

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 4304

Introduced by **HON. ROZZANO RUFINO B. BIAZON**

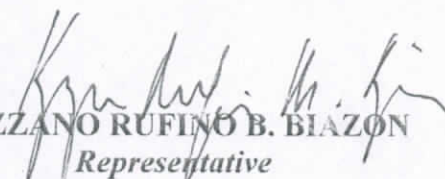
EXPLANATORY NOTE

This bill seeks to declare certain areas of the public domain that are undeveloped or unutilized, including all islands and islets within the national territory, as strategic for the security and development of the country.

Defense and security of the national territory are primary concerns of any independent country. Here in the Philippines, it is enshrined in no less than our Constitution. In this regard, there are certain areas of the public domain that are considered strategic and vital to the country's security and development. These areas are deemed important due to their geographic location, land area and accessibility.

This proposed measure grants the Department of National Defense (DND) the authority and control over such areas to ensure their proper development and utilization specially in tactical operations for the protection and safety of the nation. These areas cannot be readily and arbitrarily developed by anyone for any purpose, or disposed of, without first obtaining the proper clearance from the DND. As the primary agency entrusted with the defense and security of the nation, the DND is in the best position to identify and classify such areas.

For the reasons cited above, immediate approval of this bill is earnestly sought.


ROZZANO RUFINO B. BIAZON
Representative
Lone District, Muntinlupa City

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AN ACT
AUTHORIZING THE DEPARTMENT OF NATIONAL DEFENSE TO DECLARE
CERTAIN AREAS OF THE PUBLIC DOMAIN AS STRATEGIC FOR THE
SECURITY AND DEVELOPMENT OF THE COUNTRY

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Strategic Areas for Security and Development Act*”.

Sec. 2. *Declaration of Policy.* It is hereby declared the policy of the State to ensure that the sovereignty and territorial integrity of the nation is protected at all times. The State shall reserve the country's strategic defense positions and ensure that such areas are developed and utilized accordingly.

Sec. 3. *Scope of Application.* – The provisions of this Act shall be enforceable in certain areas of the public domain that are undeveloped or unutilized, including all islands and islets within the national territory.

Sec. 4. *Role of the Department of National Defense.* – The Department of National Defense (DND) shall be vested with the authority to declare areas provided in the immediately preceding section as strategic for the security and development of the country.

Sec. 5. *Issuance of Clearance.* – Any agency or entity with plans for the development of areas declared as strategic for the security and development of the country shall first seek the approval and corresponding clearance from the Department of National Defense prior to the commencement of any work or improvement.

Sec. 6. *Authority of the Secretary to Issue Clearance.* – The Secretary of National Defense or the duly authorized representative after due deliberation, shall issue the clearance required in the immediately preceding section with corresponding period of validity, whenever appropriate. These clearances may be renewed subject to the guidelines issued by the DND.

Sec. 7. *Implementing Rules and Regulations.* – The DND shall draft the corresponding rules and regulations for the proper implementation of this Act within six (6) months from its effectivity.

Sec. 8. *Separability Clause.* – Should any part of this Act be declared unconstitutional, the rest of the provisions of this Act shall continue to be in effect and subsisting.

Sec. 9. *Repealing Clause.* – The provisions of other laws, decrees, executive orders, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

Sec. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,