

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
Cotabato City

BANGSAMORO TRANSITION AUTHORITY

Second Regular Session

Proposed Resolution No. 616



Introduced by **MP ATTY. PAISALIN P. TAGO, MP ATTY. HAMID AMINODDIN D. BARRA**

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A RESOLUTION

URGING THE APPROPRIATE MINISTRIES OF BARMM SUCH AS THE MINISTRY OF INTERIOR AND LOCAL GOVERNMENT, MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES AND ENERGY, AND MINISTRY OF HUMAN SETTLEMENTS AND DEVELOPMENT TO REQUIRE ALL LOCAL GOVERNMENT UNITS IN BARMM TO FORMULATE, IMPLEMENT AND COMPLY WITH THEIR COMPREHENSIVE LAND USE PLAN (CLUP)

WHEREAS, under the Local Government Code of 1991 (Republic Act No. 7160), the local government units such as the municipality, city, and province, through their respective *Sanggunian*, shall – relative to their power to generate and maximize the use of resources and revenues for their respective development plans, program objectives and priorities – adopt their respective comprehensive land use plan (CLUP) as mandated by Section 447 (a)(2)(vii) for the municipality, Section 458 (a)(2)(vii) for the city, and Section 468 (a)(2)(vii) for the province;

WHEREAS, Section 20 (c) of the Local Government Code of 1991 provides that the local government units shall, in conformity with existing laws, continue to prepare their respective comprehensive land use plans enacted through zoning

ordinances which shall be the primary and dominant bases for the future use of land resources;

WHEREAS, the provisions of Section 20 (c) of the said code are reiterated in Article 41 of the rules and regulations implementing the Local Government Code of 1991;

WHEREAS, the formulation of the comprehensive land use plans of local government units shall also be in compliance with the mandate of Executive Order No. 72, dated March 25, 1993, 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;

WHEREAS, PD 933 and EO 648, S. of 1981, as amended by EO 90, S. of 1986, empower the Housing and Land Use Regulatory Board (HLRB) to review, evaluate, and approve or disapprove land use plans of cities and municipalities;

WHEREAS, the aforesaid laws likewise authorize the HLRB to prescribe the standards and guidelines governing the preparation of land use plans, to monitor the implementation of such plans, and to adjudicate and settle the disputes among LGUs over their land use plans and zoning programs;

WHEREAS, Republic Act No. 7279, otherwise known as the Urban and Housing Development Act of 1992, in effect, reaffirms the above powers and functions of the HLRB;

WHEREAS, Section 2 of E.O. 72 provides in part that pursuant to Section 468 (a)(2)(vii) of the Local Government Code of 1991, the powers of the HLRB to review and approve the comprehensive land use plans of component cities and municipalities are hereby devolved to the province;

WHEREAS, Republic Act No. 10121 or the Philippine Disaster Risk Reduction and Management Act of 2010 further mandates local government units to integrate Disaster Risk Reduction and Climate Change Adaptation in their comprehensive land use plans;

WHEREAS, one of the powers of the Bangsamoro Government under Section 2, Article V of the Bangsamoro Organic Law is urban land reform and land use [Section 2 (bbb)];

WHEREAS, the CLUP serves as the primary and dominant basis for the future use of land resources of all local government units in BARMM for their greatest benefits and as the guiding tool in their pursuit of progress and development;

WHEREAS, considering the importance of the Comprehensive Land Use Plan to the development of all local government units in BARMM and, consequently, to the development of the Bangsamoro Autonomous Region as a whole, there is a need for these local government units to formulate, implement and comply with their comprehensive land use plan;

WHEREAS, the Ministry of Interior and Local Government, the Ministry of Environment and Natural Resources and Energy, and the Ministry of Human Settlements and Development and the Bangsamoro government as a whole have a genuine stake in the compliance by the local government units with their mandate under pertinent laws to adopt their comprehensive land use plans;

WHEREAS, these appropriate Ministries therefore must take the initiative to urge all local government units in BARMM to formulate, implement and comply with their comprehensive land use plans;

NOW THEREFORE, be it **RESOLVED**, as it is hereby resolved by the Bangsamoro Parliament to urge the appropriate Ministries of BARMM such as the Ministry of Interior and Local Government, Ministry of Environment and Natural Resources and Energy, and Ministry of Human Settlements and Development to require all local government units in BARMM to formulate, implement and comply with their respective Comprehensive Land Use Plan (CLUP);

RESOLVED, FURTHER, copies of this Resolution be furnished the Ministry of Interior and Local Government, the Ministry of Environment and Natural Resources and Energy, and the Ministry of Human Settlements and Development.



Atty. PAISALIN P.D. TAGO
Member of the Parliament