Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila  

EIGHTEENTH (18th) CONGRESS  
1st Regular Session  

HOUSE BILL NO. 3029  

Introduced by Hon. WILTER "SHARKY" WEE PALMA II  

EXPLANATORY NOTE  

Growth in the agricultural sector has been often coined as an effective measure that is utilized for poverty reduction. In fact, proper food security initiatives increase the ability of countries to develop their agricultural sectors and protect the overall health of one’s economy. With this, successful food security programmes would not only be able to give aid toward rural populations but also would result to ample opportunities to market their goods for the purposes of improving their quality of life.  

In the case of the Philippines, Republic Act No. 6657 otherwise known as the Comprehensive Agrarian Reform Law of 1988 is a prime example of legislation that aims to address food and security. Under the said Act, farmers are expected to own land which they would then utilize not only as a mean to provide food for their families but also their fellow citizens. However, the same law allows for the conversion of agricultural land should the land cease to be serve its purpose, or in some cases those lands are converted into residential, commercial, and industrial sites.  

As a result, agricultural lands as well as irrigated and irrigable lands have been greatly affected by such conversions. This then results to lower productivity and in extreme cases landlessness for our farmers. An absolute threat to food security.
In light of this, this bill aims to protect and maintain the prime agricultural lands together with irrigated and irrigable lands aiming to address our country's concerns on food security and the protection of our farmers.

In view of the foregoing, the approval of this bill is earnestly sought.

ATTY. WILTER "SHARKY" WEE PALMA II
1st District, Zamboanga Slbugay
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

EIGHTEENTH (18th) CONGRESS
First Regular Session

HOUSE BILL NO. 3029

Introducing By HON. WILTER "SHARKY" WEE PALMA II

AN ACT

PENALIZING THE CONVERSION OR CAUSING THE CONVERSION
OF IRRIGATED AND IRRIGABLE LANDS, AMENDING FOR THE PURPOSE REPUBLIC
ACT NO. 6657, AS AMENDED, OTHERWISE KNOWN AS THE COMPREHENSIVE
AGRARIAN REFORM LAW OF 1998

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

SECTION 1. Section 73 of Republic Act No. 6657, as amended, is hereby
further amended to read as follows:

"SEC 73. Prohibited Acts and Omissions. - The following are
prohibited:

"x x x

"(i) The undue delay in the compliance with the obligation to certify
or attest and/or falsification of the certification or attestation as required
under Section 7 of Republic Act No. 6657, as amended; [and]"
“(J) THE ACTUAL PHYSICAL OR LEGAL CONVERSION OR CAUSING
THE PHYSICAL OR LEGAL CONVERSION OF IRRIGATED AND IRRIGABLE
LANDS BY:

“(1) ANY PERSON WHO DIRECTLY AND INDIRECTLY
PARTicipates in the conversion of irrigated and irrigable
land;

“(2) ANY PERSON WHO DIRECTLY OR INDIRECTLY INDUCES
THE LANDOWNER OR FARMWORKER IN THE CONVERSION OF
IRRIGATED AND IRRIGABLE LAND;

“(3) ANY PERSON WHO APPLIES FOR AND FACILITATES THE
APPLICATION FOR CONVERSION;

“(4) ANY PERSON WHO FACILITATES THE APPLICATION AND
ISSUANCE OF CLEARANCES AND OTHER DOCUMENTS NECESSARY
FOR CONVERSION;

“(5) ANY PERSON WHO APPROVES AND CAUSE FOR THE
APPROVAL OF THE APPLICATION FOR CONVERSION; AND

“(6) ANY PERSON WHO DIRECTLY AND INDIRECTLY
BENEFITTED FROM THE CONVERSION.

“FOR THE PURPOSES OF THIS SECTION, IRRIGATED LANDS REFER TO
LANDS SERVICED BY NATURAL IRRIGATION OR IRRIGATION FACILITIES, AS
delineated by the department of agriculture or the national
irrigation administration, which include lands where water is
not readily available as existing irrigation facilities need
rehabilitation or upgrading, or where irrigation water is not
available year-round.

“Irrigable lands refer to lands suitable for the conduct
of agricultural activities which require irrigation and display
physical features justifying the operation of an irrigation
SYSTEM, AND WHICH POSSESS AT LEAST ONE OF THE FOLLOWING QUALITIES:

“(I) PHYSICAL FEATURES WHICH SHOW AN INHERENT POTENTIAL FOR THE DEVELOPMENT OF AN IRRIGATION SYSTEM, SUCH AS SOIL DEPTH, SOIL TEXTURE, FIELD TERRAIN, SLOPE, AND OTHER RELEVANT CHARACTERISTICS;

“(II) POTENTIAL FOR A QUALITY WATER SUPPLY WHICH MAY BE SOURCED THROUGH A DISTRIBUTION SYSTEM;

“(III) PART OF A SERVICEABLE AREA WHICH IS WITHIN AN ACTUAL AND FUNDED IRRIGATION SYSTEM, OR WHICH MAY BE SERVICED WITH EXISTING AND OPERATING IRRIGATION FACILITIES;

“(IV) SITUATED WITHIN AN AREA WHERE THE APPROVED OR ADOPTED LAND USE PLAN BY THE CONCERNED LOCAL GOVERNMENT UNIT FOR SURROUNDING OR CONTIGUOUS LANDHOLDINGS WHICH ALLOWS THE CONDUCT OF AGRICULTURAL ACTIVITIES; AND

“(V) PRESENCE OF AFFECTED QUALIFIED FARMER-BENEFICIARIES, TENANTS OR LESSEES WILLING TO TILL THE LAND AND RAISE CROPS THEREIN; AND

“[(j) (K) Any other culpable neglect or wilful violations of the provisions of this Act.

"x x x."

SEC. 2. Section 74 of Republic Act No. 6657, as amended, is hereby further amended to read as follows:

“SEC. 74. Penalties. – Any person who knowingly or wilfully violates the provisions of this Act shall be punished by imprisonment of not less
than one (1) month to not more than three (3) years or a fine of not less
than one thousand pesos (P1,000.00) and not more than Fifteen thousand
pesos (P15,000.00), or both, at the discretion of the court: Provided, That
the following corresponding penalties shall be imposed for the specific
violations hereunder:

"x x x

"(b) Imprisonment of six (6) years and one (1) day to twelve (12)
years or a fine of not less than Two hundred thousand pesos (P200,000.00)
and not more than One million pesos (P1,000,000.00), or both, at the
discretion of the court upon any person who violates Section 73,
 subparagraphs (c), 9d), (e), [and] (i), AND (J) of Republic Act No. 6657, as
amended.

"x x x

"IF THE OFFENDER IS A PUBLIC OFFICER, THE OFFENDER SHALL
SUFFER THE ADDITIONAL PENALTIES OF REMOVAL FROM OFFICE AND
PERPETUAL, ABSOLUTE DISQUALIFICATION TO HOLD PUBLIC OFFICE."

SEC. 3. All laws, acts, decrees, executive orders, issuances, and rules and
regulations or parts thereof which are contrary to and inconsistent with this Act
are hereby repealed, amended, or modified accordingly.

SEC. 4. This Act shall take effect fifteen (15) days following its publication in
the Official Gazette or in any newspaper of general circulation.

Approved,