

SEVENTEENTH CONGRESS
CONGRESS OF THE PHILIPPINES
First Regular Session
HOUSE OF REPRESENTATIVES

House Bill No. **1173**

HOUSE OF REPRESENTATIVES

RECEIVED

DATE: 05 JUL 2016
TIME: 5:23 p
BY: [Signature]

REGISTRATION UNIT
BILLS AND INDEX SERVICE

Introduced by REPRESENTATIVE PIA S. CAYETANO

EXPLANATORY NOTE

Land, as a valuable and vital resource, needs to be utilized properly and developed appropriately with the general objective of sustainable development for the Philippines and the present and future generations of Filipinos.

The Philippines' more than 7,100 islands form part of the country's 30 million hectares of land. This sizeable yet scarce resource has to be shared by our growing population, currently estimated at 80 million. It is thus imperative that our country's land resources are effectively administered and equitably managed, a function that is bestowed mainly on the national government.

However, fundamental legal and institutional defects result from the current structure where land administration functions such as land surveys, mapping, classification, titling and disposition, and registration are being undertaken by different government agencies. There is thus the need to reform the system of land administration in our country through streamlining of these responsibilities within a single agency.

The proposed Land Administration Reform Act (LARA) of 2010 aims to upgrade, systematize and integrate the administration, management and operations of the country's land resources. It also aims to improve, rationalize and systematize the land records, titling, documentation and information systems into an open, updated, and reliable system.

The bill will lay the foundation for responsive and efficient land administration and management and improve the delivery of land-related services to the general public and reduce delays in land document processing and releases. The bill also aims to enhance and improve transparency and governance in the land resource and administration by cutting down the overly bureaucratic and technically-oriented land titling and registration processes in the country.

Given the importance of efficient, effective, and responsible distribution and management of lands in the country as a means for a sustainable development, the immediate passage of this measure is earnestly urged.

Pia S. Cayetano
PIA S. CAYETANO

SEVENTEENTH CONGRESS
CONGRESS OF THE PHILIPPINES
First Regular Session
HOUSE OF REPRESENTATIVES

House Bill No. **1173**

Introduced by REPRESENTATIVE PIA S. CAYETANO

AN ACT
INSTITUTING REFORMS IN LAND ADMINISTRATION SYSTEM, CREATING THE
LAND ADMINISTRATION AUTHORITY, AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as “**The Land Administration**
2 **Reform Act of 2016**”.

3
4 **SEC. 2. *Declaration of Policy.***– It is hereby declared the policy of the State to
5 institute continuing reforms in land administration and management in order to
6 optimize and rationalize their contribution to the goals of national development,
7 tenurial security, eradication of poverty, and attainment of social, economic, cultural,
8 justice and asset reform. Towards this end, the State shall:

9 (a) Integrate and rationalize the structure, powers, functions, and responsibilities
10 of the different agencies involved in land administration and management in
11 order to increase the efficiency, effectiveness, transparency and
12 accountability and to expedite the delivery of services.

13 (b) Undertake reforms in land administration and management to ensure
14 equitable distribution and full utilization and development of land resources.

15 (c) Provide an efficient and effective cadastral mapping, cadastral surveying,
16 disposition, registration and management of land resources; and

17 (d) Develop, establish and maintain up-to-date, open, accessible, integrated and
18 computer-based land information and records.

19
20 **SEC. 3. *Definition of Terms.*** – For the purpose of this Act, the following terms shall,

1 unless the context indicates otherwise, have the following meanings:

2
3 (a) "Alienable and disposable lands" refer to agricultural lands of the public
4 domain which have been delineated, classified and certified as available for
5 disposition under the Public Land Act.

6 (b) "Agricultural lands" refer to lands devoted to or suitable for the cultivation
7 of the soil, planting of crops or growing of trees, and not classified as mineral land,
8 forest land or national park, or subclassified as residential land, commercial land or
9 industrial land.

10 (c) "Automated registration system" refers to a system using appropriate
11 technology for scanning, recording and land registration using electronic devices to
12 store the copy of certificates of title and other documents relative thereto.

13 (d) "Classification and reclassification" refers to the act of Congress in setting
14 the specific limits of forest lands and national parks, and increasing or decreasing
15 their boundaries by law, as provided for in Article XII, Section 4 of the 1987
16 Philippine Constitution.

17 (e) "Consulta" refers to the procedure wherein the issue of registrability of
18 certain instruments is resolved in accordance with Presidential Decree No. 1529.

19 (f) "Director General" refers to the person occupying the position of Director
20 General of the Land Administration Authority created by this Act.

21 (g) "Land" refers to resources, both human-made and natural, found on the
22 surface, below and above the ground, including inland waters and the air therein.

23 (h) "Land Administration and Management Project (LAMP)" refers to the
24 project office providing technical and administrative support to the interagency
25 endeavor of the Philippine government to identify strategic directions toward land
26 administration reform in land institutions, laws, taxes and fees, and valuation.

27 (i) "Land administration and public land management" refers to the
28 administration of all functions, powers and activities related to cadastral/parcellary
29 survey and mapping, ownership, disposition and registration of land titles and deeds,
30 and the management of public lands.

31 (j) "Land Information System" refers to a system of linking textual attributes
32 (such as ownership, identity, location and value) of land into spatial reference
33 designed to facilitate access to information and assist in planning and decision-
34 making

1 (k) "Land Management Bureau (LMB)" refers to the staff bureau of the
2 Department of Environment and Natural Resources (DENR).

3 (l) "Land Management Services (LMS)" refers to the land management sector
4 or offices of the DENR at the regional, provincial and district level.

5 (m) "Land registration case" refers to the proceeding, either administrative or
6 judicial, for registering the title to, or interest in, a land so that such title or interest
7 becomes a matter for public record, and all persons who have interest in the land
8 may be informed thereof, actually or constructively, and be bound thereby if they
9 make no objections thereto within a specific time.

10 (n) "Land Registration Authority (LRA)" refers to the agency which is formerly
11 attached to the Department of Justice (DOJ) but has been transferred to DENR by
12 virtue of Executive Order 690, including the Registry of Deeds (RoD).

13 (o) "National Mapping and Resources Information Authority (NAMRIA)" refers
14 to the agency known by that name attached to the DENR.

15 (p) "President" refers to the President of the Philippines.

16 (q) "Public domain" refers to lands that belong to the State which may either
17 be agricultural, forest or timber, mineral or national park as provided for in the
18 Constitution.

19 (r) "Public lands" refer to lands which have not been subject to private
20 property rights or subject to sale or other modes of acquisition or concession under
21 general laws, and are devoted to public use.

22 23 ARTICLE II

24 CREATION OF THE LAND ADMINISTRATION AUTHORITY

25
26 **SEC. 4. *Creation of the Land Administration Authority (LAA).*** – To carry out the
27 purposes of this Act, the Land Administration Authority (LAA) is hereby created and
28 placed under the Office of the President. It shall be the primary government agency
29 responsible for land administration and public land management.

30
31 **SEC. 5. *General Powers and Functions of the LAA.***– The LAA shall exercise the
32 following powers and functions:

33
34 a) **Cadastral/Parcellary Survey & Mapping**

- 1) Execute, complete and continually update the nationwide cadastral surveys in accordance with the provisions of Act No. 2259 as amended, and update all existing cadastral maps taking into consideration the protected areas created under RA 7586 or the National Integrated Protected Areas System Act (NIPAS) of 1992;
- 2) In coordination with local government units and the pertinent agencies, conduct and/or approve cadastral surveys and mapping necessary in the implementation of Republic Act No. 7160 or the Local Government Code, Republic Act No. 7279 or the Urban Development and Housing Act, Republic Act No. 8435 or the Agriculture and Fisheries Modernization Act (AFMA), Republic Act 7916 or the Ecozone Law, Republic Act No. 6657 or the Comprehensive Agrarian Reform Law (CARL), and other existing laws requiring survey and mapping;
- 3) Verify and approve all private land consolidation, subdivision and consolidation-subdivision surveys intended for titling purposes;
- 4) Prescribe standards, rules and regulations for the conduct of all kinds of cadastral/parcellary surveys and mapping and similar activities in accordance with existing laws and internationally accepted principles, practices and standards;
- 5) Prescribe a uniform base map that shall be used for all cadastral/parcellary mapping activities, and provide convenient and affordable public access to the same; and
- 6) Establish and maintain an appropriate custodial and storage system that shall ensure the security and integrity of all cadastral survey and mapping records.

b) Land Registration

- 1) Register original titles to land and subsequent dealings in registered lands under the provisions of Act No. 496 and Presidential Decree No. 1529 as amended: *Provided*, That prior to registering a tenure instrument and issuing an original certificate of title based thereon, the LAA shall first verify compliance with the conditions and requirements prescribed under the law authorizing the issuance of said tenure instrument;

- 1 2) Establish and maintain an appropriate custodial and storage system that
2 shall ensure the security and integrity of all registration and titling records,
3 subject to the provisions of Act No. 496, Presidential Decree 1529 and
4 pertinent laws; and
- 5 3) Compile a nationwide master list of suspected spurious land titles and
6 tenure instruments, undertake thorough investigation of the same and,
7 when merited, initiate the proper proceedings for the cancellation thereof
8 by a competent court: *Provided*, That cancellation of instruments which
9 have not yet been registered under the Torrens system as provided under
10 existing laws and which are found to be spurious shall be effected by the
11 LAA under rules and procedures that it shall promulgate consistent with
12 this Act and existing laws: *Provided further*, That patently fake titles shall
13 also be dealt with administratively by the LAA.

14
15 **c) Public Land Administration**

- 16 1) Administer, manage and/or dispose of all alienable and disposable lands
17 of the public domain under the provisions of Commonwealth Act No. 141
18 otherwise known as the Public Land Act, as amended, Friar Lands under
19 the provisions of Act No. 1120, patrimonial property of the national
20 government under Act No. 3038, and such other public lands as have not
21 been placed under the jurisdiction of any other government agency or
22 instrumentality, in accordance with existing laws; and
- 23 2) Coordinate with local government units and the appropriate agencies in
24 releasing alienable and disposable lands of the public domain for the
25 accelerated implementation of agrarian reform, socialized housing,
26 resettlement and other government programs requiring land.

27
28 **d) Land Records and Information Technology**

- 29 1) Establish and maintain a secure, integrated, and accessible computerized
30 database of all cadastral/parcellary survey and mapping records,
31 registration and titling records and other land information data, and ensure
32 the timely updating of said database; and
- 33 2) Establish and maintain an open system to provide convenient nationwide
34 public access to cadastral/parcellary survey, mapping, registration, titling

1 and other land data; subject, however, to the requirements of security and
2 confidentiality under existing laws.

3
4 **e) Other Functions**

- 5 1) Formulate and recommend policies and programs to achieve the intent
6 and purposes of this Act;
7 2) Determine, fix and collect reasonable amounts to be charged as fees,
8 fines and penalties in the implementation of this Act;
9 3) Receive grants and donations;
10 4) Conduct, regulate, verify and approve all types of cadastral/parcellary land
11 surveys including surveys intended for the implementation of
12 Commonwealth Act No. 141, as amended, Republic Act No. 6657 or the
13 Comprehensive Agrarian Reform Law (CARL) and Republic Act No. 8371
14 or the Indigenous Peoples' Rights Act of 1997 (IPRA);
15 5) Enter into contracts in the implementation of this Act, subject to existing
16 laws;
17 6) Perform such other powers and functions as are currently lodged with the
18 LRA/RoD, LMB/LMS, DENR-CARP National Coordinating Office under PD
19 1529, CA 141 as amended and other existing laws and issuances; and
20 7) Perform such other functions as are necessary, proper and incidental to
21 implement the provisions of this Act.

22
23 Whenever any reference is made to the LRA/RoD, the LMB/LMS and the
24 DENR-CARP National Coordinating Office under Executive Order No. 192,
25 Presidential Decree No. 1529 and Commonwealth Act No. 141, as amended,
26 pertaining to a duty, power, purpose, responsibility or jurisdiction transferred to the
27 LAA by this Act, it shall be deemed to be a reference to, and to mean, the LAA and
28 the Director General of the LAA, as the case may be.

29
30 **SEC. 6. Stakeholders' Advisory Committee.** – The LAA shall be assisted by a
31 Stakeholders' Advisory Committee with 16 members composed of the following:

32 (a) Six (6) representatives from the basic sectors composed of but not limited
33 to farmers, fisherfolk, urban poor, workers in the informal sector, indigenous peoples
34 and NGOs chosen through the nomination process of the National Anti-Poverty

Commission (NAPC);

(b) One (1) representative from the NAPC Women's Sectoral Council;

(c) Five (5) representatives from the private sector appointed by the President. One representative shall come from each of the following: business sector/real estate professionals, banking sector, academe, the geodetic engineer's sector and the Integrated Bar of the Philippines;

(d) Three (3) representatives from the League of Municipalities, Cities and Provinces, respectively; and

(e) The Director General, as ex-officio member.

The Director General may call on heads or representatives of other government agencies to attend the meetings of the committee as the need arises.

The President shall designate the chairperson from among the members of the committee. With the exception of the LAA Director General, the members of the advisory committee shall not hold office in the LAA nor receive any salary but shall be entitled, for actual attendance during meetings, to such allowances and honoraria as are allowed by the rules and regulations promulgated by the Commission on Audit.

SEC. 7. Functions of the Stakeholders' Advisory Committee. – The committee shall advise the LAA on the formulation of policies and policy development pertaining to land administration and public land management and shall monitor their implementation. It shall submit, within three months following the end of each calendar year, a report to the President on its advisory and monitoring activities.

SEC. 8. Meetings of the Committee. – The chairperson shall convene regular meetings of the committee at least once every quarter. Special meetings may also be called by the chairperson or at the initiative of at least three members.

SEC. 9. Secretariat and Logistical Support. – The office of the LAA Director General shall provide secretariat and logistical support to the committee.

ARTICLE III
IMPLEMENTING MECHANISM

SEC. 10. *Structure and Organization.* – The LAA shall consist of:

- (a) The Office of the Director General;
- (b) The Offices of the Deputy Directors General; and
- (c) Land offices.

SEC. 11. *The Director General.* – The authority and responsibility for the exercise of the mandate of the LAA, the accomplishment of its objectives and the discharge of its powers and functions shall be vested in the Director General (DG), of cabinet rank, who shall be appointed by the President.

The Director General shall have the following functions:

- (a) Advise the President on the promulgation of rules, regulations and other issuances relative to land administration and public land management;
- (b) Establish policies and standards for the efficient and effective operations of the LAA in accordance with the programs of the government;
- (c) Promulgate rules, regulations and other issuances necessary in carrying out the LAA's mandate, objectives, policies, plans, programs and projects;
- (d) Exercise control and supervision over all functions and activities of the LAA;
- (e) Delegate authority over all powers, functions and activities of the LAA; and
- (f) Perform such other functions as may be provided by law or assigned by the President.

SEC. 12. *Office of the Director General.* – The Office of the Director General shall consist of the Director General, his immediate staff and the Office of the Legal Services. The DG shall be appointed by the President and shall be a lawyer or a geodetic engineer.

SEC. 13. *Deputy Directors General.* – The Director General shall be assisted by not more than five (5) Deputy Directors General (DDG) who shall be appointed by the President. They shall oversee the land administration and public land management functions of the LAA. They shall be responsible for the following:

- (a) Land Registration;
- (b) Land Surveying;
- (c) Land Records and Information Technology;
- (d) Land Administration; and
- (e) Administration and Finance.

At least one of the Deputy Directors General shall be a member of the bar or a geodetic engineer with at least five years experience in any land administration function. The Deputy Director General for Land Registration should be a member of the Philippine Bar with experience on land registration. The Deputy Director General for Land Surveying shall be a geodetic engineer.

The Director General is hereby authorized to delineate, assign and/or reassign the respective functional areas of responsibility of the Deputy Directors General. Within his functional area of responsibility, a Deputy Director General shall have the following functions:

- (a) Advise the Director General in the promulgation of administrative orders and other issuances with respect to his area of responsibility;
- (b) Exercise supervision over the offices, departments or operating units, and officers and employees under his responsibility;
- (c) Promulgate rules and regulations that will efficiently and effectively govern the activities of the units under his responsibility;
- (d) Coordinate the functions and activities of the units under his responsibility with those of other units under the responsibility of other Deputy Directors General;
- (e) Exercise authority on substantive and administrative matters related to the functions and activities of the units under his responsibility as may be delegated by the Director General;
- (f) Assist the Director General in the formulation, management and implementation of land administration and public land management laws, policies, plans, programs and projects; and
- (g) Perform such other functions as may be provided by law or assigned by the Director General.

Provided, That aside from the functions stated herein, the Deputy Director

1 General for Land Registration shall exercise executive supervision over all clerks of
2 court and personnel of the regular courts throughout the Philippines with respect to
3 the discharge of their duties and functions in relation to the registration of lands:
4

5 *Provided, further,* That each office of the Deputy Director General may create
6 appropriate bureaus, in accordance with existing laws and regulations, as the need
7 arises.
8

9 **SEC. 14. Land Offices.** – Permanent field offices at the city and provincial levels are
10 hereby established and shall be called Land Offices. The LAA may also establish
11 additional Land Offices in a city or province as it may be determined for the efficient
12 and effective delivery of its services: *Provided,* That provinces and cities with existing
13 Registry of Deeds upon approval of this Act shall automatically establish Land
14 Offices: *Provided, further,* That the additional field offices may be abolished by the
15 Director General when these are no longer necessary.
16

17 The Land Offices shall be headed by an Executive Land Officer. He/She shall
18 exercise general supervision on land survey, land registration, public land
19 administration and record and information management within his/her jurisdiction.
20 He/She shall also implement such other functions of the LAA in his/her respective
21 area of responsibility as may be delegated by the Director General to provide a more
22 efficient and effective delivery of services. *Provided,* That the registration personnel
23 shall continue to exercise its other registration functions in accordance with existing
24 laws.
25

26 ARTICLE IV 27 LAND ADJUDICATION BOARD 28

29 **SEC. 15. Creation of the Land Adjudication Board (LAB).** – There is hereby
30 created a Land Adjudication Board (LAB). The LAB shall be the quasi-judicial body
31 of the LAA and shall have the following functions:

32 (a) Exercise exclusive original jurisdiction over all matters involving the
33 implementation of laws, rules and regulations on land administration and public land
34 management, and all cases and/or controversies arising therefrom: *Provided,* That

1 all petitions for the correction of clerical or typographical errors committed in writing,
2 copying, transcribing, or typing of an entry in the maps, survey plans, and certificate
3 of land titles shall be administratively addressed by the LAA Land Offices; and

4 (b) Exercise exclusive original jurisdiction on conflicts arising from the
5 determination and adjudication in land administration and public land management
6 matters, except cases falling under the jurisdiction of the Department of Agrarian
7 Reform (DAR) under the CARP law and the National Commission on Indigenous
8 Peoples under the IPRA law unless specifically provided herein: *Provided, That*
9 jurisdiction over conflicts and cases arising from ownership of private lands shall
10 remain with the regular courts: *Provided, further, That* existing cases on land
11 ownership and conflicts pending in the regular courts shall remain under the court's
12 jurisdiction unless otherwise remanded by the courts to the LAA or LAB for
13 disposition subject to the pertinent provisions of this Act.

14
15 The LAB shall be under the administrative supervision of the Director General
16 and shall be divided into three divisions. Each division shall exercise equal powers,
17 independently resolving cases raised on appeal from the decisions of the Local Land
18 Adjudication Boards, created pursuant to Section 17 hereof, from Luzon, Visayas,
19 and Mindanao: *Provided, That* whenever such a need arises, there shall be created
20 another division: *Provided, further, That* the divisions assigned to handle cases from
21 Visayas and Mindanao shall hold permanent office in any of the cities therein.

22
23 **SEC. 16. Composition.** – Each division of the LAB shall be composed of three (3)
24 permanent members who shall be nominated by the Stakeholder's Advisory
25 Committee and be appointed by the President: *Provided, That* the Director General
26 of the LAA shall sit as *ex officio* or fourth member of each division.

27
28 All members of the Land Adjudication Board shall be members of the Philippine
29 Bar with at least ten (10) years of experience in property and land administration and
30 management related matters. The permanent members of each division shall elect
31 their presiding officer.

32
33 **SEC. 17. Local Land Adjudication Board.** – Local Land Adjudication Boards
34 (LLAB) are hereby created in all provincial and city Land Offices that shall serve as

1 first level board. The LLAB shall be composed of three (3) members. The Presiding
2 Officer shall be the Executive Land Officer, the two other members shall be the head
3 of the local surveys unit and the head of the local registration unit.

4
5 Decisions, orders, and resolutions of the Local Land Adjudication Board shall
6 be raised on appeal to the LAB.

7
8 **SEC.18. Budget and Administrative Support.** – The LAB shall determine and
9 propose its budgetary requirements and shall be submitted as part of the LAA's
10 budget request. Disbursements of the approved budget resources shall be the sole
11 responsibility of the LAB. Secretariat services shall be provided by the LAA.

12
13 **SEC. 19. Proceedings and Procedures.** – The LAB shall not be bound by technical
14 rules of procedure and evidence but shall proceed to hear and decide all cases,
15 disputes or controversies in a most expeditious manner, employing all reasonable
16 means to ascertain the facts of every case in accordance with justice and equity and
17 the merits of the case. Towards this end, it shall adopt uniform rules of procedure to
18 achieve a just, expeditious and inexpensive determination of merits: *Provided*, That
19 it shall endeavor to settle disputes and controversies amicably.

20
21 In the exercise of its functions, the LAB shall have the power to summon
22 witnesses, administer oaths, take testimony, require submission of reports, compel
23 the production of books and documents and answers to interrogatories, issue
24 *subpoena ad testificandum* and *subpoena duces tecum* and enforce its writs through
25 sheriffs or other duly deputized officers. It shall punish direct and indirect contempt
26 in the same manner and subject to the same penalties as provided for in the Rules of
27 Court.

28
29 Responsible persons shall be allowed to represent themselves or their
30 organizations in any proceedings before the LAB: *Provided, however*, That when
31 there are two or more representatives for any individual or group, the representatives
32 shall choose only one from among themselves to represent such party or group
33 before any LAB proceedings.

1 **SEC. 20. *Finality of Determination.*** – Any case or controversy before the LAB shall
2 be decided within thirty (30) days after it is submitted for resolution. Only one motion
3 for reconsideration shall be allowed. Moreover, any order, award, ruling or decision
4 shall be final after the lapse of fifteen (15) days from receipt by the parties of a copy
5 thereof.

6
7 **SEC. 21. *Frivolous Appeals.*** – To discourage frivolous or dilatory appeals from the
8 decisions, awards, rulings or orders, the LAB may impose reasonable penalties
9 including, but not limited to, fines or censures upon erring parties.

10
11 **ARTICLE V**
12 **JUDICIAL REVIEW**
13

14 **SEC. 22. *Certiorari.*** – Any decision, order, award or ruling of the LAA on any
15 dispute or on any matter pertaining to the application, implementation, enforcement
16 or interpretation of this Act and other pertinent laws on land administration and public
17 land management may be brought to the Court of Appeals by certiorari within fifteen
18 (15) days from the receipt of a copy thereof.

19
20 The findings of fact of the LAA shall be final and conclusive if based on
21 substantial evidence.

22
23 **SEC. 23. *Restraining Order or Preliminary Injunction.*** – Only the Court of
24 Appeals and the Supreme Court of the Philippines shall have jurisdiction to issue any
25 restraining order or writ of preliminary injunction against the LAA or any of its duly
26 authorized or designated offices in any case, dispute or controversy arising from,
27 necessary to, or in connection with the application, implementation, enforcement or
28 interpretation of this Act and other pertinent laws on land administration and public
29 land management.

30
31 **SEC. 24. *Procedure on Review.*** – Review by the Court of Appeals or the Supreme
32 Court, as the case may be, shall be governed by the Rules of Court. The Court of
33 Appeals, however, may require the parties to file simultaneous memoranda within a
34 period of fifteen (15) days from notice, after which the case is deemed submitted for

1 decision.

2
3 **SEC. 25. *Authenticity and Validity of Land Record and Titles*** - The LAA shall
4 have the sole authority and power to validate, authenticate and reconstitute land
5 titles and land ownership records and information: *Provided*, That existing cases filed
6 under the regular courts shall remain under its jurisdiction unless remanded to the
7 LAA.

8
9 **ARTICLE VI**
10 **TRANSITORY PROVISIONS**
11

12 **SEC. 26. *Transfer of Powers and Transition Plan***. - The powers and functions of
13 the LAA heretofore vested by law in the DENR, LRA/RoD, LMB/LMS and DENR-
14 CARP National Coordinating Office or in any office within or attached to these
15 agencies, are hereby transferred to and vested in the Office of the Director General.
16 The Director General shall be responsible for the identification, preparation and
17 formulation of a transition plan to ensure the smooth and seamless transfer and
18 assumption of powers, functions and personnel from the abovementioned agencies
19 to the LAA: *Provided*, That such transition plan shall be prepared, formulated and
20 developed in consultation with the affected agencies and its representative
21 stakeholders: *Provided, further*, That the transition plan shall integrate such other
22 actions and activities necessary, including provisions under this section and as
23 provided for under this Act to complete the transition to the LAA.

24
25 **SEC. 27. *Organization of the LAA***. - The LAA's organizational and administrative
26 structure and functions and staffing pattern, including the personnel's duties and
27 responsibilities and the appropriate compensation package shall be submitted by the
28 Director General within six (6) months upon approval of this Act for review and
29 approval of the President and shall be fully implemented within a period of six (6)
30 months after such approval of the President.

31
32 **SEC. 28. *Transfer of Personnel***. - To ensure a smooth transition, all incumbent
33 personnel of the DENR's LMB/LMS, LRA/RoD and DENR-CARP National
34 Coordinating Office and its field offices shall continue to perform their present duties

1 and functions as interim personnel of the LAA until such time, being not later than
2 twelve (12) months from the effectivity of this Act, that the regular staff of the LAA,
3 based on the new staffing pattern, shall have been appointed: *Provided*, That all
4 incumbent and qualified personnel of the DENR's LMB/LMS, LRA/RoD and DENR-
5 CARP National Coordinating Office and its field offices shall be allowed to fill up the
6 appropriate positions for regular personnel of the LAA and its field offices: *Provided*,
7 *further*, That the regular personnel shall be appointed by the Director General, or
8 his/her duly authorized representative, on the basis of merit, previous permanent
9 appointment, fitness, and seniority.

10
11 The existing number of officials and employees of the Land Registration
12 Authority and other agencies to be integrated to the Land Administration Authority
13 shall not be increased and no new hiring shall be allowed until all of them shall have
14 been properly placed. Those who opt to stay shall retain their remuneration and
15 seniority. No official or personnel shall be dislocated and involuntarily separated,
16 except for cause.

17
18 **SEC. 29. Separation Pay and Other Benefits.** – Personnel who are not offered
19 appointment within twelve (12) months upon the effectivity of this Act under the new
20 staffing pattern of the LAA on at least equivalent terms and conditions as their
21 present employment by reason of duplication or redundancy and those who decline
22 an appointment in the LAA by reason of diminution in rank and conditions shall be
23 entitled to the separation pay and other benefits in accordance with Sections 10.1 to
24 10.3 and 13 of Executive Order No. 366 dated October 4, 2004.

25
26 **SEC. 30. Reemployment.** – Government personnel who are separated as a result of
27 the integration of the aforecited offices may apply for positions and be employed in
28 other agencies or branches of the government including government-owned and/or -
29 controlled corporations (GOCCs), government financial institutions (GFIs) or local
30 government units (LGUs).

31
32 **SEC. 31. Unexpended Appropriations and Transfer of Assets.** – The
33 unexpended balances of appropriations in the current General Appropriations Act
34 and other laws in force upon approval hereof, pertaining to, held, or used by, or

1 available to the LRA and RoD, the LMB, the LMS, the DENR-CARP National
2 Coordinating Office and its field offices, and the LAMP are hereby transferred to the
3 LAA.

4
5 Such other unexpended balances of appropriations as may be deemed
6 appropriate by the Department of Budget and Management for transfer to the LAA
7 shall also be so transferred.

8
9 All real and personal properties, assets, liabilities, records, documents,
10 positions, appropriations, contracts and agreements which, upon the effectivity of
11 this Act, are vested in, or owned, by the LMB/LMS, the DENR-CARP National
12 Coordinating Office and its field offices, the LRA/RoD and the LAMP are hereby
13 transferred to the LAA.

14
15 **SEC. 32. Penal Provisions.** – Any person who sells forms issued and distributed
16 gratuitously under this Act or who, being an officer charged with distributing them,
17 refuses or fails without sufficient reason to furnish the same shall be punished for
18 each offense by a fine of not less than One hundred thousand pesos (P100,000.00)
19 and not more than One million pesos (P1,000,000.00) or imprisonment of not less
20 than six months nor more than three years, or both, at the discretion of the court.

21
22 Any person, corporation, association or partnership which, not being qualified or
23 no longer authorized to apply for registration purposes, files or induces or knowingly
24 permits another person, corporation, association or partnership to file an application
25 in his/her or its behalf, or for his/her or its interest, benefit or advantage shall be
26 punished for each offense by a fine of not less than One hundred thousand pesos
27 (P100,000.00) or imprisonment of not less than five years, or both, at the discretion
28 of the court: *Provided*, That in case the offender is a corporation, association or
29 partnership, their responsible officials shall be deemed jointly and severally liable.
30 The application shall be cancelled.

31
32 Any person who shall, by deceit or fraud, acquire or attempt to acquire lands of
33 the public domain or other real property or any right, title or interest, or property right
34 of any class to the same, and any person aiding and abetting him therein or serving

1 as a means or tool thereof shall, upon conviction, be punished by a fine of not less
2 than One hundred thousand pesos (P100,000.00) and imprisonment of not less than
3 five years nor more than twelve (12) years, or both, at the discretion of the court.
4

5 Any person who shall tamper or attempt to tamper any records of the LAA that
6 will result in the acquisition of rights, title or interest over real property and any
7 person aiding and abetting him therein or serving as a means or tool thereof shall,
8 upon conviction, be punished by a fine of not less than Five hundred thousand pesos
9 (P500,000.00) and imprisonment of not less than twelve (12) years, or both, at the
10 discretion of the court.
11

12 For purposes of this Act, if the offender is a public official or government official
13 or employee, he or she shall be, in addition to the existing penalties, removed from
14 office, forfeit all retirement benefits except the monetary value of accumulated leave
15 credits and be perpetually disqualified from holding any elective or appointive public
16 office.
17

18 **SEC. 33. *Preservation of Records.*** – The LAA shall have possession and control of
19 all records, books, papers, offices, equipment, supplies, moneys, funds,
20 appropriations, land and other property, real or personal, held for the benefit or use
21 of all bodies, offices and officers whose duties, powers and functions have been
22 transferred to and conferred upon the LAA.
23

24 Pending a written notice of receipt issued by a duly authorized officer of the
25 LAA, it shall be the duty of any and all personnel responsible for, or in possession of
26 records relating to the affairs of the LMB, the LMS, the DENR-CARP National
27 Coordinating Office and its field offices, the LRA and the RoD to protect and
28 preserve such records.
29

30 Without prejudice to any other penalties provided for by law, any person who
31 fails to fulfill his/her duty pursuant to the above paragraph shall be guilty of an
32 offense against the provisions of this Act, punishable by a fine of not less than One
33 million pesos (P1,000,000.00) or imprisonment of not more than five years, or both,
34 at the discretion of the court.

1 **SEC. 34. *Saving Clause.*** – All orders, determination, rules, regulations, permits,
2 certificates, licenses and privileges which have been issued, made or granted
3 effective by the former LMB, LMS, LRA, RoD, DENR-CARP National Coordinating
4 Office and its field offices, and LAMP, or their predecessors shall continue to be in
5 effect according to their terms until modified, terminated, superseded, set aside or
6 repealed.

7
8 No suit, action or other proceedings commenced by or against any officer in his
9 official capacity as an officer of any division or unit of the former LMB, LMS, LRA,
10 RoD, DENR-CARP National Coordinating Office and its field offices, and LAMP, the
11 functions of which are transferred by this Act to the LAA shall abate by reason of this
12 Act. In like manner, no cause of action by or against such division or unit or by or
13 against any officer thereof in his official capacity shall abate by reason of the
14 enactment of this Act. Causes of actions, suits or other proceedings may be asserted
15 for or against the LAA or such official of the LAA, as may be appropriate.

16
17 **ARTICLE VII**
18 **MISCELLANEOUS PROVISIONS**
19

20 **SEC. 35. *Use of Income and Other Sources of Funds.*** - The LAA is hereby
21 authorized to use fifty percent (50%) of all revenues derived from fees, charges,
22 fines, penalties and other sources for capital outlay on infrastructure, procurement of
23 equipment and services related to the integration, updating and maintenance of
24 computer-based land information and database system, training and skills upgrading
25 including personnel capacity building of LAA.

26
27 The LAA shall be allowed to receive, hold and utilize funds from grants,
28 donations, contributions and other gratuitous sources both foreign and local for the
29 implementation of its mandate, programs and projects, subject to existing rules and
30 regulations.

31
32 **SEC. 36. *Assurance Fund.*** – A special account within the LAA is hereby created for
33 the entire proceeds of the Assurance Fund, which shall no longer be paid to the
34 National Treasury as provided for in Section 94 of Presidential Decree No. 1529.

1 Claims from the Assurance Fund shall be heard, decided and determined by
2 the LAB. All pending cases or claims against the Assurance Fund now being
3 handled by the Bureau of Treasury, through the Office of the Solicitor General, shall
4 likewise be transferred to the LAB. Thereafter, the National Treasurer shall no longer
5 be impleaded as party in any action against the Assurance Fund.

6
7 **SEC. 37. Indemnification of Officials and Personnel.** – The LAA shall indemnify
8 all officials and personnel for all costs and expenses reasonably incurred by such
9 persons in connection with any civil or criminal actions, suits or proceedings to which
10 they may be or made a party by reason of the performance of their functions or
11 duties, unless they are finally adjudged in such actions or proceedings to be liable.

12
13 In the event of settlement or compromise, indemnification shall be provided only
14 in connection with such matters covered by the settlement as to which the LAA is
15 advised by an external counsel that the persons to be indemnified did not commit
16 any gross negligence or misconduct.

17
18 The costs and expenses incurred in defending the aforementioned action, suit
19 or proceeding may be paid by the LAA in advance of the final disposition of such
20 action, suit or proceeding upon receipt of an undertaking by or on behalf of the
21 Director General wherein the official or employee shall repay the amount advanced
22 should it ultimately be determined by the LAA that such official or employee is not
23 entitled to be indemnified as provided in this section.

24
25 **SEC. 38. Implementing Rules and Regulations.** – Within sixty (60) days from the
26 effectivity of this Act, the LAA shall promulgate the rules and regulations to
27 implement the provisions of this Act. In the process of the formulation of the IRR for
28 this Act, consultations shall be made with the Stakeholders' Advisory Committee and
29 submitted to the Office of the President for approval. Copies of the IRR shall be
30 distributed to the Congressional Oversight Committee on Land Administration
31 created under Section 39 hereof.

32
33 **SEC. 39. Congressional Oversight Committee on the Land Administration**
34 **Reform Act.** – There is hereby created a Congressional Oversight Committee on the

1 Land Reform Act composed of seven (7) members from the Senate and seven (7)
2 members from the House of Representatives to be designated by the Senate
3 President and the House Speaker, respectively. The Committee on Environment
4 and Natural Resources shall act as chair.

5
6 The Congressional Oversight Committee, which shall function for a period of
7 not more than three years, shall oversee the implementation of this Act.

8
9 The secretariat of the Congressional Oversight Committee shall be drawn from
10 the existing secretariat personnel of the committees of the Senate and the House of
11 Representatives comprising the oversight committee and the funding for its
12 operations shall be taken from the existing budget of the concerned committees.

13
14 **SEC. 40. Separability Clause.** – Should any provision of this Act or any part hereof
15 be declared unconstitutional or invalid by a court, the other provisions hereof which
16 are not affected thereby shall remain in force and effect.

17
18 **SEC. 41. Repealing Clause.** – All laws, decrees, orders, instructions, proclamations,
19 rules and regulations or parts thereof, including pertinent provisions of
20 Commonwealth Act No. 141, Act No. 496, Presidential Decree No. 1529, Executive
21 Order No. 192 and its related rules and regulations; Executive Order No. 469 dated
22 February 11, 1981 and the subsequent Presidential Memorandum Circular dated 30
23 September 1988 and their related rules and regulations; and the Administrative Code
24 of 1987, which are inconsistent with any provision of this Act, are hereby repealed,
25 modified, or amended accordingly.

26
27 **SEC. 42. Effectivity.** – This Act shall take effect fifteen (15) days after its complete
28 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,