

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

18TH CONGRESS
First Regular Session

HOUSE BILL NO. 1178



**Introduced by Representatives Michael L. Romero and
Enrico A. Pineda**

EXPLANATORY NOTE

The *Cadastral Survey Program* in the country started way back in 1913, with the enactment of Commonwealth Act No. 2259, otherwise known as the Cadastral Act. But through the years, the project has not been given enough resources for its implementation.

In 1992, with the passage of Republic Act No. 7160, also known as the Local Government Code of 1991, the functions to conduct cadastral survey, lot survey, and isolated and special surveys were among the functions of the Department of Environment and Natural Resources (DENR) that were devolved to the local government units (LGUs).

Ten years later, in 2012, it was found out that not a single municipality had completed its cadastral survey due to lack of manpower and financial resources. This prompted the DENR, through DENR Administrative Order No. 2001-23, to get back from the LGUs the devolved functions to execute, supervise and manage land surveys.

This House Bill seeks to resolve the issues, concerns and ownership of landowners holding unregistered properties.

Earnest approval of this bill is hereby requested.


MICHAEL L. ROMERO Ph.D.


ENRICO A. PINEDA

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AN ACT

**PROVIDING FOR ADDITIONAL ALLOTMENT FOR THE "SPECIAL
CADASTRAL PROGRAM REVOLVING FUND", TO EXPAND THE
SUPPORT FOR SURVEY AND REGISTRATION PROGRAMS, AND
FOR OTHER PURPOSES**

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

SECTION 1. DECLARATION OF POLICY – The Department of Agriculture (DA) shall hereby provide an additional One hundred million pesos (**₱100,000,000.00**) to resolve the rights of landholders holding unregistered property, the Bureau of Lands is hereby directed to undertake an expanded cadastral survey and land registration program commencing within six (6) months from the passage of this Act.

The Bureau of Lands is hereby authorized to re-align its appropriations, along with its supplemental and additional funding in the current year of the date of the effectivity of this Act to conform with its mandate and requirements.

SECTION 2. PAYMENT OF COSTS OF LANDS IN CASE OF TRANSFER.

— In case of the sale, transfer, or conveyance, for a pecuniary consideration, of any property, or part thereof, registered by virtue of a decree issued in a cadastral proceeding, prior to the payment of the total amount of the costs taxed against such property in accordance with the preceding Section endorsed as an encumbrance or lien upon each cadastral certificate of title, the vendor or his legal representative shall pay such costs in their entirety in case the order apportioning the costs has already been issued in the cadastral proceeding in which the property being sold, transferred, or conveyed is included, and the register of deeds concerned shall demand of the vendor, before registering the deed for such sale, transfer, or conveyance of said property, that he exhibit a receipt signed by the Director of Lands or his duly authorized representative showing that such encumbrance or lien has been paid.

SECTION 3. COST OF REGISTRATION PROCEDURES. — The costs of the registration proceedings under the provisions of this Code shall consist of a sum equivalent to ten *per centum* of the costs of the survey and monumenting of the land. The amount of the costs of the proceeding so taxed shall be for all services rendered by the Land Registration Commission and the clerk or his deputies in each cadastral proceeding, and the expense of publication, mailing, and posting notice, as well as the notices of the decision and the order apportioning the cost shall be borne by the Land Registration Commission.

SECTION 4. LAWS GOVERNING SURVEY AND REGISTRATION OF LANDS. — Unless otherwise provided in this Chapter, all provisions of law covering the survey and registration of land shall remain in full force and effect.

SECTION 5. REVOLVING APPROPRIATION. — All amounts collected by the Bureau of Lands or its duly authorized representatives from the owners of the various lots as costs of proceedings, survey, and monumenting in relation to the cadastral survey program herein described shall be paid into a Special

Cadastral Program Revolving Fund to finance the cadastral land survey and registration of other unregistered lands.

SECTION 6. APPROPRIATION. — To finance and support the expanded cadastral land survey and registration program set forth herein, the amount of One hundred million pesos (**₱100,000,000.00**) is hereby appropriated out of funds in the National Treasury not otherwise appropriated, which amount shall be paid into a "Special Cadastral Program Revolving Fund", to finance the cadastral land survey and registration of other unregistered areas. (in pursuant to RA3844).

SECTION 7. CONTINUING APPROPRIATION. - The Department of Budget and Management (DBM) is hereby mandated to include annually in the next five **(5) years**, in the President's Program of expenditures for submission to Congress, and release, an amount not less than One hundred million pesos (**₱100,000,000.00**) for the implementation of this Act.

SECTION 8. PERIODIC REPORTS - The Committee shall submit periodic reports on its findings and make recommendations on actions to be taken by Congress and Senate and the appropriate department, and in order to carry out the objectives and mandates of this Act, an additional amount of One hundred million pesos (**₱100,000,000.00**) is hereby appropriated.

SECTION 9. AUTOMATIC REVIEW - Every two **(2) years** after the effectivity of this Act, an independent review panel composed of experts to be appointed by the President shall review the policies and programs in the Bureau of Lands of the Department of Agriculture and shall make recommendations, based on its findings, to the President and to both Houses of Congress.

SECTION 10. REPEALING CLAUSE. All laws, executive orders, issuances, rules and regulations inconsistent with this Act are hereby amended, repealed or modified accordingly.

SECTION 11. SEPARABILITY CLAUSE. If, for any reason or reasons, any portion or provision of this Act shall be held unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SECTION 12. EFFECTIVITY CLAUSE. This Act shall take effect fifteen (15) days after its publication in any newspaper of general circulation.

Approved,