

Comments on the Draft Consolidated Bill on the National Land Use Policy Act¹
Philippine Institute for Development Studies
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A. Main Comments:

1. In Page 67, lines 8-10, Section 74. Repealing Clause states that “All republic acts, executive orders, rules and regulations, and other issuances, or parts thereof, that are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.” Wouldn’t it be better if inconsistent provisions are identified first and then meticulously studied before this bill is considered to become law?
2. In light of the earlier comment, the Local Government Code (LGC), for instance, generally provides for the management of local resources. In case of inconsistency, which should take precedence in local management then, the LGC or this proposed law? Why?
3. In Page 27 line 7, it is stated that protection land use category as defined in Section 14 shall prevail over existing production land use category and that the State shall undertake the necessary action in changing the classification of these production areas. This indeed requires political will. What are the necessary actions?
4. In Page 33 onwards, lines 19 onwards, Chapter V, Section 15 provided for the creation of a National Land Use Commission (NLUC). There are some agencies currently mandated partly to implement land use and management laws which may be abolished in favour of this commission. Has there been a thorough study which shows that the NLUC will be a significant improvement, particularly in terms of efficiency and effectiveness in government service delivery?
5. In Page 33 onwards, lines 19 onwards, Chapter V, Section 15. If NLUC is to be created under the bill, should be given teeth and executive powers (in contrast to just being a coordinating body). Land use issues are messy and would require the central policy body commensurate authority if it will be given the extra task of conflict resolution. Chapter XII on incentives, sanctions and penalties is important to this.
6. Land use plans in the Philippines are said to be difficult to implement because of realities on the ground, i.e., usage of land resources significantly does not follow land classification. Yes, the proposed bill has little to explain how land use plans can be implemented when inappropriate land usage cannot be reversed due to political and related considerations. Is there something in the planning framework (page 25 onwards, lines 25 onwards, Chapter IV) that considers this issue? Does the government really have the will power to expel illegal settlers and unwanted resources users according to plan?
7. Despite the government’s good intentions and the existence of laws on land conversion land conversion continues unabated. The proposed bill seems to offer only generalities (e.g. Section 34) but little specifics on how to address this problem. Would land conversion be significantly reduced with the NLUC? How?
8. In page 26 line 11: Section 11 gives way to the adoption of “multiple uses of land resources”. This could be prone to abuse. The process of land classification becomes highly critical and should be insulated from undue influence.

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9. In Pages 46 to 47, Lines 13 onwards. A national land use mapping program and a national multi hazard mapping program are vital and should be prioritized in terms of funding and implementation.

B. Some typographical and similar suggestions:

- P3L6, delete “and” at the end of the line.

-P3L9, replace “.” with “;”

-P3L12, replace “.” with “; and”

-P10L22, IPRA was already defined earlier thus acronym here is enough. Please aware of this error throughout.

-P15L15, use “shall refer” instead of “refer”

-P22L3-4 and L15, Is lowercase “that” or capital “That” after “however” the right usage? Please be consistent throughout.

-P22L22, CLUP was already defined earlier.

-P23L24, “Sanggunian” may be capitalized. Please be aware of this throughout.

-P25L13, CLUP was already defined earlier.

-P26L19, definition of Civil Society Organizations may be included in Chapter II.

-P28L16 and onwards – The definitions provided may be included in Chapter II instead.

-P33L21, CLUP was already defined earlier.

-P46L15, Is NAMRIA defined earlier? Please be aware of this throughout.

-P47L2, ITC was defined earlier.

-P47L16, Was PHIVOLCS defined earlier?

-P48L21, Was CARP defined earlier?

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