

THIRTEENTH CONGRESS OF THE)
Republic of the Philippines)
First Regular Session)

SENATE
OFFICE OF THE SECRETARY

'04 JUN 30 P 1:25

SENATE

RECEIVED BY:

S.B. No. 127

Introduced by SENATOR LUISA "LOI" P. EJERCITO ESTRADA

EXPLANATORY NOTE

Education plays an essential role in the overall development effort of the country particularly in tapping the potentials and harnessing the talents of the Filipino youth. Unfortunately, the Department of Education reported that there are still 8,011 untitled and 6,257 unregistered school sites throughout the nation. This means that these schools are "squatters" in the sense that the government does not have legal property rights over the land occupied by these schools.

In most cases, these school sites are owned by local government units or are leased from private individuals. On the other hand, some lands which were verbally donated, lack the proper legal documents to support the transfer of ownership. Thus, upon the death of the donors, their heirs claim the ownership of the land resulting to court litigation. Currently, most of these cases are pending in court.

The passage of this bill will provide for the summary titling of all lands being utilized as public school sites and register these real properties with the Registry of Deeds in the name of the Department of Education. This will enable the school authorities to have direct control and supervision over the land occupied by public schools.

In view thereof, the approval of this bill is earnestly sought.


LUISA "LOI" P. EJERCITO ESTRADA
Senator

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AN ACT
PROVIDING FOR THE SUMMARY TITLING OF REAL PROPERTIES USED AS
SITES FOR PUBLIC SCHOOLS

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

SECTION 1. Purpose of the Bill. - It is hereby declared that this bill aims to provide all lands being utilized as public school sites with titles under the name of the Department of Education to enable it to have legal ownership over these school sites.

SECTION 2. Mandatory Titling of School Sites. - Titles to real properties, public or private, including those owned or possessed by the national, provincial or municipal governments which are being utilized as actual sites for public schools for a period of at least five (5) years shall be transferred to the Department of Education by simple motion filed by the Office of the Solicitor General or Municipal, City or Provincial Prosecutor. The proceedings shall be summary in nature and the decision shall be final and executory and not subject to appeal except in a petition for certiorari to the Supreme Court.

SECTION 3. Registration of Land Titles. - The Registry of Deeds concerned shall forthwith register the properties as provided herein and issue the corresponding certificate of title to the Department of Education.

SECTION 4. Appropriations. - Funds necessary for the implementation of this Act shall be charged to the appropriations for the Department of Education under the General Appropriations Act.

SECTION 5. Separability Clause. - If any part or provision of this Act is held unconstitutional or invalid, the other parts or provisions hereof which are not affected thereby, shall continue to be in full force and effect.

SECTION 6. Repealing Clause. - All laws, decrees, rules and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 7. Effectivity. - This Act shall take effect fifteen (15) days following the completion of its publication in two (2) newspapers of general circulation.

Approved,