



HOUSE OF REPRESENTATIVES

H. No. 7115

BY REPRESENTATIVES AMANTE, ALVAREZ (P.), RELAMPAGOS, FARINAS, BONDOC, GARCIA (G.), SAVELLANO, CASILAO, GARBIN, YAP (M.), TEVES, CUARESMA, MANALO, VILLARIN, SAGARBARRIA, PADUANO, GONZALEZ, SACDALAN, BAUTISTA-BANDIGAN, DE VENECIA, PAPANDAYAN, PALMA, SALON, PRIMICIAS-AGABAS, MENDOZA, DE VERA, MONTORO, TAMBUNTING, DALIPE, ALEJANO, BELMONTE (R.), BORDADO, CHIPECO, GERON, NIETO, TUGNA, SUANSING (E.), BULUT-BEGTANG AND LAGMAN, PER COMMITTEE REPORT No. 596

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

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

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

"SEC. 73. *Prohibited Acts and Omissions.* - The following are prohibited:

"x x x

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

5 "(j) THE ACTUAL PHYSICAL OR LEGAL
6 CONVERSION OR CAUSING THE PHYSICAL OR LEGAL
7 CONVERSION OF IRRIGATED AND IRRIGABLE LANDS BY:

8 "(1) ANY PERSON WHO DIRECTLY AND
9 INDIRECTLY PARTICIPATES IN THE CONVERSION OF
10 IRRIGATED AND IRRIGABLE LAND;

11 "(2) ANY PERSON WHO DIRECTLY OR
12 INDIRECTLY INDUCES THE LANDOWNER OR
13 FARMWORKER IN THE CONVERSION OF IRRIGATED AND
14 IRRIGABLE LAND;

15 "(3) ANY PERSON WHO APPLIES FOR AND
16 FACILITATES THE APPLICATION FOR CONVERSION;

17 "(4) ANY PERSON WHO FACILITATES THE
18 APPLICATION AND ISSUANCE OF CLEARANCES AND
19 OTHER DOCUMENTS NECESSARY FOR CONVERSION;

20 "(5) ANY PERSON WHO APPROVES AND CAUSE
21 FOR THE APPROVAL OF THE APPLICATION FOR
22 CONVERSION; AND

23 "(6) ANY PERSON WHO DIRECTLY AND
24 INDIRECTLY BENEFITTED FROM THE CONVERSION.

25 "FOR PURPOSES OF THIS SECTION, IRRIGATED
26 LANDS REFER TO LANDS SERVICED BY NATURAL
27 IRRIGATION OR IRRIGATION FACILITIES, AS
28 DELINEATED BY THE DEPARTMENT OF AGRICULTURE
29 OR THE NATIONAL IRRIGATION ADMINISTRATION,

1 WHICH INCLUDE LANDS WHERE WATER IS NOT READILY
2 AVAILABLE AS EXISTING IRRIGATION FACILITIES
3 NEED REHABILITATION OR UPGRADING, OR WHERE
4 IRRIGATION WATER IS NOT AVAILABLE YEAR-ROUND.

5 "IRRIGABLE LANDS REFER TO LANDS SUITABLE
6 FOR THE CONDUCT OF AGRICULTURAL ACTIVITIES
7 WHICH REQUIRE IRRIGATION AND DISPLAY PHYSICAL
8 FEATURES JUSTIFYING THE OPERATION OF AN
9 IRRIGATION SYSTEM, AND WHICH POSSESS AT LEAST
10 ONE OF THE FOLLOWING QUALITIES:

11 "(I) PHYSICAL FEATURES WHICH SHOW AN
12 INHERENT POTENTIAL FOR THE DEVELOPMENT OF AN
13 IRRIGATION SYSTEM, SUCH AS SOIL DEPTH, SOIL
14 TEXTURE, FIELD TERRAIN, SLOPE, AND OTHER
15 RELEVANT CHARACTERISTICS;

16 "(II) POTENTIAL FOR A QUALITY WATER SUPPLY
17 WHICH MAY BE SOURCED THROUGH A DISTRIBUTION
18 SYSTEM;

19 "(III) PART OF A SERVICEABLE AREA WHICH IS
20 WITHIN AN ACTUAL AND FUNDED IRRIGATION SYSTEM,
21 OR WHICH MAY BE SERVICED WITH EXISTING AND
22 OPERATING IRRIGATION FACILITIES;

23 "(IV) SITUATED WITHIN AN AREA WHERE THE
24 APPROVED OR ADOPTED LAND USE PLAN BY THE
25 CONCERNED LOCAL GOVERNMENT UNIT FOR
26 SURROUNDING OR CONTIGUOUS LANDHOLDINGS
27 WHICH ALLOWS THE CONDUCT OF AGRICULTURAL
28 ACTIVITIES; AND

29 "(V) PRESENCE OF AFFECTED QUALIFIED
30 FARMER-BENEFICIARIES, TENANTS OR LESSEES

1 WILLING TO TILL THE LAND AND RAISE CROPS
2 THEREIN; AND

3 "[j](k) Any other culpable neglect or willful
4 violations of the provisions of this Act.

5 "x x x."

6 SEC. 2. Section 74 of Republic Act No. 6657, as amended, is
7 hereby further amended to read as follows:

8 "SEC. 74. *Penalties.* - Any person who knowingly
9 or willfully violates the provisions of this Act shall be
10 punished by imprisonment of not less than one (1)
11 month to not more than three (3) years or a fine of not
12 less than One thousand pesos (P1,000.00) and not
13 more than Fifteen thousand pesos (P15,000.00), or
14 both, at the discretion of the court: *Provided*, That the
15 following corresponding penalties shall be imposed for
16 the specific violations hereunder:

17 "x x x

18 "(b) Imprisonment of six (6) years and one (1) day
19 to twelve (12) years or a fine of not less than Two
20 hundred thousand pesos (P200,000.00) and not more
21 than One million pesos (P1,000,000.00), or both, at the
22 discretion of the court upon any person who violates
23 Section 73, subparagraphs (c), (d), (e), [and] (i), AND
24 (j) of Republic Act No. 6657, as amended.

25 "x x x

26 "IF THE OFFENDER IS A PUBLIC OFFICER, THE
27 OFFENDER SHALL SUFFER THE ADDITIONAL
28 PENALTIES OF REMOVAL FROM OFFICE AND

1 PERPETUAL ABSOLUTE DISQUALIFICATION TO HOLD
2 PUBLIC OFFICE.”

3 SEC. 3. All laws, acts, decrees, executive orders, issuances,
4 and rules and regulations or parts thereof which are contrary to and
5 inconsistent with this Act are hereby repealed, amended, or
6 modified accordingly.

7 SEC. 4. This Act shall take effect fifteen (15) days following its
8 publication in the *Official Gazette* or in any newspaper of general
9 circulation.

Approved,

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