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SENATE

S. B. No. 1144

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INTRODUCED BY SENATOR ANA THERESIA "RISA" HONTIVEROS  
BARAQUEL

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

EXPLANATORY NOTE

Land – its ownership, utilization and distribution – is a socio-political object. Beyond its economic benefits, it is also a driver of social change and social differentiation, and decision-making on land use inevitably have social, political, and ecological consequences. With the population rising and land resources dwindling, land and resource conflicts are the consequent realities. Almost always, the poor and the landless are at the losing end of these conflicts.

This is further exacerbated by the climate-related disasters that the Philippines. Climate change is impacting heavily on access to resources. Food, shelter, water needs are constantly under threat due to the onslaught of disasters hitting our archipelagic state. Again, climate change hits the poor the most.

Therefore, it is imperative to institutionalize the proper utilization and management of land resources in order to meet the present and future needs of the people, especially the poor and vulnerable, which include among others the need for healthy environment, sustainable agricultural production and food security, decent and affordable housing, jobs and industry. This can only be done through a regulatory framework that will ensure proper utilization of land with the express intent to meet the development needs of the population whilst ensuring that there is still enough for the generations yet to be born. Only a sound regulatory framework can protect our scarce resources from commercial pressures and development aggression.

In this regard, we are endorsing the adoption of the proposed National Land Use and Management Policy. It provides guidelines and criteria for land use based on the assessment of the development needs of various sectors in a participatory bottom-up top-bottom approach.


In particular, the bill provides for the:

1. Mechanism to harmonize conflicting land laws;
2. Adherence to the principle of sustainable development and just management, and utilization of natural resources;
3. Clear delineation of land use categories;

4. Protection of prime agricultural lands for food security and sufficiency;
5. Integration and institutionalizing people's participation in land use planning and applies the combined bottom-up top-bottom approach in land use planning;
6. National Physical Framework Plan which shall define the national strategy and objective of the country's urban, rural, and regional development;
7. Creation of the National Spatial Database Information and Mapping Inter-Agency Support System; and
8. Final determination and ground delineation of the country's permanent forest line and completion the Geohazard Mapping Program to effectively provide adequate and up to date information necessary for land use planning.

It is worthy of note that this bill is the result of a painstaking process of consultations and validation with and among different basic sectors such as farmers, fisherfolk, and the urban poor, and therefore is based on the felt needs and lived experiences of our fellow Filipinos whose lives are intertwined with land on which they live and work.

In view of the foregoing, the immediate passage of the bill is earnestly sought.

  
SEN. ANA THERESIA "RISA" HONTIVEROS BARAQUEL  
*Senator*

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

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

CHAPTER I  
INTRODUCTORY PROVISIONS

1 **SECTION 1. Title.** – This Act shall be known and cited as the “*National Land Use and*  
2 *Management Act of the Philippines.*”  
3

4 **SEC. 2. Declaration of Policies and Principles.** – It is the policy of the State to:  
5

- 6 a. Provide for a rational, holistic and just allocation, utilization, management, and  
7 development of the country’s land and water resources so that their use is consistent  
8 with the principles of equity, social justice, environmental integrity and sustainable  
9 development for the common good;  
10  
11 b. Hold owners and users of land responsible for developing and conserving their lands,  
12 thereby making these productive and supportive of sustainable development and  
13 environmental stability in accordance with the principle that the use of land bears a  
14 social function and that all economic agents shall contribute to the common good;  
15  
16 c. Treat groups of islands, including parts of islands, interconnecting waters and other  
17 natural features which are so closely interrelated, as forming an intrinsic geographical,  
18 economic and political entity, or which historically have been regarded as such entity;  
19 and  
20  
21 d. Strengthen the capacity of the local government units (LGUs) to manage and  
22 maintain ecological balance within their territorial jurisdiction, in partnership with the  
23 national government in accordance with the Philippine Constitution and Republic  
24 Act No. 7160 or the Local Government Code of 1991.  
25

26 Towards these ends, the State shall institutionalize land use and physical planning as a  
27 mechanism for identifying, determining, and evaluating appropriate land use and  
28 allocation patterns that promote and ensure:

- 1
- 2 1.Maintenance and preservation of environmental integrity and stability;
- 3 2.Sustainable and just management and utilization of natural resources;
- 4 3.Disaster risk reduction and climate risk-based planning;
- 5 4.Protection of prime agricultural lands for food security, with emphasis on self-
- 6 sufficiency through efficient and sustainable use of land resources consistent
- 7 with the principles of sound agricultural development, natural resources
- 8 development, and agrarian reform;
- 9 5.Protection and conservation of the country's natural heritage, permanent
- 10 forestlands, natural forests, critical watersheds and key biodiversity areas to
- 11 ensure adequate forest cover to maintain ecological processes in the country;
- 12 6.Sustainable development and management of water resources;
- 13 7.Settlements, transportation and other infrastructure development in support of
- 14 inclusive growth and rural, urban and regional development;
- 15 8.Improved access to affordable housing by increasing its supply through direct
- 16 allocation, better access to unutilized lands, and multiple use and higher densities,
- 17 where appropriate;
- 18 9.Respect for and protection of the traditional resource right of the Indigenous
- 19 Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral
- 20 domains; compliance with free and prior informed consent of ICCs/IPs; and
- 21 recognition of customary laws and traditional resource use and management,
- 22 knowledge, and practices in ancestral domains;
- 23 10. Equitable access to land through State intervention that guarantees its
- 24 affordability to the basic sectors;
- 25 11. Energy security or energy self-sufficiency;
- 26 12. Preservation and conservation of parks and protected areas to keep the scenery,
- 27 the natural and historic objects, and the biodiversity therein in their natural state
- 28 and prevent them from being damaged for purposes of public recreational use
- 29 and enjoyment; and
- 30 13. Meaningful participation of the basic sectors.
- 31

32 **SEC. 3. Scope.** – This Act shall apply to all lands and all resources therein, whether public,  
33 private, government-owned and/or in the possession of any person, whether natural or  
34 juridical, and shall guide the rational, holistic and just allocation, utilization, development and  
35 management of the country's land and water resources including such activities that bear  
36 impact on said resources.

37  
38 **SEC. 4. Definition of Terms.** – For the purposes of this Act, the following terms shall be  
39 defined as follows:

- 40
- 41 a. *Agricultural land* refers to the subclass of classified agricultural lands devoted to
- 42 or suitable for the cultivation of the soil, planting of crops, growing of trees,
- 43 raising of livestock, poultry, fish or aquaculture production, including the
- 44 harvesting of such farm products and other farm activities and practices
- 45 performed in conjunction with such farming operations, by persons whether
- 46 natural or juridical, and not classified as residential land, commercial land or
- 47 industrial land;
- 48 b. *Agricultural land use conversion* refers to the undertaking of any development
- 49 activity which modifies or alters the physical characteristics of agricultural
- 50 lands to render them suitable for nonagricultural purposes under an approved
- 51 order of conversion issued by the appropriate government agency;
- 52 c. *Alienable and disposable lands of the public domain* refer to lands of the public
- 53 domain which have been delineated, classified, and certified as such and

1 available for disposition under Commonwealth Act No. 141, otherwise known  
2 as the Public Land Act, as amended;

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

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

11 f. *Classified agricultural land* refers to one of the four (4) classifications of land  
12 under the Constitution not classified by law as mineral land, forestland or  
13 national park and the only land classification subject to alienation;

14 g. *Coastal area/zone* refers to a band of dry land and the adjacent ocean space  
15 (water and submerged land) in which terrestrial processes and uses directly  
16 affect oceanic processes and uses, and vice versa. Its geographic extent may  
17 include areas within a landward limit of one (1) kilometer from the shoreline  
18 at high tide to include mangrove swamps, brackish water ponds, nipa swamps,  
19 estuarine rivers, sandy beaches and other areas within a seaward limit of two  
20 hundred (200) meters isobath to include coral reefs, algal flats, seagrass beds,  
21 and other soft-bottom areas;

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

32 i. *Comprehensive land use planning* refers to the act of defining the allocation,  
33 utilization, development, and management of all lands within a given territory  
34 or jurisdiction according to the inherent characteristics of the land itself and  
35 supportive of sustainable, economic, demographic, sociocultural and  
36 environmental objectives as an aid to decision-making and legislation;

37 j. *Critical watershed* refers to watersheds or forestlands that have been identified  
38 and evaluated to provide critical and vital natural, ecological, environmental  
39 and physical beneficial services such as water, biodiversity, energy, irrigation,  
40 social and cultural, among others, to a specific area or community and whose  
41 existing biophysical condition demands immediate rehabilitation, protection  
42 and management to prevent its further denudation, deterioration and  
43 exploitation;

44 k. *Cultural heritage* refers to the totality of cultural properties, whether natural or  
45 human-made, preserved and developed through time, and passed on for  
46 posterity;

47 l. *Customary laws* refer to a body of written and/or unwritten rules, usages,  
48 customs and practices traditionally and continually recognized, accepted, and  
49 observed by respective ICCs/IPs consistent with the IPRA;

50 m. *Danger zones* refer to areas with high level of threat to the lives and well-being  
51 of people that cannot be addressed through scientific, physical and  
52 engineering methods, and are therefore not suitable for settlement and  
53 permanent structures. Areas can only be declared as danger zones after

- 1 conducting proper technical studies and public consultations with affected  
2 families;
- 3 n. *Development plan* refers to a document that defines the activities and measures  
4 that the national government or LGUs intend to implement over a specified  
5 period of time in order to achieve the defined set of development goals  
6 identified in the national or local physical framework plans. It integrates  
7 socioeconomic, financial, fiscal, legal and legislative, institutional and sectoral  
8 plans of the national government or any of its instrumentality or a particular  
9 LGU, consistent with the objectives identified in spatial plans such as land use  
10 plans or physical framework plans. It may include an analysis of problems and  
11 resources, definition of goals and objectives, policy guidelines, project and  
12 target achievements, and an implementation mechanism which defines the  
13 roles and contributions expected from the government and the private sector;
- 14 o. *Disaster-prone areas* or *geo-hazard areas* refer to areas frequented by and/or  
15 vulnerable to experience weather, climatic, hydrologic, geologic, and other  
16 natural disturbances or calamities;
- 17 p. *Disaster risk reduction* refers to the concept and practice of reducing disaster  
18 risks through systematic efforts to analyze and manage the causal factors of  
19 disasters, including reduced exposure to hazards, lessened vulnerability of  
20 people and property, wise management of land and the environment, and  
21 improved preparedness for adverse events;
- 22 q. *Ecologically-fragile lands* refer to lands within critical watersheds, brackish and  
23 freshwater wetlands, pasture lands, inland rivers and waterways, coastal and  
24 settlement areas, and croplands which require rehabilitation, protection and  
25 whose continued unsustainable use would result in physical risks and threats  
26 to life and property, public health and safety, as well as adversely affect the  
27 productivity of lowland agricultural areas and stability of the upland system;
- 28 r. *Ecotourism* refers to a form of sustainable tourism within a natural and/or  
29 cultural heritage area where community participation, protection and  
30 management of natural resources, culture and indigenous knowledge and  
31 practices, environmental education and ethics, as well as economic benefits are  
32 fostered and pursued for the enrichment of host community and satisfaction  
33 of visitors;
- 34 s. *Energy resources* refer to surface or subsurface substances that serve as energy  
35 sources. These are traditionally mineral fuel deposits such as coal, petroleum,  
36 natural gas or renewable resources from geothermal, hydro reservoirs, or  
37 nonconventional sources including ocean waves, solar, wind, biomass, and  
38 other similar resources which serve the same purpose;
- 39 t. *Energy resource lands* refer to lands where naturally occurring or indigenous  
40 energy resources exist in sufficient quantity and/or quality as to be  
41 economically viable for exploration, development, production, utilization, and  
42 distribution purposes;
- 43 u. *Environmentally-critical areas* refer to areas declared by law as (i) areas for natural  
44 parks, watershed reserves, wildlife preserves, and sanctuaries; (ii) areas set  
45 aside for aesthetic and visual value; (iii) areas that constitute the habitat for any  
46 endangered or threatened species of indigenous Philippine wildlife, both flora  
47 and fauna; (iv) areas of unique historic, archaeological, or scientific interests;  
48 (v) areas that are traditionally occupied by ICCs/IPs; (vi) areas with critical  
49 slopes; (vii) areas frequented and/or hard hit by natural calamities such as, but  
50 not limited to, geologic hazards, floods, typhoons and volcanic activities; (viii)  
51 recharge areas of aquifers; (ix) mangrove areas; (x) coral reefs; (xi) mossy and  
52 virgin forests; (xii) rivers and riverbanks; (xiii) swamp forest and marshlands;  
53 (xiv) foreshore lands; (xv) protected areas pursuant to Republic Act No. 7586  
54 or the NIPAS Act of 1992; and (xvi) areas set aside as aesthetic potential

- 1 tourist spots. This term shall also include other terrestrial, aquatic and marine  
2 areas that need special protection and conservation measures because they are  
3 ecologically fragile or they are needed for food security and food self-  
4 sufficiency as determined by concerned agencies and LGUs in consultation  
5 with the concerned stakeholders;
- 6 v. *Exhausted mineral resources* refer to a situation where the mineral resources in  
7 specific sites are no longer in sufficient quantity or quality to justify additional  
8 expenditure for extraction or utilization;
- 9 w. *Flood plain* refers to the portion of a river valley adjacent to a river channel  
10 which is covered with water when the river overflows its banks at flood stages,  
11 and which usually consists of silt deposited by the stream;
- 12 x. *Flood-prone areas* refer to low lying areas usually adjacent to large or active water  
13 bodies and which therefore experience regular or seasonal inundation as a  
14 result of changes in the mean water level of these bodies or because of land  
15 reclamation and other artificial interference with the natural processes;
- 16 y. *Food security* refers to the policy objective of meeting the food availability,  
17 accessibility, and affordability requirements of the present and future  
18 generations of Filipinos in a sustainable manner, through local production or  
19 importation in cases of shortage based on a micro level situation, or both, and  
20 taking into account the country's existing and potential resource endowments  
21 and related production advantages, and consistent with the overall national  
22 development objectives and policies;
- 23 z. *Food self-sufficiency* refers to the policy objective of meeting the food  
24 requirements through intensive local food production in a sustainable manner  
25 based on the country's existing and potential resources and related production  
26 advantages;
- 27 aa. *Foreshore land* refers to a string of land margining a body of water, the part of a  
28 seashore between the low-water line usually at the seaward margin of a low  
29 tide terrace and the upper limit of wave wash at high tide often marked by a  
30 beach scarp or berm;
- 31 bb. *Forest* refers to an ecosystem or an assemblage of ecosystems dominated by  
32 trees and other woody vegetation; a community of plants and animals  
33 interacting with one another and its physical environment;
- 34 cc. *Forestlands* refer to one of the four (4) classifications of land under the  
35 Constitution under the public domain classified and/or determined as suitable  
36 for forest purposes not classified as mineral land, national park and classified  
37 agricultural land. These include all permanent forest, forest reserves, forest  
38 reservations, and all the remaining unclassified lands of the public domain;
- 39 dd. *Forest Land Use Plan (FLUP)* refers to the allocation of forestlands into their  
40 appropriate uses consistent with existing biophysical conditions such as  
41 topography, soil type, land use, climate, water sources and socioeconomic,  
42 cultural and political realities. Forestland use planning should be able to  
43 delineate protection and production forests;
- 44 ee. *Forestland subclassification* refers to the process of determining the most  
45 appropriate and sustainable use of forestlands primarily as protection forest  
46 and production forest. They may be further subclassified as grazing/pasture  
47 land, recreational areas and other uses, taking into account ecological, social  
48 and economic considerations;
- 49 ff. *Free, Prior and Informed Consent (FPIC)* means the consensus of all members of  
50 the ICCs/IPs to be determined in accordance with their respective customary  
51 laws and practices, free from any external manipulation, interference and  
52 coercion, and obtained after fully disclosing the intent and scope of the  
53 activity, in a language and process understandable to the community;

- 1 gg. *Geo-hazards* refer to nature and human-induced geological processes that have  
2 potential to cause destruction and which pose a threat or risk to a person's life  
3 and property. These may include, but are not limited to, ground, water and  
4 weather-related conditions, volcanic and earthquake induced hazards such as  
5 ground shaking, ground rupture, earthquake-induced landslides, liquefaction  
6 and *tsunami*;
- 7 hh. *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)* refer to groups of  
8 people or homogenous societies identified by self-ascription and ascription by  
9 others, who have continuously lived as organized community on communally  
10 bounded and defined territory, and who have, under claims of ownership  
11 since time immemorial, occupied, possessed and utilized such territories,  
12 sharing common bonds of language, customs, traditions and other distinctive  
13 cultural traits, or who have, through resistance to political, social and cultural  
14 inroads of colonization, nonindigenous religions and cultures, became  
15 historically differentiated from the majority of Filipinos. ICCs/IPs shall  
16 likewise include peoples who are regarded as indigenous on account of their  
17 descent from the populations which inhabited the country, at the time of  
18 conquest or colonization, or at the time of inroads of nonindigenous religions  
19 and cultures, or the establishment of present State boundaries, who retain  
20 some or all of their own social, economic, cultural and political institutions,  
21 but who may have been displaced from their traditional domains or who may  
22 have resettled outside their ancestral domains;
- 23 ii. *Inland waters* refer to waters, which are not coastal and marine waters, and not  
24 subject to acquisitive prescription consistent with the provisions of  
25 Presidential Decree No. 1067 or the Water Code of the Philippines;
- 26 jj. *Integrated watershed management* refers to a planning strategy or program for  
27 watershed areas that complement environmentally-sound soil and water  
28 management practices with mechanisms for ensuring greater responsibility,  
29 involvement, or participation of individuals, groups, communities and other  
30 stakeholders benefiting from these areas and water-related infrastructure;
- 31 kk. *Key Biodiversity Areas (KBAs)* represent the most important sites for biodiversity  
32 conservation worldwide. These are places of international importance for the  
33 conservation of biodiversity through protected areas and other governance  
34 mechanisms. They are identified nationally using simple, standard criteria,  
35 based on their importance in maintaining species populations;
- 36 ll. *Land* refers to resources, both artificial and natural, found on the surface,  
37 below, and above the ground including inland waters and the air therein;
- 38 mm. *Land subclassification* refers to the act of determining and assigning specific uses  
39 of classified lands such as forestlands, classified agricultural lands, mineral  
40 lands and national parks in accordance with existing laws and this Act;
- 41 nn. *Land use* refers to the manner of allocation, utilization, management and  
42 development of land;
- 43 oo. *Land use classification* refers to the act of delineating or allocating lands  
44 according to protection land use, production land use, settlements  
45 development and infrastructure development as defined and provided for in  
46 this Act;
- 47 pp. *Mandatory public hearings/consultations* refer to the mechanism to ensure the  
48 involvement of concerned stakeholders and communities in land use planning,  
49 from the barangay to the national level, to ensure the social acceptability of the  
50 plans. It should involve giving notice of hearing/consultation to concerned  
51 stakeholders through publication or posting in conspicuous places, conduct of  
52 a reasonable number of hearings, solicitation of positions to arrive at a  
53 consensus. Public presentation and validation of the planning results shall also  
54 be undertaken before the final adoption of the plans;



- 1 qq. *Marine Protected Area (MPA)* refers to a defined area of the sea established and  
2 set aside by law, administrative regulation or any other effective means in  
3 order to conserve and protect a part of or the entire enclosed environment,  
4 through the establishment of management guidelines. It includes all declared  
5 areas governed by specific rules or guidelines in order to protect and manage  
6 activities within the enclosed area;
- 7 rr. *Mineral exploration* refers to the systematic searching or prospecting for mineral  
8 resources including energy resources;
- 9 ss. *Mineral lands* refer to lands of the public domain, excluding those in permanent  
10 forestlands and protection lands, where mineral resources are found in  
11 sufficient quantity and quality for extraction, development and utilization;
- 12 tt. *Multiple use of land resources* refers to the utilization or management strategy for  
13 any land which allows any activity involving one or more of its resources,  
14 depending on the result of prior evaluation on its numerous beneficial use,  
15 that will produce the optimum benefits to the development and progress of  
16 the country and the public welfare without impairment or with the least injury  
17 to its other resources;
- 18 uu. *Municipal waters* include not only streams, lakes, inland bodies of water and  
19 tidal waters within the municipality which are not included within the  
20 protected areas as defined under Republic Act No. 7586 of the National  
21 Integrated Protected Areas System or the NIPAS Act of 1992, public forest,  
22 timberlands, forest reserves or fishery reserves, but also marine waters  
23 included between two (2) lines drawn perpendicular to the general coastline  
24 from points where the boundary lines of the municipality touch the sea at low  
25 tide and a third line parallel with the general coastline including offshore  
26 islands and fifteen (15) kilometers from such coastline. Where the territory of  
27 a municipality includes several islands, the outermost points of such islands  
28 shall be used as base points and connected by archipelagic baselines,  
29 irrespective of the lengths of such baselines from the main coastlines. Where  
30 two (2) municipalities are situated on opposite shores that there is less than  
31 thirty (30) kilometers of marine waters between them, the third line shall be  
32 equally distant from opposite shore of the respective municipalities;
- 33 vv. *National Integrated Protected Areas System (NIPAS)* refers to the classification and  
34 administration of all designated protected areas to maintain essential ecological  
35 processes and life-support systems, to preserve genetic diversity, to ensure  
36 sustainable use of resources found therein, and to maintain their natural  
37 conditions to the greatest extent possible;
- 38 ww. *National Land Use Policy Council (NLUPC)* refers to the administrative, policy-  
39 making, and regulatory body created under this Act;
- 40 xx. *National park* refers to forest reservation essentially of natural wilderness  
41 character which has been withdrawn from settlement, occupancy or any form  
42 of exploitation except in conformity with approved management plan and set  
43 aside as such exclusively to conserve the area or preserve the scenery, natural  
44 and historic objects, wild animals and plants therein and to provide enjoyment  
45 of these features in such areas. It shall also refer to lands and waters of the  
46 public domain classified as such in the 1987 Constitution which include all  
47 areas under the NIPAS pursuant to the NIPAS Act of 1992, primarily  
48 designated for the conservation of native plants and animals and associated  
49 habitats and cultural diversity;
- 50 yy. *Network of Protected Areas for Agriculture and Agro-industrial Development*  
51 *(NPAAAD)* refers to agricultural areas identified by the Department of  
52 Agriculture (DA) through the Bureau of Soils and Water Management  
53 (BSWM), in coordination with the National Mapping and Resource  
54 Information Authority (NAMRIA), in order to ensure the efficient utilization

- 1 of land for agriculture and agro-industrial development and promote  
2 sustainable growth. The NPAAAD covers all irrigated areas; all irrigable lands  
3 already covered by irrigation projects; all alluvial plains; lands highly suitable  
4 for agriculture whether irrigated or not; agro-industrial croplands or lands  
5 planted to industrial crops that support the validity of existing agricultural  
6 infrastructure and agro-based enterprises; highlands or areas located at an  
7 elevation of five hundred (500) meters or above and have the potential for  
8 growing semi-temperate and high value crops; all agricultural lands that are  
9 ecologically fragile, the conversion of which will result in serious  
10 environmental degradation; and all mangrove areas and fish sanctuaries;
- 11 zz. *Permanent forests or forest reserves* refer to lands of the private or public domain  
12 which have been identified and determined to be needed for protection,  
13 conservation, preservation and management as forests and shall be reserved,  
14 conserved and protected into perpetuity for such purpose;
- 15 aaa. *Permanent forestlands* refer to forestlands, within public lands, that have been  
16 identified, determined and demarcated on the ground by the State to serve  
17 such purpose and shall be protected, conserved, preserved, maintained and  
18 managed as forestlands free from any form of utilization, exploitation or  
19 development, and reserved permanently as such for the benefit and use of  
20 future generations;
- 21 bbb. *Physical framework plans* refer to the national, regional or provincial indicative  
22 plans that outline the overall and macro-level physical development objectives,  
23 priorities, directions and strategies in its respective levels as prepared,  
24 reviewed, integrated and finalized by the national, regional and provincial land  
25 use councils/boards, respectively, based on the CLUPs of the LGUs and the  
26 national policy guidelines relating to land use and environmental management  
27 to prevent or mitigate the adverse effects of inappropriate resource utilization  
28 on food security, the people's welfare, and their environment;
- 29 ccc. *Premature or illegal conversion* refers to any activity that modifies or alters the  
30 physical characteristics of agricultural lands to render them suitable for  
31 nonagricultural purposes without an approved order of conversion from the  
32 Department of Agrarian Reform (DAR) Secretary;
- 33 ddd. *Prime agricultural lands* refer to all contiguous irrigated areas and irrigable lands  
34 already covered by irrigation projects; all alluvial plain lands highly suitable for  
35 agriculture, whether irrigated or not, that have been identified to satisfy the  
36 country's needs for food self-sufficiency and security; agro-industrial  
37 croplands or lands presently planted and suitable to industrial and high value  
38 crops; highlands, or areas located at elevation of five hundred (500) meters or  
39 above and have the potential for growing semi-temperature and high value  
40 crops outside of declared permanent forestlands and protection forests and  
41 not located in ecologically-fragile and environmentally-critical areas;
- 42 eee. *Production forest* refers to forestland located in production lands managed  
43 primarily for the production of timber and other tree products;
- 44 fff. *Production land use* refers to the direct and indirect utilization of land to generate  
45 outputs resulting from the following activities: agricultural, fish farming or  
46 aquaculture, timber or agro-forestry, grazing and pasture, mining, indigenous  
47 energy resource development, industry, and tourism;
- 48 ggg. *Protected areas* refer to portions of land and water set aside by reason of their  
49 unique physical and biological significance, managed to enhance biological  
50 diversity, and protected against human exploitation. For purposes of this Act,  
51 these shall also include all natural forests and agricultural lands identified and  
52 delineated under this Act;
- 53 hhh. *Protection forests* refer to forests and forestlands, in both public and private  
54 lands, that have been identified and determined by the State for the beneficial

- 1 use of present and future generations and shall be preserved, conserved,  
 2 protected and maintained as such free from any form of utilization,  
 3 exploitation or development;
- 4 iii. *Protection land use* refers to the use of land primarily reserved for rehabilitation,  
 5 conservation, and protection purposes and the promotion of the country's  
 6 ecological and life-support systems;
- 7 jjj. *Public domain* refers to lands belonging to the State which may be classified as  
 8 agricultural, forest or timber, mineral, or national park as provided for in the  
 9 Constitution;
- 10 kkk. *Reclassification of agricultural lands* refer to the act of specifying how agricultural  
 11 lands shall be utilized for nonagricultural uses such as for residential,  
 12 industrial, or commercial purposes, through the local planning and zoning  
 13 processes, pursuant to the Local Government Code of 1991, and subject to  
 14 the requirements and procedures for conversion;
- 15 lll. *Resettlement sites* refer to areas identified by the appropriate national agency or  
 16 by the LGU, with respect to areas within its jurisdiction, which shall be used  
 17 for the relocation of the underprivileged and homeless, as defined under  
 18 Republic Act No. 7279 or the Urban Development and Housing Act  
 19 (UDHA);
- 20 mmm. *Restoration* refers to returning forestland to its original forested state in terms  
 21 of species' composition, structure, function and productivity;
- 22 nnn. *Restoration zones* refer to forest areas where activities are conducted to restore  
 23 its forested state;
- 24 ooo. *River basin* refers to the horizontal projection of area from which a river and its  
 25 tributaries receive surface water originating from precipitation;
- 26 ppp. *Settlements* refer to communities or built-up environment areas where people  
 27 prefer to live in;
- 28 qqq. *Settlements development* refers to any improvement on existing settlements or any  
 29 proposed development of certain areas for settlement purposes. It also  
 30 involves the spatial distribution of population, identification of the roles and  
 31 functions of key urban centers, determination of relationships among  
 32 settlement areas, and the provision of basic services and facilities of identified  
 33 major settlement areas or growth centers;
- 34 rrr. *Shoreline* refers to a strip of land covering at least one (1) kilometer from the  
 35 point where seawater reaches during the highest high tide;
- 36 sss. *Spatial data infrastructure* refers to a system consisting of spatial data,  
 37 technology, policies, practices, relationships, people and resources necessary to  
 38 acquire, process, store and distribute spatial information to improve sharing  
 39 and use throughout all levels of the government and private sector, among  
 40 others, which shall be operationalized through electronic system that provides  
 41 access to a network of spatial data sources and users and shall serve as the  
 42 official linkage of the government to international and regional spatial data  
 43 infrastructure;
- 44 ttt. *Socialized housing* refers to housing programs and projects covering homelots,  
 45 houses and lots, or low-rise to medium-rise buildings, or high density housing  
 46 projects undertaken by the government or the private sector for the  
 47 underprivileged and homeless citizens which shall include sites and services  
 48 development, long-term financing, direct subsidy programs, liberalized terms  
 49 on interest payments, and such other benefits in accordance with the UDHA  
 50 and Batas Pambansa Blg. 220;
- 51 uuu. *Socialized housing sites* refer to lands identified and designated by LGUs as sites  
 52 for socialized housing pursuant to Article IV of the UDHA and its  
 53 implementing guidelines;

- 1 vvv. *Strategic Agriculture and Fisheries Development Zones (SAFDZs)* refer to areas  
2 within the NPAAAD identified for production, agro-processing and  
3 marketing activities to help develop and modernize, with the support of  
4 government, the agriculture and fisheries sectors in an environmentally and  
5 socioculturally sound manner;
- 6 www. *Subclassification or reclassification of agricultural lands* refers to the process  
7 undertaken by the LGUs of allocating declared agricultural lands in their  
8 respective territorial jurisdictions to specific uses such as residential, industrial  
9 or commercial purposes and may be used as a basis for application for land  
10 conversion by the owners thereof;
- 11 xxx. *Sustainable development* refers to the development objective of meeting the needs  
12 of the present generation without compromising the ability of future  
13 generations to meet their own needs consistent with the principles of social  
14 equity, efficiency, and environmental integrity;
- 15 yyy. *Sustainable traditional resource rights* refer to the rights of ICCs/IPs to sustainably  
16 use, manage, protect and conserve: (1) land, air, water, and minerals; (2) plants,  
17 animals and other organisms; (3) collecting, fishing and hunting grounds; (4)  
18 sacred sites; and (5) other areas of economic, ceremonial and aesthetic value in  
19 accordance with their indigenous knowledge, beliefs, systems and practices;
- 20 zzz. *Tourism development areas* refer to specific sites for tourism development located  
21 in areas identified as priorities in the national and regional tourism master  
22 plans as well as those designated through legislative and executive issuances as  
23 tourist spots and tourist zones which can be developed into tourism estates or  
24 integrated resort, leisure, recreation complexes, and other tourism-related  
25 facilities;
- 26 aaaa. *Tourism ecozone* refers to tourism development areas, outside protection lands,  
27 which have been granted Special Economic Zone status, through the  
28 Philippine Export Zone Authority (PEZA) registration and issuance of the  
29 required Presidential Proclamation, with its metes and bounds delineated by  
30 said Proclamation, pursuant to Republic Act No. 7916 or the Special  
31 Economic Zone Act of 1995 (SEZA), as amended;
- 32 bbbb. *Tourism estates* refer to large tracts of land with well-defined boundaries in any  
33 area, excluding those in protection lands, identified in the Philippine tourism  
34 master plan and regional tourism master plan, by proclamation of the  
35 President of the Philippines and/or by acts of Congress and/or by local  
36 legislation and declared suited for the development of an integrated tourism  
37 and resort complex with prescribed carrying capacities and limits for its  
38 facilities and activities;
- 39 cccc. *Tourist spot* refers to a particular area/site/spot, man-made or natural, known  
40 for its unique tourist/visitor-drawing attributes and activities and which may  
41 be classified according to its social, cultural, natural, historical, aesthetic, visual,  
42 scientific, religious, and recreational significance;
- 43 dddd. *Tourist zone* refers to a geographic area with well-defined boundaries  
44 proclaimed as such by the President of the Philippines and/or by acts of  
45 Congress. No development projects for any purpose shall be initiated and  
46 introduced within the zone prior to the formulation of a tourism master  
47 development plan which shall be undertaken in coordination with the  
48 Department of Tourism (DOT) and the Tourism Infrastructure and  
49 Enterprise Zone Authority (TIEZA). A tourist zone is established for the  
50 enhancement and/or the conservation of cultural and historical heritage and  
51 for the appreciation and enjoyment of the local population and its visitors;
- 52 eeee. *Urban areas* refer to all cities regardless of their population density and to  
53 municipalities with a population density of at least five hundred (500) persons  
54 per square kilometer;

- 1 ffff. *Urbanizable areas* refer to sites and lands which, considering present  
2 characteristics and prevailing conditions, display marked and great potential of  
3 becoming urban areas within a period of five (5) years;
- 4 gggg. *Urban forestry* or *green space* refers to the establishment or setting-up of areas for  
5 mini-forests, ecoparks or small nature parks, in both public and private lands:  
6 wetlands, man-made lagoons and lakes systems, riverbanks and shores,  
7 grasslands, roof and rock gardens: lining roads and highways with trees,  
8 shrubs, or ornamental plants, and ground landscaping of schools, hospitals,  
9 and other government agencies in order to improve the environment in urban  
10 areas;
- 11 hhhh. *Water security* refers to the sufficient access throughout the year to the  
12 minimum daily requirement of clean water to maintain a healthy life;
- 13 iiiii. *Water use* refers to the appropriation of water for domestic, municipal,  
14 irrigation, power generation, inland fisheries, poultry and livestock, industrial  
15 and commercial, environmental, and recreational use;
- 16 jjjj. *Watershed* refers to a topographically delineated area of land from which  
17 rainwater can drain as surface runoff *vis-a-vis* a specific stream or river system  
18 to a common outlet point which may be a dam, irrigation system or urban  
19 water supply take-off point, or where the stream discharges into a river, lake,  
20 or the sea;
- 21 kkkk. *Zoning* refers to the regulatory tool for delineating the specific land uses in  
22 accordance with the approved CLUP within the territorial jurisdiction of a  
23 city/municipality and specifying the conditions for their regulation, subject to  
24 the limitations imposed by law and competent authority; and
- 25 llll. *Zoning ordinance* refers to a local law passed by the sangguniang bayan or  
26 sangguniang panlungsod approving the development control/zoning plan in  
27 accordance with an approved or adopted CLUP of the city/municipality,  
28 providing for the regulations and other conditions on the land uses including  
29 the limitation on the infrastructure that may be placed within the  
30 city's/municipality's territorial jurisdiction. It incorporates the protected areas,  
31 protected agricultural lands and ancestral lands as provided for in this Act.  
32  
33

## 34 CHAPTER II

### 35 FRAMEWORK FOR LAND USE PLANNING

36

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

- 41
- 42 a. Protection land use category as defined in Section 6 shall prevail over existing  
43 production land use category. The State shall undertake the necessary action in  
44 changing the classification of these production areas;
- 45 b. Preservation, conservation, rehabilitation and protection to perpetuity of  
46 permanent forestlands, critical watersheds, key biodiversity areas,  
47 environmentally-critical and ecologically-fragile areas and prime agricultural  
48 lands from any other land use, conversion, disposition, intrusion, utilization  
49 and development aside from their determined use and limits;
- 50 c. Protection of natural forests and natural resources ensures environmental  
51 stability, conserve biological diversity, improve ecosystem functions and  
52 provide long-term ecological and economic benefits. Designated restoration  
53 areas are designed to revive the ecosystem functions and services of forests as  
54 well as improve the economic and ecological benefits of local communities;

- 1 d. Protection of forest and wetlands from infrastructure development to  
2 preserve the ecological services they provide which are essential to economic  
3 development. These activities include, but not limited to, river channelization  
4 and dredging, large-scale irrigation and river diversions which reduce riverine  
5 habitat and alter flood patterns and natural flow regimes, reduce downstream  
6 water availability for agriculture and contribute to salinization through  
7 saltwater intrusion in coastal areas;
- 8 e. Resolution of land use conflicts which are life-threatening or threatening to  
9 public safety, sustainability of key production resources or employment  
10 activities and the delivery of basic services which are harmful or destructive to  
11 protected areas, flora and fauna, and other protected natural resources.  
12 Greater consideration shall be given to the human and tenurial rights of  
13 vulnerable groups in resolving land use conflicts;
- 14 f. Identification of geo-hazard prone areas and high risk/danger zones and  
15 corresponding risk reduction measures to ensure the prioritization of life and  
16 safety: *Provided,* That specifically identified and assessed as extremely  
17 hazardous and high-risk/danger zones shall be similarly protected and cleared  
18 from all forms of human-made obstacles, obstructions and instructions to  
19 ensure and secure public health and safety;
- 20 g. Respect for existing customary rights and traditional land uses of ICCs/IPs;
- 21 h. Identification of settlement areas to check the demand for land and establish  
22 the location of employment-generating industries and basic services; and
- 23 i. The availability of natural resources including indigenous energy resources for  
24 energy security and self-sufficiency. However, infrastructure energy projects  
25 such as dams with large reservoirs in natural ecosystems shall not be allowed if  
26 it would interrupt the connectivity of river systems, disrupt fish spawning and  
27 migration, and alter seasonal flood regimes.  
28

29 **SEC. 6. *Categories of Land Uses for Planning Purpose.*** – In determining and defining  
30 the national, regional and provincial framework plans, and CLUPs, land uses shall be  
31 grouped into four (4) major functional uses as follows:  
32

- 33 a. Protection Land Use refers to the use of land primarily for rehabilitation,  
34 conservation, and protection purposes and the promotion of the country's  
35 ecological and life-support systems. Planning for protection land use intends  
36 to achieve environmental stability and ecological integrity, ensure a balance  
37 between resource use and the preservation of some areas with environmental,  
38 aesthetic, educational, cultural and historical significance, aid and protect  
39 people and human-made structures from the ill-effects of natural hazards.  
40

41 Areas under this category are those covered by the NIPAS Act of 1992 and  
42 other coastal and marine protected areas; areas outside NIPAS, which include,  
43 but are not limited to:  
44

- 45 1. Natural and restored forests, which consist of:  
46 i. All existing areas within forestland containing primary and  
47 secondary forests of whatever types of species;  
48 ii. All existing areas within forestland containing secondary growth  
49 or residual forests of whatever type or specie;  
50 iii. Areas identified as KBAs;  
51 iv. Restoration areas;  
52 v. All mangrove forests;

- 1 vi. All easement areas as defined by Presidential Decree No. 1067,  
2 otherwise known as the Water Code of the Philippines; and
- 3 vii. All other areas that would be deemed appropriate for protection,  
4 as designated by the Department of Environment and Natural  
5 Resources (DENR), subject to the approval of the National  
6 Land Use Policy Council (NLUPC), created pursuant to Section  
7 55 hereof;
- 8
- 9 2. Rehabilitated and/or reforested degraded mining areas;
- 10
- 11 3. Critical ecosystems for protection, such as:
  - 12 i. Coral reefs;
  - 13 ii. Marshes and wetlands;
  - 14 iii. Lakes and rivers;
  - 15 iv. Caves; and
  - 16 v. Waterfalls;
- 17
- 18 4. Disaster-prone areas that include areas subject to, or may be subject to:
  - 19 i. Recurrent flooding;
  - 20 ii. Liquefaction;
  - 21 iii. *Tsunamis*;
  - 22 iv. Storm surges;
  - 23 v. Polar vortex;
  - 24 vi. Mass wasting;
  - 25 vii. Volcanic eruption;
  - 26 viii. Direct impact of seismic activity;
  - 27 ix. Other disasters caused by climatic conditions; and
  - 28 x. Other areas that pose a high degree of hazard to human  
29 occupation and activity;
- 30
- 31
- 32 5. Critical watershed areas;
- 33
- 34 6. Marine protected areas;
- 35
- 36 7. All prime agricultural lands as defined under this Act;
- 37
- 38 8. Ecologically-fragile and environmentally-critical areas whose conversion  
39 will result to serious environmental problems and threats to public health  
40 and safety;
- 41
- 42 9. Natural and human-made areas/sites of cultural, historical and  
43 anthropological significance, which are declared as such by internationally-  
44 recognized institutions; and
- 45
- 46 10. All other areas not included and declared as production areas shall become  
47 protection areas.
- 48
- 49 b. Production Land Use refers to the most efficient, sustainable, and equitable  
50 utilization, development and management of land for productive purposes  
51 which are not classified for protection land use as defined in this section.  
52 Areas included in this category are agricultural lands, coastal and marine zones,  
53 production forests, mineral lands, energy resource lands, industrial and

1 tourism development areas where productive activities could be undertaken to  
2 meet the country's requirements for economic growth and development.  
3 Production land use shall comprise of, but shall not be limited to:  
4

- 5 1. Other agricultural lands not identified as prime agricultural lands. They  
6 shall consist of, but shall not be limited to:
  - 7 i. Lands whose soils are suitable for agricultural development;
  - 8 ii. All alluvial plain lands that are suitable for agricultural  
9 production and/or can be devoted to food production;
  - 10 iii. All lands that are traditional sources of staple food;
  - 11 iv. All croplands required to attain a certain scale of production to  
12 sustain the economic viability of existing agro-based industries in  
13 the municipality, city or province; and
  - 14 v. All lands in areas not highly prone to natural hazards that are  
15 suitable for the production of tree crops and other cash crops;
- 16
- 17 2. Coastal, inland water and marine zones, such as fishponds;
- 18
- 19 3. Production forests, such as:
  - 20 i. All areas within forestland not classified as protection forests  
21 under Section 6(a) and shall be devoted to the production of  
22 timber and/or non-forest products or the establishment of  
23 industrial tree plantations, tree farms, woodlots, agro-forestry, or  
24 as multiple-use forests;
  - 25 ii. All areas within forestlands considered as rangelands for grazing  
26 purposes; and
  - 27 iii. All areas within forestlands managed under the community-  
28 based forest management in areas not classified as protection  
29 forests;
- 30
- 31 4. Rangelands for grazing;
- 32
- 33 5. Industrial development areas; and
- 34
- 35 6. Tourism development areas, including potential small islands for similar  
36 purposes.
- 37
- 38 c. Settlements and Institutional Land Use refers to the use of urban and rural  
39 lands for settlements development purposes and/or improvement on existing  
40 settlements involving the spatial distribution of population, identification of  
41 the roles and functions of key urban centers, determination of relationships  
42 among settlement areas, and the provision of basic services and facilities to  
43 such settlements.
- 44

45 It shall also include lands identified for institutional uses such as educational,  
46 administrative, government, law enforcement, health care and social services.  
47 Settlements and institutional land uses aim to ensure for the present and  
48 future generation the: (1) effective integration of activities within and among  
49 settlements, allowing efficient movement of people and production of  
50 commodities through the provision of appropriate land, infrastructure, and  
51 facilities; and (2) access of the population to housing, education, health care,  
52 recreation, transportation and communication, sanitation, and basic utilities  
53 such as water, power, waste disposal, and other services.



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

*Provided,* That the determination of the functional uses of lands within ancestral domains should be consistent with the land use categories provided for in this Act:

*Provided, further,* That other subcategories of land uses in delineated ancestral domains may be formulated by the concerned ICCs/IPs themselves in accordance with their particular needs and traditional resource and management systems.

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

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

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

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

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CHAPTER III  
SPECIAL AREAS OF CONCERN

ARTICLE 1. LAND USE CLASSIFICATION

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

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

**SEC. 10. *Consideration of Assessment Report.*** – Upon validation and affirmation by local land use boards, the land use classification assessment report submitted by the LMB shall be taken into consideration by the NLUPC in the formulation of its planning guidelines.

ARTICLE 2. NIPAS AREAS

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

ARTICLE 3. AGRICULTURAL LANDS

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

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

All other agricultural lands not identified as prime agricultural lands can only be converted to nonagricultural uses upon issuance of a DAR conversion order: *Provided*, That such conversion shall not drastically change the nature of the overall land uses in the surrounding and adjacent areas from its existing land use: *Provided, further*, That consistent with the State policy on giving priority to the completion of the CARP, those lands covered under compulsory acquisition/voluntary offer to sell, production or profit-sharing subject to CARP shall also be protected from conversion pending the distribution and/or installation of the farmer beneficiaries: *Provided, finally*, That pending the completion of mapping activities of the specific areas under the NPAAAD and the SAFDZs under the AFMA and their incorporation in the National Physical Framework Plan (NPFP), the application for conversion of these areas shall not be given due course by the appropriate government agency.

1 ARTICLE 4. ANCESTRAL DOMAIN

2  
3 SEC. 14. *Priority Areas for Agricultural Development Within Ancestral Domain.* –  
4 Agricultural lands within ancestral domain shall be developed in accordance with their  
5 ADSDPP.

6  
7 SEC. 15. *Respect for Ancestral Domains.* – The Ancestral Domain Management Plan  
8 (ADMP) or ADSDPP shall be adopted in the CLUP and/or other plans that the LGU is  
9 mandated to produce. The extent of the ancestral domains shall be reflected in the land use  
10 plan, and shall be zoned as such in the zoning ordinance. It shall be co-managed by the LGU  
11 and IP community. Additionally, the ADSDPP shall be included in the investment plans of  
12 the LGU.

13  
14 SEC. 16. *Ancestral Domain Policy Adoption.* – Ancestral domain policies shall be  
15 adopted in the LGU's land use policy framework. However, in the event that the  
16 ADMP/ADSDPP is still in the formulation stage or remains to be formulated, the right to  
17 self-determination and traditional resource and management systems and processes shall be  
18 upheld at all times as provided for by the IPRA of 1997.

19  
20 ARTICLE 5. FORESTLANDS AND RESERVATION OF WATERSHED

21  
22 SEC. 17. *Permanent Forestlands.* – All forestlands are classified as forest or timberlands.  
23 Titles, settlements, permits, leases, and/or agreements within critical habitats, critical  
24 watershed areas, protected areas and KBAs shall be reviewed, and their legality affirmed. All  
25 erroneous titles, settlements, permits, leases, and/or agreements within permanent  
26 forestlands shall be cancelled or revoked in due course. Noncompliance with and violations  
27 of these instruments shall be grounds for their cancellation or revocation: *Provided,* That the  
28 applicable provisions of the IPRA of 1997 shall be respected.

29  
30 Upon recommendation by the LGU, or the Forest Board, the DENR Secretary shall revoke  
31 the abovementioned instruments.

32  
33 SEC. 18. *Additional Areas to be Included as Permanent Forestlands.* – The following  
34 lands are needed for environmental protection and forestry purposes and shall not be  
35 reclassified as agricultural lands or for any other land use:

- 36  
37 a. Isolated patches of forest, regardless of size and/or area, with rocky terrain or  
38 which protect a spring/water source for communal use;  
39 b. All mangroves and swamplands including twenty (20)-meter wide strips facing  
40 oceans, lakes and other bodies of water not yet classified as alienable and  
41 disposable lands;  
42 c. Ridge tops and plateaus regardless of size found within or surrounded wholly or  
43 partially by forestlands where headwaters emanate;  
44 d. Twenty (20)-meter wide strips of land from the edge of the normal high  
45 waterline of rivers and streams with channels of at least five (5) meters width  
46 which are not yet classified as alienable and disposable;  
47 e. Areas needed for public interest such as research or experimental purposes; and  
48 f. Areas considered as environmentally-critical because of their vulnerability to  
49 damage from landslides, volcanic eruptions, and other natural causes.

50  
51 SEC. 19. *Reversion of Alienable and Disposable Lands to Forestlands.* – Upon the  
52 recommendation of the DENR Secretary, duly reviewed and endorsed by the NLUPC, and  
53 after due consultations with the concerned LGUs and the affected parties, Congress may

1 authorize the reversion of alienable and disposable lands of the public domain or portion  
2 thereof to forestlands.

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

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

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

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

29 **SEC. 23. *Establishment of Restoration Zones.*** – Restoration areas shall be designated in  
30 the management plan as such. Designation of restoration zones is compulsory in all forest  
31 management plans and for all LGUs.  
32

## 33 **ARTICLE 6. COASTAL ZONES**

34  
35 **SEC. 24. *Criteria for the Allocation and Utilization of Lands Within the Coastal***  
36 ***Zones.*** – The allocation and utilization of lands within the coastal zones shall be subject to  
37 the following guidelines:  
38

- 39 a. Areas vegetated with mangrove species shall be protected, preserved and  
40 managed as mangrove forestland and shall not be converted to other uses;
- 41 b. Areas that meet all accepted criteria on elevation, soil type, soil depth  
42 topography, supply for successful fishpond development, and are not  
43 identified as mangrove protected areas shall be utilized for aquaculture  
44 purposes as long as a 4:1 ratio for mangroves and fishponds is maintained to  
45 support ecological processes in mangrove ecosystems;
- 46 c. Areas subclassified as mangrove and still suitable for use as such, or due to  
47 environmental conditions, need to be preserved as mangroves but are devoid  
48 of mangrove stands, shall not be converted to other uses. The DENR shall  
49 ensure that these lands shall be reforested within a given period of time;
- 50 d. Areas accessible to the sea and identified for fisherfolk settlement and housing  
51 but are not part of or are not within any protected land use areas shall be  
52 allocated to traditional fisherfolk who are inhabitants of the coastal

1 communities and/or members of registered fisherfolk organizations and/or  
2 holders of stewardship lease contracts or titles to ancestral domains or any  
3 form of property right arrangements who participate in coastal resource  
4 management initiatives, subject to the usual census procedures of the Housing  
5 and Urban Development Coordinating Council (HUDCC): *Provided*, That the  
6 government shall issue marine tenorial rights to organizations concerned  
7 based on a criteria to be established by the NLUPC;

- 8 e. Areas that are neither subclassified as mangrove, fisherfolk settlement nor  
9 fishpond may be devoted to recreational or tourism purposes: *Provided*, That  
10 such undertaking will not result in environmental degradation and  
11 displacement of small fisherfolks;
- 12 f. Areas which are considered as traditional fishing grounds shall be used  
13 primarily for such purpose;
- 14 g. Areas shall be allocated for small infrastructure needed by municipal fisherfolk  
15 and for fishing gear, boats, and post-harvest facilities; and
- 16 h. Areas which form part of foreshore lands as defined in this Act, including  
17 those under lease agreements or arrangements, shall undergo zoning and  
18 evaluation so their boundaries, actual sizes and corresponding uses can be  
19 determined while ensuring that mangrove protection or restoration zones are  
20 considered to keep the required 4:1 ratio between mangroves and fishponds.

21  
22 **SEC. 25. Coastal Land Zone Subclassification.** – All public lands in the coastal zones  
23 shall be subclassified into any of the following: fishponds, mangroves, protection from tidal  
24 surge for preservation of biodiversity, habitats and sanctuaries for endangered wildlife,  
25 fisherfolk settlement, or recreational/tourism areas.

26  
27 No subclassification of coastal zones to different uses shall be done without the following:  
28

- 29 a. Conduct of a comprehensive inventory and resource and environmental  
30 assessment by the DENR with respective LGUs and accredited  
31 nongovernment organizations/peoples organizations (NGOs/POs) within  
32 their jurisdiction. The result of such assessment along with a list of all existing  
33 applications and expired foreshore lease agreements shall be posted in three  
34 (3) conspicuous places in the affected localities; and
- 35 b. Prior consultation with local Fisheries and Aquatic Resource Management  
36 Councils (FARMCs) formed pursuant to Republic Act No. 8550 or the  
37 Fisheries Code.

38  
39 **SEC. 26. Zoning of Coastal Areas.** – LGUs, in coordination with the DENR, the  
40 FARMCS, local fisherfolk organizations and other concerned stakeholders such as women  
41 and youth, shall prepare the Coastal Zoning Resource Management Plan (CZRMP) which  
42 shall be incorporated in the CLUP. Management zones defined in the CZRMP should be  
43 reflected in the CLUP and the subsequent zoning ordinance (ZO).

44  
45 **SEC. 27. Tourism and Recreation Zone.** – The designation of areas for tourism and  
46 resorts near to or over fishery areas or ports thereof shall be with the consent of the  
47 concerned LGUs and FARMCs, and subject to the policies and guidelines set forth in this  
48 Act.

49  
50 **SEC. 28. Protection of Waterways, Easements and Flood Plains.** –Structures of any  
51 kind shall not be built in waterways and easements. Pursuant to Presidential Decree No.  
52 1067 or the Water Code of the Philippines, the banks of rivers and streams and the shores of  
53 the seas and lakes throughout their entire length and within a zone of three (3) meters in

1 urban areas, twenty (20) meters in agricultural areas and forty (40) meters in forest areas,  
2 along their margins, are subject to the easement of public use only in the interest of  
3 recreation, navigation, floatage, fishing and salvage.

4  
5 The protection of flood plains shall adopt a river basin management approach, in order to  
6 come up with integrated flood mitigation interventions. Development within flood plains  
7 and other flood-prone areas must be controlled or, if allowed, must be so sited, constructed  
8 and serviced that life of occupants are not put at risk and that disruptions during floods are  
9 minimized. The identification and characterization of flood-prone areas and flood plains  
10 shall be an integral part of the CLUP preparation. Through the CLUPs and ZOs, LGUs  
11 shall establish land use regulations to mitigate flood risks.

12  
13 To promote the best interest and the coordinated protection of flood plains, the Department  
14 of Public Works and Highways (DPWH), in coordination with the Department of Science  
15 and Technology (DOST) and the DENR, shall declare flood control areas, as necessary, and  
16 shall prohibit or control activities that could damage or cause deterioration of lakes and  
17 dikes, obstruct the flow of water, change the natural flow of rivers, increase flood losses or  
18 aggravate flood problems pursuant to the Water Code of the Philippines.

19  
20 **SEC. 29. *Disposition of Public Lands for Fishponds.*** – Upon the effectivity of this Act,  
21 but subject to existing rights and the preceding section, no Fishpond Lease Agreement  
22 (FLA) shall be issued for tidal swamps, mangroves and oilier swamps, marshes, ponds,  
23 foreshore lands, and coastal areas within public lands, including those presently declared  
24 available for fishpond development. The Land Use Policy Council (LUPC), in coordination  
25 with the DENR, the DA, the FARMCs and the LGUs, shall set aside a portion of available  
26 public lands for fish propagation, fish sanctuary, conservation, ecological purposes and  
27 fisherfolk settlement areas. Fishponds covered by existing FLAs, but are abandoned or are  
28 not operating efficiently and are found suitable for mangroves, shall be reforested with  
29 mangroves.

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

## 35 36 ARTICLE 7. MINERAL LANDS

37  
38 **SEC. 31. *Policies on Mineral Lands.*** – Land use policies for mineral lands shall be geared  
39 towards the rational, ecologically sound, and sustainable use of mineral resources which shall  
40 promote economic growth for the local economy and uphold the human rights of IPs and  
41 local communities in the affected areas.

42  
43 **SEC. 32. *Criteria for the Utilization and Allocation of Land for Mining Purposes.*** –  
44 The allocation and utilization of lands for mining purposes shall be guided by the following:

- 45  
46 a. The principles of sustainable development;  
47 b. In case of small-scale mining, adequate and acceptable safeguards shall be  
48 instituted by the holders of mining rights or permits to prevent environmental  
49 degradation of the mining sites and adjacent areas;  
50 c. Mineral reservations which have become nonoperational for more than ten  
51 (10) years, as determined by the Mines and Geosciences Bureau (MGB), shall  
52 be placed under appropriate surface management by the DENR; and  
53 d. Ancestral domains declared as protected by virtue of their ADSDPP as well as  
54 all watershed areas shall be closed to mining.

1 **SEC. 33. *Reversion of Mineral Lands.*** – All mineral lands with exhausted mineral  
2 resources, as determined by the MGB, shall automatically revert to their original land  
3 classification, that is, as forestland or agricultural land. The concerned mining companies  
4 shall bear the full cost of rehabilitation of these areas.

5  
6 **ARTICLE 8. ENERGY RESOURCES**  
7

8 **SEC. 34. *Guidelines for the Utilization and Allocation of Lands for Energy Resource***  
9 ***Exploration, Development, Production, Utilization, and Distribution Purposes.*** – To  
10 ensure that the objectives of maintaining ecological balance and maximizing the power  
11 potential from indigenous energy resources in the most economical and environmentally-  
12 acceptable means are realized, the allocation and utilization of lands shall be guided by the  
13 following, consistent with existing regulations and laws on energy resources:  
14

- 15 a. Indigenous energy resource exploration and development for the purpose of  
16 creating a National Energy Resource Inventory and Database as well as an  
17 Energy Resource Block Map shall be allowed subject to the implementation of  
18 complementary watershed and other land management plans;  
19 b. Indigenous energy resource exploration, development production, utilization,  
20 and distribution shall be subject to the appropriate requirements and processes  
21 of the Philippine Environmental Impact Statement (EIS) system. Each project  
22 shall secure an Environmental Compliance Certificate (ECC) prior to project  
23 implementation to ensure that adequate and appropriate environmental  
24 management measures and optimum methods for resource access and recovery  
25 are used;  
26 c. Protected areas defined in Section 6 shall be closed to any kind of energy  
27 resource development;  
28 d. Energy reservations or portions thereof which have become or have been  
29 established to be non-economically viable to operate or are no longer used for  
30 energy purposes shall be reclassified to other land uses, subject to existing laws  
31 covering energy reservations; and  
32 e. Renewable energy shall be preferred over other energy resource.  
33

34 **SEC. 35. *Reversion of Energy Resource Lands.*** – All exhausted indigenous energy  
35 resource lands, as determined by the Department of Energy (DOE), which are not covered  
36 by proclamations shall automatically revert to the category of forestlands or agricultural  
37 lands open to disposition, whichever is appropriate, unless the DENR shall classify such  
38 areas for other purposes. Exhausted energy resource lands shall refer to specific energy  
39 resource sites whose energy reserves of the desired type/s are no longer in sufficient quantity  
40 or quality to justify additional expenditure for their extraction and utilization.  
41

42 **ARTICLE 9. SETTLEMENTS DEVELOPMENT**  
43

44 **SEC. 36. *Municipalities, Cities, and Settlements Development.*** – The development of  
45 municipalities, cities, and settlements through the CLUP and implemented by the ZOs of  
46 cities and municipalities shall be guided by urban zoning standards designed to maximize  
47 existing urban spaces, taking into account studies of pertinent government agencies on  
48 climate change.  
49

50 **SEC. 37. *Settlements Within Geo-hazard Areas and/or High Risk/Danger Zones.*** –  
51 Settlements within geo-hazard areas and/or high risk/danger zones shall not be allowed. In  
52 cases where there are existing settlements within geo-hazard areas and/or high risk/danger

1 zones, the concerned government agencies shall provide assistance to concerned LGUs and  
2 settlers in instituting safety and corrective measures to address the potential danger or risk.

3  
4 **SEC. 38. *Designation of Waste and Environment Management Site.*** – Each city or  
5 municipality shall identify and designate an area to serve as waste and environment  
6 management, waste disposal, and facilities within one (1) year from the effectivity of this  
7 Act. The LGUs, in coordination with the DENR or any other competent authority, shall  
8 identify sanitary landfill in order to fast-track the conduct of the Environment Impact  
9 Assessment (EIA) study and to facilitate the processing of the ECC. The site or area shall be  
10 identified in the city’s or municipality’s CLUP. For this purpose, cities and municipalities  
11 shall establish their solid waste management program, pursuant to Republic Act No. 9003,  
12 otherwise known as the “Ecological Solid Waste Management Act of 2000”. Likewise, as  
13 provided under Section 33 of the Local Government Code of 1991, cities and municipalities  
14 may, through appropriate ordinances, bind themselves towards the establishment of a  
15 common solid waste management program.

16  
17 Within ninety (90) days from the effectivity of this Act, the DENR, in coordination with  
18 concerned agencies, shall promulgate the necessary guidelines and standards for the  
19 formulation and establishment of solid waste management programs by cities and  
20 municipalities, and shall submit the same to the NLUPC for review and approval.

21  
22 **SEC. 39. *Designation and Zoning of Socialized Housing Sites.*** – Each city or  
23 municipality in urban, urbanizable and rural areas shall designate through the CLUP  
24 adequate lands for housing or residential purposes, including socialized housing and  
25 resettlement areas, for the immediate and future needs of the local population as well as the  
26 underprivileged and homeless in their territory, pursuant to existing laws and regulations. In  
27 order to ensure adequate availability of land for the housing needs of the local population,  
28 the CLUP may be revised at the minimum of ten (10) years, and reviewable not earlier than  
29 every five (5) years.

30  
31 The designated sites for socialized housing shall be located in residential zones, and shall be  
32 zoned as socialized housing zones that are integrated in the city’s or municipality’s ZO, duly  
33 approved by the NLUPC, pursuant to existing laws and regulations. Preference shall be  
34 given to lands proximate to public transportation facilities which may include *inter alia*  
35 railways and public terminals.

36  
37 The location of resettlement areas may either be on-site or off-site and may be within the  
38 city or municipality: *Provided*, That designated settlement and socialized housing areas shall  
39 consider the proximity and accessibility of the affected community to employment,  
40 economic activities and social services.

41  
42 Within ninety (90) days from the effectivity of this Act, the NLUPC, in coordination with  
43 concerned agencies, pursuant to HUDCC Resolution No. 521, series of 1992; Executive  
44 Order No. 124, series of 1993; and other pertinent guidelines on the matter, shall promulgate  
45 the necessary guidelines for the identification and designation of socialized housing sites. All  
46 cities and municipalities in urban and urbanizing areas shall identify and designate their  
47 socialized housing sites within one (1) year from the effectivity of this Act and must submit  
48 the list of these sites and their respective areas to the HUDCC. These sites shall be used  
49 exclusively for socialized housing as defined in the UDHA.

50  
51 **SEC. 40. *Zoning of Identified Sites for Socialized Housing.*** – The identified sites for  
52 socialized housing shall be located in residential zones identified by the city’s or  
53 municipality’s CLUP and ZO duly approved by the NLUPC. However, for cities and  
54 municipalities where the identified sites are not within the said residential zones, the location



1 shall be within the priority sites and conform with the suitability criteria as defined in  
2 Sections 6.3 and 6.4 of the Guidelines in HUDCC Resolution No. 521, series of 1992, or as  
3 may be defined in subsequent issuances. The identified sites shall be zoned as socialized  
4 housing zones as defined herein.

5  
6 The current ZO of LGUs shall be reviewed and revised such that the socialized housing  
7 component shall be integrated thereto.

8  
9 **SEC. 41. *Valuation of Lands for Socialized Housing.*** – Equitable land valuation  
10 guidelines for socialized housing shall be set by the Department of Finance (DOF) on the  
11 basis of the market value reflected in the zonal valuation or, in its absence, on the latest real  
12 property tax declaration. For sites already occupied by qualified beneficiaries under the  
13 UDHA, and sites identified as socialized housing zones as defined in this Act, the DOF shall  
14 factor into the valuation, the blighted status of the land as certified by the LGU or the  
15 National Housing Authority (NHA).

16  
17 **SEC. 42. *Guidelines for Identification of Settlement Sites.*** – In identifying settlement  
18 areas, prospective sites should be:

- 19  
20 a. Within alienable and disposable lands but not in environmentally-critical, geo-  
21 hazard or other protection areas;  
22 b. Along established urban growth directions;  
23 c. With provisions for or can be provided with basic services and utilities;  
24 d. Within the 0-8% slope range; and  
25 e. Accessible from existing built-up areas and other employment centers through  
26 existing or proposed roads and other transportation facilities.  
27

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

32  
33 **SEC. 44. *Protection of Ecological Harmony.*** – To ensure the ecological harmony of  
34 towns, cities and settlements, certain projects that can alter the present use of a zoned area  
35 shall not be issued a building permit, business permit, and/or development permit. The  
36 identification of these projects shall be done in coordination with the LGU concerned. All  
37 LGUs shall be required to designate restoration areas in their forestland use plans.

38  
39 **ARTICLE 10. INDUSTRIAL DEVELOPMENT AREAS/SITES**

40  
41 **SEC. 45. *Criteria for Designating Industrial Development Areas.*** – The identification  
42 and establishment of industrial development areas shall conform to the provisions of the  
43 SEZA, the Comprehensive Agrarian Reform Law (CARL), the IPRA, the UDHA, the  
44 Fisheries Code and the AFMA, taking into consideration the following:

- 45  
46 a. Identified network of areas for agricultural development and protected  
47 agricultural areas pursuant to the AFMA;  
48 b. National policies on the regional dispersal of industries and agri-based  
49 industrial development;  
50 c. Identified growth areas and corridors in the National Development Plan;  
51 d. NIPAS and non-NIPAS areas such as, but not limited to, KBAs and restored  
52 areas that require protection;

- 1 e. National and Urban Development and Housing Framework;
- 2 f. Identified socialized housing zones; and
- 3 g. National Framework for Physical Planning and other existing national
- 4 programs and policies.

5  
6 The designated industrial development areas shall be located only in production land use  
7 areas and shall become an integral part of the land use plan and ZO of the city or  
8 municipality where these areas are located. The laws on CARP Extension with Reforms  
9 (CARPER), the IPRA, the UDHA, the Fisheries Code, the AFMA and the Local  
10 Government Code shall apply to all special economic zones and freeports.

#### 11 **ARTICLE 11. TOURISM DEVELOPMENT AREAS**

12  
13 **SEC. 46. *Designating Tourism Development Areas.*** – The identification, selection, and  
14 development of tourism development areas, and Tourism Enterprise Zones (TEZs) shall be  
15 done in consultation and coordination with the concerned LGUs, TIEZA, DOT, and other  
16 concerned national government agencies, the private sector and the affected communities,  
17 subject to the provisions of Republic Act No. 9593 or the Tourism Act of 2009. Tourism  
18 development areas shall likewise include those covered by legislative and executive issuances  
19 such as tourist spots, tourist zones and tourism ecozones which can be developed into  
20 tourism estates or integrated resort, leisure and recreation complexes and other tourism-  
21 related facilities as well as those identified in the national, regional, and area-specific tourism  
22 master plans and other sector plans, such as ecotourism and agri-tourism sites: *Provided,* That  
23 such sites designated for tourism development are outside of areas identified for protection  
24 land use. As much as practicable, community-based tourism shall be the principal mode of  
25 tourist spot operation. The laws on CARPER, IPRA, UDHA, the Fisheries Code, AFMA,  
26 the Local Government Code and National Ecotourism Strategy shall likewise apply to all  
27 tourist zones and tourist development areas.

28  
29 Designated areas for tourism development shall become part of the CLUPs and ZOs of the  
30 cities or municipalities where these are located.

31  
32 **SEC. 47. *Identification and Preservation of Cultural Heritage.*** – In accordance with  
33 Republic Act No. 10066 or the National Cultural Heritage Act of 2009, the National  
34 Historical Commission of the Philippines (NHCP), the National Museum (NM), and the  
35 National Commission for Culture and the Arts (NCCA), in coordination with other  
36 concerned agencies, local communities, and the private sector, shall identify and declare  
37 areas and structures which shall be protected and preserved as part of Philippine cultural  
38 heritage.

39  
40 The NHCP and the NM, in consultation with the NCCA and the Housing and Land Use  
41 Regulatory Board (HLURB), shall designate heritage zones to protect the historical and  
42 cultural integrity of a geographical area that is significant to national history.

43  
44 The LGUs, in consultation with the NHCP, the NM, and the NCCA, shall designate  
45 heritage zones to protect the historical and cultural integrity of geographical areas and  
46 cultural spaces of intangible cultural properties, which are significant to a city or municipality  
47 and the community.

#### 48 **ARTICLE 12. INFRASTRUCTURE DEVELOPMENT**

49  
50  
51 **SEC. 48. *Allocation and Use of Land for Infrastructure Development.*** – Land, whether  
52 public or private, shall be allocated and utilized for priority infrastructure projects that are  
53 supportive of national or local development objectives. The National Economic and

1 Development Authority (NEDA), in consultation with the concerned national government  
2 agencies, LGUs, and the private sector, shall identify and periodically review, update and/or  
3 revise the list of priority infrastructure projects under an overall national strategic  
4 infrastructure development plan subject to the provisions of this Act, AFMA and IPRA:  
5 *Provided*, That such national strategic infrastructure development plan shall be consistent and  
6 integrated in the objectives and directions of the NPPF.

7  
8 In determining and evaluating the list of priority infrastructure projects, consideration shall  
9 be given to those that:

- 10 a. Respond to immediate and vital requirements of the national and regional  
11 economy with priority to improving production-market integration, inter-  
12 modal transport, conveyance and logistics linkages, rural infrastructure and the  
13 development of the agriculture and fisheries sectors;
- 14 b. Upgrade existing facilities to international public safety standards;
- 15 c. Address the need for sustainable settlements development; and
- 16 d. Mitigate the destructive effects of natural disaster-causing phenomena or those  
17 that shall serve as alternatives to existing infrastructure found in natural hazard-  
18 prone areas.

19  
20 *Provided*, That the provision and implementation of infrastructure support shall be made  
21 compatible with existing environmental conditions and the physical, whether natural or  
22 human-made, and cultural character of the area. Mandatory public consultations pursuant to  
23 existing laws and regulations shall be held prior to the conduct of all infrastructure projects  
24 that will necessarily involve dislocation or displacement of people in the area:

25  
26 *Provided, further*, That the proponent of the infrastructure project shall follow the rules on just  
27 and humane eviction or demolition under Section 28 of the UDHA as a last resort,  
28 notwithstanding the provisions of Republic Act No. 8975, prohibiting lower courts from  
29 issuing temporary restraining orders, preliminary injunctions, or preliminary mandatory  
30 injunctions, and that the proponent shall follow provisions of the IPRA, particularly those  
31 pertaining to the rights of ICCs/IPs in case of displacement:

32  
33 *Provided, finally*, That national government infrastructure projects shall provide budgetary  
34 allocations for the adequate relocation of displaced communities.

35  
36 **SEC. 49. Infrastructure Projects Within Geo-hazard Areas.** – Construction of priority  
37 infrastructure projects within hazard-prone areas shall be allowed: *Provided*, That mitigating  
38 and/or preventive measures are adopted and implemented to address the potential adverse  
39 economic, sociocultural, and environmental impacts that will emanate from these  
40 infrastructure projects, subject to the findings and recommendations of a feasibility  
41 study/EIA in accordance with Presidential Decree No. 1586 (EIS System) and Republic Act  
42 No. 4846 or the Cultural Properties Preservation and Protection Act.

43  
44 Existing projects that were undertaken without the required EIA and which pose a threat to  
45 the environment, or to the integrity of historic, archaeological, or scientifically significant  
46 areas, or impinge on critical ecosystems, may be terminated immediately, or gradually  
47 phased-out and relocated, or maintained up to their life span, subject, however, to mitigating  
48 measures: *Provided*, That the rules on mandatory public hearings/consultations and just and  
49 humane eviction or demolition shall also be observed prior to the termination, gradual  
50 phase-out, or relocation of projects that will necessarily involve dislocation or displacement  
51 of people in the area.

CHAPTER IV  
PHYSICAL FRAMEWORK AND LAND USE PLAN

1  
2  
3  
4 **SEC. 50. *National Land Use Planning Process.*** – The physical framework and land use  
5 planning process shall be participatory, following a combined bottom-up and top-down  
6 approach, with mandatory public hearings/consultations conducted at all levels, and shall  
7 consider available and updated multidisciplinary scientific information of land uses.

8  
9 A set of national policy guidelines and standards for physical planning shall be formulated by  
10 the NLUPC. These shall guide the preparation and formulation of the national, regional and  
11 provincial physical framework plans.

12  
13 These standards shall give due consideration to conflicting uses and areas being used,  
14 declared or designated for agrarian reform, protected areas, coastal resource management  
15 and/or ancestral domains.

16  
17 The NPFPP shall define the national strategy and objectives of the country's urban, rural and  
18 regional development. It shall guide the rational distribution of population, access to  
19 economic opportunities and social services, sustainable utilization of resources, and  
20 maintenance of environmental integrity.

21  
22 Furthermore, it shall consider the existing regional physical framework plans (RPFPPs) and  
23 PPFPPs.

24  
25 The RPFPPs, the PPFPPs and the CLUPs, which cover the physical development of their  
26 respective territories, shall be consistent with the NPFPP: *Provided*, That the integration and  
27 harmonization of physical framework plans at all levels shall be iterative to ensure that the  
28 concerns of both top and bottom levels of government are considered in the NPFPPs,  
29 RPFPPs, PPFPPs and CLUPs.

30  
31 The physical framework and land use plans prepared at all levels shall be consistent with  
32 each other, specifically on the linkages of the major land use categories to ensure their  
33 complementation in the utilization, development and management of resources.

34  
35 The period of coverage of the national, regional and provincial framework plans shall be  
36 thirty (30) years with regular review and updating every ten (10) years.

37  
38 **SEC. 51. *National Physical Framework Plan.*** – The NPFPP shall guide the planning and  
39 management of the country's land and other physical resources at the national and  
40 subnational levels, and indicate broad spatial directions and policy guidelines on protection  
41 land use, production land use, settlement development and infrastructure development. The  
42 NPFPP shall be the basis for adopting the land use and physical planning-related guidelines,  
43 including zoning and other land use control standards that will guide the formulation of  
44 city/municipal ZOs.

45  
46 The NLUPC, in consultation with concerned sectors and communities, shall update the  
47 NPFPP after such period that objectives and goals set by the NPFPP have been substantially  
48 achieved. It shall also formulate and issue the appropriate planning guidelines and standards  
49 through which all physical planning, land use and management of resources shall be  
50 reviewed, prepared, formulated and monitored.

1 The resulting land use plan/physical framework shall be the basis for the identification,  
2 formulation and development of national and local development plans, programs, projects  
3 and activities of the government at all levels.  
4

5 **SEC. 52. *Regional Physical Framework Plan.*** – The RPF shall provide broad spatial  
6 directions and policy guidelines on protection land use, production land use, settlement  
7 development, and infrastructure development at the regional level and guide the formulation  
8 of the PPFs. The RPF shall consider the existing PPFs and the CLUPs of LGUs within  
9 the territorial jurisdiction of the region.  
10

11 The Regional Land Use Policy Council (RLUPC), created under Section 59 of this Act, shall  
12 formulate and periodically update the RPF based on the guidelines issued by the NLUPC,  
13 in a manner consistent with and following the objectives of the NPFP. Likewise, the  
14 Medium-Term Regional Development Plan (MTRDP) and the Medium-Term Regional  
15 Development Investment Program (MTRDIP) shall be guided by and made consistent with  
16 the objectives identified in the RPF.  
17

18 **SEC. 53. *Provincial Physical Framework Plan.*** – The PPF shall determine the physical  
19 development of the entire provincial territory, consolidate and harmonize the  
20 comprehensive land use plans of component cities and municipalities, consistent with the  
21 RPF. It shall reflect the indicative land use management and physical development  
22 direction of the province.  
23

24 Further, the PPF shall serve as basis for other sectoral and development plans related to  
25 land, natural resources, and infrastructure facilities, including the development plan of the  
26 province; reconciliation and rationalization of land use proposals among component cities  
27 and municipalities and with the higher level framework plan; guiding development agencies  
28 and private developers, particularly those that undertake large-scale projects; and providing a  
29 basis for resolving conflicts arising from the implementation of land use plans and  
30 development projects involving two (2) or more municipalities.  
31

32 The PPF shall serve as the basis for the preparation of the Provincial Development Plan  
33 (PDP) and Provincial Development Investment Program (PDIP). The PPF, PDP, PDIP  
34 and/or Provincial Physical Framework and Development Plan (PPFDP) shall serve as the  
35 basis for the formulation of sectoral action plans of national government agencies in the  
36 province and all LGUs within its jurisdiction. The province may opt to prepare their PDP  
37 alongside the preparation of the PPF and consolidate them into a PPFDP: *Provided, That*  
38 *PPFDP shall remain consistent with the PPF: Provided, further, That any review or changes*  
39 *in the PPF shall coincide with the overall review process of the NPFP.*  
40

41 The Provincial Land Use Planning and Management Board (PLUPMB), created under this  
42 Act, shall ensure that the PPF is consistent with the national and regional planning  
43 framework and guidelines issued by the NLUPC/RLUPC. The PPF shall be presented to  
44 the Provincial Development Council (PDC) for endorsement to the sangguniang  
45 panlalawigan, who shall formally adopt and approve the PPF. The approved PPF shall be  
46 submitted to the RLUPC for consolidation and integration into the RPF.  
47

48 Under the general supervision of the PLUPMB, the Provincial Planning and Development  
49 Office/Coordinator (PPDO/PPDC) shall provide technical, secretariat and administrative  
50 support in the preparation, consultation, integration and formulation process of the PPF.  
51

52 **SEC. 54. *City and Municipal Land Use Plans.*** – All barangays shall provide their  
53 sectoral, temporal and spatial data for the CLUP which shall serve as the foundation for the  
54 formulation of the city/municipal CLUPs. The data shall be provided by the sangguniang

1 pambarangay through stakeholder consultations. The CLUP shall determine the specific uses  
2 of land and other physical and natural resources, both private and public, within their  
3 territorial jurisdiction including areas co-managed with the national government and, as  
4 appropriate, management plans for ancestral domains, critical watersheds, river basins, and  
5 protected areas.

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

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

23  
24 The CLUPs shall be submitted by the city/municipal local development councils (LDC) for  
25 adoption and approval of the sangguniang bayan. The approved CLUPs shall be submitted  
26 to the province for integration into the PPFPP.

## 27 28 CHAPTER V 29 IMPLEMENTING STRUCTURE AND MECHANISM 30

31 **SEC. 55. *Creation of the NLUPC.*** – The National Land Use Committee (NLUC) under  
32 the NEDA Board (NB) is hereby abolished and, in its stead, the NLUPC shall be created.  
33 It shall exercise the powers and responsibilities identified under this Act and assume the  
34 functions of the NEDA Board-National Land Use Committee (NB-NLUC). It shall further  
35 exercise the powers and functions pertaining to land use planning vested by law to the  
36 HLURB, except the following:

- 37  
38 a. Formulate land use planning guidelines in the preparation of the CLUPs and ZOs of  
39 LGUs to ensure compliance with the national policies, objectives, priorities and  
40 directions set by the NLUPC;  
41 b. Provide technical and other forms of planning assistance to, including capacity  
42 building for, LGUs and zoning boards; and  
43 c. Act as the appellate body on decisions of local zoning bodies on locational clearance  
44 applications and/or oppositions thereto and other zoning issues involving private  
45 rights.

46  
47 The NLUPC shall act as the highest policy-making body on land use and shall resolve land  
48 use policy conflicts between or among agencies, branches, or levels of the government. It  
49 shall integrate efforts, monitor developments relating to land use and the evolution of  
50 policies.

1 **SEC. 56. *Composition of the NLUPC.*** – The NLUPC shall be headed by the Secretary of  
2 the NEDA as Chairperson. It shall choose a Vice Chairperson from among the members of  
3 the Council, who shall assume the functions of the Chairperson in case of absence. The  
4 NLUPC shall meet at least once every quarter.

5  
6 The members of the Council shall be the following:

- 7
- 8 a. The Secretary of the Department of Agrarian Reform (DAR);
- 9 b. The Secretary of the Department of Agriculture (DA);
- 10 c. The Secretary of the Department of Environment and Natural Resources (DENR);
- 11 d. The Secretary of the Department of the Interior and Local Government (DILG);
- 12 e. The Chairperson of the National Commission on Indigenous Peoples (NCIP);
- 13 f. The Chairperson of the Housing and Urban Development Coordinating Council  
14 (HUDCC);
- 15 g. The Chief Executive Officer of the Housing and Land Use Regulatory Board  
16 (HLURB);
- 17 h. The Administrator of the National Mapping and Resource Information Authority  
18 (NAMRIA);
- 19 i. President of the League of Cities of the Philippines (LCP);
- 20 j. President of the League of Municipalities of the Philippines (LMP);
- 21 k. Two (2) representatives each from four (4) basic sectors directly involved in land use,  
22 namely: urban poor, peasants, fisherfolk, and indigenous peoples who shall be  
23 appointed by the respective National Anti-Poverty Commission (NAPC) sectoral  
24 councils. Of the eight (8) sectoral representatives, at least four (4) shall be women:  
25 *Provided, That one of whom shall be from the Moro sector;*
- 26 l. Four (4) representatives from the developers' associations; the accredited associations  
27 of professionals dealing with land use such as, but not limited to, urban and regional  
28 planners, environmental planners, architects, geologists and geodetic engineers; the  
29 business or private sectors; and
- 30 m. The Head of the NLUPC Secretariat shall be a nonvoting *ex officio* member.

31  
32 Cabinet Secretaries who are members of the Council may designate their duly authorized and  
33 permanent representatives whose ranks shall in no case be lower than Undersecretary.

34  
35 **SEC. 57. *Powers and Functions of the NLUPC.*** – The NLUPC shall have the following  
36 powers and functions:

- 37
- 38 a. Guide the determination and identification of the country's strategic land use  
39 development and physical planning objectives, priorities and direction, as well as  
40 recommend the adoption, passage, or amendment of laws to ensure that plans,  
41 programs, projects, and activities, including local government initiatives affecting land  
42 use are consistent with national development objectives;
- 43 b. Formulate the necessary national policy guidelines in the preparation of the country's  
44 physical framework plans, including the setting of limits/target key land uses needed  
45 for protection, production, settlements and infrastructure for present and future  
46 needs;
- 47 c. Ensure that policies, guidelines and standards on land use and physical planning,  
48 including zoning, shall be followed by the RLUPC, local land use boards and  
49 concerned national agencies, and that the RPPF, PPF and CLUPs shall be  
50 consistent with the NPPF;
- 51 d. Ensure the consistency of other national development and sectoral plans and  
52 programs, including the medium-term Philippine Development Plan and Public  
53 Investment Program (PIP), with the NPPF;
- 54 e. Integrate and harmonize all laws and policies relevant to land use in order to come up

- 1 with a rational, cohesive, and comprehensive national land use framework and, if  
2 warranted, recommend to Congress the adoption, passage or amendment of laws to  
3 ensure that sectoral plans, projects and activities, including local government  
4 initiatives affecting land use are consistent with national development objectives;
- 5 f. Resolve policy conflicts on land uses between or among agencies, branches, or levels  
6 of government and unresolved land use policy conflicts at the regional level;
  - 7 g. Issue locational clearance for projects of national significance;
  - 8 h. Call on any department, bureau, office, agency, or instrumentality of the government  
9 and or private entities and organization for cooperation, support, and assistance in  
10 the performance of its functions;
  - 11 i. Review the NPPF every ten (10) years;
  - 12 j. Advise the President of the Philippines and the NEDA Board on all matters  
13 concerning land use and physical planning;
  - 14 k. Adopt rules of procedures for the orderly and expeditious conduct of meetings and  
15 other business of the Council; and
  - 16 l. Perform such other acts and functions and exercise such other powers as may be  
17 necessarily implied, inherent, incident, or related to the foregoing.
- 18

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

25  
26 **CHAPTER VI**  
27 **REGIONAL AND LOCAL LAND USE POLICY BODIES**  
28

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

- 34
- 35 a. Formulate regional policies and guidelines which are consistent with the national  
36 planning guidelines issued by the NLUPC in the preparation and formulation of the  
37 respective provincial physical planning and comprehensive land use plans of LGUs  
38 within its jurisdiction;
- 39 b. Prepare and periodically update the RPPF, taking into consideration national polices  
40 and lower level plans;
- 41 c. Review, prior to adoption by the respective sanggunians, the PPFs and CLUPs of  
42 highly-urbanized and independent component cities to ensure consistency with the  
43 RPPF and national policies set forth by the NLUPC;
- 44 d. Decide and resolve policy conflicts on land use planning, classification, and allocation  
45 that may arise between or among regional line agencies, provinces and  
46 cities/municipalities;
- 47 e. Monitor changes in land use and other physical resources in the region;
- 48 f. Coordinate and monitor the land use activities of regional line agencies and LGUs;
- 49 g. Evaluate consistency of major programs and projects of regional agencies and entities  
50 with the RPPF and their impact on land use and the environment; and
- 51 h. Perform other related functions as may be directed by the NLUPC.



1 In forestland use management, where the watershed area/continuum covers several  
2 municipalities across different provinces, an inter-LGU task force composed of  
3 representatives from the RLUPC and the concerned municipal local government units where  
4 the watershed area is located shall be formed. With the assistance of the DENR and upon  
5 mandatory consultations with the concerned sectors, the inter-LGU task force shall  
6 formulate the watershed management plan for the said watershed area.

7  
8 **SEC. 60. *The Provincial Land Use Planning and Management Board (PLUPMB).*** –  
9 The Provincial Land Use Committee (PLUC) is hereby abolished. The PLUPMB is created  
10 in all provinces under this Act to oversee the preparation, integration, adoption and approval  
11 of the PPFPP and shall ensure its consistency with approved national and regional planning  
12 guidelines. The PLUPMB shall also be directly responsible for the effective management and  
13 implementation of the approved PPFPP and ensure that any existing and future development  
14 initiatives, programs and projects introduced within its jurisdiction are consistent with and  
15 supportive of the land use resource management and physical planning objectives, directions  
16 and character identified in the approved PPFPP.

17  
18 **SEC. 61. *Powers and Responsibilities of the PLUPMB.*** – The following are the powers  
19 and responsibilities of the PLUPMB:

- 20
- 21 a. Formulate necessary provincial planning guidelines and/or implementing policies for  
22 the preparation and formulation of the respective CLUPs within its jurisdiction  
23 consistent with approved national and regional planning policies and guidelines;
  - 24 b. Submit to the PDC the draft CLUP for its transmission to the sangguniang  
25 panlalawigan and for the PDC to use it as reference for consistency and  
26 complementation with other development plans;
  - 27 c. Review, monitor and assess the implementation and operationalization of the  
28 approved CLUP and its consistency with physical planning and land use management  
29 objectives and goals identified in the CLUP;
  - 30 d. After an appropriate period of time or upon instruction and advice by the NLUPC,  
31 conduct and initiate a progress review of the PPFPP and the achievement of its stated  
32 objectives and goals, and update the PPFPP;
  - 33 e. Decide and resolve policy conflicts on land use planning, classification, and allocation  
34 that may arise between or among cities/municipalities and facilitate the resolution of  
35 any unresolved land use conflict, including political boundary conflicts, at the  
36 city/municipality level;
  - 37 f. Advise the sangguniang panlalawigan on all matters pertaining to land use and  
38 physical planning;
  - 39 g. Promote cooperation and sharing of resources between and among component  
40 LGUs of the province or with neighboring LGUs to address common land use and  
41 development issues including those related to geo-physical hazards, watershed and  
42 river basin management, coastal and marine waters, climate change impact and  
43 disaster risks; and
  - 44 h. Assist the sangguniang panlalawigan in reviewing the submitted CLUPs of  
45 component cities/municipalities to ensure consistency with the PPFPP.

46  
47 In cases where the watershed areas transcend the boundaries of a particular municipality, an  
48 inter-LGU task force composed of representatives from the PLUPMB of the municipal local  
49 government units where the watershed area is located shall be formed.

50  
51 **SEC. 62. *Composition of the PLUPMB.*** – The PLUPMB shall be composed of the  
52 following fifteen (15) members to be selected based on the rules to be formulated by the  
53 NLUPC as provided in this Act:

- 1 a. Provincial Planning and Development Coordinator (PPDC);
- 2 b. Chairperson of the Sangguniang Panlalawigan Committee on Environment and
- 3 Natural Resources;
- 4 c. Provincial Chapter President-League of Municipalities and/or League of Cities;
- 5 d. Provincial Agrarian Reform Officer (PARO);
- 6 e. Provincial Environment and Natural Resources Officer (PENRO);
- 7 f. Provincial Agricultural Officer (PAO);
- 8 g. NCIP Provincial Officer;
- 9 h. HLURB Regional Officer;
- 10 i. Three (3) representatives from the local business or private sector; the developers'
- 11 association and accredited associations of professionals dealing with land use such as,
- 12 but not limited to, urban and regional planners, environmental planners, architects,
- 13 geologists, geodetic engineers; and chamber of commerce, who shall be appointed
- 14 from among the accredited organizations within their respective development
- 15 councils;
- 16 j. Four (4) representatives from the basic sector groups (urban poor, fisherfolk, farmers
- 17 and indigenous peoples): *Provided*, That at least two (2) representatives shall be
- 18 women: *Provided, further*, That the representatives shall be appointed from among the
- 19 accredited organizations within their respective development councils: *Provided, finally*,
- 20 That, in predominantly Muslim areas, one of whom shall be from the Moro sector;
- 21 and
- 22 k. Designated Board Chairperson, to be chosen among the members.

23  
24 Except for *ex officio* members, the members of the PLUPMB shall be appointed for a term of  
25 three (3) years, subject, however, to the elected office held, government employment and/or  
26 official designation of the LGU, national agency and/or local business/private sector  
27 association or basic sector group representation in the board. The NLUPC, within ninety  
28 (90) days from its establishment, shall formulate the rules for the selection of the  
29 Chairperson and the members in the PLUPMB. The PPDO/PPDC shall provide technical  
30 secretariat and administrative support and resources for the effective operation of the  
31 PLUPMB.

32  
33 Aside from the PPDO, the PLUPMB may call upon other local and national government  
34 offices and agencies such as the local Engineer, Assessor, and local field representatives of  
35 the DA, DPWH, the Department of Transportation and Communications (DOTC), DOT,  
36 DENR, DAR, the Department of Education (DepED), NCIP and other concerned national  
37 agencies to assist the PLUPMB in the performance of its roles and mandates.

38  
39 Appropriations for the regular operation and activities of the PLUPMB shall be included in  
40 the annual budget proposal of the PPDO: *Provided*, That other funds and resources, including  
41 grants, applicable service fees and charges collected, contributions, donations, and other  
42 funds to support its operations and activities may be accepted and received by the PLUPMB,  
43 subject to existing auditing and reporting procedures.

44 **SEC. 63. City/Municipal Land Use Planning and Management Board**  
45 **(C/MLUPMB).** – A C/MLUPMB is hereby created under this Act in all municipalities and  
46 cities, including highly-urbanized and component cities, to oversee the preparation,  
47 integration, adoption and approval of their respective CLUPs. It shall issue a Certificate of  
48 Compliance prior to the submission of the CLUP to the sanggunian to ensure the  
49 consistency of such plans with approved national, regional and provincial planning  
50 guidelines. The C/MLUPMB shall also be directly responsible for the effective management  
51 and implementation of the approved CLUP and for ensuring that existing and future local  
52 policies, including ZOs, development initiatives, programs and projects introduced within its

1 jurisdiction, are consistent with and supportive of the land use resource management and  
2 physical planning objectives, directions and character identified by the approved CLUP.

3  
4 **SEC. 64. Powers and Responsibilities of the C/MLUPMB.** – The C/MLUPMB shall  
5 exercise the following powers and functions:

- 6
- 7 a. Ensure the inclusion of the input of the barangays within the jurisdiction of the  
8 respective city/municipality on sectoral, temporal and spatial dimensions of the plan  
9 and its consistency with approved national, regional and provincial planning  
10 guidelines;
- 11 b. Review, monitor and assess the implementation and operationalization of the  
12 approved CLUP and its consistency with physical planning and land use management  
13 objectives and goals identified in the CLUP;
- 14 c. Issue a Certificate of Compliance to the sanggunian as proof that the CLUP is  
15 compliant with national land use polices, guidelines and standards;
- 16 d. Submit to the LDC the draft CLUP for its transmission to the sanggunian and for the  
17 LDC to use it as basis for consistency and complementation with other development  
18 plans;
- 19 e. Decide and resolve policy conflicts on land use planning, classification, and allocation  
20 that may arise between or among barangays and facilitate the resolution of any  
21 unresolved land use conflict, including boundary conflicts, involving barangays;
- 22 f. Based on the CLUP, review and endorse for approval/disapproval applications for  
23 locational clearances, building and zoning permits and/or other planning-related  
24 requirement for any project, both private and public, that is submitted to the LGU  
25 for issuance;
- 26 g. Advise the sangguniang bayan on all matters pertaining to land use and physical  
27 planning; and
- 28 h. Promote cooperation and sharing of resources between and among its barangays and  
29 neighboring LGUs to address common land use and development issues, including  
30 those related to geo-physical hazards, watershed and river basins, coastal and marine  
31 waters, climate change impact and disaster risks.

32  
33 **SEC. 65. Composition of the C/MLUPMB.** – The C/MLUPMB shall be composed of  
34 the following thirteen (13) members and shall be headed by a Chairperson:

- 35
- 36 a. City/Municipal Planning and Development Coordinator (C/MPDC);
- 37 b. Chairperson, Sangguniang Bayan Committee on Environment and Natural  
38 Resources;
- 39 c. President of the Association of Barangay Captains (ABC);
- 40 d. Municipal Agrarian Reform Officer (MARO);
- 41 e. LGU Environment and Natural Resources Officer (City/Municipal ENRO);
- 42 f. Municipal Agriculture Office (MAO);
- 43 g. Three (3) representatives from the local business/private sector; the developers'  
44 associations; the accredited associations of professionals dealing with land use such  
45 as, but not limited to, urban and regional planners, environmental planners,  
46 architects, geologists and geodetic engineers; and association/chamber of commerce,  
47 who shall be appointed from among the accredited organizations within their  
48 respective development councils;
- 49 h. Four (4) representatives from the basic sector groups (urban poor, fisherfolk, farmers  
50 and indigenous peoples): *Provided*, That at least two (2) representatives shall be  
51 women: *Provided, further*, That the representatives shall be appointed from among the  
52 accredited organizations within their respective development councils: *Provided, finally*,  
53 That, in predominantly Muslim areas, one of whom shall be from the Moro sector;  
54 and

1 i. Designated Board Chairperson, to be chosen among the members.  
2

3 Except for *ex officio* members, the members of the C/MLUPMB shall be appointed for a  
4 term of three (3) years, subject, however, to the elected office held, government employment  
5 and/or official designation in the LGU, national agency and/or local business/private sector  
6 association or basic sector group representation in the board. The NLUPC, within ninety  
7 (90) days from its establishment, shall formulate the rules for the selection of the  
8 Chairperson and members of the C/MLUPMB. The City/Municipal Planning and  
9 Development Office/Coordinator (C/MPDO/C) shall provide technical secretariat and  
10 administrative support and resources for the effective operation of the C/MLUPMB.  
11

12 Aside from the C/MPDO/C, the C/MLUPMB may call upon other local and national  
13 government offices and agencies, such as the local Engineer, Assessor, and local field  
14 representatives of the DA, DPWH, DOTC, DOT, DENR, DAR, DepED and other  
15 concerned national agencies, to assist the C/MLUPMB in the performance of its roles and  
16 mandates.  
17

18 Annual appropriations for the operation and activities of the C/MLUPMB shall be included  
19 in the annual budget proposal of the C/MPDO/C: *Provided*, That other funds and resources,  
20 including grants, applicable service fees and charges collected, contributions, donations, and  
21 other funds to support its operations and activities may be accepted and received by the  
22 PLUPMB, subject to existing auditing and reporting procedures.  
23

24 LGUs shall create and/or activate their respective C/MLUPMB, upon guidelines issued by  
25 the NLUPC for such purposes, not later than six (6) months from the effectivity of this Act.  
26

## 27 CHAPTER VII

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

### 29 AND PHYSICAL FRAMEWORK PLANS

30

31 **SEC. 66. *Approval and Review of the PFP and the CLUPs.*** – The PFP and the  
32 CLUPs of the respective city/municipal LGUs, including highly urbanized cities and  
33 independent component cities, shall be submitted by the local land use boards to the LDCs  
34 for transmission to the local sanggunian for approval.  
35

36 **SEC. 67. *Approval of the RFP and the NFP.*** – The RFP and the NFP shall be  
37 submitted for review and approval of the RLUPC and the NLUPC, respectively, upon the  
38 conduct of appropriate stakeholder and agency consultations: *Provided*, That such processes  
39 and guidelines shall be prepared and issued by the NLUPC within six (6) months from  
40 effectivity of this Act.  
41

## 42 CHAPTER VIII

### 43 MAPPING AND DATA MANAGEMENT FOR

### 44 LAND USE PLANNING

45

46 **SEC. 68. *National Mapping and Spatial Data Infrastructure Program (NMSDIP).*** – A  
47 national mapping program shall be implemented, coordinated and monitored through the  
48 creation of the Inter-Agency Technical Committee (ITC) composed of the NAMRIA as the  
49 lead agency, the Bureau of Soils and Water Management (BSWM), the Forest Management  
50 Bureau (FMB), the LMB, the Land Registration Authority (LRA), the Protected Areas and  
51 Wildlife Bureau (PAWB), the MGB, the Philippine Institute of Volcanology and Seismology  
52 (PHIVOLCS), the DAR, the DA, the NCIP, the National Water Resources Board (NWRB),  
53 the Department of Energy (DOE), the National Disaster Risk Reduction and Management  
54 Council (NDRRMC), the NEDA, and other concerned government agencies. The ITC shall

1 be constituted, and the mapping and spatial data infrastructure program shall be initiated  
2 within thirty (30) days from the effectivity of this Act. The program shall be responsible for  
3 the production of base and decision maps and associated spatial databases for all planning  
4 levels based on the guidelines of the NLUPC.

5  
6 Under the program, all government stakeholders concerned in the production of maps of  
7 various themes shall collaboratively formulate the government's spatial data infrastructure  
8 master plan and respective government agency/stakeholders' spatial data infrastructure plans  
9 which shall be the basis for subsequent funding and eventual project implementation and/or  
10 operation.

11  
12 All pertinent and updated thematic maps/data from supporting agencies of the program  
13 shall be submitted to the NAMRIA for compilation and integration into a national geospatial  
14 database established under the program.

15  
16 The NAMRIA shall finish its base mapping program within two (2) years upon the  
17 effectivity of this Act and provide updates thereof to support the implementation of the  
18 spatial data infrastructure program.

19  
20 The spatial and non-spatial data generated by these activities shall be transmitted to the LGU  
21 as soon as practicable. Existing land information data available to the national government  
22 agencies as of the effectivity of this Act shall be immediately transmitted to the LGUs.

23  
24 For purposes of uniformity and standardization, the LGUs, assisted by the appropriate  
25 agencies of the national government, shall likewise prepare their respective maps using  
26 scales, symbols, and other indicators to be prescribed in accordance with this Act. The  
27 completed maps shall be integrated in the NPPF, pursuant to Section 51 of this Act.

28  
29 **SEC. 69. Maps for Planning.** – Within one (1) year after the NLUPC's approval of the  
30 Guidelines and Standards for planning at all levels, available NAMRIA maps and all maps  
31 made available to the NAMRIA by supporting agencies shall be submitted to the NLUPC  
32 for national, provincial, cities and municipalities planning. The NLUPC shall forward these  
33 maps to the respective PLUPMBs and C/MLUPMBs after it has reviewed and approved  
34 them.

35  
36 Pertinent maps to be produced through the NMSDIP shall include, among others:

- 37 a. Topographic maps;
- 38 b. Geologic maps;
- 39 c. Hydrologic maps;
- 40 d. Climate maps;
- 41 e. Soils maps;
- 42 f. Slope maps;
- 43 g. Mineral resource maps;
- 44 h. Existing land use maps;
- 45 i. Land suitability maps for:
  - 46 1. Settlements;
  - 47 2. Agriculture;
  - 48 3. Industrial areas; and
  - 49 4. Others;
- 50 j. Agricultural maps:
  - 51 1. Network of NPAAAD;
  - 52 2. Commodity specific development guide maps;
  - 53 3. Land limitation maps;
  - 54 4. Cropping system zones maps;

- 1           5. Hydro-ecological conditions maps; and
- 2           6. Irrigation systems maps;
- 3       k. Land classification maps;
- 4       l. Municipal waters delineation maps and MPAs;
- 5       m. Geo-hazards maps:
  - 6           1. Flood-prone areas;
  - 7           2. Hazard zonation maps for volcanoes;
  - 8           3. Map of fault systems;
  - 9           4. *Tsunami*-prone areas; and
  - 10          5. Erosion-prone areas;
- 11       n. Tourism maps;
- 12       o. Transportation maps;
- 13       p. Traffic flow;
- 14       q. Maps designating areas served by:
  - 15           1. Power;
  - 16           2. Telecommunications; and
  - 17           3. Water;
- 18       r. Maps indicating the following facilities:
  - 19           1. Health;
  - 20           2. Education; and
  - 21           3. Power;
- 22       s. Domestic water supply;
- 23       t. Industrial areas;
- 24       u. Population distribution map;
- 25       v. Ancestral domain map;
- 26       w. NIPAS areas;
- 27       x. Areas suitable for urban expansion;
- 28       y. Watershed areas; and
- 29       z. Forestlands:
  - 30           1. Protection areas;
  - 31           2. Production areas; and
  - 32           3. Restoration areas:
    - 33               i. Key biodiversity areas; and
    - 34               ii. Marine protected areas.
- 35

36 **SEC. 70. *Ground Delineation of the Country's Permanent Forest Line.*** – Pursuant to  
 37 the Constitution and hereby provided for under this Act, the final determination and ground  
 38 delineation of the country's permanent forest line shall be completed within one (1) year  
 39 from the effectivity of this Act: *Provided*, That appropriations for the fulfillment of this  
 40 provision shall be included in the annual appropriations of the DENR: *Provided, further*, That  
 41 the complete report of the delineation of the country's permanent forest line shall be  
 42 submitted to the NLUPC for appropriate integration in the country's strategic land use  
 43 development plan and policies.

44  
 45 **SEC. 71. *Completion and Updating of Existing Cadastral Surveys.*** – The completion  
 46 of incomplete cadastral surveys of LGUs and the updating of existing surveys shall be given  
 47 priority consideration and allocation of resources in the implementation of this Act. The  
 48 DENR shall include in its annual appropriations the completion and updating of all  
 49 incomplete and existing cadastral surveys of all LGUs in the country: *Provided*, That such  
 50 surveys and maps shall be integrated into the national spatial database information and  
 51 mapping system.

1 In cases of ancestral domains, self-delineation by ICCs/IPs of their ancestral lands shall be  
2 employed to determine boundaries as provided for under the IPRA.

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

- 10
- 11 a. Forestlands:
  - 12 1. Protection; and
  - 13 2. Production;
- 14 b. Ancestral domains;
- 15 c. NIPAS areas:
  - 16 1. Strict protection zone; and
  - 17 2. Multiple-use zone;
- 18 d. Watershed areas:
  - 19 1. Critical; and
  - 20 2. Multiple use;
- 21 e. Network of NPAAAD;
- 22 f. Socialized housing sites and settlement expansion areas;
- 23 g. Extents of environmentally-constrained areas;
- 24 h. Easement areas; and
- 25 i. Critical coastal areas:
  - 26 1. Mangroves; and
  - 27 2. Sea grass.
- 28

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

32  
33 All maps shall be updated as new important information and data become available or as  
34 determined by urgent need. Updating of maps shall be undertaken not more often than  
35 every ten (10) years.

36  
37 **SEC. 73. *National Geo-hazard Mapping Program.*** – Within thirty (30) days from the  
38 effectivity of this Act, a nationwide geo-hazard mapping program shall be initiated jointly  
39 through the NLUPC by the PHIVOLCS, the Philippine Atmospheric Geophysical and  
40 Astronomical Services Administration (PAGASA), the NAMRIA, the MGB, and the DOE,  
41 in coordination with the NDRRMC, the Regional Disaster Risk Reduction Management  
42 Councils, and other concerned government agencies. The program shall include the  
43 generation of indicative geo-hazard zoning maps that will outline areas in the Philippines  
44 which are prone to liquefaction, landslides, flooding, lahar, ground rupturing, *tsunami*, river  
45 erosion, coastal erosion, sinkhole collapse, earthquake, lava flow, pyroclastic flow, base  
46 surge, and other natural hazards.

47  
48 For purposes of uniformity and standardization and in order to develop a safe-built  
49 environment, the LGUs shall subsequently incorporate and integrate the generated geo-  
50 hazard zoning maps into their respective CLUPs and ZOs. Said geo-hazard maps shall serve  
51 as guide for all the LGUs in the preparation of their own hazards-constrained development  
52 plans. The NPPF shall incorporate these geo-hazard maps.

53  
54 All entities conducting infrastructure activities, including real estate and subdivision projects

1 and the development of tourist spots requiring an ECC, shall submit an Engineering  
2 Geological and Geo-hazard Assessment Report (EGGAR).

3  
4 **SEC. 74. *Scope and Nature of Responsibilities of Other National Government***  
5 ***Agencies.*** – All concerned national government agencies/bodies shall periodically report to  
6 the NLUPC on the various activities and accomplishments on land use. Likewise, they shall  
7 provide their respective sectoral/development plans and provide technical and  
8 administrative support if called upon by the NLUPC for the implementation of the  
9 provisions of this Act.

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

16  
17 **CHAPTER IX**  
18 **TRAINING, EDUCATION AND VALUES FORMATION**

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

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

32  
33 **CHAPTER X**  
34 **INCENTIVES, SANCTIONS AND PENALTIES**

35  
36 **ARTICLE 1. INCENTIVES AND AWARDS**

37  
38 **SEC. 78. *Formulation of a System of Incentives and Awards.*** – The NLUPC shall come  
39 up with a system of incentives and awards to LGUs that regularly update their CLUPs/ZOs  
40 once every eight (8) years.

41  
42 **SEC. 79. *Priority in Giving Technical Assistance to LGUs.*** – In providing technical  
43 assistance and other forms of support related to land use management and implementation  
44 of development plans, national government agencies shall give priority to cities and  
45 municipalities with approved CLUPs and ZOs.

46  
47 **ARTICLE 2. SANCTIONS AND PENALTIES**

48  
49 **SEC. 80. *Fine for Failure to Commence or Complete the Development of Agricultural***  
50 ***Lands with Approved Conversion Order.*** – For agricultural lands with approved  
51 conversion orders, the provisions of Republic Act No. 6657 (CARL), as amended by  
52 Republic Act No. 9700, shall apply. A landowner and/or the designated developer or duly  
53 authorized representative who fail to commence and/or complete the development plan



1 defined in the conversion order shall be jointly and severally penalized. The following fines  
2 based on the zonal value or the fair market value, whichever is higher of the land at the time  
3 the fine shall be imposed:  
4

- 5 a. Failure to commence within three (3) years from the date of the conversion order:  
6 1. Three percent (3%) for the first three (3) hectares;  
7 2. Ten percent (10%) for the next three (3) hectares; and  
8 3. Fifteen percent (15%) for the remaining area.  
9

10 In such case, the order of conversion shall be revoked by operation of law. The  
11 land shall revert to its original use as agricultural land and may be covered by the  
12 DAR through compulsory acquisition for distribution to qualified beneficiaries.  
13

- 14 b. Failure to complete sixty percent (60%) of the approved conversion plan within a  
15 specified time frame shall result to the automatic revocation by the DAR of the  
16 conversion plan on the undeveloped portion. The land shall be reverted to its  
17 original use as agricultural land and may be covered under the CARP for land  
18 distribution.  
19

20 **SEC. 81. *Persons Abetting Illegal Conversion.*** – Any person initiating, causing,  
21 inducing, or abetting illegal conversion with intent shall be punished with imprisonment or a  
22 fine in accordance with Act No. 3815 or Republic Act No. 3019, or both, at the discretion of  
23 the court.  
24

25 If the offender is a public official or employee, whether elected or appointed, the penalty  
26 shall also include dismissal from service, forfeiture of all benefits and entitlements accruing  
27 to the public position, and perpetual disqualification to run or apply for any elective or  
28 appointive public office.  
29

30 If the offender is a juridical person, the penalty of imprisonment shall be imposed on the  
31 president, chief executive officer, manager, chairperson and all the members of the board,  
32 and other responsible officers thereof. The imposable fine shall be equivalent to the zonal  
33 value of the land or forty percent (40%) of the shareholders equity, whichever is higher.  
34 Furthermore, the land shall be forfeited in favor of the State and sold through public  
35 auction. The proceeds of the sale shall automatically accrue to the Agrarian Reform Fund.  
36

37 **SEC. 82. *Penalty for Reclassification of Protected Agricultural Lands and Exceeding***  
38 ***the Limit of Areas Allowed for Reclassification.*** – Any person initiating, causing,  
39 inducing, or abetting the reclassification to nonagricultural uses of protected agricultural  
40 areas as defined in Section 13 hereof shall be penalized with imprisonment of twelve (12)  
41 years or a fine of not less than one hundred thousand pesos (P100,000.00), or both, at the  
42 discretion of the court.  
43

44 If the offender is a public official or employee, whether elected or appointed, the penalty  
45 shall also include dismissal from service, forfeiture of all benefits and entitlements accruing  
46 to the public position, and perpetual disqualification to run or apply for any elective or  
47 appointive public office.  
48

49 If the offender is a juridical person, the penalty shall be imposed on the president, chief  
50 executive officer, manager, chairperson and all the members of the board, and other  
51 responsible officers thereof.  
52

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

4  
5 **SEC. 83. *Payment of Disturbance Compensation.*** – Following the order of priority  
6 stated in Section 22 of Republic Act No. 6657, as amended by Republic Act No. 9700,  
7 agricultural lessees and share tenants, regular farm workers, seasonal farm workers, other  
8 farm workers, actual tillers or occupants of public lands, collective, or cooperative of the  
9 above beneficiaries, and others directly working on the land affected by agricultural land use  
10 conversion, shall be entitled to the payment of disturbance compensation equivalent to five  
11 (5) times the average of the gross harvests on the landholding during the preceding five (5)  
12 calendar years or a certain percentage of the converted land, whichever is higher, as  
13 determined by the DAR.

14  
15 **SEC. 84. *Authority to Impose Fines.*** – The DAR shall have the authority to impose the  
16 penalty provided under the preceding sections.

17  
18 **SEC. 85. *Withdrawal of Local Development Permits and/or Licenses.*** – Upon receipt  
19 of notice from the DAR, the concerned agencies, city or municipality shall withdraw and/or  
20 revoke any development permit and/or other licenses that may be necessary to develop the  
21 agricultural land subject of conversion.

22  
23 **SEC. 86. *Utilization of Fines.*** – The fines collected under Section 84 hereof shall  
24 automatically accrue to the Agrarian Reform Fund consistent with the provision of the  
25 CARL.

26  
27 **SEC. 87. *Failure to Formulate, Implement and/or Enforce the CLUPs and ZOs.*** –  
28 Consistent with due process, the NLUPC, in coordination with the DILG, shall evaluate,  
29 review, and recommend the filing of charges against local chief executives and other local  
30 officials and employees responsible for the formulation, implementation and/or  
31 enforcement of the CLUPs in the following cases:

- 32 a. Failure of the CLUPs/ZOs to conform to the guidelines provided in the NPPF;
- 33 b. Failure to complete the preparation of the CLUP despite the availability of funds,  
34 resources, and support by the sanggunian concerned;
- 35 c. Failure to provide appropriate budgetary allocation to effect its implementation; and
- 36 d. Failure to implement and enforce the CLUP/ZO due to negligence of duty.

37  
38 Any public official or employee, whether elected, appointed or holding office/employment  
39 in a casual, temporary, holdover, permanent, or regular capacity, found to be responsible for  
40 any of the foregoing acts, shall be punished with forfeiture of salaries and allowances, and  
41 suspension from:

- 42 a. Three (3) to six (6) months, in case of noncompletion of the CLUP; or
- 43 b. Three (3) to six (6) months, in case of nonconformity with the NPPF; or
- 44 c. Six (6) to nine (9) months, in case of nonimplementation of the CLUP.

45  
46 Failure to comply with the provisions of the IPRA on the formulation of the CLUP shall be  
47 penalized according to Section 72 of the IPRA.

48  
49 **SEC. 88. *Illegal Conversion of City or Municipal Parks, Communal Forests, and Tree***  
50 ***Parks in Subdivisions.*** – Penalties in the amount of one hundred thousand pesos  
51 (P100,000.00) to five hundred thousand pesos (P500,000.00) or imprisonment of six (6)  
52 years and one (1) day to twelve (12) years, or both, at the discretion of the court shall be  
53 imposed for each of the following offenses:  
54

- 1 a. Illegally converting or causing the conversion of a city/municipal park, communal  
2 forests, or tree parks within subdivisions established pursuant to Presidential Decree  
3 No. 953 requiring the planting of trees in certain places into other uses, including the  
4 construction of permanent buildings;  
5 b. Destroying or causing damage to the timberlands and other forest products found in  
6 the abovementioned forest and parks;  
7 c. Setting the abovementioned forests and parks on fire, or negligently permitting a fire  
8 to be set therein; and  
9 d. Assisting, aiding or abetting another person to commit the offenses stated in this  
10 section.

11  
12 The offender shall likewise be imposed a fine equivalent to eight (8) times the commercial  
13 value of the forest products destroyed without prejudice to payment of the full cost of  
14 rehabilitation of the areas, as determined by the DENR.

15  
16 The maximum penalty prescribed shall be imposed upon the offender who repeats the same  
17 offense, and double the maximum penalty upon the offender who commits the same offense  
18 for the third time or more.

19  
20 All improvements made therein, as well as all vehicles, domestic animals, and equipment of  
21 any kind used in the commission of the offense shall be forfeited in favor of the  
22 government.

23  
24 If not suitable for use by the DENR, said improvements, vehicles, domestic animals and  
25 equipment shall be sold at public auction and the proceeds from which shall accrue to the  
26 Forest Conservation and Development Fund (FCDF).

27  
28 **CHAPTER XI**  
29 **TRANSITORY AND FINAL PROVISIONS**

30  
31 **SEC. 89. *Mandatory Review Every Ten (10) Years.*** – The Congress shall undertake a  
32 mandatory review of this Act at least once every ten (10) years from its effectivity or as often  
33 as it may be deemed necessary to ensure that land use policies and guidelines remain  
34 responsive to changing circumstances.

35  
36 For this purpose, the Congress may call on to the NLUPC to undertake the necessary  
37 researches and consultations.

38  
39 **SEC. 90. *Convening of the NLUPC.*** – Within thirty (30) days from the effectivity of this  
40 Act, the Chairperson shall convene the NLUPC. The Head of the NLUPC Secretariat shall  
41 immediately assume his/her position.

42  
43 **SEC. 91. *Implementing Rules and Regulations.*** – Within ninety (90) days from the  
44 effectivity of this Act, the NLUPC shall promulgate its implementing rules and regulations  
45 (IRR) including the rules on the selection of the members of the C/MLUPMB and the  
46 PLUPMB. It shall take effect fifteen (15) days after its complete publication in the *Official*  
47 *Gazette* or in at least two (2) newspapers of national circulation.

48  
49 **SEC. 92. *Congressional Oversight Committee on the Land Use Act.*** – A Congressional  
50 Oversight Committee on the Land Use Act shall be created. It shall be composed of seven  
51 (7) members from the Senate and seven (7) members from the House of Representatives.  
52 The members from the Senate shall be appointed by the Senate President based on  
53 proportional representation of the parties or coalitions therein, with at least two (2) Senators

1 representing the minority. The members from the House of Representatives shall be  
2 appointed by the Speaker of the House of Representatives, also based on proportional  
3 representation of the parties or coalitions therein, with at least two (2) members representing  
4 the minority.

5  
6 The Oversight Committee shall function for a period of not more than three (3) years to  
7 oversee the implementation of this Act. The secretariat of the Oversight Committee shall be  
8 drawn from the existing secretariat personnel of the committees comprising the oversight.

9  
10 **SEC. 93. *Transfer of Powers and Functions.*** – The functions of the HLURB on land use  
11 planning as provided for under Sections 5(a), 5(b), 5(c), 5(d), 5(e), and 5(f) of Executive  
12 Order No. 648, series of 1991 and Executive Order No. 72, series of 1993, shall be  
13 immediately transferred to the NLUPC and its appropriate subnational LGU structures,  
14 except as provided in Section 55 hereof. Nothing in this Act shall be construed to transfer or  
15 limit the functions embraced within the said provisions that pertain to or relate to HLURB  
16 nonplanning functions.

17  
18 **SEC. 94. *Appropriations.*** – The amount needed for the initial implementation of this Act  
19 shall be charged against the current year's appropriations of the NB-NLUC. Thereafter, such  
20 sums as may be necessary for the continued implementation of this Act shall be included in  
21 the annual General Appropriations Act.

22  
23 **SEC. 95. *Review of Existing Land Use Plans.*** – Provinces, cities, and municipalities with  
24 existing land use plans shall review, revise, reconcile, and harmonize the same with the  
25 guidelines and standards issued by the NLUPC within one (1) year from the effectivity of  
26 this Act.

27  
28 **SEC. 96. *Access to Information.*** – Access to records and documents pertaining to official  
29 acts, transactions, or decisions as well as to data used as basis for policy development by the  
30 NLUPC shall be made available to the public.

31  
32 **SEC. 97. *Repealing Clause.*** – Section 10 of the AFMA and Sections 447 (a2vii) and 458  
33 (a2viii) of the Local Government Code and their related laws and administrative issuances  
34 are hereby modified by Section 13 hereof. The pertinent provisions of Executive Order No.  
35 648, Executive Order No. 72, series of 1993 and Executive Order No. 770, series of 2008,  
36 amending Letter of Instruction (LOI) No. 1350, are also modified accordingly. Section 11 of  
37 the AFMA as to the penalty for agricultural inactivity and premature conversion is also  
38 modified by Section 83 hereof. LOI No. 1350, series of 1983; Presidential Proclamation No.  
39 2282, series of 1983; and all other general and special laws, acts, decrees, executive orders,  
40 proclamations and administrative regulations or any part thereof which are inconsistent with  
41 this Act are hereby repealed or modified accordingly.

42  
43 All republic acts, executive orders, rules and regulations, and other issuances or parts thereof  
44 that are inconsistent with the provisions of this Act are hereby repealed or amended  
45 accordingly.

46  
47 **SEC. 98. *Non-impairment Clause.*** – Nothing in this Act shall be construed as to diminish  
48 or, impair rights recognized, granted, or available to marginalized or the basic sectors under  
49 existing laws including, but not limited to, Republic Acts Numbered 7279; 6657, as amended  
50 by Republic Act No. 9700; 8371; 8550; and 7942.

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

4  
5 **SEC. 100. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in  
6 the *Official Gazette* or in at least two (2) national newspapers of general circulation.  
7

8 Approved,