



HOUSE OF REPRESENTATIVES

H. No. 159

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BY REPRESENTATIVES BELMONTE (J.C.), ROMUALDO, PADUANO, REVILLA, DIMAPORO (A.), CASTELO, ABU, ABELLANOSA, CHIPECO, FORTUN, BANAL, RELAMPAGOS, PANOTES, BENITEZ, BERTIZ, DE VERA, UNGAB, RAMOS, PANCHO, QUIMBO, NOGRALES (J.J.), ALEJANO, GARBIN, PALMA, CORTUNA, LACSON, SARMIENTO (C.), SAVELLANO, ROMERO, BATOCABE, TEVES, NAVA, ROQUE (H.), SALO, EVARDONE, VILLARIN, RADAZA, LOPEZ (M.L.), SARMIENTO (E.M.), PRIMICIAS-AGABAS AND DALIPE

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AN ACT STRENGTHENING THE RIGHT OF GOVERNMENT TO EXPROPRIATE LANDS FOR SOCIALIZED HOUSING, AMENDING FOR THE PURPOSE SECTIONS 9, 10, AND 11 OF REPUBLIC ACT NO. 7279, OTHERWISE KNOWN AS THE "URBAN DEVELOPMENT AND HOUSING ACT OF 1992"

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

1 SECTION 1. Sections 9, 10, and 11 of Republic Act No. 7279  
2 are hereby amended to read as follows:

3 "SEC. 9. [Priorities in the] Acquisition of Land FOR  
4 SOCIALIZED HOUSING. - [Lands for socialized housing  
5 shall be acquired in the following order] THE

1 FOLLOWING LANDS MAY BE ACQUIRED FOR SOCIALIZED  
2 HOUSING:

3 "(a) Those owned by the Government or any of its  
4 subdivisions, instrumentalities, or agencies, including  
5 government-owned or -controlled corporations and their  
6 subsidiaries;

7 "(b) Alienable lands of the public domain;

8 "(c) Unregistered or abandoned and idle lands;

9 "(d) Those within the declared Areas for Priority  
10 Development, Zonal Improvement Program sites, and  
11 Slum Improvement and Resettlement Program sites  
12 which have not yet been acquired;

13 "(e) Bagong Lipunan Improvement of Sites and  
14 Services or BLISS sites which have not yet been  
15 acquired; and

16 "(f) Privately-owned lands.

17 "[Where on-site development is found more  
18 practicable and advantageous to the beneficiaries, the  
19 priorities mentioned in this section shall not apply. The  
20 local government units shall give budgetary priority to  
21 on-site development of government lands.]

22 "THE POWER TO IDENTIFY AND TO PRIORITIZE THE  
23 PARTICULAR AREA TO BE ACQUIRED SHALL BE WITH  
24 THE LOCAL GOVERNMENT UNIT OR THE PROPER  
25 AGENCY ACQUIRING LAND FOR SOCIALIZED HOUSING.  
26 FOR THIS PURPOSE, THE ENUMERATION IN THIS

1 SECTION SHALL NOT, IN ANY WAY, BE INTERPRETED AS  
2 SETTING AN ORDER OF PRIORITY."

3 "SEC. 10. *Modes of Land Acquisition.* - The modes  
4 of acquiring lands for purposes of this Act shall include,  
5 among others, community mortgage, land swapping,  
6 land assembly or consolidation, land banking, donation  
7 to the Government, joint-venture agreement, negotiated  
8 purchase, and expropriation: *Provided, [however, That*  
9 *expropriation shall be resorted to only when other*  
10 *modes of acquisition have been exhausted: Provided,*  
11 *further,]* That where expropriation is resorted to,  
12 parcels of land owned by small property owners shall be  
13 exempted for purposes of this Act: *Provided, [finally]*  
14 *FURTHER,* That abandoned property, as herein defined,  
15 shall be reverted and escheated to the State in a  
16 proceeding analogous to the procedure laid down in  
17 Rule 91 of the Rules of Court.

18 "For the purpose of socialized housing, government-  
19 owned and foreclosed properties shall be acquired by  
20 local government units, or by the National Housing  
21 Authority primarily through negotiated purchase:  
22 *Provided,* That qualified beneficiaries who are actual  
23 occupants of the land shall be given the right of first  
24 refusal.

25 "SEC. 11. *Expropriation of Idle Lands.* - All idle  
26 lands in urban and urbanizable areas, as defined and  
27 identified in accordance with this Act, shall be

1 expropriated and shall form part of the public domain.  
2 These lands shall be disposed of or utilized by the  
3 Government for such purposes that conform with their  
4 land use plans. Expropriation proceedings shall be  
5 instituted if, after the lapse of one (1) year following  
6 receipt of notice of acquisition, the owner fails to  
7 introduce improvements as defined in Section 3(f)  
8 hereof, except in the case of *force majeure* and other  
9 fortuitous events. Exempted from this provision,  
10 however, are residential lands owned by small property  
11 owners [or those the ownership of which is subject of a  
12 pending litigation]."

13 SEC. 2. *Repealing Clause.* - All laws, decrees, executive  
14 orders, proclamations, rules and regulations or any part thereof  
15 which are inconsistent with this Act are hereby repealed or modified  
16 accordingly.

17 SEC. 3. *Effectivity.* - This Act shall take effect fifteen (15)  
18 days after its publication in the *Official Gazette* or in a newspaper of  
19 national circulation.

Approved,

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