

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



FOURTEENTH CONGRESS

Second Regular Session

5 737
HOUSE RESOLUTION NO. _____

Introduced by SPEAKER PROSPERO C. NOGRALES

**RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 2 AND 3,
ARTICLE XII OF THE CONSTITUTION TO ALLOW THE
ACQUISITION BY FOREIGN CORPORATIONS AND ASSOCIATIONS,
AND THE TRANSFER OR CONVEYANCE THERETO, OF
ALIENABLE PUBLIC LANDS AND PRIVATE LANDS**

WHEREAS, foreign investments are essential to sustaining the growth of the national economy as they provide valuable technical and financial resources and capital needed to implement and sustain national economic development programs, in addition to creating employment opportunities for millions of Filipinos;

WHEREAS, sustaining and expanding the inflow of foreign investments in the country requires the implementation of strategic policies that can create and strengthen long term investor confidence in the country;

WHEREAS, enabling foreign corporations and associations to hold, acquire, and in any manner be granted the right to possess, own, utilize, and develop land in the country is a strategic policy initiative that can encourage more long term foreign investments into the country as it fosters the environment for more dynamic and enduring engagement of foreign investors as stakeholders in the overall effort to enhance and accelerate the growth of the national economy;

WHEREAS, implementing this policy initiative shall not only encourage, facilitate and strengthen synergistic partnerships of Filipino entrepreneurs and foreign investors, but shall also catalyze conditions where the immense potentials of our country's vast land resources as development capital would be unleashed and harnessed to the fullest so as to create more and better opportunities for economic growth for the nation and the improvement of the quality of life of the greater number of the Filipino people;

WHEREAS, this policy initiative requires the amendment of certain provisions of the Constitution, specifically Sections 2 and 3 of Article XII thereof on the National Economy and Patrimony;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the first paragraph of Section 2, and Section 3 of Article XII of the Constitution be amended to read as follows:

"Sec. 2. All lands of the public domain, waters minerals, coal, petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State. With the exception of agricultural lands, all other natural resources shall not be alienated. The exploration, development, and utilization of natural resources shall be under the full control and supervision of the State. The State may directly undertake such activities, or it may enter into co-production, joint venture or production-sharing agreements with Filipino citizens, or corporations or associations [at least sixty *per centum* of whose capital is owned by such citizens], **DOMESTIC OR FOREIGN**. Such agreements may be for a period not exceeding twenty-five years, renewable for not more than twenty-five years, and under such terms and conditions as may be provided by law. In cases of water rights for irrigation, water supply, fisheries, or industrial uses other than the development of water power, beneficial use may be the measure and limit of the grant. "

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“Sec.3. Lands of the public domain are classified into agricultural, forest or timber, mineral lands and national parks. Agricultural lands of the public domain may be further classified by law according to the uses to which they may be devoted. Alienable lands of the public domain shall be limited to agricultural lands. **CITIZENS OF THE PHILIPPINES AND [P]private corporations and associations, DOMESTIC OR FOREIGN** may [not] hold such alienable lands of the public domain [except] by lease, for a period not exceeding twenty-five years, renewable for not more than twenty-five years, and not to exceed one thousand hectares in area, **OR ACQUIRE SUCH ALIENABLE LANDS, NOT TO EXCEED TWENTY-FIVE HECTARES IN AREA, BY PURCHASE OR GRANT.** [Citizens of the Philippines may lease not more than five hundred hectares, or acquire not more than twelve hectares thereof by purchase, homestead or grant.]”

Adopted,

A handwritten signature in black ink, appearing to be a stylized name, possibly "M. M. M.", written in a cursive script.