

REPUBLIC ACT NO. 8368
AN ACT REPEALING PRESIDENTIAL DECREE NO. 772, ENTITLED
'PENALIZING SQUATTING AND OTHER SIMILAR ACTS

SEC. 1. Title. — This Act shall be known as the "Anti-Squatting Law Repeal Act of 1997."

SEC. 2. Repeal. — Presidential Decree No. 772, entitled "Penalizing Squatting and Other Similar Acts" is hereby repealed.

SEC. 3. Effect on pending cases. — All pending cases under the provisions of Presidential Decree No. 772 shall be dismissed upon the effectivity of this Act.

SEC. 4. Effect on Republic Act No. 7279. — Nothing herein shall be construed to nullify, eliminate or diminish in any way Section 27 of Republic Act No. 7279 or any of its provisions relative to sanctions against professional squatters and squatting syndicates.

SEC. 5. Effectivity. — This Act shall take effect thirty (30) days after its publication in two (2) newspapers of national circulation.

REPUBLIC ACT 7279
URBAN DEVELOPMENT AND HOUSING ACT

Section 27. Action Against Professional Squatters and Squatting Syndicates. - The local government units, in cooperation with the Philippine National Police, the Presidential Commission for the Urban Poor (PCUP), and the PCUP-accredited urban poor organization in the area, shall adopt measures to identify and effectively curtail the nefarious and illegal activities of professional squatters and squatting syndicates, as herein defined. Any person or group identified as such shall be summarily evicted and their dwellings or structures demolished, and shall be disqualified to avail of the benefits of the Program. A public official who tolerates or abets the commission of the abovementioned acts shall be dealt with in accordance with existing laws.

For purposes of this Act, professional squatters or members of squatting syndicates shall be imposed the penalty of six (6) years imprisonment or a fine of not less than Sixty thousand pesos (P60,000) but not more than One hundred thousand pesos (P100,000), or both, at the discretion of the court.

MALACANANG
Manila
BY THE PRESIDENT OF THE PHILIPPINES

Executive Order No. 153 December 10, 2002
INSTITUTING THE NATIONAL DRIVE TO SUPPRESS AND ERADICATE
PROFESSIONAL SQUATTING AND SQUATTING SYNDICATES,
AMENDING EXECUTIVE ORDER NOS. 178, S. 1999 AND 129, S. 1993,
AND FOR OTHER PURPOSES

WHEREAS, various instruments have been issued under Republic Act No. 7279, otherwise known as the Urban Development and Housing Act (UDHA) of 1992, instituting mechanisms to curb the nefarious activities of professional squatters and squatting syndicates;

WHEREAS, there is no need to further intensify the national drive against these criminal elements that prey on people who need most the protection of the law;

WHEREAS, there is no need to re-orient and strengthen the existing mechanisms to effectively curtail said menace; and

WHEREAS, Section 31, Chapter 10, Title III, Book III of Executive Order No. 292 or the Administrative Code of 1987 provides for the continuing authority of the President to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law do hereby order:

Section 1. *Instituting the National Drive Against Professional Squatting and Squatting Syndicates.* The national drive against professional squatting and squatting syndicates is hereby instituted.

Section 2. *HUDCC and DOJ as Lead Agencies.* The Housing and Urban Development Coordinating Council (HUDCC) is hereby directed to take the lead in the identification of professional squatters and squatting syndicates, monitor and launch operations, through the proper agency or body, to curtail their activities.

The Department of Justice (DOJ), in conjunction with HUDCC's functions under this Order, shall take the lead in the prosecution of identified professional squatters and squatting syndicates.

The National Committee Against Squatting Syndicates and Professional Squatters established under Executive Order No. 129 dated 15 October 1993 is hereby abolished. All the functions thereof are hereby transferred to the HUDCC. Any reference to the National Committee shall by virtue hereof be read as referring to HUDCC insofar as such is not inconsistent with the provisions of this Order.

Section. 3. Support of Relevant Agencies. The HUDCC and DOJ shall have authority to call on the following government agencies to give their full support, assistance and cooperation in the course of the implementation of the provisions of this Order:

- a. Presidential Commission for the Urban Poor (PCUP);
- b. Department of Interior and Local Government (DILG);
- c. Department of Environment and Natural Resources (DENR);
- d. Philippine National Police (PNP);
- e. National Urban Poor Sectoral Council of the National Anti-Poverty Commission (NUPSC-NAPC);
- f. National Bureau of Investigation (NBI);
- g. Land Registration Authority (LRA); and
- h. Office of the Solicitor General (OSG).

The above agencies are hereby directed to designate full-time staff who shall be tasked to coordinate with and work closely with HUDCC and DOJ.

Section 4. Strengthening of the National Police Task Force. ? The National Police Task Force (NPTF) to Apprehend Squatting Syndicates and Professional Squatters created under Executive Order No. 178 dated 23 November 1999 is hereby strengthened. It shall serve as the operational arm of HUDCC in the drive against professional squatters and squatting syndicates.

The Philippine National Police (PNP) is hereby directed to designate full-time staff and/or personnel for the NPTF.

Section 5. Secretariat. The Presidential Commission for the Urban Poor (PCUP) shall provide secretariat support to HUDCC, DOJ and the NPTF.

Section 6. Funding Requirements. The initial funding requirements for the implementation of the provisions of this Order shall come from the budgets of HUDCC, DOJ, PNP, and PCUP respecting each of their functions herein. Subsequent funding shall be incorporated into their respective regular budgets.

Section 7. Reporting to the Executive Secretary. The HUDCC and the DOJ shall submit regular reports to the Executive Secretary relative to the implementation of the provisions of this Order.

Section 8. Implementing Guidelines. The HUDCC and DOJ, in consultation with relevant agencies and other stakeholders, shall jointly formulate and adopt guidelines for the effective implementation of this Order.

Section 9. Repealing or Amendatory Clause. All other executive orders, rules, regulations and other issuances or parts thereof inconsistent with this Order are hereby repealed, superseded or modified accordingly.

Section 10. Effectivity. This Executive Order shall take effect immediately. DONE in the City of Manila, this 10th day of December, in the year of Our Lord, Two Thousand Two.

(Sgd.) **GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **ALBERTO G. ROMULO**
Executive Secretary

EXECUTIVE ORDER NO. 129

ESTABLISHING AN INSTITUTIONAL MECHANISM TO CURTAIL THE ACTIVITIES OF PROFESSIONAL SQUATTING SYNDICATES AND PROFESSIONAL SQUATTERS AND INTENSIFYING THE DRIVE AGAINST THEM

WHEREAS, it is imperative to arrest the proliferation of squatters in the urban areas, which is aggravated by the activities of squatting syndicates;

WHEREAS, there is a need to effect the identification and registration of the rightful beneficiaries of the Urban Development and Housing Act (UDHA), who will be affected by the urgent infrastructure projects of government as against professional squatters and squatting syndicates;

WHEREAS, UDHA mandates the Local Government Units (LGUs), the Department of Interior and Local Government (DILG), and the Presidential Commission for the Urban Poor (PCUP) to identify and effectively curtail the nefarious and illegal activities to professional squatters and squatting syndicates, as well as to implement relocation and resettlement procedures;

WHEREAS, there is a need to protect the rightful beneficiaries of the UDHA from the squatter syndicates and professional squatters, who continuously prey on and victimize the former by sowing disinformation, collecting fees, and inflicting harassment;

WHEREAS, it is imperative to establish a mechanism that shall ensure compliance with the provisions of the UDHA and its implementing rules and regulations relative to demolition and eviction.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby **order**:

SECTION 1. Definition of Terms. —

In accordance with the Urban Development Housing Act of 1992 (RA 7279) the following are hereby defined:

1. "Professional Squatters" refers to individuals or groups who occupy lands without the express consent of the landowner and who have sufficient income for legitimate housing. The term shall also apply to persons, who have previously been awarded homelots or housing units by the Government but who sold, leased or transferred the same and

settled illegally in the same place or in another urban area, and non-bonafide occupants and intruders of lands reserved for socialized housing. The term shall not apply to individuals or groups, who simply rent land and housing from professional squatters or squatting syndicates.

2. Squatting syndicates refers to groups of persons engaged in the illegal business of squatter housing for profit or gain.

SECTION 2. Creation of Committee Against Squatting Syndicates and Professional Squatters. —

1. National Committee

A National Committee Against Squatting Syndicates and Professional Squatters is hereby created composed of the following:

- a. Department of Interior and Local Government (DILG)
- b. Housing and Urban Development Coordinating Council (HUDCC)
- c. Department of Justice (DOJ)
- d. Presidential Commission for the Urban Poor (PCUP)
- e. Philippine National Police (PNP)
- f. National Bureau of Investigation (NBI)
- g. Representative of PCUP accredited National Urban Poor Organization
- h. Representative of a Non-Government Organization

DILG shall be the Chairman, HUDCC as Co-Chairman, and the remaining agencies as Members.

2. The Committee shall have the following functions:
 - a. Oversee and coordinate government activities relative to the intensified drive against professional squatters and squatting syndicates.
 - b. Recommend appropriate measures/actions to curtail the activities of professional squatters and squatting syndicates.

- c. Provide assistance to local government units in the implementation of UDHA provisions relative to squatting syndicates and professional squatters and make available, through the PNP and DOJ, a consolidated list of squatting syndicates and professional squatters.
- d. Update the Office of the President and submit reports thereof on the implementation of this EO.

3. Local Committee

- a. All government units are hereby directed to create a Committee Against Squatting Syndicates and Professional Squatters composed of the following:
 - a. The mayor of the concerned cities/municipalities with permanent alternate;
 - b. The local chief of PNP with permanent alternate;
 - c. Representative of the PCUP with permanent alternate;
 - d. President of the PCUP accredited urban poor organization with permanent alternate; and
 - e. A representative from the private sector who shall be chosen by the above members.
- b. The Committee shall have the following functions:
 - a. Within 60 days from the effectivity of this **Order**, adopt the necessary measures to identify and effectivity curtail the activities of professional squatters and squatting syndicates, including the name of public officials and/or private individuals or companies abetting or tolerating the commission of the act;
 - b. Provide the Housing and Urban Development Coordinating Council (HUDCC) and NHA copies of identified squatting syndicates and professional squatters in **order** to safeguard against their inclusion in future programs/projects and recommend disqualification in existing programs.
 - c. Provide legal assistance to victims of professional squatters/syndicates and make available, through the PNP and DOJ, a consolidated list of squatting syndicates and professional squatters;
 - d. File the necessary charges before the court or Prosecutor's Office;

- e. Undertake investigation in violation cases on demolition and eviction forwarded to it and recommend appropriate actions on the same to the concerned agencies.
- f. Monitor demolition and eviction activities; hence, it shall draw up and establish its monitoring system;
- g. Submit reports to the National Committee Office of the President, copy-furnish concerned agencies involved in the implementation of RA 7279; and
- h. Call on any government entities for assistance, if necessary.

SECTION 3. Action Against Offenders. —

1. The LGUs, upon the recommendation of their local committees, shall summarily evict the offenders and demolish their dwelling structures.
2. The LGUs, PCUP, and PNP shall monitor and implement Section 30 of Republic Act **No.** 7279 regarding new illegal entrants, defined as those guilty of squatting after the effectivity of said Act.
3. The concerned agencies herein identified shall enforce Section 45 (Penalty Clause) of Republic Act **No.** 7279 on new illegal entrants.

SECTION 4. Repealing. —

All **executive** orders, rules, regulations and other issuances or parts thereof inconsistent with this **Executive Order** are hereby repealed or accordingly modified.

SECTION 5. Effectivity Clause. —

This **Executive Order** shall take effect upon publication in a newspaper of general circulation as provided by law.

DONE in the City of Manila, this 15th day of October in the year of Our Lord, nineteen hundred and ninety-three.

MALACANANG

Manila

PRESIDENTIAL DECREE No. 772 August 20, 1975 PENALIZING SQUATTING AND OTHER SIMILAR ACTS

WHEREAS, it came to my knowledge that despite the issuance of Letter of Instructions No. 19 dated October 2, 1972, directing the Secretaries of National Defense, Public Works and Communications, Social Welfare and the Director of Public Works, the PHHC General Manager, the Presidential Assistant on Housing and Rehabilitation Agency, Governors, City and Municipal Mayors, and City and District Engineers, "to remove all illegal constructions including buildings on and along esteros and river banks, those along railroad tracks and those built without permits on public and private property, "squatting is still a major problem in urban communities all over the country;

WHEREAS, many persons or entities found to have been unlawfully occupying public and private lands belong to the affluent class;

WHEREAS, there is a need to further intensify the government's drive against this illegal and nefarious practice;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order:

Section 1. Any person who, with the use of force, intimidation or threat, or taking advantage of the absence or tolerance of the landowner, succeeds in occupying or possessing the property of the latter against his will for residential commercial or any other purposes, shall be punished by an imprisonment ranging from six months to one year or a fine of not less than one thousand nor more than five thousand pesos at the discretion of the court, with subsidiary imprisonment in case of insolvency.

If the offender is a corporation or association, the maximum penalty of five years and the fine of five thousand pesos shall be imposed upon the president, director, manager or managing partners thereof.

Section 2. This decree shall take effect immediately.

Done in the City of Manila, this 20th day of August, in the year of Our Lord, nineteen hundred and seventy-five.

