

[EXECUTIVE ORDER NO. 648, February 07, 1981]

REORGANIZING THE HUMAN SETTLEMENTS REGULATORY COMMISSION

WHEREAS, it is the national policy to promote innovative land development and land use control measures as a technology for building communities;

WHEREAS, it is necessary to provide full support to the government's policies and programs on Human Settlements through effective land use and development control measures by strengthening the regulatory arm of the Ministry of Human Settlements;

WHEREAS, under Presidential Decree No. 1416, the President is empowered to undertake such organizational and related improvements as may be appropriate in the Light of Changing Circumstances and New Developments;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution and the Authority vested in me by the Presidential Decree No. 1416, do hereby order and ordain:

ARTICLE I. TITLE

Section 1. Title – This shall be known as the Charter of the Human Settlements Regulatory Commission.

ARTICLE II. DECLARATION OF POLICIES

Section 2. Declaration of Policies and Objectives. It is hereby declared to be the policy of the state to implement an integrated program of land use control for the entire country in accordance with the following objectives:

a. To foster the growth and renewal of our Urban and Rural communities in an integrative manner that promotes optimum land use, adequate shelter, and environmental protection/all these/towards the development of man as a total human being.

b. To bring about the optimum use of land as a national resource for public welfare rather than as a commodity of trade subject to price speculation and indiscriminate use.

c. To enforce, implement, coordinate, streamline, improve and optimize land use policies and regulations on human settlements, including the implementation and enforcement of the regulatory aspect of the Urban Land Reform Program, the Subdivision and Condominium Buyer's Protective Decree, Land Value and Building Rental regulations and other related laws.

ARTICLE III. DEFINITIONS

Section 3. Definitions. – For the purpose of this Order and the rules and regulations promulgated thereunder, the terms of words used herein shall, unless the context indicates otherwise, mean or be understood to mean as follows:

- a) “Commission” means the Human Settlements Regulatory Commission.
- b) “Commission proper” refers to the Commissioners of the Commission appointed by the President and its ex-officio members provided for in section 6 of this Order.
- c) “Function” includes powers and duties.

ARTICLE IV. ESTABLISHMENT, CONSTITUTION, POWERS, DUTIES

Section 4. Creation of the Human Settlements Regulatory Commission.

a) There is hereby established a Human Settlements Regulatory Commission, hereinafter referred to as the Commission, with powers and attributes of a quasi-judicial body which shall be attached to the Ministry of Human Settlements.

Section 5. Powers and Duties of the Commission.

a) Promulgate zoning and other land use control standards and guidelines which shall govern land use plans and zoning ordinances of local governments; the zoning components of civil works and infrastructure projects of the national, regional and local governments; subdivision or estate development projects of both the public and private sectors; and urban renewal plans, programs and projects: provided that the zoning and other land use control standards and guidelines to be promulgated hereunder shall respect the classification of public lands for forest purposes as certified by the Ministry of Natural Resources.

b) Review, evaluate and approve or disapprove comprehensive land use development plans and zoning ordinances of local government; and the zoning component of civil works and infrastructure projects of national, regional and local governments; subdivisions, condominiums or estate development projects including industrial estates, of both the public and private sectors and urban renewal plans, programs and projects: Provided, that the Land Use Development Plans and Zoning Ordinances of Local Governments herein subject to review, evaluation and approval of the commission shall respect the classification of public lands for forest purposes as certified by the Ministry of Natural Resources: Provided, further, that the classification of specific alienable and disposable lands by the Bureau of Lands shall be in accordance with the relevant zoning ordinance of Local government where it exists: and provided, finally, that in cities and municipalities where there are as yet no zoning ordinances, the Bureau of Lands may dispose of specific alienable and disposable lands in accordance with its own classification scheme subject to the condition that the classification of these lands may be subsequently changed by the local governments in accordance with their particular zoning ordinances which may be promulgated later.

c) Issue rules and regulations to enforce the land use policies and human settlements as provided for in Presidential Decrees No. 399, 815, 933, 957, 1216, 1344, 1396, 1517, Letter of Instructions No. 713, 729, 833, 935 and other related laws regulating the use of land including the regulatory aspects of the Urban Land Reform Act and all decrees relating to regulation of the value of land and improvements, and their rental.

- d) Ensure compliance with policies, plans, standards and guidelines on human settlements promulgated in paragraph (a) of this section.
- e) Conduct public hearings relating to its functions.
- f) Act as the appellate body on decisions and actions of local and regional planning and zoning bodies and of the deputized officials of the Commission, on matters arising from the performance of these functions.
- g) Promote, encourage, coordinate and assist private enterprises and government agencies and instrumentalities in planning, developing and coordinating human settlements plans and programs by furnishing legal, technical and professional assistance.
- h) Develop and implement prototype projects supportive of its regulatory functions either by itself or as part of an inter-agency group or by contract with such appropriate public or private entities as it may deem proper.
- i) Call on any government employee or any department, bureau, office, agency or instrumentality of the government or private entities and organizations for cooperation and assistance in the exercise of its functions.
- j) Adopt rules of procedures for the conduct of its business.
- k) Staff its organization with appropriate and qualified personnel in accordance with that is deemed proper or necessary to achieve the objectives of the Commission.
- l) Make or enter into contracts of any kind of nature to enable it to discharge its functions under this Order.
- m) Acquire, purchase, own, lease, mortgage, sell or otherwise dispose of any land, or any improvements thereon, or property of any kind, movable and immovable, exercise the right of eminent domain by expropriating the land improvements thereon, which in the opinion of the Commission, are vital and necessary to develop and implement prototype projects supportive of its regulatory functions.
- n) Charge and collect fees in the performance of its functions.
- o) Impose administrative fine not exceeding Twenty Thousand Pesos (P20,000.00) for any violation of its charter and of its rules and regulations.
- p) Issue orders after conducting the appropriate investigation for the cessation or closure of any use or activity and to issue orders to vacate or demolish any building or structure that it determines to have violated or failed to comply with any of the laws, presidential decrees, letters of instructions, executive orders and other presidential issuances and directives being implemented by it, either on its own motion or upon complaint of any interested party.
- q) Cite and declare any person, entity or enterprise in contempt of the Commission in the following case:
- 1) Whenever any person, entity or enterprise commits any disorderly or disrespectful conduct before the Commission or in the presence of its members or authorized representatives actually engaged in the exercise of their official functions or during the conduct of any hearing or official inquiry by the said Commission, at the place or near the premises where such hearing or proceeding is being conducted