

CONGRESS OF THE PHILIPPINES
EIGHTEENTH CONGRESS
Second Regular Session

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Certified by the
President for its
Immediate Enactment on
December 15, 2020

AS APPROVED ON
THIRD READING ON
DECEMBER 15, 2020

SENATE

S. No. 1931

PREPARED BY THE COMMITTEE ON JUSTICE AND HUMAN
RIGHTS WITH SENATORS ANGARA, GORDON,
VILLANUEVA, ZUBIRI, TOLENTINO, RECTO, VILLAR,
DRILON AND MARCOS AS AUTHORS

AN ACT IMPROVING CONFIRMATION OF IMPERFECT
TITLES, AMENDING FOR THE PURPOSE
PRESIDENTIAL DECREE NO. 1529,
COMMONWEALTH ACT NO. 141, AND REPUBLIC
ACT NO. 9176, AND FOR OTHER PURPOSES

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

1 SECTION 1. *Declaration of Policy.* – It is the declared
2 policy of the State to simplify, update and harmonize
3 similar and related provisions of land laws in order to
4 simplify and remove ambiguity in its interpretation and
5 implementation. It is also the policy of the State to provide

1 land tenure security by continuing judicial and
2 administrative titling processes.

3 SEC. 2. *Judicial Confirmation of Imperfect Title.* –

4 The qualifications provided in Section 14 of Presidential
5 Decree (PD) No. 1529 and Section 48, Chapter VII of
6 Commonwealth Act No. 141, as amended, shall be
7 amended to read as follows:

8 “SEC. 14. *Who may apply.* – The following
9 persons may file in the proper [~~Court of First~~
10 ~~Instance~~] REGIONAL TRIAL COURT an
11 application for registration of title to land, NOT
12 EXCEEDING TWELVE (12) HECTARES,
13 whether personally or through their duly
14 authorized representatives:

15 “(1) Those who by themselves or through
16 their predecessors-in-interest have been in
17 open, continuous, exclusive and notorious
18 possession and occupation of alienable and
19 disposable lands of the public domain under a
20 bona fide claim of ownership [~~since June 12,~~

1 ~~1945, or earlier,~~] FOR AT LEAST THIRTY (30)
2 YEARS IMMEDIATELY PRECEDING THE
3 FILING OF THE APPLICATION FOR
4 CONFIRMATION OF TITLE EXCEPT WHEN
5 PREVENTED BY WAR OR FORCE
6 MAJEURE. THEY SHALL BE
7 CONCLUSIVELY PRESUMED TO HAVE
8 PERFORMED ALL THE CONDITIONS
9 ESSENTIAL TO A GOVERNMENT GRANT
10 AND SHALL BE ENTITLED TO A
11 CERTIFICATE OF TITLE UNDER THIS
12 SECTION.

13 “(2) THOSE WHO HAVE ACQUIRED
14 OWNERSHIP OF PRIVATE LANDS OR
15 ABANDONED RIVERBEDS BY RIGHT OF
16 ACCESSION OR ACCRETION UNDER THE
17 EXISTING LAWS.

18 “(3) THOSE WHO HAVE ACQUIRED
19 OWNERSHIP OF LAND IN ANY OTHER
20 MANNER PROVIDED FOR BY LAW.”

1 “SEC. 48. The following-described citizens
2 of the Philippines, occupying lands of the public
3 domain or claiming to own any such lands or
4 an interest therein, but whose titles have not
5 been perfected or completed, may apply to the
6 [~~Court of First Instance of the province~~]
7 REGIONAL TRIAL COURT where the land is
8 located for confirmation of their claims and the
9 issuance of a certificate of title therefor, under
10 the Land Registration Act, to wit:

11 “(1) THOSE WHO BY THEMSELVES
12 OR THROUGH THEIR PREDECESSORS-IN-
13 INTEREST HAVE BEEN IN OPEN,
14 CONTINUOUS, EXCLUSIVE AND
15 NOTORIOUS POSSESSION AND
16 OCCUPATION OF ALIENABLE AND
17 DISPOSABLE LANDS OF THE PUBLIC
18 DOMAIN UNDER A BONA FIDE CLAIM OF
19 OWNERSHIP FOR AT LEAST THIRTY (30)

1 YEARS IMMEDIATELY PRECEDING THE
2 FILING OF THE APPLICATION FOR
3 CONFIRMATION OF TITLE EXCEPT WHEN
4 PREVENTED BY WAR OR FORCE
5 MAJEURE. THEY SHALL BE
6 CONCLUSIVELY PRESUMED TO HAVE
7 PERFORMED ALL THE CONDITIONS
8 ESSENTIAL TO A GOVERNMENT GRANT
9 AND SHALL BE ENTITLED TO A
10 CERTIFICATE OF TITLE UNDER THIS
11 SECTION.

12 “(2) THOSE WHO HAVE ACQUIRED
13 OWNERSHIP OF PRIVATE LANDS OR
14 ABANDONED RIVERBEDS BY RIGHT OF
15 ACCESSION OR ACCRETION UNDER THE
16 EXISTING LAWS.

17 “(3) THOSE WHO HAVE ACQUIRED
18 OWNERSHIP OF LAND IN ANY OTHER
19 MANNER PROVIDED FOR BY LAW.”

1 SEC. 3. *Proof that the Land is Alienable and*
2 *Disposable.* – For purposes of judicial confirmation of
3 imperfect titles filed under PD No. 1529, a duly signed
4 certification by a duly designated Department of
5 Environment and Natural Resources (DENR) Geodetic
6 Engineer that the land is part of alienable and disposable
7 agricultural lands of the public domain is sufficient proof
8 that the land is alienable. Said certification shall be
9 imprinted in the approved survey plan submitted by the
10 applicant in the land registration court. The imprinted
11 certification in the plan shall contain a sworn statement by
12 the geodetic engineer that the land is within the alienable
13 and disposable lands of the public domain and shall state
14 the applicable Administrative Order, DENR
15 Administrative Order, Executive Order, Proclamations and
16 the Land Classification (LC) Map Project Number covering
17 the land.

18 Should there be no available copy of the Forestry
19 Administrative Order, Executive Order or Proclamation, it
20 is sufficient that the Land Classification (LC) Map

1 Number, Project Number, and released classification
2 indicated in the land classification map be stated in the
3 sworn statement declaring that said land classification
4 map is existing in the inventory of LC Map records of the
5 National Mapping and Resource Information Authority
6 (NAMRIA) and is being used by the DENR as land
7 classification map.

8 *SEC. 4. Administrative Legalization of Free Patents.*

9 – Sections 44, Chapter VI of Commonwealth Act (CA) No.
10 141, as amended, is further amended to read as follows:

11 “SEC. 44. Any natural-born citizen of the
12 Philippines who is not the owner of more than
13 twelve (12) hectares and who, for at least thirty
14 (30) years prior to the [~~effectivity of this~~
15 ~~amendatory—Act~~] FILING OF THE
16 APPLICATION, has continuously occupied and
17 cultivated, either by himself/HERSELF or
18 through his/HER predecessors-in-interest a
19 tract or tracts of ALIENABLE AND
20 DISPOSABLE agricultural public lands subject

1 to disposition, AND who shall have paid the
2 real estate tax thereon [~~while the same has not~~
3 ~~been occupied by any person~~] shall be entitled,
4 under the provisions of this Chapter, to have a
5 free patent issued to him for such tract or
6 tracts of such land not to exceed twelve (12)
7 hectares.”

8 SEC. 5. Section 45, as amended, of CA No. 141 shall
9 be deleted and a new Section 45 shall be inserted as
10 follows:

11 “SEC. 45. *PERIOD FOR APPLICATION.*
12 – ALL APPLICATIONS SHALL BE FILED AT
13 ANY TIME AFTER THE EFFECTIVITY OF
14 THIS ACT BEFORE THE COMMUNITY
15 ENVIRONMENT AND NATURAL
16 RESOURCES OFFICE (CENRO) OR REGION
17 OF THE DENR. THE CENRO IS MANDATED
18 TO PROCESS THE APPLICATION WITHIN
19 ONE HUNDRED AND TWENTY (120) DAYS
20 TO INCLUDE COMPLIANCE WITH THE

1 REQUIRED NOTICES AND OTHER LEGAL
2 REQUIREMENTS, AND FORWARD THEIR
3 RECOMMENDATION TO THE PROVINCIAL
4 ENVIRONMENT AND NATURAL
5 RESOURCES OFFICE (PENRO) IF THE
6 AREA OF THE LAND IS BELOW FIVE (5)
7 HECTARES; TO THE DENR REGIONAL
8 DIRECTOR IF THE AREA OF THE LAND IS
9 FIVE (5) TO TEN (10) HECTARES; AND TO
10 THE SECRETARY OF DENR IF THE AREA
11 OF THE LAND IS MORE THAN TEN (10) TO
12 TWELVE (12) HECTARES, WHO SHALL
13 HAVE FIVE (5) DAYS TO APPROVE OR
14 DISAPPROVE THE PATENT. IN CASE OF
15 APPROVAL, THE PATENT SHALL BE
16 ISSUED; IN CASE OF CONFLICTING
17 CLAIMS AMONG DIFFERENT CLAIMANTS,
18 THE PARTIES MAY SEEK THE PROPER
19 JUDICIAL REMEDIES: *PROVIDED*, THAT
20 IN PROVINCES WITH NO CENRO, THE

1 APPLICATION SHALL BE FILED WITH THE
2 PENRO.”

3 SEC. 6. Section 47, Chapter VIII of CA No. 141, as
4 amended by Republic Act No. 9176, is hereby amended to
5 read as follows:

6 “SEC. 47. The persons specified in the
7 next following section [~~are hereby granted~~
8 ~~time, not to extend beyond December 31, 2020~~
9 ~~within which to~~] MAY avail of the benefits of
10 this Chapter AT ANYTIME. [~~Provided, That~~
11 ~~this period shall apply only where the area~~
12 ~~applied for does not exceed twelve (12)~~
13 ~~hectares: Provided, further, That the several~~
14 ~~periods of time designated by the President in~~
15 ~~accordance with Section Forty five of this Act~~
16 ~~shall apply also to the lands comprised in the~~
17 ~~provisions of this Chapter, but this Section~~
18 ~~shall not be construed as prohibiting any of~~
19 ~~said persons from acting under this Chapter at~~

1 ~~any time prior to the period fixed by the~~
2 ~~President.]”~~

3 SEC. 7. *Penalties.* – In addition to the penalties
4 provided in the Revised Penal Code and in Republic Act
5 No. 8560, as amended, otherwise known as the “Philippine
6 Geodetic Engineering Act of 1998”, a geodetic engineer who
7 shall prepare willfully or through gross inexcusable
8 negligence a sworn certification that contains false,
9 fraudulent, or incomplete data or information, shall be
10 penalized with a fine of not less than One hundred
11 thousand pesos (P100,000.00) but not more than Five
12 hundred thousand pesos (P500,000.00), or imprisonment of
13 not less than six (6) months but not exceeding six (6) years,
14 or both, at the discretion of the Court.

15 SEC. 8. *Removal of Restrictions.* – The provisions of
16 Republic Act No. 11231 shall be applicable to Free Patents
17 issued under this Act.

18 SEC. 9. *Implementing Rules and Regulations.* –
19 Within sixty (60) days from the effectivity of this Act, the
20 Director of the Land Management Bureau of DENR shall

1 promulgate the Implementing Rules and Regulations to
2 carry out the provisions of this Act, and shall see to it that
3 such are gender responsive.

4 SEC. 10. *Repealing Clause.* – All laws, decrees,
5 executive orders, executive issuances or letters of
6 instruction, rules and regulations or any part thereof
7 inconsistent with or contrary to the provisions of this Act
8 are hereby deemed repealed, amended or modified
9 accordingly.

10 SEC. 11. *Separability Clause.* – If, for any reason or
11 reasons, any part or parts of this Act shall be declared
12 unconstitutional or invalid by any competent court, other
13 parts of this Act shall continue to be in full force and effect.

14 SEC. 12. *Effectivity Clause.* – This Act shall take
15 effect fifteen (15) days after publication in the *Official*
16 *Gazette* or in at least two (2) newspapers of general
17 circulation.

Approved,