining

35 ecological balance within their territorial jurisdiction as stated in the Constitution and

36 the 1991 Local Government Code (RA 7160).

1 Guided by the principle that the use of land bears a social function and that all
2 economic agents shall contribute to the common good, landowners shall be held
3 responsible for developing and conserving their lands thereby making their lands
4 productive and supportive of environmental stability.

5 **SEC. 3. *Scope.*** - This Act shall apply to all lands whether public, private,
6 government-owned, and/ or in the possession of individuals, communities, indigenous
7 peoples, or groups of people, to guide and govern the use, allocation, development and
8 management of land resources including such activities that bear impact on said
9 resources.

10 **CHAPTER II**
11 **DEFINITIONS**

12 **SEC. 4. *Definitions.*** - As used in and for purposes of this Act, the following terms
13 shall mean:

14 a) Agricultural land – shall refer to lands devoted to or suitable for the cultivation
15 of the soil, planting of crops, growing of fruit trees, raising of livestock, poultry,
16 fish or aqua-culture production, including the harvesting of such farm products,
17 and other farm activities and practices performed in conjunction with such
18 farming operations done by persons whether natural or juridical and not
19 classified by law as mineral land, forest land, residential land, commercial land,
20 or industrial land;

21 b) Agricultural land use conversion - shall refer to the undertaking of any
22 development activity which modifies or alters the physical characteristics of
23 agricultural lands to render them suitable for non-agricultural purposes with an
24 approved order of conversion issued exclusively by the Department of Land
25 Reform (DLR);

26 c) Alienable and disposable (A&D) lands - shall refer to lands of the public
27 domain which have been delineated, classified, and certified to by law or
28 pursuant to the Land Classification Program of the Department of Environment
29 and Natural Resources (DENR) as agricultural lands open to disposition under the
30 provisions of Commonwealth Act No.141, otherwise known as the "Public Land
31 Act," as amended;

32 d) Ancestral domains - shall refer to all areas generally belonging to ICCs/IPs as
33 defined in Republic Act No. 8371, otherwise known as the "Indigenous Peoples
34 Rights Act (IPRA) of 1998;"

35 e) Comprehensive land use plan (CLUP)- shall refer to a document embodying a
36 set of policies, accompanied by maps and similar illustrations, that serves as
37 principal basis for determining the future land use of lands and natural resources

1 within the territorial jurisdiction of the city or municipality. It represents the
2 community-desired pattern of population distribution and proposes future
3 allocation of land resources to various land-using activities. It identifies the
4 allocation, character, and extent of the areas of land resources to be used for
5 different purposes and includes the processes and the criteria employed in the
6 determination of the land use. It has a long-term perspective, encompassing a
7 minimum of three (3) terms of local elective officials.

8 f) Coastal Area/Zone - shall refer to a band of dry land and the adjacent ocean
9 space (water and submerged land) in which terrestrial processes and uses
10 directly affect oceanic processes and uses, and vice versa. Its geographic extent
11 may include areas within a landmark limit of one (1) kilometer from the shoreline
12 at high tide to include mangrove swamps, brackish water ponds, nip swamps,
13 estuarine rivers, sandy beaches and other areas within a seaward limit of 200
14 meters isobaths to include coral reefs, algal flats, seagrass beds, and other soft-
15 bottom areas. For purposes of initiating and implementing sustainable coastal
16 resources protection and management, it shall include foreshore lands;

17 g) Critical watershed - shall refer to a watershed supporting existing and
18 proposed hydro-electric power and irrigation works needing immediate
19 rehabilitation as it is being subjected to fast denudation causing accelerated
20 erosion and destructive floods;

21 h) Cultural heritage - shall refer to the totality of cultural properties preserved
22 and developed through time and passed on for posterity;

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

32 j) Ecologically-fragile lands - shall refer to lands within the critical watershed,
33 brackish and freshwater wetlands, pasture lands, and croplands which require
34 rehabilitation and whose continued unsustainable use would adversely affect the
35 productivity of lowland agricultural areas and the stability of the upland system;

1 k) Ecotourism - shall refer to sustainable tourism or travel to a given natural area
2 with exotic or threatened ecosystems or a heritage area to observe wildlife or to
3 help preserve nature, in the process providing for community participation;
4 protection and management of natural resources, culture and indigenous
5 knowledge systems and practices; environmental education and ethics; as well
6 as economic benefits fostered and pursued for the enrichment of host
7 communities and the satisfaction of visitors;

8 l) Energy resource lands - shall refer to lands where naturally occurring or
9 indigenous energy resources exist;

10 m) Energy resources - shall refer to surface or subsurface substances that serve
11 as energy sources. These are traditionally mineral fuel deposits such as coal,
12 petroleum, natural gas or renewable resources from geothermal, hydro
13 reservoirs, or non-conventional sources such as ocean waves, solar, wind,
14 biomass, and other similar resources which serve the same purpose;

15 n) Environmentally critical areas - shall refer to areas declared by law as:

16 (1) areas for natural parks, watershed reserves, wildlife preserves, and
17 sanctuaries;

18 (2) areas set aside as aesthetic potential tourist spots;

19 (3) areas which constitute the habitat of any endangered or threatened species
20 or indigenous Philippine wildlife (flora and fauna);

21 (4) areas of unique historic, archaeological, or scientific interests;

22 (5) areas which are traditionally occupied by ICCs/IPs;

23 (6) areas with critical slopes;

24 (7) areas frequently visited and/or hard hit by natural calamities (geologic
25 hazards, floods, typhoons and volcanic activities);

26 (8) prime agricultural lands;

27 (9) recharge areas of aquifers;

28 (10) water bodies;

29 (11) mangrove areas;

30 (12) coral reefs;

31 (13) mossy and virgin forests;

32 (14) rivers and river banks; and

33 (15) swamp forest and marshlands; and

34 (16) foreshore lands.

35 This term shall also include other terrestrial, aquatic and marine areas that need
36 special protection and conservation measures because they are ecologically fragile or

- 1 they are needed for food security and food self sufficiency as determined by concerned
2 agencies and LGU's in consultation with the concerned sectors;
- 3 o) Exhausted mineral resources - shall refer to a situation where the mineral
4 resources in specific sites are no longer in sufficient quantity or quality to justify
5 additional expenditure for extraction or utilization;
- 6 p) Food security - shall refer to the policy objective of meeting the food
7 availability, accessibility, and affordability requirements of the present and future
8 generations of Filipinos in a sustainable manner, through local production or
9 importation, only when there is shortage established based on a micro level
10 situation, or both, based on the country's existing and potential resource
11 endowments and related production advantages, and consistent with the overall
12 national development objectives and policies;
- 13 q) Food self-sufficiency - shall refer to the policy objective of meeting the food
14 requirements through intensive local food production in a sustainable manner
15 based on the country's existing and potential resource endowments and related
16 production advantages;
- 17 r) Forestlands - shall refer to lands of the public domain which have been
18 classified or declared as such and all unclassified lands of the public domain;
- 19 s) Foreshore land - shall refer to a string of land margining a body of water, the
20 part of a seashore between the low-water line usually at the seaward margin of a
21 low tide terrace and the upper limit of wave wash at high tide usually marked by
22 a beach scarp or berm;
- 23 t) Geo-hazards - shall refer to natural and man-induced geological processes that
24 have potential to cause destruction and pose a threat or risk to man's life and
25 property;
- 26 u) Disaster-prone areas or geo-hazard areas - shall refer to areas frequently
27 visited and/or vulnerable or prone to experience weather/climatic, hydrologic,
28 geologic, and other natural calamities;
- 29 v) Indigenous Cultural Communities/Indigenous Peoples (ICC's/IPs) - shall refer
30 to groups of people or homogenous societies identified under the IPRA;
- 31 w) Inland waters - shall refer to waters, which are not coastal and marine waters
32 not subject to acquisitive prescription consistent with the provisions of
33 Presidential Decree No. 1067, otherwise known as the "Water Code of the
34 Philippines";
- 35 x) Integrated watershed management - shall refer to a planning strategy or
36 program for watershed areas that complement environmentally-sound soil and

1 water management practices with mechanisms for ensuring greater
2 responsibility, involvement, or participation of individuals, groups, communities
3 and other stakeholders benefiting from these areas and water-related
4 infrastructure;

5 y) Land - shall refer to resources, both man-made and natural, found on the
6 surface, below, and above the ground including inland waters and the air
7 therein;

8 z) Land sub-classification - shall refer to the act of determining and assigning
9 specific uses of classified lands of the public domain, such as forest or timber
10 lands, alienable or disposable agricultural lands, national parks, and mineral
11 lands in accordance with existing laws and this Act;

12 aa) Land use - shall refer to the manner of utilization of land, including its
13 allocation, development, and management;

14 bb) Land use classification - shall refer to the act of delineating or allocating
15 lands according to protection land use, production land use, settlements
16 development, and infrastructure development as defined and provided for in this
17 Act;

18 cc) Land Use Policy Council - shall refer to the administrative, policy-making,
19 regulatory, and quasi-judicial body created under Section 14 of this Act;

20 dd) Mandatory public hearings/consultations - shall refer to the mechanism to
21 ensure the involvement of affected sectors in land use planning from the local to
22 the national level. It involves giving notice of hearing/consultation to affected
23 sectors through publication , or posting in conspicuous places, conduct of a
24 reasonable number of hearings, and solicitation of positions and the public
25 presentation and validation of the planning results before the final adoption of
26 the plans;

27 ee) Mineral exploration - shall refer to the systematic searching or prospecting
28 for mineral resources including energy resources;

29 ff) Mineral lands - shall refer to lands where mineral resources are found;

30 gg) Multiple use of land resources - shall refer to the utilization or management
31 strategy for forest lands, which allows any activity thereat, involving one or more
32 of its resources, depending on the result of prior evaluation on its numerous
33 beneficial uses, that will produce the optimum benefits to the development and
34 progress of the country and the public welfare without impairment or with the
35 least injury to its other resources;

1 hh) Network of Protected Areas for Agriculture and Agro-industrial Development
2 (NPAAAD) - shall refer to agricultural areas identified by the Department of
3 Agriculture through the Bureau of Soils and Water Management (BSWM) in
4 coordination with the National Mapping and Resource Information Authority
5 (NAMRIA) in order to ensure the efficient utilization of land for agriculture and
6 agro-industrial development and promote sustainable growth. The NPAAAD
7 covers all irrigated areas; all irrigable lands already covered by irrigation projects
8 with firm funding commitments; all alluvial plains; land highly suitable for
9 agriculture whether irrigated or not; agro-industrial croplands or lands planted to
10 industrial crops that support the validity of existing agricultural infrastructure and
11 agro-based enterprises; highlands or areas located at an elevation of Five
12 hundred (500) meters or above and have the potential for growing semi-
13 temperate and high value crops; all agricultural lands that are ecologically fragile
14 the conversion of which will result in serious environmental degradation; and all
15 mangrove areas and fish sanctuaries;

16 ii) Physical framework plans - shall refer to the national, regional or provincial
17 indicative plans embodying both policies and strategies that are prepared by the
18 national, regional and provincial land use policy councils, respectively, to guide
19 the desired direction and growth and to promote and advance appropriate
20 resource utilization as a way of sustaining food security, promoting people's
21 welfare, protection of environment;

22 jj) Premature or illegal conversion - shall refer to any activity that modifies or
23 alters the physical characteristics of agricultural lands to render them suitable for
24 non-agricultural purposes without an approved order of conversion from the DLR
25 Secretary;

26 kk) Prime agricultural land - shall refer to all irrigated areas, all irrigable lands
27 already covered by irrigation projects with firm funding commitments; all alluvial
28 plain land highly suitable for agriculture whether irrigated or not; ago-industrial
29 croplands or lands presently planted to industrial crops that support the viability
30 of existing agricultural infrastructure and agro-based enterprises, highlands, or
31 areas located at elevation of 500 meters or above and have the potential for
32 growing semi-temperature and high value crops; all agricultural lands that are
33 ecologically fragile, the conversion of which will result in serious environmental
34 degradation; and mangrove areas and fish sanctuaries;

35 ll) Production land use - shall refer to the direct and indirect utilization of land to
36 generate outputs resulting from the following activities: agricultural, fish farming

1 or aquaculture, timber or agro-forestry, grazing and pasture, mining, indigenous
2 energy resource development, industry, and tourism;

3 mm) Protected areas - shall refer to portions of land set aside by reason of their
4 unique physical and biological significance, managed to enhance biological
5 diversity, and protected against destructive human exploitation. For purposes of
6 this Act, it shall include agricultural lands identified and delineated under Section
7 29 hereof;

8 nn) Protection land use - shall refer to the use of land primarily for rehabilitation,
9 conservation, and protection purposes and the promotion of the country's
10 ecological and life-support systems;

11 oo) Public domain - shall refer to lands that belong to the State which may be
12 any of the following: agricultural, forest or timber, mineral, or national park as
13 provided for in the Constitution;

14 pp) Public lands - shall refer to lands which have not been subject to private
15 property rights or subject to sale or other modes of acquisition or concession
16 under the general laws, and are devoted to public use;

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

24 rr) Resettlement sites - shall refer to areas identified by the appropriate national
25 agency or by the local government unit, with respect to areas within its
26 jurisdiction, which shall be used for the relocation of the underprivileged and
27 homeless, as defined under Republic Act No. 7279 or the Urban Development
28 and Housing Act (UDHA);

29 ss) Settlements - shall refer to communities or built-up environment areas where
30 people prefer to live in;

31 tt) Settlements development - shall refer to any improvement on existing
32 settlements or any proposed development of certain areas for settlement
33 purposes. It also involves the spatial distribution of population, identification of
34 the roles and functions of key urban centers, determination of relationships
35 among settlement areas, and the provision of basic services and facilities of
36 identified major settlement areas or growth centers;

1 uu) Shoreline - shall refer to a strip of land covering at least one (1) kilometer
2 from the point where sea water reaches during the highest high tide;

3 vv) Socialized housing - shall refer to housing programs and projects undertaken
4 by the government or the private sector for the underprivileged and homeless
5 citizens which shall include sites and services development, long-term financing,
6 liberalized terms on interest payments, and such other benefits in accordance
7 with the UDHA;

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

11 xx) Sustainable development - shall refer to the development objective of
12 meeting the needs of the present generation without compromising the ability of
13 future generations to meet their own needs consistent with the principles of
14 social equity, efficiency, and environmental integrity;

15 yy) Tourism development areas - shall refer to specific sites for tourism
16 development located in areas identified as priorities in the national and regional,
17 area specific tourism master plans and other sector plans such as eco-tourism
18 and agri-tourism sites, including those designated through legislative and
19 executive issuances i.e., tourist spots, tourist zones and tourism ecozones which
20 can be developed into tourism estates or integrated resort, leisure, and
21 recreation complexes, and other tourism related facilities;

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

33 aaa) Tourism ecozone - shall refer to tourism development areas which have
34 been granted Special Economic Zone status, through PEZA registration and
35 issuance of the required Presidential Proclamation, with its metes and bounds
36 delineated by said Proclamation, pursuant to RA 7916, as amended;

1 bbb) Tourist spot - shall refer to a particular area/site/spot, man-made or
2 natural, known for its unique tourist/visitor-drawing attributes and activities. It
3 may be classified according to its social, cultural, natural, historical, scientific,
4 religious, and recreational significance;

5 ccc) Tourist zone - shall refer to a geographic area with well-defined boundaries
6 proclaimed as such by the President of the Philippines and/or by Acts of
7 Congress. No development projects for any purpose shall be initiated and
8 introduced within the zone prior to the formulation of a tourism master
9 development plan which shall be undertaken in coordination with the Department
10 of Tourism and the Philippine Tourism Authority. A tourist zone is established for
11 the enhancement and/or the conservation of cultural and historical heritage and
12 for the appreciation and enjoyment of the local population and its visitors;

13 ddd) Urban areas - shall refer to all cities regardless of their population density
14 and to municipalities with population density of at least Five hundred (500)
15 persons per square kilometer;

16 eee) Urbanizable areas - shall refer to sites and lands which, considering present
17 characteristics and prevailing conditions, display marked and great potential of
18 becoming urban areas within a period of five (5) years;

19 fff) Urban forestry or green space - shall refer to the establishment or setting-up
20 of areas for mini-forest or small nature parks, lining roads and highways with
21 trees, shrubs, or ornamental plants, and ground landscaping of schools,
22 hospitals, and other government agencies in order to improve the environment in
23 urban areas;

24 ggg) Water security - shall refer to the sufficient access throughout the year to
25 the minimum daily requirement of clean water to maintain a healthy life;

26 hhh) Water use - shall refer to the appropriation of water for domestic,
27 municipal, irrigation, power generation, inland fisheries, poultry and livestock,
28 industrial and commercial, environmental, and recreational use;

29 iii) Watershed - shall refer to a topographically delineated area of land from
30 which rainwater can drain as surface run-off *vis-à-vis* a specific stream or river
31 system to a common outlet point which may be a dam, irrigation system or
32 urban water supply take-off point, or where the stream discharges into a river,
33 lake, or the sea;

34 jjj) Zoning - shall refer to the regulatory tool for delineating the specific uses of
35 lands in accordance with the approved CLUP within the territorial jurisdiction of a

1 city/municipality and specifying the conditions for their regulation; subject to the
2 limitations imposed by law and competent authority; and,

3 kkk) ZO or zoning ordinance - shall refer to a local law passed by the
4 sangguniang pambayan or panglunsod approving the development
5 control/zoning plan in accordance with an approved or adopted CLUP for the
6 city/municipality, and providing for the regulations and other conditions on the
7 uses of land including the limitation on the infrastructure that may be placed
8 thereon within the territorial jurisdiction of a city or municipality. It incorporates
9 the protected areas under Section 12(b) and the protected agricultural lands
10 under Section 29 hereof.

11
12 **CHAPTER III**
13 **PHYSICAL FRAMEWORK AND LAND USE PLANS**

14 **SEC. 5.** *National Framework for Physical Planning.* - The Land use Policy Council
15 (LUPC) created in Section 14 herein, in consultation with the concerned sectors through
16 the mandatory conduct of public hearings, shall formulate, periodically update and
17 ensure the implementation of the National Framework for Physical Planning (NFPP) that
18 shall serve as the general long-term framework for the spatial development directions
19 of the entire country and provide the analytical parameters for the planned allocation,
20 use and management of the country's land and other physical resources. The
21 NFPP shall be the basis for adopting land use and physical planning-related guidelines
22 and standards, including zoning and other land use control standards that will guide the
23 formulation of city/municipal zoning ordinances.

24 **SEC. 6.** *National Land Use Planning Process.* - The land use and physical
25 planning process shall be formulated following a combined bottom-up and top-down
26 approach. The NFPP, which guides the planning and management of the country's land
27 and other physical resources at the national and sub-national levels, shall indicate broad
28 spatial directions and policy guidelines on settlement development, production land use,
29 protection land use and infrastructure development. The Regional Physical Framework
30 Plans (RPFs) and, consequently, the Provincial Physical Framework Plans
31 (PPFPs) and Comprehensive Land Use Plans (CLUPs), which cover the physical
32 development of their respective territories, shall be consistent with the NFPP; provided
33 that the integration and harmonization of physical framework plans at all levels shall be
34 iterative to ensure that the concerns of both top and bottom levels of government are
35 considered in the NFPP, RPFs, PPFPs and CLUPs. The physical and land use plans
36 prepared at all levels shall have internal consistency specifically on the linkages of the

1 major land use categories to ensure their complementation in the utilization,
2 development and management of resources.

3 **SEC. 7. *City and Municipal Land Use Plans.*** - The City/Municipal Planning and
4 Development Office, in consultation with concerned sectors through mandatory conduct
5 of public hearings, shall prepare the CLUP to determine the specific uses of land and
6 other physical resources therein including areas co-managed with the national
7 government and, as appropriate, the ancestral domain areas. Guided by the PFP, the
8 CLUP shall embody the desired land use patterns and mixes of the city or municipal
9 territory and provide appropriate policies for each of the four land use planning
10 categories that shall guide and serve as framework for more detailed development and
11 sectoral planning: *Provided, That,* jointly with the DENR and the Department of
12 Agriculture (DA), barangays located within public forestlands shall prepare a
13 comprehensive barangay land use plan (BLUP), which shall guide the local residents on
14 the uses, management, development, and accountability over areas determined in the
15 plan as multiple-use zones for settlements development, low impact agriculture, and
16 agroforestry purposes, including those areas that need community management and
17 protection as production forestlands or protection forests: *Provided, however,* That the
18 preparation of management plans for protected areas shall be in accordance with the
19 provisions of R.A. No. 7586 or the NIPAS Act or other laws establishing or declaring a
20 specific area as a permanent component of the NIPAS. The BLUPs for areas within
21 public forestlands shall be integrated in the CLUP, subject to consultation with the
22 concerned City/Municipal Land Use Planning Office.

23 The CLUP shall be translated into a zoning ordinance by the concerned
24 sangguniang to regulate the uses of land, including the limitations on height, density
25 and bulk of buildings and other infrastructure that may be placed thereon.

26 **SEC. 8. *Provincial Physical Framework Plans.*** - In consultation with concerned
27 sectors, the Provincial Planning and Development Office shall prepare the PFP to
28 determine the physical development of the entire provincial territory, consolidating and
29 harmonizing the land use plans of component cities and municipalities, and defining the
30 uses of land and other resources within the province consistent with the policies in the
31 RFP. It shall submit the PFP to the Provincial Land Use Policy Council, created under
32 Section 20 of this Act, for review and endorsement to the Sangguniang Panlalawigan,
33 which shall adopt the same pursuant to Section 468 (2) (vii) of the LGC.

34 **SEC. 9. *Regional Physical Framework Plans.*** - In consultation with concerned
35 sectors, the Regional Land Use Policy Council (RLUPC) shall define the desired spatial
36 arrangement of land-using activities in the entire region, consolidating and harmonizing

1 the provincial physical framework plans of provinces and independent cities within the
2 territorial jurisdiction of the region. The RPPF, which depicts an end-state scenario
3 toward which efforts and activities are directed, shall consist of spatially-based and
4 area-focused policies, consistent with those in the NFPP, to guide detailed physical,
5 socio-economic, sectoral and investment planning.

6
7 **CHAPTER IV**
8 **FRAMEWORK FOR LAND USE PLANNING**

9 **SEC. 10.** *Priorities in Land Use Allocation and Planning.* - In projecting spatial
10 allocation for different land uses, the LGUs shall first exclude areas under protection
11 land use of Section 13(A) hereof, national parks, energy resource lands, and prime
12 agricultural lands to ensure ecological integrity, energy supply, and promote food
13 security. Areas with prior rights and those with site-specific resources for basic services,
14 such as but not limited to, water and indigenous energy resources, shall also be
15 excluded. Spatial allocation and planning shall then proceed in accordance with Sections
16 12 and 13 hereof with priorities given to integrated watershed management areas,
17 socialized housing sites, fisherfolk settlement in coastal areas, and waste disposal sites.

18 **SEC. 11.** *Adoption of Multiple Uses of Land Resources.* - The primary and
19 alternative uses of a specific land resource shall be determined and evaluated prior to
20 any decision for the assignment of its use. Areas feasible for sustainable land resource
21 use may be considered multiple-use zones wherein settlements, tourism, agriculture,
22 agro-forestry and extraction activities and other income-generating or livelihood
23 activities may be allowed: Provided, That multiple uses of land resources shall be in
24 accordance with priorities in land use allocation and planning and that no
25 reclassification shall be allowed.

26 **SEC. 12.** *Basic Land, Use Planning Considerations.* - In determining the various
27 land uses, the people and their productive activities and the need for functional open
28 spaces and preservation areas as well as the various interrelationships of the physical
29 characteristics of the land and other elements therein shall be considered, among
30 others, the following:

- 31 a) Availability of natural resources including indigenous energy resources for
32 energy security and self-sufficiency;
33 b) Geology, geomorphology, geologic hazard, climate, soil and slope;
34 c) Economic, environmental, social and related development activities;
35 d) Existing government policies on land and natural resources allocation,
36 utilization, management and disposition;
37 e) Technological changes/ advancement;

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

3 g) Inventory of prior and existing rights, to harmonize determination of land use.

4 **SEC. 13. *Categories of Land Uses for Planning Purposes.*** - In determining and
5 defining the NFPP, RPPFs, PFPs, and CLUPs, land uses shall be grouped into four
6 major functional uses as follows:

7 a) Protection Land Use shall refer to the use of land primarily for rehabilitation,
8 conservation, and protection purposes and the promotion of the country's ecological
9 and life-support systems. Planning for protection land use intends to achieve
10 environmental stability and ecological integrity, ensure a balance between resource use
11 and the preservation of some areas with environmental, aesthetic, educational, cultural
12 and historical significance, aid protect people and man-made structures from the ill-
13 effects of natural hazards. Areas under this category are those under the coverage of
14 Republic Act No. 7586 or the National Integrated Protected Areas System (NIPAS) law
15 and other coastal and marine protected areas; those areas outside NIPAS but
16 nonetheless require protection because of their outstanding physical and aesthetic
17 features, anthropological significance, and biological diversity; and those areas prone to
18 natural hazards. Areas outside the coverage of the NIPAS law include, but are not
19 limited to the following:

20 1) Reserved second growth forests above 1,000 meters in elevation and those
21 50% in slope gradient;

22 2) Mangrove and fish sanctuaries, pursuant to Republic Act No. 8435 and
23 Republic Act No. 8550;

24 3) Buffer zones or strips/easements, pursuant to P.D. No. 705 and P.D. No.
25 1067;

26 4) Salvage zones along foreshore areas, freshwater swamps and marshes, plazas
27 and heritage/historic sites, pursuant to P.D. No. 2146;

28 5) Watersheds or sources of domestic supply;

29 6) Utility easement like transmission lines of power companies, oil and gas
30 facilities, cell sites, and domestic water lines; or

31 7) Amenity areas or those with high aesthetic values, pursuant to P.D. No. 2146.

32 8) Natural and man-made areas/sites of cultural, historical and anthropological
33 significance, which are declared as such by internationally recognized
34 organizations and concerned national agencies.

35 b) Production Land Use shall refer to the direct and indirect utilization of land
36 resources for crop, fishery, livestock and poultry production, agroforestry, mining,

1 industry, energy development, and tourism. Planning for production land shall
2 determine the most efficient, sustainable, and equitable manner of utilizing, developing
3 and managing land for productive purposes. Areas included in this category are
4 agricultural lands, fishing grounds, fishponds, and fish cages, coastal and marine zones,
5 production forest which comprise lands 18% to 50% in slope gradient such as: residual
6 dipterocarps, rangelands for grazing purposes, industrial tree plantation/IFMA,
7 community based agro-forestry areas and other reforestation projects; mineral lands or
8 mining areas and reservations, energy resource lands, industrial development areas,
9 and tourism development areas where productive activities could be undertaken to
10 meet the country's requirements for food security, economic growth and development.

11 c) Settlements Development shall refer to any improvement on existing
12 settlements in urban and rural areas or any proposed development of certain areas for
13 settlement purposes involving the spatial distribution of population, identification of the
14 roles and functions of key urban centers, determination of relationships among
15 settlement areas, and the provision of basic services and facilities to such settlement.
16 The settlement development plan ensure for the present and future generation the
17 following: i) effective integration of activities within and among settlements, allowing
18 efficient movement of people and production of commodities through the provision of
19 appropriate land, infrastructure, and facilities; and ii) access of the population to
20 housing, education, health care, recreation, transportation and communication,
21 sanitation, and basic utilities such as water, power, waste disposal, and other services.

22 d) Infrastructure Development seeks to provide basic services and foster
23 economic and other forms of integration necessary for producing or obtaining the
24 material requirements of Filipinos, in an efficient, responsive, safe and ecologically
25 friendly built environment. It covers these sub-sectors: transportation, communications,
26 indigenous energy exploration and development, water resources, and social
27 infrastructure. *Provided*, That the determination of functional uses of lands within
28 ancestral domains shall consider traditional resource and management systems that do
29 not endanger the lives and property of the local community and neighboring areas or
30 increase I the vulnerability of the natural environment to the effects of natural and
31 man-induced geological processes.

32

33

34

CHAPTER V IMPLEMENTING STRUCTURE AND MECHANISM

35

36

Article 1 Land Use Policy Council

1 **SEC. 14. *Creation of the Land Use Policy Council (LUPC).*** - The LUPC is hereby
2 created. It shall exercise the powers and responsibilities of the National Land Use
3 Committee (NLUC) and the powers and functions vested by law to the Housing and
4 Land Use Regulatory Board (HLURB) pertaining to land use planning. The LUPC shall act
5 as the highest policy making body on land use and resolve land use policy conflicts
6 between or among agencies, branches, or levels of the government. It shall integrate
7 efforts, monitor developments relating to land use and the evolution of policies, and
8 regulate and direct land use planning processes.

9 **SEC. 15. *Composition of the LUPC.*** - The LUPC shall be composed of sixteen
10 (16) members.

11 a) The Secretary of Socio-Economic Planning as Chairperson;

12 b) The Secretaries of Environment and Natural Resources and Agriculture as
13 Vice-Chairpersons;

14 c) The Secretaries of Land Reform, Trade and Industry, Public Works and
15 Highways, Transportation and Communications, Tourism, Interior and Local
16 Government, Justice, Transportation and Communication and Energy;

17 d) The Chairperson of the Housing and Urban Development Coordinating
18 Council; and

19 e) A representative each from four (4) basic sectors directly involved in land use,
20 namely: urban poor, peasants, fisherfolk, and indigenous peoples who shall be
21 appointed by the President of the Philippines based on the nomination and
22 recommendation of the respective sectoral councils of the National Anti-Poverty
23 Commission (NAPC). Two sectoral representatives shall be women.

24 A consultative body shall likewise be convened at least once a year or as often as
25 may be necessary. It shall be composed of representatives from the Leagues of
26 Municipalities, Cities, and Provinces, other government agencies not represented in the
27 LUPC, and from non-government sectors such as the private sector, NGOs and POs, and
28 the academic community.

29 **SEC. 16. *Powers and Functions.*** - The LUPC shall have the following powers and
30 functions:

31 a) Advise the President of the Philippines and the NEDA Board on all matters
32 concerning land use and physical planning;

33 b) Integrate and harmonize all laws and policies relevant to land use to come up
34 with a rational, cohesive, and comprehensive national land use framework;

35 c) Formulate policies and endorse land use and physical planning-related policies
36 that may be formulated by the RLUPC and concerned agencies as well as

1 promulgate zoning and other land use control standards and guidelines which
2 shall guide the formulation of land use plans and zoning ordinances by local
3 governments;

4 d) Prepare, periodically review and if necessary, update the NFPP and RPPF to
5 provide the general framework for the spatial development directions for the
6 entire country and sub-national levels;

7 e) Establish a National Land Resource Information and Management System that
8 shall integrate and process information on land use and allocation generated by
9 the various national government agencies; define information requirements at
10 various levels; and standardize information inputs and outputs including scales
11 and symbols used in territorial and sectoral maps;

12 f) Undertake the gathering of data, the conduct of studies pertaining to land use
13 planning including studies on the management of identified land uses and such
14 other studies not undertaken by other government agencies;

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

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

22 i) Monitor and coordinate the activities of concerned agencies and entities of the
23 government, as well as LGUs, in the enforcement and implementation of policies
24 and regulations relating to land use and resource management and
25 development;

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

29 k) Assist the LGUs in the formation of local land use policy councils at the local
30 levels;

31 l) Design and implement, in coordination with the DILG, a long-term capability-
32 building program for LGUs to enable them to undertake a participatory and
33 effective land use planning;

34 m) To prescribe, in consultation with the DILG and other concerned agencies, as
35 applicable, the land valuation of the specific land use categories listed in Section
36 13 hereof, to ensure the equitable access of the land to all sectors, taking into

1 consideration that to keep basic services affordable to the public, land valuation
2 where these services are located shall be kept to the minimum;

3 n) Decide and resolve policy conflicts on land use between or among agencies,
4 branches, or levels of the government and unresolved land use policy conflicts at
5 the regional level;

6 o) Adopt rules of procedures for the orderly and expeditious conduct of meetings
7 and other business of the Council; and

8 p) Perform such other acts and functions and exercise such other powers as may
9 be necessarily implied, inherent, incident, or related to the foregoing.

10 **SEC. 17. LUPC Technical Board (LUPC-TB).** - A Technical Board shall be created
11 to provide technical support to the LUPC. It shall be composed of:

12 a. NEDA Deputy Director-General for Regional Development as Chairperson;

13 b. Representatives of the member agencies/institutions of the LUPC, who shall
14 have a rank not lower than Director level; and

15 c. The representatives of the four (4) basic sectors as enumerated in Section
16 15(e) of this Act.

17 **SEC. 18. Offices, Units and Staff Support.** - The NEDA Regional Development
18 Office shall continue to provide core secretariat services to LUPC, its Technical Board
19 and RLUPC. Other government agencies may also be called upon for staff support.
20

21 **Article 2**

22 **Local Development Councils as Local Land Use Policy Councils**

23 **SEC. 19. City/Municipal Development Councils.** - The City/Municipal
24 Development Councils (C/MDCs), created under Section 106 of the LGC, shall act as the
25 City/Municipal Land Use Policy Council that will tackle land use concerns whenever
26 necessary.

27 In addition to the functions enumerated in Section 109 of the LGC, the C/MDC
28 shall:

29 a) Advise the Sangguniang Bayan or Sangguniang Panlungsod on all matters
30 pertaining to land use and physical planning;

31 b) Review and endorse to the Sangguniang Bayan or Sangguniang Panlungsod
32 for adoption, the CLUP prepared and periodically updated by the City/Municipal
33 Planning and Development Office and other land use and physical planning-
34 related policies; and

35 c) Decide and resolve conflicts regarding the violation of zoning ordinances
36 including opposition to applications for locational clearances, permits or
37 certificates.

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

7 The C/MDC may call upon any local official concerned such as C/MPDC,
8 City/Municipal Agriculturist, City/Municipal Environment and Natural Resources Officer,
9 City/Municipal Engineer, City/Municipal Assessor, or any official of national agencies
10 during discussions on land use and physical planning concerns.

11 Local government units without operational C/MDCs as mandated by the 1991
12 LGC shall activate their respective Councils within six (6) months from the effectivity of
13 this Act.

14 **SEC. 20.** *Provincial Land Use Policy Council (PLUPC).* - The Provincial
15 Development Council (PDC), created under Section 106 of the LGC, shall act as the
16 Provincial Land Use Policy Council that will tackle land use concerns whenever
17 necessary.

18 In addition to the functions enumerated in Section 109 of the LGC, the PLUPC
19 shall:

- 20 a) Advise the Sangguniang Panlalawigan on all matters pertaining to land use
21 and physical planning;
- 22 b) Review and endorse to the Sangguniang Panlalawigan for adoption, the PPF
23 prepared and periodically updated by the Provincial Planning and Development
24 Office and other land use and physical planning-related policies;
- 25 c) Assist the Sangguniang Panlalawigan in reviewing the CLUPs of component
26 cities/municipalities to ensure consistency with the PPF and compliance with the
27 limits prescribed under the 1991 LGC for reclassifying agricultural lands; and
- 28 d) Decide and resolve policy conflicts on land use planning, classification, and,
29 allocation that may arise between or among cities/municipalities and any
30 unresolved land use conflicts at the city/municipal level.

31 The PLUPC may call upon any local official concerned such as Provincial Planning
32 and Development Coordinator, Provincial Agriculturist, Provincial Environment and
33 Natural Resources Officer, Provincial Engineer, Provincial Assessor, or any official of
34 national agencies and other relevant agencies during discussions on land use and
35 physical planning concerns.

36 **SEC. 21.** *Regional Land Use Policy Council (RLUPC).* - At the regional level, the

1 RLUPC will be institutionalized, replicating the LUPC structure and composition. The

2 RLUPC shall have the following functions:

3 a) Adopt regional policies on land use and physical planning;

4 b) Prepare and periodically update the RPPF, taking into consideration national
5 polices and lower level plans;

6 c) Review, prior to adoption by respective Sangguniang, the PFPs and CLUPs of
7 highly urbanized and independent component cities to ensure consistency with
8 the RPPF and national policies set forth by LUPC and compliance with limits
9 prescribed under the 1991 LGC for reclassifying agricultural lands;

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

13 e) Monitor changes in land use and other physical resources in the region;

14 f) Coordinate and monitor the land use activities of regional line agencies and
15 LGUs;

16 g) Evaluate consistency of major programs and projects with the RPPF and their
17 impact on land use and the environment;

18 h) Undertake the gathering of regional data for the Land Resource Information
19 and Management System, and;

20 i) Perform other related functions as may be directed by the LUPC:

21 **Article 3**

22 **Adoption, Approval and Review of Land Use Plans**

23 **SEC. 22.** *Component Cities and Municipalities.* - Component cities and
24 municipalities shall have the power and authority to adopt and approve their respective
25 CLUPs and 20sthrough their respective sanggunians subject to the power of review of
26 their respective provinces only with respect to the consistency of the CLUPs and ZOs
27 with Section 6 hereof on the preparation of the PFP.

28 **SEC. 23.** *Provinces and Independent and Highly Urbanized Cities.* - Provinces
29 and independent and highly urbanized cities shall have the power and authority to
30 adopt and approve their respective CLUPs, ZOs or PFP, as the case may be, through
31 their respective sanggunian but subject to the review of the RLUPC as provided in
32 Section 21 hereof.

33 **Article 4**

34 **Responsibilities of the National Government Agencies and LGUs**

1 **SEC. 24. *National Base Mapping Program.*** - A national mapping program shall
2 be implemented, coordinated, and monitored through the creation of an Inter-agency
3 Technical Committee (ITC) composed of the National Mapping and Resource
4 Information Authority (NAMRIA), as the lead agency, the Bureau of Soils and Water
5 Management (BSWM), the Forest Management Bureau (FMB), the Land Management
6 Bureau (LMB), the Protected Areas and Wildlife Bureau (PAWB), the Mines and
7 Geosciences Bureau (MGB), the Philippine Institute of Volcanology And Seismology
8 (PHIVOLCS), DLR, the National Water Resources Board (NSWRB), DOE, NEDA and
9 other concerned government agencies/bureaus. The ITC shall be constituted, and the
10 mapping program initiated, within thirty (30) days from the effectivity of this Act.

11 For purposes of uniformity and standardization, the LGUs, to be assisted by the
12 appropriate agencies of the national government, shall likewise prepare their respective
13 territorial maps using scales, symbols, and other indicators to be prescribed in
14 accordance with this Act: The completed maps shall be integrated in the NFPP pursuant
15 to Section 9 hereof.

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

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

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

1 **SEC. 26.** *Scope and Nature of Responsibilities of Other National Government*

2 *Agencies.* - All concerned national government agencies/ bodies shall periodically report
3 to the LUPC on the various activities and accomplishments relative to land use.
4 Likewise, they shall provide their respective sectoral/development plans and render
5 technical and administrative support if called upon by the LUPC relative to the
6 implementation of the provisions of this Act.

7 **SEC. 27.** *Submission of Annual Report on the Implementation of CLUPs.* -

8 The C/MDCs shall submit an annual report on the implementation of their land use
9 plans to the PLUPC, which shall integrate the same for submission to the RLUPC, which
10 shall in turn integrate the provincial reports for submission to the LUPC.

11
12 **CHAPTER VI**
13 **SPECIAL AREAS OF CONCERN**

14 **Article 1**
15 **Agricultural Lands**

16 **SEC. 28.** *Priority Areas for Agricultural Development.* - Priority areas for
17 agricultural development are the CARP, CARPable areas, and the NPAAAD.

18 **SEC. 29.** *Conversion of Agricultural Lands.* - Agricultural lands are deemed
19 converted to non-agricultural uses upon approval by the DLR of the application for
20 conversion. Prime agricultural lands and specific types of lands to the extent necessary
21 for attaining food self-sufficiency in rice and corn and food security in other basic
22 commodities, as determined by the DA, subject to mandatory consultation with the
23 LGUs, the private sector, the NGOs, and POs, shall be protected from conversion, which
24 shall include but not limited to areas under the NPAAAD: *Provided,* That all irrigated and
25 irrigable lands, all lands developed or possessing the potential for development of high
26 value, crops, and all agricultural lands that are ecologically fragile and whose
27 conversion will result in serious environmental problems shall be given full protection
28 from conversion, the areas under which are subject to review every seven (7)
29 years by the DA, with the mandatory public consultations: *Provided, further,* That
30 consistent with the State policy on giving priority to the completion of the
31 Comprehensive Agrarian Reform Program (CARP), all lands subject to CARP including
32 those lands covered under the notice of compulsory acquisition/voluntary offer to sell,
33 production or profit-sharing, or commercial farm deferment shall also be protected from
34 conversion pending the distribution and installation of the farmer beneficiaries, but
35 thereafter, Section 65 of Republic Act No. 6657 or the Comprehensive Agrarian Reform
36 Law (CARL) shall apply: *Provided finally,* That the conversion of agricultural lands for
37 use of priority government projects for basic services such as, but not limited to,

1 irrigation and power shall be allowed only upon the recommendation of the Secretaries
2 of the DA and DLR.

3 Lands defined under Section 10 of R.A. No. 6657 shall remain exempted and
4 excluded from the coverage of CARP.

5 **SEC. 30.** *Sub-classification or Re-classification of Agricultural Lands by LGUs.* -
6 Sub-classification or re-classification of agricultural lands to other uses under Section 20
7 of the LGC of 1991 shall exclude the protected agricultural lands as stated in the
8 preceding section. Moreover, such sub-classification/reclassification is not synonymous
9 to conversion. The DA and DLR shall provide the LGUs with a complete list and maps of
10 protected agricultural lands within their territorial jurisdictions.

11
12 **Article 2**
13 **Forest Lands and Watershed Reservation**

14 **SEC. 31.** *Reversion of Alienable and Disposable Lands to Forestlands.* - Upon the
15 recommendation of the Secretary of the DENR, duly reviewed and endorsed by the
16 LUPC, and after due consultations with the concerned LGUs and affected parties,
17 Congress may authorize the reversion of alienable and disposable lands of the public
18 domain or portion thereof to forestlands.

19 **SEC. 32.** *Critical Watershed Areas.* - The DENR, in coordination with the DA,
20 LGUs, and other government agencies, including government-owned and-controlled
21 corporations, and with mandatory public consultations, shall identify and delineate
22 critical watershed areas that need to be protected, rehabilitated, enhanced, and/or
23 withdrawn from uses that contribute to their further degradation.

24 **SEC. 33.** *Formulation and Implementation of Integrated Watershed*
25 *Management Plans.* - With the assistance of the DENR and upon mandatory
26 consultations with the concerned sectors, the LGUs through their local land use
27 committees shall prepare their watershed management plans which shall be integrated
28 with their respective CLUPs. The formulation and integration of the plan shall be
29 guided, among others, by the principle that the management and development of
30 inland water resources shall be at the watershed level.

31 In cases where the watershed areas transcend the boundaries of a particular
32 municipality, an inter-LGU committee composed of representatives from local land use
33 committees of the LGUs where the watershed area is located shall be formed. With the
34 assistance of the DENR and upon mandatory consultations with the concerned sectors,
35 the inter-LGU committee shall formulate the watershed management plan for the said
36 watershed area.

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

4
5 **Article 3**
6 **Coastal Zones**

7 **SEC. 34.** *Criteria on the Allocation and Utilization of Lands within the Coastal*
8 *Zones.* - The allocation and utilization of lands within the coastal zones shall be guided
9 by the following:

10 a) Areas vegetated with mangrove species shall be preserved for mangrove
11 production and shall not be converted to other uses;

12 b) Areas that meet all accepted criteria on elevation, soil type, soil depth,
13 topography, supply for successful fishpond development, and are not identified
14 as mangrove protected areas, shall be utilized for aquaculture purposes;

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

19 d) Areas accessible to the sea and identified for fisherfolk settlement and
20 housing shall be allocated to traditional fisherfolk who are inhabitants of the
21 coastal communities and members of legitimate fisherfolk organizations and/ or
22 holders of stewardship lease contracts or titles to ancestral domains or any form
23 of property right arrangements who participate in coastal resource management
24 initiatives, subject to the usual census procedures of the HUDCC.

25 e) Areas that are neither sub-classified as mangrove, fisherfolk settlement nor
26 fishpond may be devoted to recreational or tourism purposes: Provided, That
27 such undertaking will not result in environmental degradation and displacement
28 of small fishers;

29 f) Areas which are considered as traditional fishing grounds shall be used
30 primarily for such purpose;

31 g) Areas which have been allocated for small infrastructure needed by fisherfolk
32 shall be allowed; and

33 h) Areas which form part of foreshore lands as defined in this Act including those
34 that are under lease agreements or arrangements shall undergo zoning and
35 evaluation to determine their boundaries and actual sizes and corresponding
36 uses.

1 **SEC. 35. Coastal Land Zone Sub-classification.** - All public lands in the coastal
2 zones shall be subclassified into any of the following: fishponds, mangroves, protection
3 from tidal surge, for preservation of biodiversity, habitats and sanctuaries for
4 endangered wildlife, fisherfolk settlement, or recreational/ tourism areas. No sub-
5 classification of coastal zones to different uses shall be done without the following:

6 a) Conduct of a comprehensive resource and environmental assessment by the
7 DENR and respective LGUs and accredited NGOs and POs within their
8 jurisdiction; and

9 b) Prior consultation with local Fisheries and Aquatic Resource Management
10 Councils (FARMCs) formed under Republic Act No. 8550 or the Fisheries Code.

11 **SEC. 36. Zoning of Foreshore Areas.** - Local government units, in coordination
12 with the DENR, shall conduct zoning of their respective foreshore areas to assist
13 government and community fishers identify priority areas for conservation and
14 development, and to enable them to set targets for mangrove reforestation and
15 rehabilitation.

16
17 **Article 4**
18 **Mineral Lands**

19 **SEC. 37. Criteria for the Utilization and Allocation of Land for Mining Purposes.** -
20 Consistent with Section 5 of this Act and the provisions of Republic Act No. 7942 or the
21 Mining Act of 1995, and to ensure that the objectives of maintaining ecological balance
22 and maximizing economic returns to mining operations are realized, the allocation and
23 utilization of lands for mining purposes shall be guided by the following:

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

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

28 c) Mineral reservations which have become non-operational for more than ten
29 (10) years as determined by the MGB shall be placed under appropriate surface
30 management by the DENR; and

31 d) Consistent with the Mining Act of 1995, areas closed to mining operations
32 shall be periodically reviewed through mineral exploration to be undertaken by
33 the DENR for the purpose of determining whether or not their continued closure
34 is consistent with the national interest and, if warranted, recommend their
35 reclassification as mineral lands.

36 **SEC. 38. Reversion of Mineral Lands.** - All mineral lands with exhausted mineral
37 resources, as determined by the MGB upon the recommendation of the DENR, shall

1 revert to its original land classification, that is, as forest land or agricultural land. In the
2 case of forestlands, the DENR may classify such areas for other purposes in
3 consultation with concerned LGU's, the DOT, and other national government agencies.

4
5 **Article 5**
6 **Energy Resource Lands**

7 **SEC. 39.** *Guidelines for the Utilization and Allocation of Lands for Energy*
8 *Resource Exploration, Development, Production, Utilization, and Distribution Purposes.* -

9 To ensure that the objectives of maintaining ecological balance and maximizing the
10 lower potential from indigenous energy resources in the most economical and
11 environmentally-acceptable means are realized, the allocation and utilization of lands
12 for said purposes shall be guided by the following, consistent with existing regulations
13 and laws on energy resources:

14 a) Indigenous energy resource exploration and development for the purpose of a
15 National Energy Resource Inventory and Data Base as well as Energy Resource
16 Block Map shall be allowed subject to the implementation of complementary
17 watershed and other land management plans;

18 b) Indigenous energy resource exploration, development, production, utilization,
19 and distribution shall be subject to the appropriate requirements and processes
20 of the Philippine Environmental Impact Statement (EIS) system. Each project
21 shall secure an Environmental Compliance Certificate (ECC) prior to project
22 implementation to ensure adequate and appropriate environmental management
23 measures and optimum methods for resource access and recovery are utilized;
24 and

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

29 **SEC. 40.** *Reversion of Energy Resource Lands.* - All exhausted indigenous
30 energy resource lands not covered by proclamations shall automatically revert to the
31 category of forestlands or agricultural lands open to disposition, whichever is
32 appropriate. Exhausted energy resource lands shall refer to specific energy resource
33 sites whose energy reserves of the desired type/s are no longer in sufficient quantity or
34 quality to justify additional expenditure for their extraction and utilization.

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CHAPTER VII
SETTLEMENTS DEVELOPMENT

3 **SEC. 41.** *Town, City, and Settlements Development.* - The development of town,
4 city, and settlements through the zoning ordinances of cities and municipalities shall be
5 guided by urban zoning standards designed to maximize existing urban spaces.

6 **SEC. 42.** *Settlements within Geo-hazard Areas.* - Settlements within geo-hazard
7 areas may be allowed provided that mitigating and/or protective measures are adopted
8 to address the potential danger or risk to lives and property within such settlements. In
9 coordination with the concerned agencies of the government, the LUPC shall provide
10 assistance to concerned LGUs and settlers in instituting safety and corrective measures
11 to address the potential danger or risk.

12 **SEC. 43.** *Designation of Waste Disposal Site.* - Each city or municipality shall
13 identify, designate and allocate an area within their territorial jurisdiction to serve as
14 waste disposal site within one (1) year from the effectivity of this Act. The LGUs, in
15 coordination with the DENR or any other competent authority, shall identify solid waste
16 disposal sites in order to fast-track the conduct of environmental impact assessment
17 study and to facilitate processing of the environmental compliance certificate. The site
18 or area shall be identified in the city or municipality's CLUP. For this purpose, cities and
19 municipalities shall establish their solid waste management program. Likewise, as
20 provided under Section 33 of the LGC, cities and municipalities may, through
21 appropriate ordinances, bind themselves towards the establishment of a common solid
22 waste management program.

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

27 **SEC. 44.** *Designation and Zoning of Socialized Housing Zones.* - Each city or
28 municipality in urban, urbanizable and rural areas shall designate lands for socialized
29 housing and resettlement areas for the immediate and future needs of the
30 underprivileged and homeless in their territory, pursuant to existing laws and
31 regulations.

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

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

1 tourism, and area specific tourism master plans and other sector plans: such as
2 ecotourism and agri-tourism sites.

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

5 **SEC. 48.** *Identification and Declaration of Areas for Protection, Conservation and*
6 *Preservation of Cultural Heritage.* - The National Historical Institute (NHJ) and/or the
7 National Museum in coordination with other concerned agencies, local communities, and
8 the private sector, shall identify declared areas and structures which shall be protected
9 and/or preserved as part of the Philippine cultural heritage.

10 The LGUs in coordination with the NHJ, the National Commission for Culture and
11 Arts (NCCA) and the Cultural Center of the Philippines (CCP) shall designate historical
12 zones to protect the historical integrity of said geographical areas and cultural space of
13 intangible cultural properties, which are significant to a city/municipality and the
14 community.

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CHAPTER X INFRASTRUCTURE DEVELOPMENT

18 **SEC. 49.** *Allocation and Use of Land for Infrastructure Development.* - Land,
19 whether public or private, shall be allocated and utilized for priority infrastructure
20 projects that are supportive of national or local development objectives. The NEDA, in
21 consultation with the concerned national government agencies, LGUs, and the private
22 sector shall identify and periodically review, update and/or revise the list of priority
23 infrastructure projects subject to Sections 5 and 29 hereof, and Section 47 of the AFMA.
24 In determining and evaluating the list of priority infrastructure projects, consideration
25 shall be given to those that:

26 a) Respond to immediate and vital requirements of the national economy with
27 priority on improving rural infrastructure and the development of the agriculture
28 and fisheries sectors;

29 b) Upgrade existing facilities to international standards;

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

31 d) Help mitigate the destructive effects of natural disaster-causing phenomena or
32 those that shall serve as alternatives to existing infrastructures found in natural
33 hazard-prone areas:

34 *Provided,* That the provision and implementation of infrastructure support shall
35 be made compatible with existing environmental conditions and the physical, whether
36 natural or man-made, and cultural character of the area. Mandatory public consultations
37 pursuant to existing laws and regulations shall be held prior to the conduct of all

1 infrastructure projects that will necessarily involve dislocation or displacement of people
2 in the area: *Provided, further,* That the proponent of the infrastructure project shall
3 follow the rules on just and humane eviction or demolition under Section 28 of the
4 UPHA, notwithstanding the provisions of Republic Act No. 8975, prohibiting lower courts
5 from issuing temporary restraining orders, preliminary injunctions, or preliminary
6 mandatory injunctions, and proponent shall follow IPRA; *Provided finally,* that national
7 government infrastructure projects shall allocate budget for the adequate relocation of
8 displaced communities.

9 **SEC. 50.** *Infrastructure Projects Within Geo-hazard Areas.* - Construction of
10 priority infrastructure projects within hazard-prone areas shall be allowed: *Provided,*
11 That mitigating and/or preventive measures are adopted to address the potential
12 adverse economic, socio-cultural, and environmental impacts that will emanate from
13 these infrastructure projects, subject to the findings and recommendations of a
14 feasibility study/environmental impact assessment in accordance with Presidential
15 Decree No. 1586 and Republic Act No. 4846.

16 Existing projects that did not go through the process of an environmental impact
17 assessment and pose threats to the environment, integrity of historic, archeological, or
18 scientifically significant areas; or are impinging on critical ecosystems, may be: (a)
19 terminated immediately, (b) required to implement an Environmental Management
20 Plan; (c) gradually phased-out and relocated, or (d) maintained up to their life span,
21 subject, however, to mitigating measures: *Provided,* That the rules on mandatory public
22 consultations and just and humane eviction or demolition shall also be observed prior to
23 the termination, gradual phase-out, or relocation of projects that will necessarily involve
24 dislocation or displacement of people in the area.

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CHAPTER XI TRAINING, EDUCATION, AND VALUE FORMATION

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SEC. 51. *Value Formation.* - In order to create a well informed, responsible and
committed citizenry who values the protection, conservation and development of the
country's limited land, and other physical resources, the State shall mandate the
inclusion of sustainable land use education or any subject related thereto in the
curricula of primary, secondary and tertiary education.

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SEC. 52. *Information and Education Campaign.* - The LUPC shall undertake a
nationwide education information campaign in land use and physical planning to be
implemented by local and national government agencies. The DILG and concerned
agencies shall formulate and implement a land use management capability-building

1 program for national and local government officials, community leaders, NGOs, POs,
2 religious sector, and the general public.

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4 **CHAPTER XI1**
5 **INCENTIVES, SANCTIONS, AND PENALTIES**

6 **Article 1**
7 **Incentives and Awards**

8 **SEC. 53.** *Formulation of a System of Incentives and Awards.* - The LUPC shall
9 come out with a system of incentives and awards to LGUs that regularly update their
10 CLUPs within the prescribed period, as follows:

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

14 **SEC. 54.** *Priority in Giving Technical Assistance to LGUs.* - In providing technical
15 assistance and other forms of support related to land use management and the
16 implementation of development plans, national government agencies shall give priority
17 to cities and municipalities with approved CLUPs.

18
19 **Article 2**
20 **Sanctions and Penalties**

21 **SEC. 55.** *Fine for Non-Completion and Non-Commencement of Development of*
22 *Agricultural Lands with Approved Order of Conversion.* - A landowner and his/her
23 designated developer or duly authorized representative who fails to commence and/or
24 complete the development of agricultural lands with approved order of conversion shall
25 be penalized, jointly or severally, with any of the following fines based on the zonal
26 value of the land at the time the fine is imposed

- 27 a) On failure to commence within one year from the date of conversion order:
28 (1) Six percent (6%) of the zonal value of the subject land for the first three (3)
29 hectares,
30 (2) Fifteen percent (15%) of the zonal value of the subject land for the next
31 three hectares, and
32 (3) Thirty percent (30%) of the zonal value of the subject land for the remaining
33 area.

34 *Provided,* That the order of conversion shall be deemed revoked automatically
35 and the land shall revert to its original agricultural use and covered by the DLR through
36 compulsory acquisition for distribution to qualified beneficiaries.

37 b) On failure to complete fifty percent (50%) of the approved conversion
38 plan within a specified time frame: Fifty percent (50%) of the zonal value of the subject

1 land and the revocation of the conversion plan on the undeveloped portion which shall
2 automatically revert to its original use as agricultural land. The same shall be covered
3 under the CARP and processed for land distribution as soon as possible.

4 **SEC. 56. Authority to Impose Fine.** - The DLR shall impose the penalty provided
5 for under the preceding section.

6 **SEC. 57. Withdrawal of Local Development Permits or Licenses.** - Upon receipt
7 of notice from the DLR, the concerned agencies and the city or municipality shall
8 withdraw or revoke any development permit and other licenses that may be necessary
9 to develop the agricultural land subject of conversion.

10 **SEC. 58. Utilization of Fines.** - The fines collected under Sections 55,60,61, and
11 62 hereof shall automatically accrue to the Agrarian Reform Fund consistent with the
12 provisions of the CARL, as amended.

13 **SEC. 59. Failure to Formulate, Enforce, and/or Implement the CLUPs.** -
14 Consistent with due process, the DILG shall investigate, review, and recommend
15 appropriate action regarding local chief executives and other local officials and
16 employees responsible for the formulation, enforcement, and/or implementation of the
17 CLUPs in case of any of the following:

- 18 a) Failure to implement and enforce the CLUP due to negligence of duty;
19 b) Failure to provide appropriate budgetary allocation to effect its
20 implementation; and,
21 c) Failure to complete the preparation of the CLUP despite the availability of
22 funds, resources, and support by the Sanggunian concerned.

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

- 28 1. Six (6) to nine (9) months, in case of non-implementation of CLUP; or
29 2. Three (3) to six (6) months, in case of non-completion of the CLUP.

30 **SEC. 60. Person(s) Abetting Illegal Conversion.** - Any person initiating, causing,
31 inducing, or abetting illegal conversion shall, upon conviction, be imprisoned from seven
32 (7) to twelve (12) years and imposed a fine of not less than One hundred thousand
33 (100,000.00) pesos, or both at the discretion of the court: *Provided*, That if the
34 offender is a public official or employee, whether elected or appointed, the penalty
35 shall, in addition thereto, include dismissal through permanent separation from the
36 service and forfeiture of all benefits and entitlements accruing to the public position and

1 perpetual disqualification to run or apply for any elective or appointive public office:
2 *Provided, further,* That if the offender is a juridical person, the penalty of imprisonment
3 shall be imposed on the president, chief executive officer, manager, the Chairperson
4 and all the members of the board, and other responsible officers thereof, and the fine
5 shall be equivalent to the zonal value of the land or forty percent (40%) of the
6 shareholders equity, as determined at the time of judgment whichever is higher, plus
7 forfeiture of the land in favor of the State for sale through public auction, the proceeds
8 of which shall automatically accrue to the agrarian reform fund as provided for in
9 Section 58 of this Act.

10 **SEC. 61.** *Penalty for Reclassification of Protected Agricultural Lands and*
11 *Exceeding the Limit of Areas Allowed for Reclassification.* - Any person initiating,
12 causing, inducing, or abetting the reclassification of protected agricultural areas into
13 non-agricultural uses and exceeding the limits set forth under Section 20 of the LGC of
14 1991, shall be penalized with imprisonment of twelve (12) years and a fine of not less
15 than One hundred thousand pesos (P100,000.00) or both at the discretion of the Court:
16 *Provided,* That if the offender is a public official or employee, the penalty shall, in
17 addition thereto, include dismissal through permanent separation from the service
18 whether elected or appointed and forfeiture of entitlements accruing to the public
19 position, and perpetual disqualification to run or apply for any elective or appointive
20 public position: *Provided, further,* That if the offender is a juridical person, the penalty
21 shall be imposed on the president, chief executive officer, manager, the Chairperson
22 and all the members of the board, and other responsible officers thereof.

23 **SEC. 62.** *Payment of Disturbance Compensation.* - Following the order of priority
24 such as agricultural lessees and share tenants, regular farm workers, seasonal farm
25 workers, other farm workers, actual tillers or occupants of public lands, collective, or
26 cooperative of the above beneficiaries, and others directly working on, the land affected
27 by agricultural land use conversion shall be entitled to the payment of disturbance
28 compensation equivalent to five (5) times the average of the gross harvests on the
29 landholding during the last five (5) preceding calendar years or a certain percentage of
30 the converted land, whichever is higher, as determined by the DLR.

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32 **CHAPTER XIII**
33 **TRANSITORY AND FINAL PROVISIONS**

34 **SEC. 63.** *Convening of the LUPC.* - Within thirty (30) days from the effectivity of
35 this Act, the Secretary of Socio-Economic Planning shall convene the LUPC.

36 **SEC. 64.** *Implementing Rules and Regulations.* - Within sixty (60) days from the
37 effectivity of this Act, the LUPC shall promulgate the rules and regulations to implement

1 the provisions of this Act. Said rules and regulations shall be submitted to the
2 Congressional Oversight Committee for approval.

3 **SEC. 65. *Congressional Oversight Committee on the Land Use Act.*** - There is
4 hereby created a Congressional Oversight Committee composed of seven (7) members
5 from the Senate Committee on Environment and Natural Resources and seven (7)
6 members from the House of Representatives Committees on Natural Resources and
7 Housing and Urban Development. The members from the Senate shall be appointed by
8 the Senate President based on proportional representation of the parties or coalitions
9 therein with at least two (2) senators representing the minority. The members from the
10 House of Representatives shall be appointed by the Speaker also based on proportional
11 representation of the parties or coalitions therein with at least two (2) members
12 representing the minority.

13 The secretariat of the Oversight Committee shall be drawn from the existing
14 secretariat personnel of the committees comprising the oversight and the funding shall
15 be taken from the appropriations of both the House of Representatives and the Senate.

16 **SEC. 66. *Transfer of Powers and Functions.*** - The functions of the HLURB on
17 land use planning as provided for under Section 5a, 5b, 5c, 5d, 5e, and 5f of Executive
18 Order No. 648 and EO No. 72, series of 1991, shall be transferred to the LUPC and its
19 appropriate sub-national/LGU structures. The NLUC shall also transfer all its powers and
20 functions to the LUPC and shall cease to exercise such functions.

21 **SEC. 67. *Retirement/Separation from the Service and Reemployment.*** -
22 Employees of the HLURB whose positions are declared redundant as a result of the
23 implementation of this Act shall be entitled to separation pay and other benefits
24 provided for under Sections 10.1 to 10.3 and 13 of Executive Order No. 366 dated
25 October 4, 2004.

26 a) Any provision of law to the contrary notwithstanding, government personnel
27 who are separated as a result of the implementation of this Act shall immediately
28 qualify for reemployment to other agencies or branches of the government
29 including Government-Owned and/or - Controlled Corporations (GOCCs),
30 Government Financial Institutions (GFIs), or local government units.

31 **SEC. 68. *Appropriations.*** - The appropriations for the National Land Use
32 Committee under the National Economic and Development Authority under the current
33 General Appropriations Act shall be used to carry out the initial operations of the Land
34 Use Policy Council. Thereafter, additional sums as may be necessary for the full
35 implementation of LUPC's functions shall be included in the annual General
36 Appropriations Act.

1 **SEC. 69. *Review of Existing Land Use Plans.*** - Provinces, cities, and
2 municipalities with existing land use plans shall review, revise, reconcile, and harmonize
3 the same with the guidelines and standards set forth under this Act within one (1) year
4 from the effectivity of this Act.

5 **SEC. 70. *Repealing Clause.*** - All republic acts, executive orders, rules and
6 regulations, and other issuances, or parts thereof, that are inconsistent with the
7 provisions of this Republic Act are hereby repealed or modified accordingly.

8 **SEC. 71. *Non-impairment Clause.*** - Nothing in this Act shall be construed as to
9 diminish, impair, or repeal rights recognized, granted, or available to marginalized or
10 basic sectors under existing laws including but not limited to Republic Act Nos. 7279,
11 6657, 8371 and 8550.

12 **SEC. 72. *Separability Clause.*** - If for any reason or reasons, any part or
13 provision of this Act shall be declared or held to be unconstitutional or invalid other
14 parts or provisions hereof, which are not affected thereby shall continue to be in full
15 force and effect.

16 **SEC. 73. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
17 publication in the Official Gazette or in at least two (2) national newspapers of general
18 circulation.

Approved,