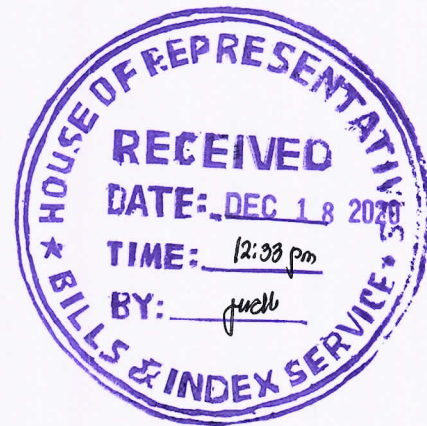


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 8282**



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**INTRODUCED BY HONORABLE CHERYL DELOSOMONTALLA**

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**AN ACT**

**EXCLUDING CERTAIN PORTIONS OF THE NAVAL STATION SAN MIGUEL IN THE MUNICIPALITIES OF SAN NARCISO AND SAN ANTONIO PROVINCE OF ZAMBALES FROM THE OPERATION OF PROCLAMATION 938, AND DECLARING THE EXCLUDED PORTIONS OPEN TO DISPOSITION UNDER THE PROVISIONS OF REPUBLIC ACT 730, AS AMENDED, TO QUALIFIED OCCUPANTS WITHOUT PUBLIC AUCTION**

**EXPLANATORY NOTE**

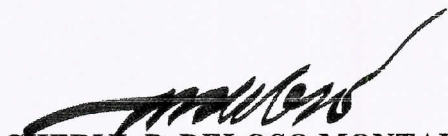
This Bill seeks to exclude an area from land that had been declared as a Military Reservation Area under Presidential Proclamation No. 938 issued on December 16, 1996. As aptly stated in Senator Ralph Recto in his Explanatory Note on Senate Bill No. 3231 during the 15<sup>th</sup> Congress, "Specifically, the subject area proposed for exclusion is within nine hundred and sixty (960) hectares allotted to the Philippine Navy from out of the Naval Communication Station San Miguel of the former United States Military Bases in the Philippines."<sup>1</sup>

"The subject area straddles both Sitio Aldea and Purok Siete in Barangay Natividad, San Narciso town and Barangay West Dirita, San Antonio town, both in Zambales. Hundreds of families live in and till the area for more than 50 years."<sup>2</sup>

"However, the land issue has been put out in the open when the Philippine Navy through the Commander of the Naval Education and Training Command sent Notices ordering the residents to dismantle their houses. Thus, the local governments of San Narciso and San Antonio sought the apportionment of land in favor of the residents. The municipal governments had provided various infrastructures such as barangay offices, roads, a bridge and a clinic while the settlers built schools, churches and their houses near the fields that they till."<sup>3</sup>

"The resolution of the land issue will enable the local governments to proceed with the construction of other basic infrastructures and to deliver essential social services thereby ensuring the long-term development of the concerned community. Of equal importance, the residents shall be assured security to their abode and decent means of livelihood."<sup>4</sup>

In view of the foregoing, passage of this Bill is earnestly sought.

  
**CHERYL P. DELOSOMONTALLA**  
Representative  
2<sup>nd</sup> District, Zambales

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<sup>1</sup> <http://legacy.senate.gov.ph/lisdata/13706114991.pdf>

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.



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

**Section 1. Declaration of Policy.** - It is hereby declared the policy of the State to provide equal access to affordable land and housing services to its citizens.

**Section 2. Primary Objective.** - Certain portions of lands covered by Sitio Aldea and Purok Siete of Barangay Natividad, San Narciso and Brgy. West Dirita, San Antonio are hereby declared excluded from the Naval Station San Miguel and from the operation of Proclamation No. 938 dated December 16, 1996.

**Section 3. Responsibilities of Government Agencies.** - The Land Management Bureau of the Department of Environment and Natural Resources, the Provincial Government of Zambales, Municipal Governments of San Narciso and San Antonio are hereby directed to conduct a validation survey of the disposable lands under this Act and to effect their sale to qualified applicants: *Provided*, That the sale shall be without recourse to public auction, and; *Provided, further*, That land actually occupied and used for public schools, municipal halls, public plazas or parks and other government institutions shall be so segregated and issued appropriate Special Patents to the concerned government agency for public use or purpose.

**Section 4. Tax Exemption.** - All lands already sold and/or disposed by the government pursuant to existing housing programs and those to be disposed of in accordance with this Act shall be exempt from the payment of Capital Gains Tax.

**Section 5. Appropriation.** - The funds necessary for the implementation of the provisions of this Act shall be included in the annual appropriations of the Department of Environment and Natural Resources (DENR) and the Land Registration Authority (LRA).

**Section 6. Implementation.** - Within thirty (30) days from the effectivity of this Act, the Director of the Land Management Bureau — DENR together with the Administrator of the LRA shall promulgate the rules and regulations to effectively implement the provisions of this Act.

**Section 7. Separability Clause.** - If, for any reason or reasons, any part or parts of this Act shall be declared unconstitutional or invalid by any competent court, other parts or provisions thereof not affected thereby shall continue to be in full force and effect.

**Section 8. *Repealing Clause.*** - All laws, decrees, executive orders, executive ordinances or letters of instructions, rules and regulations or any part thereof inconsistent with or contrary to the provisions of this Act are hereby repealed, amended or modified accordingly.

**Section 9. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation.

*Approved,*