

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2134



Introduced by Rep. Precious Hipolito Castelo

EXPLANATORY NOTE

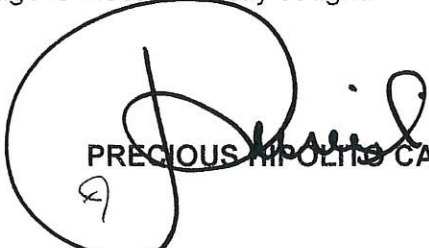
Perhaps, the overarching provisions in the Constitution supportive of this proposed bill are Section 9 and 10 of Article XIII which states that:

“Sec. 9 The State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas xxx”

This is consistent with the broader social justice and human rights provisions of the fundamental law.

Against this constitutional backdrop alone, there ought to be a continuing espousal of legislative measures designed to address the problem of housing for the underprivileged if not for the homeless whose number or population has swelled through the years making the problem a constant menu in the country's development agenda.

Thus, consistent with a rationalized land use plan, housing for the underprivileged could beset aside from government-owned lands for homeless Filipinos. It has become a near matter of expediency therefore that this bill's passage is most earnestly sought.


PRECIOUS HIPOLITO CASTELO

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AN ACT

MANDATING THAT AT LEAST TEN PERCENT (10%) OF GOVERNMENT-OWNED LANDS TO BE SOLD, ALIENATED OR OTHERWISE ENCUMBERED FOR DEVELOPMENT PURPOSES, BE SEGREGATED FOR SOCIALIZED HOUSING PROJECTS

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

SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of the State to ensure that sufficient land housing purposes are maintained and to improve the capability of local government units in undertaking urban development and housing programs and projects.

SEC. 2. *Sale, Alienation or Encumbrance of Government-Owned Land.* – Whenever government-owned land, whether owned by the National Government or any of its instrumentalities, agencies, including government-owned or controlled corporations and local government units, is sold, alienated or otherwise encumbered in favour of private individuals or entities for its development into industrial, commercial or other similar estates, there shall be set aside at least ten percent (10%) of such land or at least ten percent (10%) of the proceeds thereof for the development of socialized housing projects in the affected area or locality.

SEC. 3. *Delivery/Remittance of Segregated Lands or Funds.* – The segregated land or fund mentioned in Section 2 hereof shall be delivered/remitted in the following manner:

- A. For lands owned by the National Government or any of its instrumentalities, agencies, including government-owned or controlled corporations – the segregated land or fund shall be delivered/remitted to the National Housing Authority who shall be directly responsible for the development of socialized housing projects in the affected area or locality.
- B. For lands owned by local government units – the segregated land or fund shall be retained by the local government unit concerned to be utilized exclusively for its socialized housing projects.

SEC. 4. *Utilization of Segregated Lands or Funds.* – The National Housing Authority (NHA), being the primary government in charge of providing housing for the underprivileged and homeless, or in case of land owned by local government units, the local government unit concerned, shall undertake the development of socialized housing projects within or adjacent to the affected areas in accordance with the local development plan of the affected area or locality. For this purpose, the NHA and local government unit concerned are hereby

authorized to enter into venture agreements or other similar arrangements with private developers.

In both cases, the NHA and the local government unit concerned shall coordinate with each other in the development of socialized housing projects in the affected area of locality.

SEC. 5. *Incentives for Private Developers.* – To encourage private sector participation in the socialized housing projects described in Section 2 hereof, the incentives provided in Section 20 of Republic Act No. 7279 shall likewise be extended to participating private developers.

SEC. 6. *Implementing Rules and Regulations.* – Within six (6) months after the effectivity of this Act, the Housing and Urban Development Coordinating Council (HUDCC) is hereby directed to promulgate the necessary rules and regulations to effectively implement the provisions of this Act. In drafting the implementing rules and regulations, the HUDCC shall take into consideration the National Urban Development and Housing Framework described in R.A. 7279.

SEC. 7. *Separability Clause.* – If any part or provision of this Act is declared invalid for any reason, the remainder of this Act not affected thereby shall remain valid and effective.

SEC. 8. *Repealing Clause.* – All laws, decrees, Executive Orders, Letters of Instruction, Rules and Regulations or parts thereof inconsistent with any provision of this Act are hereby repealed, modified, and superseded or amended accordingly.

SEC. 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,