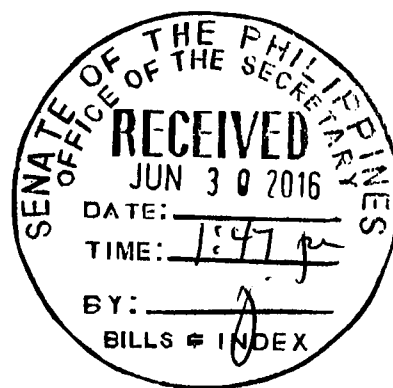


SEVENTEENTH CONGRESS OF THE)  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



SENATE

S.B. No. 25

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Introduced by **SENATOR GREGORIO B. HONASAN II**

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

**EXPLANATORY NOTE**

Under the National Land Use Policy Act of 2016, it shall be declared the policy of the State to instill in our people, in the hearts and minds of all Filipinos a thirty-year vision and land use plan for our country we can all aim for, work for, and achieve as one Filipino Nation.

In the 1976 United Nations Conference on Human Settlement, Land was recognized to have a unique nature and crucial role in the society which cannot be treated as an ordinary asset. Land is considered to be a valuable tool in achieving social justice and holistic development, particularly food production, the provision of decent dwellings, human mobility and the health of people.

The Philippines has a total land area of thirty (30) million hectares. The lack of a comprehensive and unified national land use plan in the country is such a long overdue socio-political and economic policy issue posing great challenges and constraints to our country's sustainable growth and development.

At present, there are approximately more than thirty (30) environmental and ecological protection laws and policies pertaining to land and water utilization and management in the Philippines. These include the Comprehensive Agrarian Reform Law of 1988, as amended by the Comprehensive Agrarian Reform Program with Extension and Reforms Law of 2009, the National Integrated Protected Areas System (NIPAS) Act of 1992, the Indigenous Peoples Rights Act of 1998, the Philippine Fisheries Code of 1998, the Agriculture and Fisheries Modernization Act of 1997, the Urban Development and Housing Act (UDHA) Act, the Mining Act of 1995, and the Forestry Reform Code.

However, there is a basic and urgent need to legislate a comprehensive national land use framework in our country, the absence of which has created problems and constraints such as the inconsistency of laws on land utilization and conflict among different sectors due to competing demands of land for economic and commercial uses, food production, shelter, environment preservation and indigenous people's preservation. The nature of implementation of these laws have resulted in overlapping of functions among the sectors concerned, conflicting claims and competing uses of our finite resources. There is a need to preserve equal respect for and protection of the traditional rights of the Indigenous Communities, which are often referred to as the last bastions of Mother Earth and uplift those who toil the land, without whose sweat we cannot have food on our tables. Apart from these, we need to further address the incessant demand for adequate supply of food and security, environmental integrity, climate change adaptation and mitigation, disaster risk reduction and management and prevention of illegal land conversion.

As mandated by the Constitution, this proposed measure seeks to provide for a rational, holistic and just allocation, utilization, management and development of the country's land to ensure their optimum use, consistent with the principle of sustainable development. This bill also provides for the integration and harmonization of all laws, guidelines, and policies relevant to land use and physical planning to come up with comprehensive national land use framework and to ensure social justice in the equitable sharing and distribution of wealth and resources among the citizenry and the sustainable management and development of the land resources of our country.

The bill further seeks to create the National Land Use Commission. The Regional Land Use Council replicates the National Land Use Commission. It strengthens the responsibilities of the national government agencies and LGUs through the national base and geo-hazard mapping programs. It promotes sustainable management and utilization of national resources, disaster risk-reduction and climate change resiliency, water security, respect for and protection of the sustainable traditional resource rights of the indigenous cultural communities/indigenous peoples (ICCs/IPs), among other important concerns. It addresses special areas of concern such as the agricultural lands, forest lands and watershed management, coastal zone, mineral lands, and energy resource lands and other areas such as settlements development, industrial development areas, tourism development and heritage areas. It provides for training, education and value formation for committed citizenry, incentives and awards, and sanctions and penalties and the creation of a congressional oversight committee on land use act.

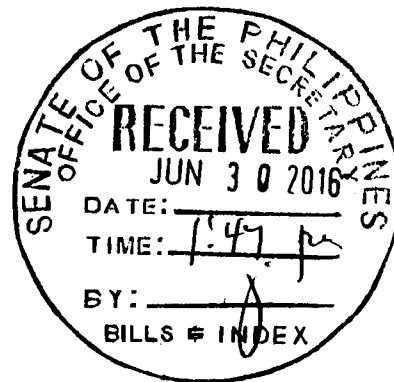
In view of the foregoing circumstances, I earnestly sought the enactment of this urgent piece of legislation into law.



**GREGORIO B. HONASAN II**

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

SENATE  
S.B. No. 25



Introduced by **SENATOR GREGORIO B. HONASAN II**

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

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

**CHAPTER I**

**INTRODUCTORY PROVISIONS**

**SECTION 1. Title.** – This Act shall be known and cited as the “National Land Use Policy Act (NALUPA) of 2016”.

**SEC. 2. Declaration of Policies and Principles.** – It is hereby declared the policy of the state to instill in our people, in the hearts and minds of all Filipinos, a thirty (30) –year vision and land use plan for our country we can all aim for, work for, and achieve as one Filipino nation. All lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the state. With the exception of agricultural lands, all other natural resources shall not be alienated.

Pursuant to the constitutional provision or mandate, 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 to ensure their optimum use, consistent with the principle of sustainable development.

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

The State shall treat group of islands, including parts of islands, interconnecting waters and other natural features which are so closely interrelated, as forming an intrinsic geographical, economic and political entity, or which historically have been regarded as such entity.

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

- (a) Sustainable management and utilization of natural resources;
- (b) Maintenance and preservation of environmental integrity and stability specifically the perpetual protection of permanent forests and watersheds for the attainment of food, water and energy sufficiency;
- (c) Disaster risk-reduction and climate change resiliency;
- (d) Protection of prime agricultural lands for food security in basic commodities with emphasis on self-sufficiency in rice and corn;

1 (e) Water security through sustainable development and management of water resources;

2 (f) Settlements, transportation and infrastructure development in support of urban, rural and  
3 regional development and inclusive growth;

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

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

11 (i) Equitable access to land through State intervention that guarantees its affordability to the  
12 basic and marginalized sectors;

13 (j) Protection, preservation, and development of the Filipino historical, cultural and built  
14 cultural heritage and resources for the deeper understanding of our history and culture as a people;

15 (k) Attainment of energy security and self-sufficiency; and

16 (l) Market orientation where the interplay of market forces and fair trade within the framework  
17 of ecological development and equity consideration is encouraged and adopted as the basic parameter  
18 in achieving efficiency in land use and allocation.

19 It is also the policy of the State to ensure that local government units (LGUs) share with the  
20 national government the responsibility of managing and maintaining ecological balance through co-  
21 management, partnership and convergence arrangements within their territorial jurisdiction as stated in  
22 the 1987 Constitution and the 1991 Local Government Code (LGC) or Republic Act No. 7160.

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

27 **SEC. 3. Scope.** – This Act shall apply to all lands whether public, private, government-owned,  
28 and/or in the possession of individuals, communities, indigenous people, or groups of people,  
29 including areas declared/designated as special economic zones and/or freeports, proclamations and  
30 reservations to provide for a rational, holistic, and just allocation, development and management of  
31 land and water resources including such activities that bear impact on said resources.

## 32 CHAPTER II

### 33 DEFINITIONS

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

36 (a) **Agricultural Land** shall refer to land of public domain and private land which have been  
37 devoted to agricultural activity as defined in Republic Act No. 6657, as amended and not further  
38 classified for residential, commercial or industrial use and such other uses as may be provided by law;

39 (b) **Agricultural Land Use Conversion** shall refer to the undertaking of any development  
40 activity which modifies or alters the physical characteristics of agricultural lands to render them  
41 suitable for non-agricultural purposes with an approved order of conversion issued exclusively by the

1 Department of Agrarian Reform (DAR);

2 (c) *Alienable and Disposable (A&D) Lands* shall refer to lands of the public domain which  
3 have been delineated, classified, and certified as open and available for disposition under the  
4 provisions of Commonwealth Act No.141, otherwise known as the "Public Land Act," as amended;

5 (d) *Ancestral Domains* shall refer to all areas generally belonging to ICCs/IPs as defined in  
6 Republic Act No. 8371, otherwise known as the "Indigenous Peoples Rights Act (IPRA) of 1998;"

7 (e) *Ancestral Domain Sustainable Development and Protection Plan (ADSDPP)* refers to  
8 the consolidation of the plans of ICC/IPS within an ancestral domain for the sustainable management  
9 and development of their land and natural resources as well as the development of human and cultural  
10 resources based on their indigenous knowledge, systems and practices.

11 (f) *Basic and Marginalized Sectors* shall refer to a group of people such as but not limited  
12 to the farmers, fisherfolks, urban poor and indigenous people;

13 (g) *Basic Shelter* shall refer to any subdivision unit, housing unit or condominium satisfying  
14 the barest minimum shelter requirements under the minimum design standards of Batas Pambansa Blg.  
15 220;

16 (h) *Comprehensive Land Use Plan (CLUP)* shall refer to a document embodying a set of  
17 policies and guidelines, accompanied by official maps and similar illustrations, that serves as principal  
18 basis for determining the future land use of lands and natural resources for production and protection  
19 purpose within the territorial jurisdiction of the city or municipality. It represents the community-  
20 desired pattern of population distribution and proposes future allocation of land resources to various  
21 land-using activities. It identifies the allocation, character, and extent of the areas of land resources to  
22 be used for different purposes and includes the processes and the criteria employed in the  
23 determination of the land use. It has a long-term perspective, encompassing a minimum of ten (10)  
24 years;

25 (i) *Comprehensive Land Use Planning* shall refer to the act of defining the strategic  
26 allocation, utilization, development and management of all lands within a given territory or jurisdiction  
27 according to the inherent characteristic of the land itself and supportive of sustainable, economic,  
28 demographic, socio-cultural and environmental objectives as an aid to decision-making and legislation;

29 (j) *Coastal Area/Zone* shall refer to a band of dry land and the adjacent ocean space (water  
30 and submerged land) in which terrestrial processes and uses directly affect oceanic processes and uses,  
31 and vice versa. Its geographic extent may include areas within a landmark limit of one (1) kilometer  
32 from the shoreline at high tide to include mangrove swamps, brackish water ponds, *nipa* swamps,  
33 estuarine rivers, sandy beaches and other areas within a seaward limit of 200 meters isobath to include  
34 coral reefs, algal flats, seagrass beds, and other soft-bottom areas. For purposes of initiating and  
35 implementing sustainable coastal resources protection and management, it shall include foreshore  
36 lands;

37 (k) *Critical Habitats* shall refer to areas outside protected areas as defined in Republic Act No.  
38 7586, otherwise known as the "National Integrated Protected Areas System Act of 1992", that are  
39 known habitats of threatened species and designated as such based on scientific data taking into  
40 consideration species endemism and/or richness, presence of human-made pressures/threats to the  
41 survival of wildlife living in the area, among others;

1 (l) **Critical Watershed** shall refer to a drainage area of a river system supporting existing and  
2 proposed hydro-electric power, domestic water consumption, irrigation works or existing water  
3 facilities needing immediate protection and rehabilitation to minimize erosion and improve water  
4 yield. It shall be closed for logging until it is fully rehabilitated;

5 (m) **Cultural Heritage** shall refer to the totality of cultural properties preserved and  
6 developed through time and passed on for posterity;

7 (n) **Customary Laws** shall refer to a body of written and/ or unwritten rules, usages, customs  
8 and practices traditionally and continually recognized, accepted, and observed by respective ICCs/IPs,  
9 consistent with the IPRA;

10 (o) **Development Plan** shall refer to a document that defines the activities or measures that the  
11 national government or local government units (LGU's) intend to implement in order to achieve a  
12 defined set of development goals. It integrates the socio-economic and sectoral plans of the national  
13 government or its instrumentality or a particular LGU with the approved land use or physical  
14 framework plans. It may include an analysis of problems and resources, definition of goals and  
15 objectives, policy guidelines, project and target achievements, and an implementation mechanism  
16 which defines the roles and contributions expected from the government and the private sector.  
17 Development plans include the national-level Medium-Term Philippine Development Plan (MTPDP)  
18 and its counterpart plans at the regional, provincial and local levels called the Medium-Term Regional  
19 Development Plan (MTRDP), the Provincial Physical Framework and Development Plan (PPFDP) and  
20 the Comprehensive Development Plan (CDP). These plans are translated into medium-term investment  
21 programs, also prepared at the national, regional and local levels, where programs, projects and  
22 activities derived from the development plans are ranked, prioritized, and matched with investment  
23 financing capacities;

24 (p) **Ecologically-Fragile Lands** shall refer to lands within the critical watershed, brackish and  
25 freshwater wetlands, pasture lands, and croplands which require rehabilitation and whose continued  
26 unsustainable use would adversely affect the productivity of lowland agricultural areas and the stability  
27 of the upland ecosystem;

28 (q) **Ecotourism** shall refer to sustainable tourism or travel to a given natural area with exotic or  
29 threatened ecosystems or a heritage area to observe wildlife or to help preserve nature, in the process  
30 providing for community participation, protection and management of natural resources, culture and  
31 indigenous knowledge systems and practices, environmental education and ethics, as well as economic  
32 benefits fostered and pursued for the enrichment of host communities and the satisfaction of visitors;

33 (r) **Energy Resource Lands** shall refer to lands where naturally occurring or indigenous energy  
34 resources exist in sufficient quantity or quality as to be economically viable for exploration,  
35 development, production, utilization, and distribution process;

36 (s) **Energy Resources** shall refer to surface or subsurface substances that serve as energy  
37 sources. These are traditionally mineral fuel deposits such as coal, petroleum, natural gas or renewable  
38 resources from geothermal, hydro reservoirs, or non-conventional sources such as ocean waves, solar,  
39 wind, biomass, and other similar resources which serve the same purpose;

40 (t) **Environmentally Critical Areas** shall refer to areas declared by law as: (a) protected areas  
41 pursuant to Republic Act No. 7586 or the NIPAS Act of 1992; (b) areas for natural parks, watershed

1 reserves, wildlife preserves, and sanctuaries; (c) areas set aside as aesthetic potential tourist spots; (d)  
2 areas which constitute the habitat of any endangered or threatened species or indigenous Philippine  
3 wildlife (flora and fauna); (e) areas of unique historic, archaeological, or scientific interests; (f) areas  
4 which are traditionally occupied by ICCs/IPs; (g) areas with critical slopes; (h) areas frequented and/or  
5 hard hit by natural calamities such as but not limited to geologic hazards, floods, typhoons and  
6 volcanic activities; (i) areas exposed to geologic and hydro-meteorologic hazards; (j) prime  
7 agricultural lands; (k) recharge areas of aquifers; (l) water bodies; (m) mangrove areas; (n) coral  
8 reefs; (o) mossy and old-growth forests; (p) rivers and river banks; (q) swamp forest and marshlands;  
9 and (r) foreshore lands. This term shall also include other terrestrial, aquatic and marine areas that  
10 need special protection and conservation measures because they are ecologically fragile or they are  
11 needed for food security and food self sufficiency as determined by concerned agencies and LGUs in  
12 consultation with the concerned sectors;

13 (u) *Estuary* shall refer to a wetland type where the river mouth widens into a marine  
14 ecosystem, the salinity of which is intermediate between salt and freshwater where tidal action is an  
15 important biophysical regulator;

16 (v) *Exhausted Energy Resource Lands* shall refer to specific energy resource sites whose  
17 energy reserves of the desired type(s) are no longer in sufficient quantity or quality to justify additional  
18 expenditure for their extraction and utilization as certified by the Department of Energy;

19 (w) *Exhausted Mineral Lands* shall refer to specific sites whose mineral deposits are no  
20 longer in sufficient quantity or quality to justify additional expenditure for their extraction and  
21 utilization as may be determined by the latest technology available;

22 (x) *Exhausted Mineral Resources* shall refer to a situation where the mineral resources in  
23 specific sites are no longer in sufficient quantity or quality to justify additional expenditure for  
24 extraction or utilization as determined by the Mines and Geosciences Bureau (MGB) and approved by  
25 the Department of Environment and Natural Resources (DENR);

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

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

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

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

1 (cc) **Food Self-Sufficiency** shall refer to the policy objective of meeting the food  
2 requirements through intensive local food production in a sustainable manner based on the country's  
3 existing and potential resource endowments and related production advantages;

4 (dd) **Forestlands** shall refer to lands of the public domain classified and/or determined as  
5 needed. They include all permanent forests or forest reserves, forest reservations and all remaining  
6 unclassified lands of the public domain;

7 (ee) **Foreshore Land** shall refer to the part of the shore which is alternately covered and  
8 uncovered by the ebb and flow of the tide;

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

13 (gg) **Geo-Hazards** shall refer to natural and human-induced geological processes that have  
14 potential to cause destruction and pose a threat or risk to human life and property;

15 (hh) **Geo-Hazard Prone Areas** shall refer to areas frequently visited and/or vulnerable or  
16 prone to experience weather/climatic, hydrologic, geologic, and other natural calamities;

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

21 (jj) **Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)** shall refer to  
22 groups of people or homogenous societies identified under Republic Act No. 8371 or the "Indigenous  
23 People's Rights Act (IPRA)";

24 (kk) **Inland Waters** shall refer to waters, which are not coastal and marine waters not  
25 subject to acquisitive prescription consistent with the provisions of Presidential Decree No. 1067,  
26 otherwise known as the "Water Code of the Philippines";

27 (ll) **Inter-Tidal Sand Flat** shall refer to a juvenile fish-feeding area and habitat for  
28 crustaceans. The littoral gravel and sand biotopes are also used by important wintering ground and  
29 roosting/feeding grounds of indigenous migratory birds;

30 (mm) **Integrated Ecosystems Watershed Management** shall refer to an integrated planning  
31 and management framework that covers the ridge-to-reef landscape of a watershed or subwatershed  
32 from its upland, lowland and coastal ecosystems and the interaction, interdependencies and linkages of  
33 its bio-physical, human and physical resources and development;

34 (nn) **Key Biodiversity Areas** shall refer to sites that are nationally and globally significant for  
35 biodiversity conservation primarily containing species that require site-scale conservation to prevent  
36 extinction in the short-term and medium-term. Such species may be nationally and globally threatened,  
37 restricted-range and/or nationally and globally significant congregations of species;

38 (oo) **Lagoon** shall refer to a semi-enclosed coastal basin with limited freshwater input, high  
39 salinity and restricted circulation which often lies behind sand dunes. It is often highly productive and  
40 habitat for variety of plants and animal, serves as nurseries of prawns and shrimps and also site for  
41 harbor, aquaculture, industry and recreation;



1 (pp) **Land** shall refer to resources, both natural and artificial, found on the surface, below,  
2 and above the ground including inland and coastal waters;

3 (qq) **Land Use** shall refer to the manner of allocation, utilization, management and  
4 development of land;

5 (rr) **Land Use Classification** shall refer to the act of delineating or allocating lands  
6 according to protection land use, production land use, settlements development, and infrastructure  
7 development as defined and provided for in this Act;

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

11 (tt) **Mandatory Public Hearings/Consultations** shall refer to the mechanism to ensure the  
12 active participation of concerned sectors in all affected areas in land use planning from the local to the  
13 national level. It involves giving effective notice of hearing/consultation to concerned sectors within an  
14 affected area through direct written invitations, using regular mail or electronic means, and  
15 publication/posting in conspicuous places, conduct of a reasonable number of hearings in or proximate  
16 to the specific area affected, and solicitation of positions and the public presentation and public  
17 confirmation of the planning results in the specific area affected before the final adoption of the plans;

18 (uu) **Minerals** shall refer to all naturally occurring inorganic substance in solid, gas, liquid  
19 or intermediate state excluding energy materials such as coal, petroleum, natural gas, radioactive  
20 materials and geothermal energy;

21 (vv) **Mineral Exploration** shall refer to the systematic searching or prospecting for mineral  
22 resources;

23 (ww) **Mineral Lands** shall refer to lands of the public domain, excluding those in permanent  
24 forestlands, protection lands and privately-owned lands where minerals resources are found in  
25 sufficient quantity and quality for extraction, development and utilization;

26 (xx) **Mineral Resources** shall refer to any concentration of minerals/rocks with potential  
27 economic value;

28 (ww) **Mudflat SHALL** refer to a wetland type that is usually an unvegetated area, dominated by  
29 muddy substrate which provides rich feeding grounds for vertebrates such as fish and water birds and  
30 also important in preventing soil erosion;

31 (xx) **Multiple Use of Land Resources** shall refer to the utilization or management strategy for  
32 any land, within production land use areas, which allows any activity, involving one or more of its  
33 resources, depending on the result of prior evaluation on its numerous beneficial use that will produce  
34 the optimum benefits to the development and progress of the country and the public welfare without  
35 impairment or with the least injury to its resources.;

36 (yy) **Municipal Waters** shall include not only streams, lakes, inland bodies of water and tidal  
37 waters within the municipality which are not included within the protected areas as defined under  
38 Republic Act No. 7586 (the NIPAS Law), public forest, timber lands, forest reserves or fishery  
39 reserves, but also marine waters included between two (2) lines drawn perpendicular to the general  
40 coastline from points where the boundary lines of the municipality touch the sea at low tide and a third  
41 line parallel with the general coastline including offshore islands and fifteen (15) kilometers from such

1 coastline. Where two (2) municipalities are so situated on opposite shores that there is less than thirty  
2 (30) kilometers of marine waters between them, the third line shall be equally distant from opposite  
3 shore of the respective municipalities.

4 (zz) **National Integrated Protected Areas System (NIPAS)** shall refer to the classification and  
5 administration of all designated protected areas to maintain essential ecological processes and life-  
6 support systems, to preserves genetics diversity, to ensure sustainable use of resources found therein,  
7 and to maintain their natural conditions to the greatest extent possible;

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

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

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

33 (ddd) **Patrimonial Properties** refer to all the properties belonging to the State that are not  
34 intended for public use or for public service for the development of national wealth;

35 (eee) **People's Organization** shall refer to a private, non-profit, voluntary and community-  
36 based organization with membership constituency established primarily to provide service to its  
37 members and the community in general;

38 (fff) **Permanent Forest** shall refer to lands of the public domain, that includes forest reserves,  
39 which has been identified and determined to be needed for protection, conservation, preservation and  
40 management as forests and shall be reserved, conserved and protected into perpetuity for such  
41 purpose;

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

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

12 (iii) **Premature or Illegal Conversion of Agricultural Lands** shall refer to any activity that  
13 modifies or alters the physical characteristics of agricultural lands to render them suitable for non-  
14 agricultural purposes without an approved order of conversion from the DAR Secretary;

15 (jjj) **Prime Agricultural Lands** shall refer to all irrigated areas; all irrigable lands; all rain-fed  
16 areas planted to rice and corn; all lands classified by the Bureau of Soils and Water Management under  
17 its land capability classification system as Class A, Class B, and Class C lands; all agricultural lands  
18 that are ecologically fragile, the conversion of which will result in serious environmental degradation,  
19 and mangrove areas and fish sanctuaries;

20 (kkk) **Production Land Use** shall refer to the direct and indirect utilization of land to generate  
21 outputs resulting from the following activities, but not limited to: agricultural, fish, farming or  
22 aquaculture, timber production, agro-forestry, grazing and pasture, mining, indigenous energy resource  
23 development, industry, and tourism;

24 (lll) **Protected Areas** shall refer to portions of land and water set aside by reason of their unique  
25 physical and biological significance, managed to enhance biological diversity, and protected against  
26 destructive human exploitation. For purposes of this Act, it shall include agricultural lands identified  
27 and delineated under Section 32 hereof;

28 (mmm) **Protection Land Use** shall refer to the utilization of land primarily for food, water and  
29 energy security, rehabilitation, conservation, and protection purposes for the promotion of the  
30 country's ecological and life-support systems;

31 (nnn) **Public Domain** shall refer to lands that belong to the State which may be any of the  
32 following: agricultural, forest or timber, mineral, or national park as provided for in the Constitution;

33 (ooo) **Public Lands** shall refer to lands which have not been subject to private property rights  
34 or subject to sale or other modes of acquisition or concession under the general laws, and are devoted  
35 to public use;

36 (ppp) **Reclassification of Agricultural Lands** shall refer to the act of specifying how  
37 agricultural lands shall be utilized for non-agricultural uses such as residential, industrial, or  
38 commercial purposes through the local planning and zoning processes pursuant to Republic Act No.  
39 7160 or the Local Government Code of 1991 and subject to the requirements and procedure for  
40 conversion. It is equivalent to land sub-classification, as defined in this Act for classified lands of the  
41 public domain and also includes the reversion of non-agricultural lands to agricultural use;

1 (qqq) **Resettlement Sites** shall refer to areas identified by the appropriate national agency or by  
 2 the LGU, with respect to areas within its jurisdiction which shall be used for the relocation of the  
 3 underprivileged and homeless, as defined under Republic Act No. 7279 or the “Urban Development  
 4 and Housing Act (UDHA)”;

5 (rrr) **River Basin** shall refer to the portion of land drained by a river and its tributaries. It  
 6 encompasses the entire land surface dissected and drained by many streams and creeks that flow  
 7 downhill into one another, and eventually into one river. The final destination is an estuary or an  
 8 ocean;

9 (sss) **Settlements** shall refer to formal and informal communities or built-up residential areas  
 10 where people prefer to live in land areas classified, zoned, or converted for current or future residential  
 11 or housing development purposes, including socialized housing zones for the homeless and  
 12 underprivileged citizens;

13 (ttt) **Settlements Development** shall refer to any improvement on existing formal or informal  
 14 residential or housing settlements or any proposed development of certain areas for residential or mass  
 15 housing settlement purposes. It also involves the spatial distribution of population, identification of the  
 16 roles and functions of key urban centers, determination of relationships among settlement areas, and  
 17 the provision of basic services and facilities of identified major residential or housing settlement areas  
 18 or growth centers. It is also concerned with the interrelationship of settlements as they develop and  
 19 establish functional linkages based on their respective resource endowments and comparative  
 20 advantages;

21 (uuu) **Shoreline** shall refer to the line where shore and water meet;

22 (vvv) **Significant Caves** shall refer to caves which contain materials or possess features that  
 23 have archaeological, cultural, ecological, historical or scientific value as determined by the DENR in  
 24 coordination with the scientific community and the academe;

25 (www) **Socialized Housing** shall refer to housing programs and projects undertaken by the  
 26 government or the private sector for the underprivileged and homeless citizens which shall include  
 27 sites and services development, long-term financing, liberalized terms on interest payments, and such  
 28 other benefits in accordance with the UDHA;

29 (xxx) **Socialized Housing Zones** shall refer to lands identified and designated by local  
 30 government units as sites for socialized housing, pursuant to Article IV of Republic Act No. 7279 or  
 31 the UDHA, and its implementing guidelines.

32 (yyy) **Sustainable Development** shall refer to the development objective of meeting the needs  
 33 of the present generation without compromising the ability of future generations to meet their own  
 34 needs consistent with the principles of social equity, efficiency, and environmental integrity;

35 (zzz) **Tourism Development Areas** shall refer to specific sites for tourism development located  
 36 in areas identified as priorities in the national, regional, and inter-regional area specific tourism master  
 37 plans and other sector plans such as eco-tourism and agri-tourism sites, including those designated  
 38 through legislative and executive issuances such as tourist spots, tourist zones and tourism ecozones  
 39 which can be developed into tourism estates or integrated resort, leisure, and recreation complexes, and  
 40 other tourism related facilities subject to restrictions imposed by its protection status and land use  
 41 category;

1 (aaaa) **Tourism Enterprise Zone** shall refer to an area designated as tourism enterprise zone by  
2 the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) pursuant to the provisions of  
3 Republic Act No. 9593 otherwise known as the Tourism Act of 2009;

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

12 (cccc) **Tourist Spot** shall refer to a particular area/site/spot, human-made or natural, known for  
13 its unique tourist/visitor-drawing attributes and activities. It may be classified according to its social,  
14 cultural, natural, historical, scientific, religious, and recreational significance;

15 (dddd) **Tourist Zone** shall refer to a geographic area not designated under protection land use,  
16 with well-defined boundaries proclaimed as such by the President of the Philippines and/or by acts of  
17 Congress. No development projects for any purpose shall be initiated and introduced within the zone  
18 prior to the formulation of a tourism master development plan which shall be undertaken in  
19 coordination with the Department of Tourism (DOT) and Tourism Infrastructure and Enterprise Zone  
20 Authority (TIEZA). A tourist zone is established for the enhancement and/or the conservation of  
21 cultural and historical heritage and for the appreciation and enjoyment of the local population and its  
22 visitors;

23 (eeee) **Urban Areas** shall refer to all cities regardless of their population density and to  
24 municipalities with population density of at least Five hundred (500) persons per square kilometer;

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

28 (gggg) **Urban Forestry or Green Space** shall refer to the establishment and management of  
29 forest in urban environment for the physiological and psychological well being of the people;

30 (hhhh) **Water Security** shall refer to the sufficient access throughout the year to the minimum  
31 daily requirement of clean water to maintain a healthy life;

32 (iiii) **Water Use** shall refer to the appropriation of water for domestic, municipal, irrigation,  
33 power generation, inland fisheries, poultry and livestock raising, industrial and commercial,  
34 environmental, and recreational use and other purposes;

35 (jjjj) **Watershed** shall refer to a land area drained by a stream or fixed body of water and its  
36 tributaries having a common outlet for surface runoff;

37 (kkkk) **Zoning** shall refer to the process of delineating the specific uses of lands in accordance  
38 with the approved Comprehensive Land Use Plan (CLUP) within the territorial jurisdiction of a  
39 city/municipality and specifying the conditions for their regulation; subject to the limitations imposed  
40 by law and competent authority; and

41 (llll) **Zoning Ordinance or ZO** shall refer to a local law passed by the *Sangguniang Bayan* or

1 *Panglunsod* approving the development control/zoning plan in accordance with an approved or  
2 adopted CLUP for the city/municipality, and providing for the regulations and other conditions on the  
3 uses of land including the limitation on the infrastructure that may be placed thereon within the  
4 territorial jurisdiction of a city or municipality. It incorporates the protected areas under Section 13(a)  
5 and the protected agricultural lands under Section 32 of this Act.

### 6 CHAPTER III

#### 7 PHYSICAL FRAMEWORK AND LAND USE PLANS

8 **SEC. 5. *National Land Use Planning Process.*** – The land use and physical planning process  
9 shall be formulated following a combined bottom-up and top-down approach. The National Land Use  
10 Commission (NLUC) shall draft the National Physical Framework Plan (NPFPP)/National Land Use  
11 Plan (NLUP) which shall have a timeframe of thirty (30) years, with regular review and updating every  
12 ten (10) years: *Provided, however,* That nothing herein shall prevent the NLUC from reviewing and  
13 updating at anytime the NPFPP/NLUP where public interest so requires. The NPFPP, which guides the  
14 planning and management of the country's land and other physical resources at the national and sub-  
15 national levels, shall indicate broad spatial directions and policy guidelines on settlements  
16 development, production land use, protection land use, and infrastructure such as but not limited to  
17 social services, and utilities, transportation and communication. The Regional Physical Framework  
18 Plans (RPFPPs), Provincial Physical Framework and Development Plans (PPFDPs), and Comprehensive  
19 Land Use Plans (CLUPs), which shall also have a 30-year timeframe and cover the physical  
20 development of their respective territories, shall be consistent with the national physical framework  
21 plan: *Provided,* That the integration and harmonization of the physical framework plans at all levels  
22 shall be iterative to ensure that the concerns of both top and bottom levels of government are  
23 considered. The physical and land use plans prepared at all levels shall have internal consistency  
24 specifically on, but not limited to, the development, management and conservation of forestlands found  
25 within a given territory and the linkages of the major land use categories to ensure their  
26 complementation in the utilization, development and management of resources.

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

30 The NLUC shall issue procedural guidelines which shall guide the formulation and  
31 integration/harmonization process: *Provided,* That the National Economic and Development Authority  
32 (NEDA), the Housing and Land Use Regulatory Board (HLURB), the Department of the Interior and  
33 Local Government (DILG) and other agencies will continue to issue guidelines on the content of the  
34 plans consistent with their respective agency mandates.

35 **SEC. 6. *City and Municipal Land Use Plans.*** – All barangays shall provide their sectoral,  
36 temporal and spatial data for the CLUP which shall serve as the foundation for the formulation of the  
37 city/municipal CLUPs. The data shall be provided by the sangguniang pambarangay through  
38 stakeholder consultations. The Comprehensive Land Use Plan (CLUP) shall determine the specific  
39 uses of land and other physical and natural resources, both private and public, within their territorial  
40 jurisdiction including areas co-managed with the national government and, as appropriate,  
41 management plans for ancestral domains, critical watersheds, river basins, and protected areas.

1 The CLUP shall delineate actual boundaries on the ground within the territorial jurisdictions,  
2 embody the desired land use patterns of the barangay, city or municipality, translate and integrate  
3 sectoral plans, and provide appropriate policies for each of the four land use planning categories. The  
4 spatial directions prescribed in the CLUP shall serve as the basis for the preparation and formulation of  
5 the Comprehensive Development Plan (CDP) and Local Development Investment Programs (LDIP) of  
6 the LGUs.

7 The CLUP may be formulated as a component of a Comprehensive Land Use and  
8 Development Plan (CLUDP), which merges the traditionally separate CLUP and Comprehensive  
9 Development Plan to address the disconnect between the spatial and sectoral factors and to ensure the  
10 complementation between the medium- and long-term concerns: *Provided That*, the CLUDP shall  
11 remain consistent with the CLUP.

12 Consistent with the national standards and guidelines prescribed in Section 5, the cities and  
13 municipalities shall, in consultation with the concerned sectors, prepare their respective CLUPS. The  
14 City/Municipal Land Use Planning and Management Board (C/MLUPB), created under this Act, shall  
15 be responsible for the preparation and formulation of the CLUP and ensure its consistency with  
16 national and regional physical planning guidelines and standards. Under the general supervision of the  
17 respective C/MLUPB, the City/Municipal Planning and Development Coordinator/Office  
18 (C/MPDC/PDO) shall provide technical, secretariat and administrative support in the preparation,  
19 consultation, and integration and formulation process of the respective CLUPs of each city or  
20 municipality.

21 The CLUPs shall be submitted by the city/municipal Local Development Councils (LDC) for  
22 adoption and approval of the sangguniang bayan (SB). The approved CLUPs shall be submitted to the  
23 province for integration into the PFP.

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

27 **SEC. 7. Provincial Physical Framework Plan (PPFP).** – The PFP shall determine the  
28 physical development of the entire provincial territory, consolidate and harmonize the comprehensive  
29 land use plans of component cities and municipalities, consistent with the RFP. It shall reflect the  
30 indicative land use management and physical development direction of the province.

31 Further, the PFP shall serve as basis for other sectoral and development plans related to land,  
32 natural resources, and infrastructure facilities, including the development plan of the province;  
33 reconciliation and rationalization of land use proposals among component cities and municipalities and  
34 with the higher level framework plan; guiding development agencies and private developers,  
35 particularly those that undertake large-scale projects; and providing a basis for resolving conflicts  
36 arising from the implementation of land use plans and development projects involving two or more  
37 municipalities.

38 The PFP shall serve as the basis for the preparation of the Provincial Development Plan (PDP)  
39 and Provincial Development Investment Program (PDIP). The PFP, PDP, PDIP and/or Provincial  
40 Physical Framework and Development Plan (PPFDP) shall serve as the basis for the formulation of  
41 sectoral action plans of national government agencies in the province and all LGUs within its

1 jurisdiction. The province may opt to prepare their PDP alongside the preparation of PFPF and  
 2 consolidate them into a PFPF: *Provided*, That PFPF shall remain consistent with the PFPF:  
 3 *Provided, further*, That any review or changes in the PFPF shall coincide with the over-all review  
 4 process of the NFPF.

5 The Provincial Land Use Planning and Management Board (PLUPMB), created under this Act,  
 6 shall ensure that the PFPF is consistent with the national and regional planning framework and  
 7 guidelines issued by the NLUPC/RLUPB. The PFPF shall be presented to the Provincial Development  
 8 Council (PDC) for endorsement to the sangguniang panlalawigan, who shall formally adopt and  
 9 approve the PFPF. The approved PFPF shall be submitted to the RLUPB for consolidation and  
 10 integration into the RFPF.

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

14 **SEC. 8. *Regional Physical Framework Plans.*** – In consultation with concerned sectors, the  
 15 Regional Land Use Policy Board (RLUPB) shall define the desired spatial arrangement of land-using  
 16 activities in the entire region, consolidating and harmonizing the provincial physical framework plans  
 17 of provinces and independent cities within the territorial jurisdiction of the region. The regional  
 18 physical framework plan, which depicts an end-state scenario toward which efforts and activities are  
 19 directed, shall consist of spatially-based and area-focused policies, consistent with those in the national  
 20 framework for physical planning, to guide detailed physical, socio-economic, sectoral and investment  
 21 planning.

22 **SEC. 9. *National Physical Framework Plan/National Land Use Plan.*** – The National Land  
 23 Use Commission (NLUC) created in Section 14 herein, in consultation with the concerned sectors  
 24 through the conduct of mandatory public hearings/consultations, shall formulate, periodically update  
 25 and ensure the implementation of a national physical framework plan that shall prescribe and influence  
 26 the country's land use and physical development. The NFPF shall operationalize the policies provided  
 27 in this Act and will be the basis for adopting land use and physical planning-related guidelines and  
 28 standards, including zoning and other land use control standards that will guide the formulation of  
 29 city/municipal zoning ordinances.

30 The NFPF strategic objectives and directions shall be the basis for the preparation and  
 31 formulation and prioritization of the MTPDP and Medium-Term Philippine Investment Program  
 32 (MTPIP).

#### 33 CHAPTER IV

#### 34 FRAMEWORK FOR LAND USE PLANNING

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



1 fisherfolk settlement in coastal areas, and waste disposal sites.

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

10       **SEC. 12. *Land Use Plans for Ancestral Domains.*** Land use plans of ancestral domains shall  
11 be formulated by the ICCS/IP themselves in accordance with their particular needs and traditional  
12 resource and management systems with the assistance of the NCIP, the LGUs and civil society  
13 organizations (CSOs) concerned. Such plans shall be recognized and adopted in the barangay,  
14 city/municipal, provincial, regional and national physical framework plans.

15       Physical framework plans made prior to the delineation of ancestral domains included in such  
16 plans or ordinances shall, without prejudice to the rights of the ICCS/IP concerned, adopt different land  
17 use categories in accordance with their particular needs and traditional resource and management  
18 systems.

19       In cases where there are no ADSDPPS, the LGU and the ICCS/IP shall jointly formulate the  
20 land use plan within the ancestral domain until such time that the ICCs/IPs have formulated their  
21 ADSDPPS.

22       **SEC. 13. *Basic Land Use Considerations.*** – Various land uses as categorized in the  
23 succeeding section shall be determined in a manner that promotes the policies and principles defined  
24 in Section 2 of this Act and shall consider the following elements therein, among others:

25       (a) Protection land use category as defined in Section 14 shall prevail over existing  
26 production land use category. The State shall undertake the necessary action in changing the  
27 classification of these production areas;

28       (b) Preservation, conservation, rehabilitation and protection to perpetuity of permanent  
29 forestlands, critical watersheds, key biodiversity areas, environmentally-critical and ecologically-  
30 fragile areas and prime agricultural lands from any other land use, conversion, disposition, intrusion,  
31 utilization and development aside from its determined use and limits;

32       (c) Protection of natural forests and natural resources ensures environmental stability,  
33 conserve biological diversity, improve ecosystem functions and provide long-term ecological and  
34 economic benefits. Designated restoration areas are designed to revive the ecosystem functions and  
35 services of forests as well as improve the economic and ecological benefits of local communities;

36       (d) Protection of forest and wetlands from infrastructure development to preserve the  
37 ecological services they provide which are essential to economic development. These activities  
38 include, but not limited to river channelization and dredging, large scale irrigation and river diversions  
39 which reduce riverine habitat and alters flood patterns and natural flow regimes, reduce downstream  
40 water availability for agriculture and contribute to salinization through saltwater intrusion in coastal  
41 areas;

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

6 (f) Identification of geo-hazard prone areas and high risk/danger zones and corresponding  
7 risk reduction measures to ensure the prioritization of life and safety: *Provided*, That specifically  
8 identified and assessed extremely hazardous and high-risk/danger zones shall be similarly protected  
9 and cleared from all forms of human-made obstacles, obstructions and infrastructures to ensure and  
10 secure public health and safety;

11 (g) Respect for existing customary rights and traditional land uses of ICCS/IPS;

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

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

18 **SEC. 14. *Categories of Land Uses for Planning Purposes.*** – In determining and defining the  
19 national, regional and provincial framework plans, and CLUPs, land uses shall be grouped into four  
20 major functional uses as follows:

21 (a) ***Protection Land Use*** shall refer to the use of land primarily for food, water and energy  
22 security, rehabilitation, conservation, and protection purposes for the promotion of the country's  
23 ecological and life-support systems. Planning for protection land use intends to achieve food self-  
24 sufficiency in rice and corn, water and energy security, environmental stability and ecological  
25 integrity, ensure a balance between resource use and the preservation of some areas with  
26 environmental, aesthetic, educational, cultural, heritage and historical significance, and protect people  
27 and human-made structures from the ill-effects of natural hazards. All lands, either public or private,  
28 under protection land use shall be permanently conserved, preserved, rehabilitated and protected from  
29 all other land uses, disposition, intrusion, utilization and development that is not consistent from its  
30 existing uses. Areas under this category also include those covered by Republic Act No. 7586 or the  
31 NIPAS Law and other coastal and marine protected areas, those areas outside NIPAS but nonetheless  
32 require protection because of their outstanding physical and aesthetic features, anthropological  
33 significance, and biological diversity, and those areas prone to natural hazards. Areas outside the  
34 coverage of the NIPAS law include, but are not limited to the following:

35 (a.1.) Old-growth forests and mossy;

36 (a.2.) Areas with more than 50% in slope gradient;

37 (a.3.) Mangrove and fish sanctuaries, pursuant to Republic Act No. 8435 or the "Agriculture  
38 and Fisheries Modernization Act of 1997" and Republic Act No. 8550 or "The Philippine Fisheries  
39 Code of 1998";

40 (a.4.) Buffer zones or strips/easements, pursuant to Presidential Decree No. 705, amending  
41 Presidential Decree No. 389, otherwise known as the "Forestry Reform Code of the Philippines" and

1 Presidential Decree No. 1067 or the “Water Code of the Philippines”;

2 (a.5.) Salvage zones along foreshore areas, freshwater swamps and marshes, plazas and  
3 heritage/historic sites, pursuant to Presidential Decree No. 2146;

4 (a.6.) Watersheds;

5 (a.7.) Utility easement like transmission lines of power companies, oil and gas facilities, cell  
6 sites, and domestic water lines;

7 (a.8.) Amenity areas or those with high aesthetic values, pursuant to Presidential Decree No.  
8 2146;

9 (a.9.) Natural and human-made areas/sites of cultural, historical and anthropological  
10 significance, which are declared as such by internationally recognized organizations and concerned  
11 national agencies;

12 (a.10.) Critical habitats as provided in Republic Act No. 9147 or the “Wildlife Resources  
13 Conservation and Protection Act”;

14 (a.11.) Significant caves under Republic Act No. 9072 or the “National Caves and Cave  
15 Resources Management and Protection Act”;

16 (a.12.) Key biodiversity areas under Executive Order 578, Series of 2006, or the “National  
17 Biodiversity Policy”;

18 (a.13.) Prime agricultural lands as defined in this Act; or

19 (a.14) Areas within ancestral domains excluded by the IPs/ICCs from any activities, except for  
20 the exclusive purposes for which they are identified, such as sacred grounds and burial sites of ICCs;  
21 identified international and local cultural and heritage sites; critical areas identified or reserved by the  
22 ICCs/IPs for special purposes; and other areas specifically identified by IPs/ICCs in their ADSDPP.

23 (b) ***Production Land Use*** shall refer to the direct and indirect utilization of land resources for  
24 crop, fishery, livestock and poultry production, forestry, agro-forestry, mining, industry, energy  
25 development, indigenous energy exploration and development, and tourism. Planning for production  
26 land shall determine the most efficient, sustainable, and equitable manner of utilizing, developing and  
27 managing land for productive purposes. Areas included in this category are agricultural lands, fishing  
28 grounds, coastal and marine zones, production forest which comprise lands 18% to 50% in slope  
29 gradient such as: residual dipterocarps, rangelands for grazing purposes, industrial tree  
30 plantation/Integrated Forest Management Agreement (IFMA), community based forest management  
31 areas and other reforestation projects, mineral lands or mining areas and reservations, energy resource  
32 lands, industrial development areas, and tourism development areas where productive activities could  
33 be undertaken to meet the country’s requirements for food security, economic growth and  
34 development.

35 (c) ***Settlements Development*** shall refer to any improvement on existing settlements in urban  
36 and rural areas or any proposed development of certain areas for settlement purposes involving the  
37 spatial distribution of population, identification of the roles and functions of key urban centers,  
38 determination of relationships among settlement areas, and the provision of basic services and facilities  
39 to such settlement. The settlements development plan ensures for the present and future generation the  
40 following: (i) effective integration of activities within and among settlements, allowing efficient  
41 movement of people and production of commodities through the provision of appropriate land,

1 infrastructure, and facilities; and (ii) access of the population to housing, education, health care,  
 2 recreation, transportation and communication, sanitation, and basic utilities such as water, power,  
 3 waste disposal, and other services.

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

## 12 CHAPTER V

### 13 IMPLEMENTING STRUCTURE AND MECHANISMS

#### 14 ARTICLE I

##### 15 NATIONAL LAND USE COMMISSION

16 **SEC. 15. *Creation of the National Land Use Commission (NLUC).*** – The National Land Use  
 17 Commission, hereinafter referred to as NLUC, is hereby created as a Commission under the Office of  
 18 the President. It shall exercise the powers and responsibilities of the current NEDA Board–National  
 19 Land Use Committee which is hereby abolished and the powers and functions pertaining to land use  
 20 planning vested by law to the HLURB. The NLUC shall act as the highest policy making body on  
 21 land use and resolve land use policy conflicts between or among agencies, branches, or levels of the  
 22 government. It shall integrate efforts, monitor developments relating to land use and the evolution of  
 23 policies. It shall also establish Regional Offices.

24 **SEC. 16. *Composition of the NLUC.*** – The NLUC shall be composed of the following:

25 (a) Chairperson to be appointed by the President for a term of six (6) years, with a rank of  
 26 Cabinet Secretary;

27 (b) The Director-General of the National Economic and Development Authority (NEDA) and  
 28 Secretary of the Department of Environment and Natural Resources (DENR) as Vice-Chairpersons;

29 The President may designate from among the two Vice-Chairpersons a Chief Executive Officer  
 30 who shall supervise the day-to-day affairs of the NLUC.

31 The members shall be:

32 (c) The Chairperson of the Housing and Urban Development Coordinating Council (HUDCC),  
 33 the Secretaries of the Department of Agriculture (DA), the Department of Agrarian Reform (DAR),  
 34 the Department of Trade and Industry (DTI), the Department of Public Works and Highways (DPWH),  
 35 the Department of Transportation and Communications (DOTC), the Department of Tourism (DOT),  
 36 the Department of the Interior and Local Government (DILG), the Department of Justice (DOJ), the  
 37 Department of Science and Technology (DOST), the Department of Finance (DOF), the Department of  
 38 Energy (DOE) and the Chairperson of the National Commission on Indigenous Peoples (NCIP);

39 The Department Secretaries and the Chairperson of the NCIP may designate a representative  
 40 with a rank not lower than Assistant Secretary and Commissioner, respectively: *Provided*, That the  
 41 designated representative shall be on a permanent basis.

1 (d) A representative each from the Leagues of Provinces, Cities and Municipalities;

2 (e) A representative each from four (4) basic and marginalized sectors directly involved in land  
3 use, namely: urban poor, farmer-peasants, fisherfolk, and indigenous peoples who shall be appointed  
4 by the President of the Philippines based on the nomination and recommendation of the respective  
5 sectoral councils of the National Anti-Poverty Commission (NAPC). At least two (2) sectoral  
6 representatives shall be women;

7 (f) Two (2) representatives from private subdivisions, and housing developers; and

8 (g) Two (2) representatives from the accredited association of professionals dealing on land  
9 use such as but not limited to urban and regional planners, environmental planners, architects,  
10 geologists and geodetic engineers.

11 **SEC. 17. Powers and Functions.** – The NLUC shall have the following powers and functions:

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

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

16 (c) Formulate policies and approve land use and physical planning-related policies that may be  
17 formulated by the Regional Land Use Policy Board (RLUPB), created under Section 25 of this Act,  
18 and concerned agencies as well as promulgate zoning and other land use control standards and  
19 guidelines which shall guide the formulation of land use plans and zoning ordinances by local  
20 governments;

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

24 (e) Review and approve all land use and physical planning related guidelines;

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

28 (g) Report and recommend to the President of the Philippines and to Congress the adoption,  
29 passage, or amendment of laws to ensure that sectoral programs, plans, projects, and activities,  
30 including local government initiatives affecting land use are consistent with national development  
31 objectives;

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

35 (i) Monitor and coordinate the activities of concerned agencies and entities of the government,  
36 as well as LGUs, in the enforcement and implementation of policies and regulations relating to land  
37 use and resource management and development;

38 (j) Monitor and coordinate activities in the establishment of a national land resource  
39 information and management system of concerned agencies that shall integrate and process  
40 information on land use and allocation generated by the various national government agencies; define  
41 information requirements at various levels; and standardize information inputs and outputs including

1 scales and symbols used in territorial and sectoral maps;

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

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

7 (m) Decide and resolve policy conflicts and territorial jurisdiction on land use between or  
8 among agencies, branches, or levels of the government and act on unresolved land use policy conflicts  
9 at the regional level elevated by the Regional Land Use Policy Board (RLUPB);

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

12 (o) Perform such other acts and functions and exercise such other powers as may be necessarily  
13 implied, inherent, incident, or related to the foregoing; and

14 (p) Review and recommend fiscal policies and taxation on different land uses and classification  
15 to achieve national goals.

16 **SEC. 18. *NLUC Technical Secretariat (NLUC-TS).*** – A Technical Secretariat shall be  
17 created to provide technical support to the NLUC. It shall be headed by an Executive Director with a  
18 rank of Undersecretary. He shall be a qualified professional in any of the fields of land use, physical  
19 planning, environmental management, engineering, public governance or law:

20 **SEC. 19. *The NLUC Technical Secretariat Executive Director.*** – The Executive Director  
21 shall supervise the operations of the NLUC Technical Secretariat and assist the NLUC Chairperson or  
22 his/her designated Chief Executive Officer (CEO).

23 In the absence of the CEO, he/she shall preside over the meetings of the NLUC-TS.

24 He/she shall also perform such other functions as may be tasked by the Chairperson or CEO-  
25 Vice Chairperson.

26 **SEC. 20. *Offices, Units and Staff Support.*** – The Policy and Planning Unit of the HLURB  
27 shall be the core secretariat of the NLUC. The staff in the HLURB Policy and Planning Unit and  
28 NEDA Regional Development Office who opted to transfer to the NLUC shall be given priority  
29 without diminution in rank and remuneration. The staffing pattern shall be drafted by the NLUC in  
30 coordination with the DBM and Civil Service Commission. Other government agencies may also be  
31 called upon for staff support.

32 The NLUC technical secretariat shall be divided into following service units – Planning and  
33 Policy Services, Technical Advisory and Assistance Service, and Administrative and Financial  
34 Services. Each service unit shall be headed by a Director with minimum rank of Director I (SG 22)  
35 and shall possess professional qualifications that relate to land use, physical planning, management,  
36 engineering, governance and law.

37 (a) Planning and Policy Services – shall provide planning and policy support services to the  
38 NLUC. It shall be responsible for preparation, formulation and issuance of national land use planning  
39 guidelines, standards and policies that would be approved by the NLUC. It shall also be responsible for  
40 assisting the NLUC in monitoring the implementation and compliance of national and local agencies  
41 on the national land use policies, directives, and guidelines. It shall also maintain and update an open

1 and publicly accessible national land use plan inventory, information and database monitoring system  
 2 that shall collate, integrate and consolidate the general status of the country's land uses at all LGU  
 3 levels. It shall also provide legal and legislative support to the NLUC and other policy-making bodies  
 4 on land use policies and land use related issues and concerns.

5 (b) Technical Advisory and Assistance Service – shall provide technical advisory services to  
 6 the NLUC and other policy making bodies related to land use management and implementation. It  
 7 shall also provide technical assistance to local and national agencies in the preparation and formulation  
 8 of their local land use plans, development and sectoral plans, and other land use-related concerns that  
 9 maybe raised by these bodies. It shall maintain a national network of technical capable and qualified  
 10 representatives under its supervision and administration that shall provide technical advisory and  
 11 secretariat support to local land use planning bodies at the LGU levels. The technical advisory and  
 12 assistance service shall develop and provide training and capacity building programmes on land use  
 13 planning, land management, zoning, mapping and other related skills for local government units to  
 14 enhance and strengthen their capacity to effectively perform the functions of LGUs under this Act.

15 (c) Administrative and financial services – shall provide day-to-day administrative, human  
 16 resources, budgeting, logistical support and financial services to the NLUC and its technical  
 17 secretariat. It shall also perform other administrative and support services necessary for the effective  
 18 and efficient operation of the NLUC and NLUC secretariat.

## 19 ARTICLE 2

### 20 REGIONAL AND LOCAL LAND USE PLANNING BOARDS

21 **SEC. 21. *City/Municipal Land Use Planning and Management Board (C/MLUPMB).*** – The  
 22 C/MLUPMB is hereby created under this Act in all municipalities and cities, including highly  
 23 urbanized and component cities, to oversee the preparation, integration, adoption and approval of their  
 24 respective Comprehensive Land Use Plans (CLUPs) and shall ensure the consistency of such plans  
 25 with approved national, regional and provincial planning guidelines. The C/MLUPMB shall also be  
 26 directly responsible for the effective management and implementation of the approved CLUP and for  
 27 ensuring that any existing and future local policies, including zoning ordinances, development  
 28 initiatives, programs and projects introduced within its jurisdiction are consistent with and supportive  
 29 of the land use resource management and physical planning objectives, directions and character  
 30 identified by the approved CLUP.

31 **SEC. 22. *Powers and Responsibilities of the City/Municipal Land Use Planning and***  
 32 ***Management Board.*** – The following are the powers and responsibilities of the C/MLUPMB:

33 (a) In coordination with the city/municipal planning and development office/coordinator,  
 34 review and issue the necessary local planning guidelines and/or implementing policies for the  
 35 preparation and formulation of the CLUPs within its jurisdiction as provided for by approved national,  
 36 regional and provincial planning policies and guidelines;

37 (b) Review and endorse to the sangguniang bayan or sangguniang panlungsod the draft  
 38 CLUP for adoption;

1 (c) Ensure the input of the barangays within the jurisdiction of the respective city/municipal on  
2 sectoral, temporal and spatial dimensions of the plan and its consistency with approved national,  
3 regional and provincial planning guidelines;

4 (d) Review, monitor and assess the implementation and operationalization of the approved  
5 CLUP;

6 (e) (e) Decide and resolve land use policy and zoning conflicts that may arise between or among  
7 barangays within the LGUs;

8 (f) (f) Resolve and decide any complaints regarding the issuance of applications for locational  
9 clearances, building and zoning permits and/or other planning-related requirement for any project,  
10 both private and public, by the LGU to ensure consistency and conformity with the approved CLUP  
11 and zoning ordinances;

12 (g) Advise the local chief executive and sangguniang bayan on all matters pertaining to land  
13 use and physical planning;

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

18 (i) Convene a technical working group composed of city/municipal agriculturist, city/municipal  
19 environment and natural resources officer, city/municipal engineer, city/municipal assessor and such  
20 other LGU officials with land related functions in the preparation of the CLUP. The TWG may request  
21 any field officials of national government agencies with land administration function to assist for the  
22 same purposes.

23 **SEC. 23. Composition of the C/MLUPMB.** – The C/MLUPMB shall be composed of five (5)  
24 members and shall be headed by a Chairperson:

25 (a) City/municipal planning and development coordinator (C/MPDC);

26 (b) Chairperson of the Sangguniang Bayan Committee on Environment and Natural  
27 Resources who shall serve as the chairperson of the C/MLUPMB;

28 (c) One (1) representative from the local business/private sector association/chamber of  
29 commerce, who shall be appointed from among the accredited organizations within their respective  
30 development councils;

31 (d) One (1) representative from the basic sector and marginalized groups (urban poor,  
32 fisherfolk, farmers and indigenous peoples) who shall be appointed from among the accredited  
33 organizations within their respective development councils; and

34 (e) NLUC representative who shall serve as ex-officio member.

35 Except for *ex officio* members, the members of the C/MLUPMB shall be appointed for a term  
36 of three (3) years, subject however to the elected office held, government employment and/or official  
37 designation in the LGU, national agency and/or local business/private sector association or basic and  
38 marginalized sector group representation in the Board. The City/Municipal Planning and  
39 Development Coordinator/Office (C/MPDC/O) shall provide technical secretariat and administrative  
40 support and resources for the effective operation of the C/MLUPMB.



1           Aside from the C/MPDO/C, the C/MLUPMB may call upon other local and national  
2 government offices and agencies such as the local engineer, the assessor and the local field  
3 representatives of the DA, the DPWH, the DOTC, the DOT, the DENR, the DAR, the DepED and  
4 other concerned national agencies to assist the C/MLUPMB in the performance of its roles and  
5 mandates.

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

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

13           **SEC. 24. *Provincial Land Use Planning and Management Board (PLUPMB)*.** – The  
14 PLUPMB is hereby created in all provinces under this Act to oversee the preparation, integration,  
15 adoption and approval of the Provincial Physical Framework Plan (PPFP) and shall ensure its  
16 consistency with approved national and regional planning guidelines. The PLUPMB shall also be  
17 directly responsible for the effective management and implementation of the approved PPFP and  
18 ensure that any existing and future development initiatives, programs and projects introduced within its  
19 jurisdiction are consistent with and supportive of the land use resource management and physical  
20 planning objectives, directions and character identified in the approved PPFP.

21           In addition to the functions enumerated in Section 109 of the LGC, the PLUPMB shall:

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

24           (b) Review and endorse to the *Sangguniang Panlalawigan* for adoption, the provincial physical  
25 framework plans, prepared and periodically updated by the Provincial Planning and Development  
26 Office and other land use and physical planning-related policies;

27           (c) Assist the *Sangguniang Panlalawigan* in reviewing the CLUPs of component  
28 cities/municipalities to ensure consistency with the provincial physical framework plans and  
29 compliance with the limits prescribed under the 1991 LGC for reclassifying agricultural lands; and

30           (d) Decide and resolve policy conflicts on land use planning, classification, and, allocation that  
31 may arise between or among cities/municipalities and any unresolved land use conflicts at the  
32 city/municipal level.

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

37           **SEC. 25. *Composition of the PLUPMB*.** – The PLUPMB shall be composed of the following  
38 fourteen (14) members to be selected based on the rules to be formulated by the NLUPC as provided in  
39 this Act:

40           (a) Provincial Planning and Development Coordinator (PPDC);

41           (b) Chairperson of SP Committee on Environment and Natural Resources;

1 (c) Provincial Chapter President - League of Municipalities and/or League of Cities;

2 (d) Provincial Agrarian Reform Officer (PARO);

3 (e) Provincial Environment and Natural Resources Officer (PENRO);

4 (f) Provincial Agricultural Officer (PAO);

5 (g) NCIP Provincial Officer;

6 (h) NLUC Technical Representative;

7 (i) One (1) representative from the local business/private sector association/chamber of  
8 commerce, who shall be appointed from among the accredited organizations within their respective  
9 development councils;

10 (j) Four (4) representatives from the basic and marginalized sector groups (urban poor,  
11 fisherfolk, farmers, indigenous peoples): *Provided*, That at least two (2) representatives shall be  
12 women: *Provided, further*, That the representatives shall be appointed from among the accredited  
13 organizations within their respective development councils; and

14 (k) Designated board chairperson to be chosen among the members.

15 Except for ex-officio members, the members of the PLUPMB shall be appointed for a term of  
16 three (3) years, subject however to the elected office held, government employment and/or official  
17 designation of the local government unit, national agency and/or local business/private sector  
18 association or basic and marginalized sector group representation in the Board. The NLUPC, within  
19 ninety (90) days from its establishment, shall formulate the rules for the selection of the chairperson  
20 and the members in the PLUPMB. The Provincial Planning and Development Coordinator/Office  
21 (PPDC/O) shall provide technical secretariat and administrative support and resources for the effective  
22 operation of the PLUPMB.

23 Aside from the PPDO, the PLUPMB may call upon other local and national government offices  
24 and agencies such as the local engineer, assessor, and local field representatives of the DA, DPWH,  
25 DOTC, DOT, DENR, DAR, DECS, NCIP and other concerned national agencies to assist the  
26 PLUPMB in the performance of its roles and mandates.

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

32 **SEC. 26. Regional Land Use Policy Board (RLUPB).** – At the regional level, the Regional  
33 Land Use Policy Board (RLUPB) shall be institutionalized, replicating the NLUC structure and  
34 composition which shall include a duly authorized representative from the NEDA, the DENR, the DA  
35 and the DAR. The RLUPB shall have the following functions:

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

37 (b) Prepare and periodically update a regional physical framework plan, taking into  
38 consideration national polices and lower level plans;

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

1 (d) Review, prior to adoption by respective *sanggunians*, the Provincial Physical Framework  
2 Plan and CLUPs of highly urbanized and independent component cities to ensure consistency with the  
3 regional physical framework plan and national policies set forth by LUPC and compliance with limits  
4 prescribed under the 1991 LGC for reclassifying agricultural lands;

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

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

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

10 (h) Undertake the gathering of regional data for the Land Resource Information and  
11 Management System; and

12 (i) Perform other related functions as may be directed by the LUPC.

### 13 ARTICLE 3

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

15 **SEC. 27. *Component Cities and Municipalities.*** – Component cities and municipalities shall  
16 have the power and authority to adopt and approve their respective CLUPs and ZOs through their  
17 respective *sanggunians* subject to the power of review of their respective provinces only with respect  
18 to the consistency of the CLUPs and ZOs with Section 7 hereof on the preparation of the provincial  
19 physical framework plan.

20 **SEC. 28. *Provinces and Independent and Highly Urbanized Cities.*** – Provinces and  
21 independent and highly urbanized cities shall have the power and authority to adopt and approve their  
22 respective CLUPs, ZOs or provincial physical framework plan, as the case may be, through their  
23 respective *sanggunian* but subject to the review of the RLUPB as provided in Section 25 of this Act.

### 24 ARTICLE 4

#### 25 RESPONSIBILITIES OF THE NATIONAL GOVERNMENT AGENCIES AND LGUS

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

37 To facilitate land use planning and as a part of the National Base Mapping Program, the  
38 Interagency Technical Committee (ITC) shall establish a nationally consistent Alphanumeric Grid  
39 Reference System based on universally-defined coordinate and grid systems for accurate and  
40 consistent identification and communication.

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

4 For purposes of uniformity and standardization, the LGUs, to be assisted by the appropriate  
5 agencies of the national government, shall likewise prepare their respective territorial maps using  
6 scales, symbols, and other indicators to be prescribed in accordance with this Act. The completed  
7 maps shall be integrated in the national physical framework plan pursuant to Section 5 of this Act.

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

18 For purposes of uniformity and standardization and in order to develop a safe-built  
19 environment, the LGUs shall subsequently incorporate and integrate the generated geo-hazard zoning  
20 maps in their respective CLUPs. Said geo-hazard maps shall serve as guide for all the LGUs in the  
21 preparation of their own hazards-constrained development plans. The national physical framework  
22 planning, pursuant to Section 5 hereof, shall incorporate these geo-hazard maps.

23 All infrastructure activities including real estates and subdivision projects and the development  
24 of tourist spots requiring an Environmental Compliance Certificate (ECC) shall be required to submit  
25 an Engineering Geological and Geo-Hazard Assessment Report (EGGAR).

26 **SEC. 31. *Scope and Nature of Responsibilities of Other National Government Agencies.*** –  
27 All concerned national government agencies/bodies shall periodically report to the NLUC on the  
28 various activities and accomplishments relative to land use. Likewise, they shall provide their  
29 respective sectoral/development plans and render technical and administrative support if called upon  
30 by the NLUC relative to the implementation of the provisions of this Act.

31 **SEC. 32. *Submission of Annual Report on the Implementation of CLUPs.*** – The C/MLUPC  
32 shall submit an annual report on the implementation of their land use plans to the PLUPMB, which  
33 shall integrate the same for submission to the RLUPB, which shall in turn integrate the provincial  
34 reports for submission to the NLUC.

## 35 CHAPTER VI

### 36 SPECIAL AREAS OF CONCERN

#### 37 ARTICLE I

#### 38 AGRICULTURAL LANDS

39 **SEC. 33. *Priority Areas for Agricultural Development.*** – Priority areas for agricultural  
40 development for purposes of agricultural production shall be those agricultural areas under protection  
41 land use covered under Republic Act No. 6657 or the CARP, as amended, and those covered under

1 Network of Protected Areas for Agricultural and Agro-Industrial Development (NPAAAD), defined in  
2 Section 4 of this Act and in R.A. No. 8435 or the "Agriculture and Fisheries Modernization Act".

3 **SEC. 34. *Conversion of Agricultural Lands.*** – Prime agricultural lands and specific types of  
4 lands to the extent necessary for attaining food self-sufficiency in rice and corn and food security in  
5 other basic commodities, as determined by the DA, subject to mandatory public hearings/consultations  
6 with the LGUs, the private sector, the NGOs, and POs, shall be protected from conversion, which  
7 shall include but not limited to areas under the NPAAAD: *Provided*, That all irrigated and irrigable  
8 lands, all lands developed or possessing the potential for development of high value crops, and all  
9 agricultural lands that are ecologically fragile and whose conversion will result in serious  
10 environmental problems cannot be converted, the areas under which are subject to review every ten  
11 (10) years by the DAR, with the mandatory public hearings/consultations.

12 **SEC. 35. *Sub-classification or Re-classification of Agricultural Lands by LGUs.*** – Sub-  
13 classification or re-classification of agricultural lands to other uses under Section 20 of the LGC of  
14 1991 shall exclude the protected agricultural lands as stated in the preceding section. Moreover, such  
15 sub-classification/reclassification is not synonymous to conversion. The DA and DAR shall provide  
16 the LGUs with complete list and maps of protected agricultural lands within their territorial  
17 jurisdictions.

## 18 ARTICLE 2

### 19 ANCESTRAL DOMAIN

20 **SEC. 36. *Priority Areas for Agricultural Development within Ancestral Domain.*** –  
21 Agricultural lands within ancestral domain shall be developed in accordance with their Ancestral  
22 Domain Sustainable Development Protection Plan (ADSDPP).

23 **SEC. 37. *Respect for Ancestral Domains.*** – The Ancestral Domain Management Plan  
24 (ADMP) or ADSDPP shall be adopted in the CLUP and/or other plans that the LGU is mandated to  
25 produce. The extent of the ancestral domains shall be reflected in the land use plan, where it will be  
26 zoned as such in the zoning ordinance and shall be co-managed by the LGU and IP community.  
27 Additionally, the ADSDPP shall be included in the investment plans of the LGU.

28 **SEC. 38. *Ancestral Domain Policy Adoption.*** – Ancestral domain policies shall be adopted in  
29 the LGU's land use policy framework. However, in the event that the ADMP/ADSDPP is still in the  
30 formulation stage or remains to be formulated, the right to self-determination and traditional resource  
31 and management systems and processes shall be upheld at all times as provided for by the IPRA of  
32 1997.

## 33 ARTICLE 3

### 34 FOREST LANDS AND WATERSHED MANAGEMENT

35 **SEC. 39. *Forestland Boundary Delineation.*** – Pursuant to Section 4, Article 12 of the 1987  
36 Constitution which mandates Congress to determine by law the specific limits of forestlands and  
37 national parks, the Secretary of the DENR shall submit to Congress the final forestland boundaries  
38 delineated by province and the Congress shall consider the same for adoption.

39 **SEC. 40. *Reversion of Alienable and Disposable Lands to Forestlands.*** – Upon the  
40 recommendation of the Secretary of the DENR, duly reviewed and endorsed by the NLUC, and after  
41 due consultations with the concerned LGUs and affected parties, Congress may authorize the reversion

1 of alienable and disposable lands of the public domain or portion thereof to forestlands. Thereafter,  
2 said lands shall be included in the preparation of land use plans within forestlands.

3 **SEC. 41. *Critical Watershed Areas.*** – The DENR, in coordination with the DA, LGUs, and  
4 other government agencies, including government-owned and -controlled corporations, and with  
5 mandatory public hearings/consultations, shall review, identify and delineate critical watershed areas  
6 that need to be protected, rehabilitated, enhanced, and/or withdrawn from uses that contribute to their  
7 further degradation.

8 **SEC. 42. *Formulation and Implementation of Integrated Watershed Management Plans.*** –  
9 In the absence of a law on the protection and sustainable management of our forests, the LGUs through  
10 their local land use committees and upon mandatory public hearings/consultations with the concerned  
11 sectors, and with the assistance of DENR, shall prepare their watershed management plans which shall  
12 be integrated with their respective CLUPs. The formulation and integration of the plan shall be guided,  
13 among others, by the principle that the management and development of inland water resources shall  
14 be at the watershed level. A nationwide mapping of watersheds in the country shall be implemented.

15 In cases where the watershed areas transcend the boundaries of a particular municipality, an  
16 inter-LGU committee composed of representatives from local land use committees of the LGUs where  
17 the watershed area is located shall be formed. With the assistance of the DENR and upon mandatory  
18 public hearings/consultations with the concerned sectors, the inter-LGU committee shall formulate the  
19 watershed management plan for the said watershed area.

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

23 The preparation of forest land use plans shall make use of the watershed as the basic planning  
24 unit.

## 25 **ARTICLE 4**

### 26 **COASTAL ZONE**

27 **SEC. 43. *Criteria on the Allocation and Utilization of Lands within the Coastal Zones.*** –  
28 The allocation and utilization of lands within the coastal zones shall be guided by the following:

29 (a) Areas vegetated with mangrove species shall be preserved for mangrove production  
30 and shall not be converted to other uses;

31 (b) Areas which meet all accepted criteria on elevation, soil type, soil depth, topography,  
32 supply for successful fishpond development, and are not identified as mangrove protected areas, shall  
33 be utilized for aquaculture purposes: *Provided That*, a 4:1 ratio for mangroves and fishponds is  
34 maintained to support ecological processes in mangrove ecosystems;

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

39 (d) Areas accessible to the sea and identified for fisherfolk settlement and housing shall be  
40 allocated to traditional fisherfolk who are inhabitants of the coastal communities and members of  
41 legitimate fisherfolk organizations and/or holders of stewardship lease contracts or titles to ancestral

1 domains or any form of property right arrangements who participate in coastal resource management  
2 initiatives, subject to the usual census procedures of the HUDCC.

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

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

8 (g) Areas which have been allocated for small infrastructure needed by fisherfolk shall be  
9 allowed; and

10 (h) Areas which form part of foreshore lands as defined in this Act including those which are  
11 under lease agreements or arrangements shall undergo zoning and evaluation to determine their  
12 boundaries and actual sizes and corresponding uses, taking into consideration the protection of  
13 mangroves or restoration zones and the compliance with the required 4:1 ratio between mangroves and  
14 fishponds.

15 **SEC. 44. Coastal Land Zone Sub-classification.** – All public lands in the coastal zones shall  
16 be sub-classified into any of the following: estuaries, lagoons, inter-tidal flats, mudflats, fishponds,  
17 mangroves, protection from tidal surge, for preservation of biodiversity, habitats and sanctuaries for  
18 endangered wildlife, fisherfolk settlement, or recreational/tourism areas. No sub-classification of  
19 coastal zones to different uses shall be done without the following:

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

22 (b) Prior consultation with the Local Fisheries and Aquatic Resource Management Councils  
23 (FARMCs) formed under Republic Act No. 8550 or the Philippine Fisheries Code.

24 **SEC. 45. Zoning of Foreshore Areas.** – Local government units, in coordination with the  
25 DENR, shall conduct zoning of their respective foreshore areas to assist government and community  
26 fishers identify priority areas for conservation and development, and to enable them to set targets for  
27 mangrove reforestation and rehabilitation.

28 **SEC. 46. Protection of Waterways Easements and Flood Plains.** – Structures of any kind  
29 shall not be built in waterways easements. Pursuant to PD 1067 or the Water Code, the banks of rivers  
30 and streams and the shores of the seas and lakes throughout their entire length and within a zone of  
31 three (3) meters in urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest  
32 areas, along their margins, are subject to the easement of public use only in the interest of recreation,  
33 navigation, floatage, fishing and salvage.

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

1 The DPWH, in coordination with DOST and DENR, shall declare flood control areas, as  
 2 necessary, and prohibit or control activities that could damage or cause deterioration of lakes and  
 3 dikes, obstruct the flow of water, change the natural flow of rivers, increase flood losses or aggravate  
 4 flood problems pursuant to PD 1067.

## 5 ARTICLE 5

### 6 MINERAL LANDS

7 **SEC. 47. *Criteria for the Utilization and Allocation of Land for Mining Purposes.*** – To  
 8 ensure that ecological balance and sustainable use of mineral resources will promote economic growth  
 9 and uphold human rights of indigenous peoples and/or local communities in areas with mining  
 10 operations, the allocation and utilization of lands for mining purposes shall be guided by the  
 11 following:

12 (a) The principle(s) of sustainable development;

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

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

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

22 (e) Land under protection land use shall be exempted from mining activities to minimize the  
 23 effect of natural calamities and to protect food security respectively.

24 (f) The small to large scale mining operations shall recognize the tenurial instrument given by  
 25 the government such as Original Certificate of Title (OCT), Transfer Certificate of Title (TCT),  
 26 Certificate of Ancestral Domain Title (CADT), Emancipation Patent – Certificate of Land Ownership  
 27 Award (EP-CLOA) and other instruments.

28 **SEC. 48. *Reversion of Mineral Lands.*** – All mineral lands with exhausted mineral resources,  
 29 as determined by the MGB upon the recommendation of the DENR, shall revert to its original land  
 30 classification, either as forestland or agricultural land. The full cost of rehabilitation shall be borne by  
 31 the company or entity which undertook the mining activity in the area. In the case of forestlands, the  
 32 DENR may classify such areas for other purposes in consultation with concerned LGU's, the  
 33 Department of Tourism (DOT), and other national government agencies.

## 34 ARTICLE 6

### 35 ENERGY RESOURCE LANDS

36 **SEC. 49. *Guidelines for the Utilization and Allocation of Lands for Energy Resource***  
 37 ***Exploration, Development, Production, Utilization, and Distribution Purposes.*** – To ensure that the  
 38 objectives of maintaining ecological balance and maximizing the power potential from indigenous  
 39 energy resources in the most economical and environmentally-acceptable means are realized, the  
 40 allocation and utilization of lands for said purposes shall be guided by the following, consistent with  
 41 existing regulations and laws on energy resources:



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

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

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

13 **SEC. 50. *Reversion of Energy Resource Lands.*** – All exhausted indigenous energy resource  
14 lands not covered by proclamations shall automatically revert to the category of forestlands or  
15 agricultural lands open to disposition, whichever is appropriate. Exhausted energy resource lands shall  
16 refer to specific energy resource sites whose energy reserves of the desired type/s are no longer in  
17 sufficient quantity or quality to justify additional expenditure for their extraction and utilization.

## 18 CHAPTER VII

### 19 SETTLEMENTS DEVELOPMENT

20 **SEC. 51. *Town, City, and Settlements Development.*** – The development of town, city, and  
21 settlements through the zoning ordinances of cities and municipalities shall be guided by CLUPs and  
22 urban zoning standards designed to maximize existing urban spaces. Socialized housing and settlement  
23 areas shall be established only on alienable and disposable lands and which are expressly declared by  
24 an act of Congress or Presidential Proclamation that the same are no longer intended for public service  
25 or development of the national wealth or otherwise been converted to patrimonial property in order to  
26 avoid further degradation of forestlands.

27 **SEC. 52. *Settlements Within Geo-Hazard Areas.*** – Settlements, in particular housing or  
28 residential developments, within geo-hazard areas may be allowed provided that mitigating and/or  
29 protective measures are adopted to address the potential danger or risk to lives and property within  
30 such settlements.

31 **SEC. 53. *Designation of Sanitary Landfill.*** – Each city or municipality shall identify,  
32 designate and allocate an area preferably within their territorial jurisdiction to serve as sanitary landfill  
33 within one (1) year from the effectivity of this Act. The LGUs, in coordination with the DENR or any  
34 other competent authority, shall identify sanitary landfill in order to fast-track the conduct of  
35 environmental impact assessment study and to facilitate processing of the environmental compliance  
36 certificate. The site or area shall be identified in the city or municipality's CLUP. For this purpose,  
37 cities and municipalities shall establish their solid waste management program, pursuant to R.A. No.  
38 9003, otherwise known as the "Ecological Solid Waste Management Act of 2000". Likewise, as  
39 provided under Section 33 of the LGC, cities and municipalities may, through appropriate ordinances,  
40 bind themselves towards the establishment of a common solid waste management program.

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

5           **SEC. 54. *Designation and Zoning of Socialized Housing Zones.*** – Each city or municipality  
6 in urban, urbanizable and rural areas shall designate through the CLUP adequate lands for housing or  
7 residential purposes, including socialized housing and resettlement areas for the immediate and future  
8 needs of the local population as well as the underprivileged and homeless in their territory, pursuant to  
9 existing laws and regulations. In order to ensure adequate availability of land for the housing needs of  
10 the local population, the CLUP shall be updated, at the earliest after every ten (10) years for provinces,  
11 cities and municipalities.

12           The designated sites for socialized housing shall be located in residential zones, and shall be  
13 zoned as socialized housing zones that are integrated in the city or municipality's zoning ordinance,  
14 pursuant to existing laws and regulations. Preference shall be given to lands proximate to public  
15 transportation facilities which may include inter alia railways and public terminals.

16           Fisherfolk settlements and housing in coastal municipalities shall be zoned near the sea for  
17 easy access to their livelihood pursuant to Section 42 of this Act.

18           **SEC. 55. *Urban Forest or Green Space.*** – Each city or highly urbanizing municipality shall  
19 identify, designate, and allocate lands owned by the city or municipality as urban forest or green space  
20 based on the guidelines and standards to be issued by the DENR and approved by the NLUC.

## 21   CHAPTER VIII

### 22   INDUSTRIAL DEVELOPMENT AREAS

23           **SEC. 56. *Criteria for Designating Industrial Development Areas.*** – The identification and  
24 establishment of industrial development areas including Special Economic Zones and/or freeports  
25 shall conform with the provisions of R. A. No. 7916, or the Philippine Economic Zone Authority  
26 (PEZA) Act, R.A. No. 6657 or the Comprehensive Agrarian Reform Program, (CARP) Act, as  
27 amended by R.A. No. 9700 or the Comprehensive Agrarian Reform Program with Extension and  
28 Reforms Act (CARPER), R.A. 8371 or the Indigenous Peoples Rights Act (IPRA), R.A. No. 7279 or  
29 the Urban Development Housing Act (UDHA), and R.A. No. 8435 or the Agriculture and Fisheries  
30 Modernization Act (AFMA), taking into consideration the following:

31           (a) Identified network of areas for agricultural development and protected agricultural areas  
32 pursuant to the AFMA;

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

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

36           (d) National Protected Areas System (NIPAS) and non-NIPAS areas that require protection;

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

38           (f) Identified Socialized Housing Zones;

39           (g) National framework for physical planning and other existing national programs and  
40 policies;

41           (h) Local Government Unit (LGU) consent through a resolution from the affected LGU's

1 respective sanggunians;

2 (i) Environmental Compliance Certificate (ECC) and Environmental Impact Statement (EIS);

3 (j) Certificate of no overlap from the DENR, DAR and the NCIP; and

4 (k) NEDA approval.

5 The land use plans of all Special Economic Zones (SEZs) and/or freeports whether created by  
6 special laws, through Republic Act No. 7916 (PEZA Law) or executive proclamations shall conform to  
7 the approved Comprehensive Land Use Plans pursuant to this Act. The National Land Use  
8 Commission (NLUC) shall order all Special Economic Zones and freeports to submit revised land use  
9 plans, for review and approval by their respective city or municipal councils where these areas are  
10 located.

11 Any ambiguity in the conflict or overlap in land use shall be resolved in favor of the  
12 preferential rights of the basic and marginalized sectors protected by the Constitution.

13 NEDA shall review and evaluate the viability in terms of the volume of investments against  
14 the cost of environment, labor, tax incentive, and maintenance of peace and order of Special Economic  
15 Zones and freeports.

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

## 18 CHAPTER IX

### 19 TOURISM DEVELOPMENT AND HERITAGE AREAS

20 **SEC. 57. *Designating Tourism Development Areas.*** – The identification, selection, and  
21 development of tourism development areas, tourism estates and tourism enterprise zones (TEZs) shall  
22 be done in consultation and coordination with the concerned LGUs, the TIEZA and concerned national  
23 government agencies, the private sector, and the affected communities, subject to the provisions of  
24 R.A. No. 9593 or Tourism Act of 2009. Tourism development areas shall likewise include those  
25 covered by legislative and executive issuances as tourist spots, tourist zones and tourism ecozones  
26 which can be developed into tourism estates or integrated resort, leisure and recreation complexes and  
27 other tourism-related facilities as well as those identified in the national, regional and inter-regional  
28 tourism, and area specific tourism master plans and other sector plans such as ecotourism and agri-  
29 tourism sites.

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

32 Lands identified as part of a TEZ shall qualify for exemption from the coverage of Republic  
33 Act Nos. 7279 and 6657 subject to rules and regulations to be crafted by the TIEZA, HUDCC, DAR  
34 and DA: *Provided*, That a certificate shall be obtained from the DA that said lands are no longer  
35 economically feasible and sound for agricultural purposes, consistent with Section 33 of this Act.

36 **SEC. 58. *Identification and Declaration of Areas for Protection, Conservation and***  
37 ***Preservation of Cultural Heritage.*** – Pursuant to R. A. No. 10066, the National Historical  
38 Commission of the Philippines (NHCP) and/or the National Museum in coordination with National  
39 Commission for Culture and the Arts (NCCA), HLURB and other concerned agencies, local  
40 communities, and the private sector, shall identify declared areas and structures which shall be  
41 protected and/or preserved as part of the Philippine cultural heritage subject to the IPRA.

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

#### 4 CHAPTER X

#### 5 INFRASTRUCTURE DEVELOPMENT

6 **SEC. 59. Allocation and Use of Land for Infrastructure Development.** – Land, whether  
7 public or private, shall be allocated and utilized for priority infrastructure projects that are supportive  
8 of national or local development objectives. The NEDA, in consultation with the concerned national  
9 government agencies, LGUs, and the private sector shall identify and periodically review, update  
10 and/or revise the list of priority infrastructure projects subject to Sections 5 and 33 of this Act, and  
11 Section 47 of R. A. No. 8435 or AFMA. In determining and evaluating the list of priority  
12 infrastructure projects, consideration shall be given to those that:

13 (a) Respond to immediate and vital requirements of the national economy with priority on  
14 improving rural infrastructure and the development of the agriculture and fisheries sectors;

15 (b) Upgrade existing facilities to international standards;

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

17 (d) Help mitigate the destructive effects of natural disaster-causing phenomena or those that  
18 shall serve as alternatives to existing infrastructures found in natural hazard-prone areas: *Provided*,  
19 That the provision and implementation of infrastructure support shall be made compatible with  
20 existing environmental conditions and the physical, whether natural or human-made, and cultural  
21 character of the area. Mandatory public hearings/consultations pursuant to existing laws and  
22 regulations shall be held prior to the conduct of all infrastructure projects that will necessarily involve  
23 dislocation or displacement of people in the area: *Provided, further*, That the proponent of the  
24 infrastructure project shall follow the rules on just and humane eviction or demolition under Section 28  
25 of R. A. No. 7279 or the Urban Development Housing Act (UDHA), notwithstanding the provisions of  
26 Republic Act No. 8975, prohibiting lower courts from issuing temporary restraining orders,  
27 preliminary injunctions, or preliminary mandatory injunctions, and proponent shall follow IPRA:  
28 *Provided, finally*, That national government infrastructure projects shall allocate budget for the  
29 adequate relocation of displaced communities.

30 **SEC. 60. Infrastructure Projects Within Geo-Hazard Areas.** – Construction of priority  
31 infrastructure projects within hazard-prone areas shall be allowed: *Provided*, That mitigating and/or  
32 preventive measures are adopted to address the potential adverse economic, socio-cultural, and  
33 environmental impacts that will emanate from these infrastructure projects, subject to the findings and  
34 recommendations of a feasibility study/environmental impact assessment in accordance with  
35 Presidential Decree No. 1586, Establishing An Environmental Impact Statement System, Including  
36 Other Environmental Management Related Measures, and R. A. No. 4846 or the Cultural Properties  
37 Preservation and Protection Act, as amended by Presidential Decree No. 374.

38 Existing projects that did not go through the process of an environmental impact assessment  
39 and pose threats to the environment, integrity of historic, archeological, or scientifically significant  
40 areas; or are impinging on critical ecosystems, shall either be, as determined by the concerned  
41 agencies: (a) terminated immediately, (b) required to implement an Environmental Management Plan;

1 (c) gradually phased-out and relocated, or (d) maintained up to their life span, subject, however, to  
 2 mitigating measures: *Provided*, That the rules on mandatory public hearings/consultations and just and  
 3 humane eviction or demolition shall also be observed prior to the termination, gradual phase-out, or  
 4 relocation of projects that will necessarily involve dislocation or displacement of people in the area.

## 5 CHAPTER XI

### 6 TRAINING, EDUCATION, AND VALUE FORMATION

7 **SEC. 61. *Value Formation.*** – In order to create a well informed, responsible and committed  
 8 citizenry who values the protection, conservation and development of the country's limited land, and  
 9 other physical resources, the State shall mandate the inclusion of sustainable land use education or any  
 10 subject related thereto in the curricula of primary, secondary and tertiary education.

11 **SEC. 62. *Information and Education Campaign.*** – The NLUC shall undertake a nationwide  
 12 education information campaign in land use and physical planning to be implemented by local and  
 13 national government agencies. The DILG and concerned agencies shall formulate and implement a  
 14 land use management capability-building program for national and local government officials,  
 15 community leaders, NGOs, POs, religious sector, and the general public: *Provided*, That it shall be  
 16 mandatory for local government officials involved in the preparation of CLUPs and PPFDP, including  
 17 the municipal, city and provincial development officer to attend the Land Use Management Capability-  
 18 Building Program.

## 19 CHAPTER XII

### 20 INCENTIVES, SANCTIONS, AND PENALTIES

#### 21 ARTICLE 1

#### 22 INCENTIVES AND AWARDS

23 **SEC. 63. *Formulation of a System of Incentives and Awards.*** – The NLUC shall come out  
 24 with a system of incentives and awards to LGUs that regularly update their CLUPs/ZOs within the  
 25 prescribed period, as follows:

26 (a) Provinces, Highly Urbanized Cities, and Independent Component Cities once every **ten**  
 27 (10) years; and

28 (b) Component cities and municipalities once every **ten** (10) years.

29 **SEC. 64. *Priority in Giving Technical Assistance to LGUs.*** – In providing technical  
 30 assistance and other forms of support related to land use management and the implementation of  
 31 development plans, the national government agencies shall give priority to cities and municipalities  
 32 with approved CLUPs/ZOs.

#### 33 ARTICLE 2

#### 34 SANCTIONS AND PENALTIES

35 **SEC. 65. *Fine for Non-Completion and Non-Commencement of Development of***  
 36 ***Agricultural Lands with Approved Order of Conversion.*** – A landowner and his/her designated  
 37 developer or duly authorized representative who fails to commence and/or complete the development  
 38 of agricultural lands with approved order of conversion shall be penalized, jointly or severally, with  
 39 any of the following fines based on the zonal value of the land at the time the fine is imposed:

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

41 (1) Six percent (6%) of the zonal value of the subject land for the first three (3) hectares,

1 (2) Fifteen percent (15%) of the zonal value of the subject land for the next three (3) hectares,  
2 and

3 (3) Thirty percent (30%) of the zonal value of the subject land for the remaining area:

4 *Provided*, That the order of conversion shall be deemed revoked automatically and the land shall revert  
5 to its original agricultural use and covered by the DAR through compulsory acquisition for distribution  
6 to qualified beneficiaries.

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

12 **SEC. 66. Authority to Impose Fine.** – The DAR shall impose the penalty provided for under  
13 the preceding section.

14 **SEC. 67. Withdrawal of Local Development Permits or Licenses.** – Upon receipt of notice  
15 from the DAR, the concerned agencies and the city or municipality shall withdraw or revoke any  
16 development permit and other licenses that may be necessary to develop the agricultural land subject  
17 of conversion.

18 **SEC. 68. Utilization of Fines.** – The fines collected under Sections 64, 69 and 70 hereof shall  
19 automatically accrue to the Agrarian Reform Fund consistent with the provisions of the CARP, as  
20 amended.

21 **SEC. 69. Failure to Formulate, Enforce, and/or Implement the CLUPs.** – Consistent with  
22 due process, the DILG shall investigate, review, and impose appropriate action regarding local chief  
23 executives and other local officials and employees responsible for the formulation, enforcement,  
24 and/or implementation of the CLUPs in case of any of the following:

- 25 (a) Failure to implement and enforce the CLUP due to negligence of duty;  
26 (b) Failure to provide appropriate budgetary allocation to effect its implementation; and,  
27 (c) Failure to complete the preparation of the CLUP despite the availability of funds,  
28 resources, and support by the *sanggunian* concerned.

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

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

35 **SEC. 70. Person(s) Abetting Illegal Conversion.** – Any person initiating, causing, inducing,  
36 or abetting illegal conversion shall, upon conviction, be imprisoned from seven (7) to twelve (12)  
37 years and imposed a fine of not less than One hundred thousand pesos (P100,000.00), or both at the  
38 discretion of the Court: *Provided*, That if the offender is a public official or employee, whether elected  
39 or appointed, the penalty shall, in addition thereto, include dismissal through permanent separation  
40 from the service and forfeiture of all benefits and entitlements accruing to the public position and  
41 perpetual disqualification to run or apply for any elective or appointive public office: *Provided*,

1 *further*, That if the offender is a juridical person, the penalty of imprisonment shall be imposed on the  
 2 president, chief executive officer, manager, chairperson and all the members of the board, and other  
 3 responsible officers thereof, and the fine shall be equivalent to the zonal value of the land or forty  
 4 percent (40%) of the shareholders equity, as determined at the time of judgment whichever is higher,  
 5 plus forfeiture of the land in favor of the State for sale through public auction, the proceeds of which  
 6 shall automatically accrue to the Agrarian Reform Fund as provided for in Section 67 of this Act.

7 **SEC. 71. *Penalty for Reclassification of Protected Agricultural Lands and Exceeding the***  
 8 ***Limit of Areas Allowed for Reclassification.*** – Any person initiating, causing, inducing, or abetting  
 9 the reclassification of protected agricultural areas into non-agricultural uses and exceeding the limits  
 10 set forth under Section 20 of the LGC of 1991, shall be penalized with imprisonment of twelve (12)  
 11 years and a fine of not less than One hundred thousand pesos (P100,000.00), or both at the discretion  
 12 of the court: *Provided*, That if the offender is a public official or employee, the penalty shall, in  
 13 addition thereto, include dismissal through permanent separation from the service, whether elected or  
 14 appointed, and forfeiture of entitlements accruing to the public position, and perpetual disqualification  
 15 to run or apply for any elective or appointive public position: *Provided, further*, That if the offender is  
 16 a juridical person, the penalty shall be imposed on the president, chief executive officer, manager,  
 17 chairperson and all the members of the board, and other responsible officers thereof.

18 **SEC. 72. *Payment of Disturbance Compensation.*** – Following the order of priority as  
 19 enumerated in Section 22 of the CARP, as amended, qualified beneficiaries such as agricultural lessees  
 20 and share tenants, regular farm workers, seasonal farm workers, other farm workers, actual tillers or  
 21 occupants of public lands, collective, or cooperative of the above-mentioned beneficiaries, and others  
 22 directly working on the land affected by agricultural land use conversion shall be entitled to the  
 23 payment of disturbance compensation equivalent to five (5) times the average of the gross harvests on  
 24 the landholding during the last five (5) preceding calendar years, as determined by the DAR.

### 25 CHAPTER XIII

#### 26 TRANSITORY AND FINAL PROVISIONS

27 **SEC. 73. *Convening of the NLUC.*** – Within thirty (30) days from the effectivity of this Act,  
 28 the President shall convene the NLUC.

29 **SEC. 74. *Implementing Rules and Regulations.*** – Within six (6) months from the effectivity  
 30 of this Act, the NLUC shall promulgate the rules and regulations to implement the provisions of this  
 31 Act.

32 **SEC. 75. *Congressional Oversight Committee on the Land Use Act.*** – There is hereby  
 33 created a Congressional Oversight Committee which shall monitor the implementation of this Act. It  
 34 shall be composed of seven (7) members from the Senate and seven (7) members from the House of  
 35 Representatives. The Chairpersons of the Senate Committee on Environment and Natural Resources  
 36 and the House of Representatives Committee on Natural Resources shall be the Chair and Co-Chair of  
 37 the Congressional Oversight Committee, respectively. The other members from the Senate shall be  
 38 appointed by the Senate President based on proportional representation of the parties or coalitions  
 39 therein with at least one (1) senator representing the minority. The other members from the House of  
 40 Representatives shall be appointed by the Speaker also based on proportional representation of the  
 41 parties or coalitions therein with at least one (1) member representing the minority.

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

4 **SEC. 76. Appropriations.** – The appropriations for the National Land Use Commission shall  
5 be taken from the budget of the Office of the President in the General Appropriations Act in the year  
6 following the effectivity of this Act shall be used to carry out the initial operations of the National  
7 Land Use Commission. Thereafter, additional sums as may be necessary for the full implementation of  
8 NLUC's functions shall be included in the annual General Appropriations Act.

9 **SEC. 77. Review of Existing Land Use Plans.** – Provinces, cities, and municipalities  
10 especially managed/administered areas by government, all Special Economic Zones and/or freeports  
11 with existing land use plans shall review, revise, reconcile, and harmonize the same with the guidelines  
12 and standards set forth under this Act within three (3) years from the effectivity of this Act. Actual use  
13 shall be preferred over future or reserve use: **Provided, That** all existing locational clearances and  
14 zoning permits issued by the LGUs, prior to the effectivity of this act, shall remain valid pending  
15 review of the existing CLUPs and zoning ordinances and they shall not be invalidated because of the  
16 sole reason that the new and approved CLUPs and ZOs have determined that they should be properly  
17 located in a different land use zoning area: **Provided further, That** appropriate measures shall be  
18 adopted by the local government unit concerned, the landowner and the developer should any existing  
19 structures and facilities are found to be properly covered by a different land use zoning category in  
20 areas where they are currently located. **Provided finally, That** existing structures and facilities within  
21 extremely hazardous and high-risk/danger zones which cannot be addressed by any mitigating and/or  
22 protective measures shall be required to relocate.

23 **SEC. 78. Repealing Clause.** – All republic acts, executive orders, rules and regulations, and  
24 other issuances, or parts thereof, that are inconsistent with the provisions of this Act are hereby  
25 repealed or modified accordingly.

26 **SEC. 79. Non-impairment Clause.** – Nothing in this Act shall be construed as to diminish,  
27 impair, or repeal rights recognized, granted, or available to marginalized or basic sectors under existing  
28 laws including but not limited to Republic Act Nos. 7279, 6657, 8371, and 8550.

29 **SEC. 80 Separability Clause.** – If for any reason or reasons, any part or provision of this Act  
30 shall be declared or held to be unconstitutional or invalid other parts or provisions hereof, which are  
31 not affected thereby shall continue to be in full force and effect.

32 **SEC. 81. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its publication  
33 in the *Official Gazette* or in at least two (2) national newspapers of general circulation.

*Approved,*