

FOURTEENTH CONGRESS)
OF THE REPUBLIC OF THE PHILIPPINES)
Second Regular Session

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SENATE

P. S. Res. No. 1045

RECEIVED BY 

INTRODUCED BY THE HONORABLE SENATOR MAR ROXAS

A RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEES TO LOOK INTO THE STATUS OF IMPLEMENTATION OF SECTION 45 OF THE PUBLIC LAND ACT VIS-À-VIS FARMERS' AND FISHERMEN'S ACCESS TO AND OWNERSHIP OF ALIENABLE AND DISPOSABLE LANDS OF THE PUBLIC DOMAIN, IN ORDER TO DETERMINE APPROPRIATE REMEDIAL MEASURES THAT WILL ENSURE ITS CONTINUED AND EFFECTIVE IMPLEMENTATION.

WHEREAS, Article XIII, Section 1 of the 1987 Philippine Constitution, expressly mandates Congress to enact measures that reduce social, economic, and political inequalities and remove cultural inequities by equitably diffusing wealth;

WHEREAS, Commonwealth Act No. 141, otherwise known as the Public Land Act, expressly recognizes the system of free patent as a mode of acquiring title over land, subject however, to the limitation that all applications for free patent shall have been filed on or before 31 December 2000;

WHEREAS, Republic Act No. 9176 was enacted on 13 November 2002 extending the effectivity of the system of free patent and allowing the application for such until 31 December 2020;

WHEREAS, there is no clear available data as to how many farmers and fishermen have acquired ownership of their own lands, either through the system of free patent or through other modes of acquisition of title recognized by law;

WHEREAS, there is a need to determine how many qualified farmers and fisherfolks have yet to have their lands titled in their name and ascertain any existing impediment or barrier that prevents farmers and fishermen to utilize the free patent system;

WHEREAS, the free patent system consists only of an administrative legalization of imperfect title over public lands, thus is more affordable and expeditious as opposed to the long and tedious judicial process of confirmation;

WHEREAS, various reports indicate that Filipino farmers and fishermen continue to struggle for their right to security of land tenure and acquire ownership and title over public lands which they have been occupying and cultivating for more than a decade;

WHEREAS, considering that the free patent system is the most beneficial for landless farmers and fishermen, being the more expeditious and affordable procedure, there is a need to look into the need for making the same available to qualified beneficiaries permanently;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate direct the appropriate Senate Committees to look into the status of implementation of Section 45 of the Public Land Act vis-à-vis farmers' and fishermen's access to and ownership of alienable and disposable lands of the public domain, in order to determine appropriate remedial measures that will ensure its continued and effective implementation.

Adopted,



M A ROXAS
Senator