

# MALACAÑANG

Manila

## EXECUTIVE ORDER NO. 124

### ESTABLISHING PRIORITIES AND PROCEDURES IN EVALUATING AREAS PROPOSED FOR LAND CONVERSION IN REGIONAL AGRI-INDUSTRIAL CENTERS/REGIONAL INDUSTRIAL CENTERS, TOURISM DEVELOPMENT AREAS AND SITES FOR SOCIALIZED HOUSING

**WHEREAS**, EO 129-A and RA 6657 or the Comprehensive Agrarian Reform Law empower the Department of Agrarian Reform (DAR) to approve or disapprove land use conversion;

**WHEREAS**, RA 7160 or the Local Government Code of 1991 empowers cities and municipalities to reclassify agricultural lands to non-agricultural uses and formulate their comprehensive land use plans;

**WHEREAS**, RA 7279 of the Urban Development and Housing Act of 1992 mandates the various local government units to identify sites for socialized housing and their integration into Comprehensive Land Use Plans and Zoning Ordinances of their respective cities or municipalities;

**WHEREAS**, Administrative Order 20 or Interim Guidelines on Agricultural Land Use Conversion (Series 1992) provides that all irrigated and economically irrigable lands covered by irrigation projects with firm funding commitments shall be non-negotiable for conversion;

**WHEREAS**, the Medium Term Philippine Development Plan (MTPDP), 1993-1998, identifies major industrial and tourism development programs that would promote development in the different regions of the country;

**WHEREAS**, LOI 1350 Providing for the Institutional Framework for National Physical Planning mandates the creation of the National Land Use Committee to serve as the coordinative mechanism for land use and physical planning at the national and regional levels;

**WHEREAS**, EO 72 Providing for the Preparation and Implementation of the Comprehensive Land Use Plans of Local Government Units Pursuant to the Local Government Code of 1991 and Other Pertinent Laws mandates the establishment of a Provincial Land Use Committee in every province to assist the Sangguniang Panlalawigan in reviewing the comprehensive land use plans of component cities and municipalities;

**WHEREAS**, while there is a need to allocate land for non-agricultural areas, there is also a need to promote the judicious use of land and other physical resources based on the principle of sustainable development;

**WHEREAS**, priorities and procedures for evaluating areas for land conversion are being established for the purpose of preserving prime agricultural lands while at the same time facilitating the conversion process for priority government projects as identified in the MTPDP as well as guiding developments in various parts of the country;

**NOW THEREFORE, I, FIDEL V. RAMOS**, President of the Philippines, by virtue of the powers vested in me by law do hereby direct the compliance by all agencies and local government units concerned of the following:

## **SECTION 1.** Definition of Priority Development Areas for Land Conversion.

Priority development areas for land conversion are (a) specific sites in regional agri–industrial centers/regional industrial centers (RAICs/RICs) identified by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA); (b) tourism development areas (TDAs) identified by the Department of Tourism (DOT) as indicated in the current Medium Term Philippine Development Plan, and (c) sites identified by the local government units (LGUs) for socialized housing, which are presently used for agricultural purposes and which need conversion approval from the Department of Agrarian Reform (DAR).

## **SECTION 2.** Institutional Mechanisms and Procedures for the Evaluation of Priority Development Areas.

### 2.1 Sites in RAICs/RICs and Tourism Development Areas

(a) The Regional Land Use Committee (RLUCs) shall be primarily responsible for the evaluation of priority development areas for land conversion as identified by the DTI, DA and DOT. The evaluation shall be undertaken in close coordination with Local Government Units (LGUs) concerned. For this purpose, the Regional Development Councils (RDCs) and the Cordillera Executive Board (CEB) of the Cordillera Administrative Region (CAR) are hereby ordered to convene their respective RLUCs. The Regional Planning and Development Board (RPDB) of the Autonomous Region in Muslim Mindanao (ARMM) is likewise ordered to do the same.

(b) The Regional Director of the National Economic and Development Authority shall serve as Chairman of the RLUC, except in the case of the ARMM where the Head of the Regional Planning and Development Office (RPDO) shall serve as the RLUC Chairman. The RLUCs shall have as members the Regional Directors of the Departments of Agriculture, Agrarian Reform, Environment and Natural Resources, Interior and Local Governments, Public Works and Highways, Science and Technology, Transportation and Communications, trade and Industry, Tourism, and the Housing and Land Use Regulatory Board. In addition, it shall have two representatives from non–government organizations, people's organizations and the private sector to be selected by their respective RDC, CEB or RPDB. For this purpose, the Housing and Urban Development Coordinating Council (HUDCC) shall be the Co–Chairman. In addition, a Vice–Chairman shall be selected from among the members of the RLUC.

(c) The RLUCs are empowered to call upon any government agency, including government owned or controlled corporations and other government entities, to assist in their work.

(d) The RLUCs and concerned government agencies shall evaluate whether the priority development areas for land conversion are: i) non–negotiable for conversion, as provided for in AO 20, s. 1992, as determined by the Department of Agriculture (DA); and ii) already distributed subject to Sec. 65 of RA 6657 or covered by a notice of acquisition or voluntarily offered for coverage under the Comprehensive Agrarian Reform Program (CARP), as determined by the DAR. In case a site falls within these areas, alternative industrial or tourism sites shall be identified by the RLUC in close coordination with concerned LGU and lead agencies.

(e) The RLUCs, through their respective RDCs, CEB or RPDB, shall submit their recommendations to the National Land Use Committee (NLUC) within three months upon submission of the proposed sites. Thereafter, the NLUC shall make the necessary recommendations for the review and approval of the DAR Secretary.

### 2.2 Sites for Socialized Housing

(a) The local government units, through the Local Development Council Technical Secretariat, in coordination with the HUDCC, National Housing Authority (NHA), the Housing and Land Use Regulatory Board (HLURB), the National Mapping Resource and Information Authority (NAMRIA), the Department of Environment and Natural Resources (DENR)/Land Management Bureau (LMB) shall identify lands for socialized housing for the immediate and future needs of the underprivileged and homeless. For this purpose, the City Planning and Development Office/Municipal Planning and Development Office (CPDO/MPDO) shall use the site selection criteria provided under the Guidelines for the Inventory of Lands and Sites for Socialized Housing under RA 7279 as circularized in DILG Memorandum Circular No. 90-03 dated 06 January 1993.

(b) In component cities and municipalities, the Provincial Land Use Committee (PLUC), organized pursuant to EO No. 72 s. 1993, shall assist the Sangguniang Panlalawigan in the review and evaluation of sites identified as suitable for socialized housing.

In highly urbanized and independent component cities, the RLUC shall review and evaluate sites identified as suitable for socialized housing.

(c) The RLUC/PLUC shall evaluate whether the identified sites for socialized housing subject for land conversion are: i) non-negotiable for conversion, as provided for in AO 20 s. 1992, as determined by the DA; and ii) already distributed subject to Sec. 65 of RA 6657 or covered by a notice of acquisition or voluntarily offered for coverage under the CARP, as determined by the DAR. In case a site falls within these areas, alternative sites for socialized housing shall be identified by the LGU concerned.

(d) The RLUC/PLUC shall call upon the concerned CPDO/MPDO or any government agency, including government owned or controlled corporations and other government entities, to assist in its work.

(e) The PLUC shall submit the results of its evaluation to the Sangguniang Panlalawigan within 3 months upon submission of the proposed sites identified by the LGUs. The Sangguniang Panlalawigan shall in turn submit the recommended sites for socialized housing which need land use conversion to the DAR Secretary for consideration. Likewise, the RLUC shall submit the results of its evaluation to their respective RDC, CEB, or RPDB within 3 months upon receipt of the proposed sites identified by the concerned LGUs. The RDC, CEB or RPDB shall then submit the recommended sites for socialized housing which need land use conversion to the DAR Secretary for consideration.

**SECTION 3.** All priority development areas shall form part of the maximum allowable limits provided under Sec. 20 of RA 7160. Furthermore, in case the total agricultural land area of a specific site exceeds the maximum allowable limits as provided for in Sec. 20 of the LGC, as determined by the HLURB in coordination with the DA and DAR, the NEDA Secretariat shall make the necessary recommendation to the President.

**SECTION 4.** The DAR, DA and the NEDA Secretariat, in coordination with concerned agencies shall conduct an annual review of the mechanism and the process for evaluation as well as the status of conversion in regional agri-industrial center/regional industrial centers, tourism development areas, and sites for socialized housing. If, in the course of said review, the need to utilize irrigable lands or non-viable irrigated systems for non-agricultural purposes becomes evident, the Cabinet Cluster on Agri-Industrial Development may recommend their utilization for non-agricultural purposes, subject to the conditions agreed upon by the Cluster, and subject further, to final approval by the President.

**SECTION 5.** All other applications for land conversion shall continue to be governed by existing rules and procedures of the DAR.

**SECTION 6.** The DAR and the NEDA Secretariat shall jointly issue guidelines to implement this Order.

**SECTION 7.** This Order shall take effect immediately.

**DONE** in the City of Manila this 8<sup>th</sup> day of September, in the year of our Lord nineteen hundred and ninety three.

(SGD) **FIDEL V. RAMOS**

By the President:

(SGD) **TEOFISTO T. GUINGONA, JR.**

Executive Secretary