Mr. Speaker:

The Committee on Agrarian Reform to which was referred House Bill No. 3029 introduced by Representative Wilter “Sharky” Wee Palma, entitled:

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 1988

has considered the same and recommends its approval without amendment, with Representatives Wilter “Sharky” Wee Palma II, Solomon Chungalao and Tyrone D. Agabas as authors thereof.

Respectfully submitted:

SOLOMON R. CHUNGALAO
Chairperson
Committee on Agrarian Reform

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY
Republic of the Philippines
HOUS E 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 Sibugay
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

18th CONGRESS
First Regular Session

HOUSE BILL NO. 3029*

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

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

3   "SEC 73. Prohibited Acts and Omissions. — The following are
4   prohibited:

5   "x x x

6   "(i) The undue delay in the compliance with the obligation to certify
7   or attest and/or falsification of the certification or attestation as required
8   under Section 7 of Republic Act No. 6657, as amended; [and]

9   "(J) THE ACTUAL PHYSICAL OR LEGAL CONVERSION OR CAUSING
10  THE PHYSICAL OR LEGAL CONVERSION OF IRRIGATED AND IRRIGABLE
11  LANDS BY:

12  "(1) ANY PERSON WHO DIRECTLY AND INDIRECTLY
13  PARTICIPATES IN THE CONVERSION OF IRRIGATED AND IRRIGABLE
14  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 IS
BENEFITTED FROM THE CONVERSION.

"FOR THE PURPOSE 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 UPGRA딩, 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
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) IS SITUATED WITHIN AN AREA WHERE THE APPROVED OR
ADOPTED LAND USE PLAN BY THE CONCERNED LOCAL GOVERNMENT
UNIT FOR SURROUNDING OR CONTIGUOUS LANDHOLDINGS ALLOWS
THE CONDUCT OF AGRICULTURAL ACTIVITIES; AND

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

"[(j)][(k) Any other culpable neglect or willful 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 willfully 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:

"xxx

"(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), (d), (e), [and] (i), AND (J) of Republic Act No.
6657, as amended.

"xxx

"IF THE OFFENDER IS A PUBLIC OFFICER, THE OFFENDER SHALL
SUDDER 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 85 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,
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FACT SHEET

House Bill No. 3029


Introduced by: Representative Wilter “Sharky” Wee Palma II

Committee Referral: Committee on Agrarian Reform
Committee Chairperson: Rep. Solomon R. Chungalao

OBJECTIVES:

• To preserve irrigated and irrigable lands for agrarian reform and food security purposes.
• To officially include the act of converting or causing the conversion of irrigated and irrigable lands among the prohibited acts prescribed in Republic Act No. 6657, as amended, and prescribe the corresponding penalties therefor.

KEY PROVISIONS:

• Amends Section 73 of RA 6657, by enumerating specific prohibited acts that constitute the conversion or causing the conversion of irrigated or irrigable lands.
• Defines “irrigated land” and “irrigable land”.
• Prescribes additional penalties of removal from office and perpetual absolute disqualification to hold public office if the offender is a public officer.

RELATED LAWS:

• R.A. No. 9700: The Comprehensive Agrarian Reform Program Extension with Reforms [07 August 2009]