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THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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SENATE
S. No. 293

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

It has been a rampant practice for land titles to be issued even though the lands they cover are part of the forest zone. Many of these titles are issued through judicial proceedings which also require judicial proceedings to nullify them. Such proceedings are very expensive, long-drawn and complicated.

In order to hasten the process of nullifying such land titles, this bill seeks to authorize the Secretary of Environment and Natural Resources to nullify, through administrative proceedings, the illegal titles covering lands of the forest zone. Administrative proceedings are much less expensive, more expeditious, and much more simple, inasmuch as the vital facts involved are directly available in the Department of Environment and Natural Resources itself.

In view of the foregoing, passage of this bill is earnestly sought.



SERGIO OSMEÑA III
Senator

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AN ACT
DIRECTING THE SECRETARY OF ENVIRONMENT AND NATURAL
RESOURCES TO NULLIFY TITLES OVER LANDS NOT YET CLASSIFIED AS
ALIENABLE AND DISPOSABLE AT THE TIME OF THE ISSUANCE OF SAID
TITLES, AND FOR OTHER PURPOSES

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

1 SECTION 1. Whenever the Secretary of Environment and Natural
2 Resources determines, after investigation and due hearing at his own initiative or
3 at the instance of any party, office or entity, that title has been issued on a parcel
4 of land or any portion thereof not yet classified as alienable and disposable at the
5 time of the issuance of the title thereto, he shall declare the title null and void
6 insofar as it covers said land or portion thereof.

7 SEC. 2. If the land referred to in the preceding section is cultivated or
8 occupied by bona-fide and landless tillers, settlers or residents, and the said land
9 is or has become suitable for agriculture and can be classified as alienable and
10 disposable under existing policies of the government, the Secretary of
11 Environment and Natural Resources shall so classify the land and shall turn it
12 over to the Department of Agrarian Reform for distribution to its actual tiller or
13 occupants, or to other farmers in accordance with the priorities, policies, terms
14 and conditions governing the distribution of public lands under the agrarian
15 reform program of the government.

1 SEC. 3. Should the land or portions thereof, referred to in Section 1
2 hereof, be uncultivated and unoccupied, and should it be or has become suitable
3 for agriculture and can be classified as alienable and disposable under existing
4 government policies, the Secretary of Environment and Natural Resources shall
5 so classify the said land, and shall notify the Department of Agrarian Reform, and
6 should the Secretary of Agrarian Reform request it, the Secretary of Environment
7 and Natural Resources shall turn over the said land to the Department of
8 Agrarian Reform for its distribution or other disposition under the agrarian reform
9 program of the government; otherwise, it shall remain under the jurisdiction and
10 disposition of the Land Management Bureau.

11 SEC. 4. Should the land referred to in the preceding Section 1 be
12 unsuitable for agriculture or cannot be classified or disposed under existing
13 government policies and regulations, the Secretary of Environment and Natural
14 Resources shall maintain the same as forest land or as some other class of land
15 of the public domain in accordance with existing laws, policies, and regulations.

16 SEC. 5. The Secretary of Environment and Natural Resources shall
17 promulgate the necessary rules and regulations to implement the provisions of
18 this Act, including rules of procedure to govern nullification of title proceedings
19 thereunder: *Provided*, That all final decisions of the Secretary of Environment
20 and Natural Resources in any case for nullification of title under this Act shall be
21 appealable to the Office of the President, whose decision thereon shall be final.

22 SEC. 6. The Secretary of Agrarian Reform shall promulgate the
23 necessary rules and regulations for the acquisition, maintenance, and disposition
24 of all lands, to be turned over to it under this Act.

25 SEC. 7. All laws, ordinances, rules and regulations, other issuances or
26 parts thereof which are inconsistent with this law are hereby repealed or modified
27 accordingly.

1 SEC. 8. This Act shall take effect fifteen (15) days after its publication in
2 two (2) newspapers of general circulation.

Approved,