

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



'22 JUL 18 A8:53

SENATE
S. No. 661

RECEIVED BY: _____

Introduced by Senator **PIA S. CAYETANO**

AN ACT
INSTITUTING REFORMS IN LAND ADMINISTRATION SYSTEM, CREATING
THE LAND ADMINISTRATION AUTHORITY, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Land, as a valuable and vital resource, needs to be utilized properly and developed appropriately to achieve sustainable development that would benefit the present and future generations of Filipinos.

The Philippines' more than 7,100 islands form part of the country's 30 million hectares of land. Our growing population has to share this sizeable yet scarce resource, currently estimated at 112 million. It is thus imperative that our country's land resources are effectively administered and equitably managed, a function that is bestowed mainly on the national government.

However, land administration, such as land surveys, mapping, classification, titling and disposition, and registration, is being undertaken by different government agencies, resulting in fundamental legal and institutional defects. Thus, there is a need to reform the system of land administration in our country by streamlining these responsibilities within a single agency.

The proposed Land Administration Reform Act (LARA) aims to upgrade, systematize and integrate the administration, management, and operations of the country's land resources. It also aims to improve and rationalize the land records,

titling, documentation, and other relevant information into an open, updated, and reliable system.

This bill, which was filed by the undersigned in the 13th Congress, will lay the foundation for responsive and efficient land management and improve the delivery of land-related services to the general public, and reduce delays in land document processing and releases. This also aims to enhance and improve transparency and governance in the land resource and administration by cutting down the overly bureaucratic and technically-oriented land titling and registration processes in the country.

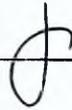
Given the importance of efficient, effective, and responsible distribution and management of lands in the country as a means for sustainable development, the immediate passage of this measure is earnestly sought.

Pia S. Cayetano
PIA S. CAYETANO *2022*

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

ARTICLE I

GENERAL PROVISIONS

Section 1. *Short Title.* – This Act shall be known as "*The Land Administration Reform Act*".

Sec. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to institute continuing reforms in land administration and management in order to optimize and rationalize their contribution to the goals of national development, tenurial security, eradication of poverty, and attainment of social, economic, cultural, justice and asset reforms. Towards this end, the State shall:

- (a) Integrate and rationalize the structure, powers, functions, and responsibilities of the different agencies involved in land administration and management in order to increase the efficiency, effectiveness, transparency, and accountability and to expedite the delivery of services;
- (b) Undertake reforms in land administration and management to ensure equitable distribution and full utilization and development of land resources;
- (c) Provide an efficient and effective cadastral mapping, cadastral surveying, disposition, registration and management of land resources; and

1 (d) Develop, establish and maintain up-to-date, open, accessible, integrated and
2 computer-based land information and records.

3 Sec. 3. *Definition of Terms.* – For the purpose of this Act, the following terms shall,
4 unless the context indicates otherwise, have the following meanings:

5 (a) *Alienable and disposable lands* – refer to agricultural lands of the public
6 domain which have been delineated, classified and certified as available for
7 disposition under the Public Land Act.

8 (b) *Agricultural lands* – refer to lands devoted to or suitable for the cultivation
9 of the soil, planting of crops or growing of trees, and are not classified by
10 law as mineral land, forest land or national park, or sub-classified as
11 residential land, commercial land or industrial land.

12 (c) *Automated registration system* – refers to a system using appropriate
13 technology for scanning, recording and land registration by using electronic
14 devices to store the copy of certificates of title and other documents relative
15 thereto.

16 (d) *Classification and reclassification* – refers to the act of Congress in setting
17 the specific limits of forest lands and national parks, and increasing or
18 decreasing their boundaries by law, as provided for in Article XII, Section 4
19 of the 1987 Philippine Constitution.

20 (e) *Consulta* – refers to the procedure wherein the issue of registrability of
21 certain instruments is resolved in accordance with Presidential Decree No.
22 1529.

23 (f) *Director General* – refers to the person occupying the position of Director
24 General of the Land Administration Authority created by this Act.

25 (g) *Land* – refers to resources, both natural and man-made, found on the
26 surface, below and above the ground, including inland waters and the air
27 therein.

28 (h) *Land Administration and Management Project (LAMP)* – refers to the project
29 office which provides technical and administrative support to the interagency
30 endeavor of the Philippine government to identify strategic directions toward
31 land administration reform in land institutions, laws, taxes and fees, and

- 1 valuation.
- 2 (i) *Land administration and public land management* – refers to the
3 administration of all functions, powers, and activities related to
4 cadastral/parcellary survey and mapping, ownership, disposition and
5 registration of land titles and deeds, and the management of public lands.
- 6 (j) *Land Information System* – refers to a system of linking textual attributes
7 (such as ownership, identity, location and value) of land into spatial
8 reference designed to facilitate access to information and assist in planning
9 and decision-making
- 10 (k) *Land Management Bureau (LMB)* – refers to the staff bureau of the
11 Department of Environment and Natural Resources (DENR).
- 12 (l) *Land Management Services (LMS)* – refers to the land management sector
13 or offices of the DENR at the regional, provincial and district level.
- 14 (m) *Land registration case* – refers to a proceeding, either administrative or
15 judicial, for registering the title to, or interest in, a land so that such title or
16 interest becomes a matter for public record, and all persons who have
17 interest in the land may be informed thereof, actually or constructively, and
18 be bound thereby if they make no objections thereto within a specific time,
19 as provided for under the law.
- 20 (n) *Land Registration Authority (LRA)* – refers to the agency which is formerly
21 attached to the Department of Justice (DOJ) but has been transferred to
22 DENR by virtue of Executive Order 690, including the Registry of Deeds
23 (RoD).
- 24 (o) *National Mapping and Resources Information Authority (NAMRIA)* – refers to
25 the agency known by that name attached to the DENR.
- 26 (p) *Public domain* – refers to lands that belong to the State which may either be
27 agricultural, forest or timber, mineral or national park as provided for in the
28 Constitution.
- 29 (q) *Public lands* – refers to lands that have not been subject to private property
30 rights or subject to sale or other modes of acquisition or concession under
31 general laws, and are devoted to public use.

1 ARTICLE II

2 CREATION OF THE LAND ADMINISTRATION AUTHORITY

3 Sec. 4. *Creation of the Land Administration Authority (LAA).* – To carry out the
4 purposes of this Act, the Land Administration Authority (LAA) is hereby created and
5 placed under the Office of the President. It shall be the primary government agency
6 responsible for land administration and public land management.

7 Sec. 5. *General Powers and Functions of the LAA.*- The LAA shall exercise the following
8 powers and functions:

9 (a) Cadastral/ Parcellary Survey & Mapping

10 (i) Execute, complete and continually update the nationwide cadastral
11 surveys in accordance with the provisions of Act No. 2259 as
12 amended, and update all existing cadastral maps taking into
13 consideration the protected areas created under RA 7586 or the
14 National Integrated Protected Areas System Act (NIPAS) of 1992;

15 (ii) Conduct and/or approve cadastral surveys and mapping necessary
16 in the implementation of Republic Act No. 7160 or the Local
17 Government Code, Republic Act No. 7279 or the Urban Development
18 and Housing Act, Republic Act No. 8435 or the Agriculture and
19 Fisheries Modernization Act (AFMA), Republic Act No. 7916 or the
20 Ecozone Law, Republic Act No. 6657 or the Comprehensive Agrarian
21 Reform Law (CARL), and other existing laws requiring survey and
22 mapping in coordination with local government units and the
23 pertinent government agencies;

24 (iii) Verify and approve all private land consolidation, subdivision and
25 consolidation-subdivision surveys intended for titling purposes;

26 (iv) Prescribe standards, rules and regulations for the conduct of all kinds
27 of cadastral/parcellary surveys and mapping and similar activities in
28 accordance with existing laws and internationally accepted
29 principles, practices and standards;

- 1 (v) Prescribe a uniform base map that shall be used for all
2 cadastral/parcellary mapping activities, and provide convenient and
3 affordable public access to the same; and
4 (vi) Establish and maintain an appropriate custodial and storage system
5 that shall ensure the security and integrity of all cadastral survey and
6 mapping records.

7 (b) Land Registration

- 8 (i) Register original titles to land and subsequent dealings in registered
9 lands under the provisions of Act No. 496 and Presidential Decree
10 No. 1529 as amended: *Provided*, That prior to registering a tenure
11 instrument and issuing an original certificate of title based thereon,
12 the LAA shall first verify compliance with the conditions and
13 requirements prescribed under the law authorizing the issuance of
14 said tenure instrument;
15 (ii) Validate, authenticate and reconstitute land titles and land
16 ownership records and information;
17 (iii) Establish and maintain an appropriate custodial and storage system
18 that shall ensure the security and integrity of all registration and
19 titling records, subject to the provisions of Act No. 496, Presidential
20 Decree 1529 and pertinent laws; and
21 (iv) Compile a nationwide master list of suspected spurious land titles
22 and tenure instruments, undertake thorough investigation of the
23 same and, when merited, initiate the proper proceedings for the
24 cancellation thereof by a competent court: *Provided*, That
25 cancellation of instruments which have not yet been registered under
26 the Torrens system as provided under existing laws and which are
27 found to be spurious shall be effected by the LAA under rules and
28 procedures that it shall promulgate consistent with this Act and
29 existing laws: *Provided further*, That patently spurious titles shall
30 also be dealt with administratively by the LAA.

31 (c) Public Land Administration

- 1 (i) Administer, manage and/or dispose of all alienable and disposable
2 lands of the public domain under the provisions of Commonwealth
3 Act No. 141 otherwise known as the Public Land Act, as amended,
4 Friar Lands under the provisions of Act No. 1120, patrimonial
5 property of the national government under Act No. 3038, and such
6 other public lands which have not been placed under the jurisdiction
7 of any other government agency or instrumentality, in accordance
8 with existing laws; and
- 9 (ii) Coordinate with local government units and the appropriate agencies
10 in releasing alienable and disposable lands of the public domain for
11 the accelerated implementation of agrarian reform, socialized
12 housing, resettlement and other government programs requiring
13 land.
- 14 (d) Land Records and Information Technology
- 15 (i) Establish and maintain a secure, integrated, and accessible
16 computerized database of all cadastral/parcellary survey and
17 mapping records, registration and titling records and other land
18 information data, and ensure the timely updating of said database;
19 and
- 20 (ii) Establish and maintain an open system to provide convenient
21 nationwide public access to cadastral/parcellary survey, mapping,
22 registration, titling and other land data; subject, however, to the
23 requirements of security and confidentiality under existing laws.
- 24 (e) Other Functions
- 25 (i) Formulate and recommend policies and programs to achieve the
26 intent and purposes of this Act;
- 27 (ii) Determine, fix and collect reasonable amounts to be charged as fees,
28 fines, and penalties in the implementation of this Act;
- 29 (iii) Receive grants and donations in accordance with law;
- 30 (iv) Conduct, regulate, verify, and approve all types of
31 cadastral/parcellary land surveys, including surveys intended for the

1 implementation of Commonwealth Act No. 141, as amended,
2 Republic Act No. 6657 or the Comprehensive Agrarian Reform Law
3 (CARL) and Republic Act No. 8371 or the Indigenous Peoples' Rights
4 Act of 1997 (IPRA);

5 (v) Enter into contracts in the implementation of this Act, subject to
6 existing laws;

7 (vi) Perform such other powers and functions which are currently lodged
8 with the LRA/RoD, LMB/LMS, DENR-CARP National Coordinating
9 Office under Presidential Decree No. 1529, Commonwealth Act No.
10 141 as amended and other existing laws and issuances; and

11 (vii) Perform such other functions as are necessary, proper and incidental
12 to implement the provisions of this Act.

13 Whenever any reference is made to the LRA/RoD, the LMB/LMS, and the DENR-
14 CARP National Coordinating Office under Executive Order No. 192, Presidential Decree
15 No. 1529, and Commonwealth Act No. 141, as amended, which pertains to a duty,
16 power, purpose, responsibility or jurisdiction transferred to the LAA by this Act, it shall
17 be deemed to be a reference to and to mean, the LAA and the Director General of the
18 LAA, as the case may be.

19 *Sec. 6. Stakeholders' Advisory Committee.* – The LAA shall be assisted by a
20 Stakeholders' Advisory Committee with sixteen (16) members composed of the
21 following:

22 (a) Six (6) representatives from the basic sectors composed of but not limited
23 to farmers, fisherfolk, urban poor, workers in the informal sector,
24 indigenous peoples and Non-Governmental Organizations (NGOs) chosen
25 through the nomination process of the National Anti-Poverty Commission
26 (NAPC);

27 (b) One (1) representative from the NAPC Women's Sectoral Council;

28 (c) Five (5) representatives from the private sector appointed by the President
29 of the Philippines. One (1) representative shall come from each of the
30 following: business sector/real estate professionals, banking sector,
31 academe, the geodetic engineer's sector and the Integrated Bar of the

1 Philippines;

2 (d) Three (3) representatives from the League of Municipalities, Cities and
3 Provinces, respectively; and

4 (e) The Director General, as ex-officio member.

5 The Director General may call on heads or representatives of other government
6 agencies to attend the meetings of the Committee as the need arises.

7 The President shall designate the Chairperson from among the members of the
8 Committee. With the exception of the LAA Director General, the members of the
9 Advisory Committee shall not hold office in the LAA nor receive any salary but shall be
10 entitled, for actual attendance during meetings, to such allowances and honoraria as
11 are allowed by the rules and regulations promulgated by the Commission on Audit.

12 *Sec. 7. Functions of the Stakeholders' Advisory Committee.* – The Committee
13 shall advise the LAA on the formulation of policies and policy development pertaining
14 to land administration and public land management and shall monitor their
15 implementation. It shall submit, within three (3) months following the end of each
16 calendar year, a report to the President on its advisory and monitoring activities.

17 *Sec. 8. Meetings of the Committee.* – The chairperson shall convene regular
18 meetings of the Committee at least once every quarter. Special meetings may also be
19 called by the Chairperson or at the initiative of at least three (3) members.

20 *Sec. 9. Secretariat and Logistical Support.* – The office of the LAA Director
21 General shall provide secretariat and logistical support to the committee.

22 ARTICLE III

23 IMPLEMENTING MECHANISM

24 *Sec. 10. Structure and Organization.* – The LAA shall consist of:

25 (a) The Office of the Director General;

26 (b) The Offices of the Deputy Directors General; and

27 (c) Land offices.

28 *Sec. 11. The Director General.* – The authority and responsibility for the exercise
29 of the mandate of the LAA, the accomplishment of its objectives and the discharge of
30 its powers and functions shall be vested in the Director General (DG), of cabinet rank,

1 who shall be appointed by the President.

2 The DG shall have the following functions:

- 3 (a) Advise the President on the promulgation of rules, regulations, and other
4 issuances relative to land administration and public land management;
- 5 (b) Establish policies and standards for the efficient and effective operations of
6 the LAA in accordance with the programs of the government;
- 7 (c) Promulgate rules, regulations and other issuances necessary in carrying out
8 the LAA's mandate, objectives, policies, plans, programs and projects;
- 9 (d) Exercise control and supervision over all functions and activities of the LAA;
- 10 (e) Delegate authority over all powers, functions, and activities of the LAA; and
- 11 (f) Perform such other functions as may be provided by law or assigned by the
12 President.

13 *Sec. 12. Office of the Director General.* – The Office of the DG shall consist of the
14 DG, his immediate staff and the Office of Legal Services. The DG shall be appointed
15 by the President and shall be a lawyer or a geodetic engineer.

16 *Sec. 13. Deputy Directors General.* – The DG shall be assisted by not more than
17 five (5) Deputy Directors General (DDG) who shall be appointed by the President.
18 They shall oversee the land administration and public land management functions of
19 the LAA. They shall be responsible for the following:

- 20 (a) Land Registration;
- 21 (b) Land Surveying;
- 22 (c) Land Records and Information Technology;
- 23 (d) Land Administration; and
- 24 (e) Administration and Finance.

25 At least one of the DDGs shall be a member of the Philippine Bar or a geodetic
26 engineer with at least five (5) years of experience in any land administration function.
27 The DDG for Land Registration should be a member of the Philippine Bar with
28 experience in land registration. The DDG for Land Surveying shall be a geodetic
29 engineer.

30 The DG is hereby authorized to delineate, assign and/or reassign the respective
31 functional areas of responsibility of the DDGs. Within his functional area of

1 responsibility, a DDG shall have the following functions:

- 2 (a) Advise the DG in the promulgation of administrative orders and other
3 issuances with respect to his area of responsibility;
- 4 (b) Exercise supervision over the offices, departments or operating units, and
5 officers and employees under his responsibility;
- 6 (c) Promulgate rules and regulations that will efficiently and effectively govern
7 the activities of the units under his responsibility;
- 8 (d) Coordinate the functions and activities of the units under his responsibility
9 with those of other units under the responsibility of other DDGs;
- 10 (e) Exercise authority on substantive and administrative matters related to the
11 functions and activities of the units under his responsibility as may be
12 delegated by the DG;
- 13 (f) Assist the DG in the formulation, management, and implementation of land
14 administration and public land management laws, policies, plans, programs,
15 and projects; and
- 16 (g) Perform such other functions as may be provided by law or assigned by the
17 DG.

18 *Provided,* That each office of the DDG may create appropriate bureaus, in
19 accordance with existing laws and regulations, as the need arises.

20 Sec. 14. *Land Offices.* – Permanent field offices at the city and provincial levels
21 are hereby established and shall be called Land Offices. The LAA may also establish
22 additional Land Offices in a city or province as it may be determined for the efficient
23 and effective delivery of its services: *Provided,* That provinces and cities with existing
24 Registry of Deeds upon approval of this Act shall automatically establish Land Offices:
25 *Provided, further,* That the additional field offices may be abolished by the DG when
26 these are no longer necessary.

27 The Land Offices shall be headed by an Executive Land Officer. He/She shall
28 exercise general supervision on land survey, land registration, public land
29 administration, record and information management within his/her jurisdiction.
30 He/She shall also implement such other functions of the LAA in his/her respective area
31 of responsibility as may be delegated by the DG to provide a more efficient and

1 effective delivery of services. *Provided*, That the registration personnel shall continue
2 to exercise its other registration functions in accordance with existing laws.

3 ARTICLE IV

4 LAND ADJUDICATION BOARD

5 Sec. 15. *Creation of the Land Adjudication Board (LAB)*. – There is hereby
6 created a Land Adjudication Board (LAB). The LAB shall be the quasi-judicial body of
7 the LAA and shall have the following functions:

- 8 (a) Exercise exclusive original jurisdiction over all matters involving the
9 implementation of laws, rules and regulations on land administration and
10 public land management, and all cases and/or controversies arising
11 therefrom: *Provided*, That all petitions for the correction of clerical or
12 typographical errors committed in writing, copying, transcribing, or typing
13 of an entry in the maps, survey plans, and certificate of land titles shall be
14 administratively addressed by the LAA Land Offices; and
- 15 (b) Exercise exclusive original jurisdiction on conflicts arising from the
16 determination and adjudication in land administration and public land
17 management matters, except cases falling under the jurisdiction of the
18 Department of Agrarian Reform (DAR) under the CARL law and the National
19 Commission on Indigenous Peoples under the IPRA unless specifically
20 provided herein: *Provided*, That jurisdiction over conflicts and cases arising
21 from ownership of private lands shall remain with the regular courts:
22 *Provided, further*, That existing cases on land ownership and conflicts
23 pending with the regular courts shall remain under the court's jurisdiction
24 unless otherwise remanded by the courts to the LAA or LAB for disposition
25 subject to the pertinent provisions of this Act.

26 The LAB shall be under the administrative supervision of the DG and shall be
27 divided into three (3) divisions. Each division shall exercise equal powers,
28 independently resolving cases raised on appeal from the decisions of the Local Land
29 Adjudication Boards, created pursuant to Section 17 hereof, from Luzon, Visayas, and
30 Mindanao: *Provided*, That whenever such a need arises, there shall be created another

1 division: *Provided, further,* That the divisions assigned to handle cases from Visayas
2 and Mindanao shall hold permanent office in any of the cities therein.

3 Sec. 16. *Composition.* – Each division of the LAB shall be composed of three
4 (3) permanent members who shall be nominated by the Stakeholder’s Advisory
5 Committee and be appointed by the President: *Provided,* That the DG of the LAA shall
6 sit as *ex officio* or fourth member of each division.

7 All members of the Land Adjudication Board shall be members of the Philippine
8 Bar with at least ten (10) years of experience in property and land administration and
9 management related matters. The permanent members of each division shall elect
10 their presiding officer.

11 Sec. 17. *Local Land Adjudication Board.* – Local Land Adjudication Boards
12 (LLAB) are hereby created in all provincial and city Land Offices that shall serve as the
13 first level board. The LLAB shall be composed of three (3) members. The Presiding
14 Officer shall be the Executive Land Officer, and the two (2) other members shall be
15 the head of the local surveys unit and the head of the local registration unit,
16 respectively.

17 Decisions, orders, and resolutions of the Local Land Adjudication Board shall be
18 raised on appeal to the LAB.

19 Sec. 18. *Budget and Administrative Support.* – The LAB shall determine and
20 propose its budgetary requirements, which shall be submitted as part of the LAA’s
21 budget request. Disbursements of the approved budget resources shall be the sole
22 responsibility of the LAB. Secretariat services shall be provided by the LAA.

23 Sec. 19. *Proceedings and Procedures.* –The LAB shall not be bound by technical
24 rules of procedure and evidence but shall proceed to hear and decide all cases,
25 disputes, or controversies in the most expeditious manner, employing all reasonable
26 means to ascertain the facts of every case in accordance with justice and equity, and
27 the merits of the case. Towards this end, it shall adopt uniform rules of procedure to
28 achieve a just, expeditious and inexpensive determination of merits: *Provided,* That it
29 shall endeavor to settle disputes and controversies amicably.

30 In the exercise of its functions, the LAB shall have the power to summon
31 witnesses, administer oaths, take testimony, require submission of reports, compel

1 the production of books and documents and answers to interrogatories, issue
2 *subpoena ad testificandum* and *subpoena duces tecum*, and enforce its writs through
3 sheriffs or other duly deputized officers. It shall punish direct and indirect contempt in
4 the same manner and subject to the same penalties as provided for in the Rules of
5 Court.

6 Responsible persons shall be allowed to represent themselves or their
7 organizations in any proceedings before the LAB: *Provided, however*, That when there
8 are two (2) or more representatives for any individual or group, the representatives
9 shall choose only one (1) from among themselves to represent such party or group
10 before any LAB proceedings.

11 *Sec. 20. Finality of Determination.* – Any case or controversy before the LAB
12 shall be decided within thirty (30) days after it is submitted for resolution. Only one
13 (1) motion for reconsideration shall be allowed. Moreover, any order, award, ruling or
14 decision shall be final after the lapse of fifteen (15) days from receipt by the parties
15 of a copy thereof.

16 *Sec. 21. Frivolous Appeals.* – To discourage frivolous or dilatory appeals from
17 the decisions, awards, rulings or orders, the LAB may impose reasonable penalties
18 including, but not limited to, fines or censures upon erring parties.

19 ARTICLE V
20 JUDICIAL REVIEW

21 *Sec. 22. Certiorari.* – Any decision, order, award or ruling of the LAA on any
22 dispute or on any matter pertaining to the application, implementation, enforcement,
23 or interpretation of this Act and other pertinent laws on land administration and public
24 land management may be brought to the Court of Appeals through certiorari within
25 fifteen (15) days from the receipt of a copy thereof, as provided for in Rule 43 of the
26 Rules of Court.

27 The findings of fact of the LAA shall be final and conclusive if based on
28 substantial evidence.

29 *Sec. 23. Restraining Order or Preliminary Injunction.* – Only the Court of
30 Appeals and the Supreme Court of the Philippines shall have jurisdiction to issue any

1 *Sec. 27. Transfer of Personnel.* – To ensure a smooth transition, all incumbent
2 personnel of the DENR’s LMB/LMS, LRA/RoD, and DENR-CARP National Coordinating
3 Office and its field offices shall continue to perform their present duties and functions
4 as interim personnel of the LAA until such time, being not later than twelve (12)
5 months from the effectivity of this Act, that the regular staff of the LAA, based on the
6 new staffing pattern, shall have been appointed: *Provided,* That all incumbent and
7 qualified personnel of the DENR’s LMB/LMS, LRA/RoD, and DENR-CARP National
8 Coordinating Office and its field offices shall be allowed to fill up the appropriate
9 positions for regular personnel of the LAA and its field offices: *Provided, further,* That
10 the regular personnel shall be appointed by the DG, or his/her duly authorized
11 representative, on the basis of merit, previous permanent appointment, fitness, and
12 seniority.

13 The existing number of officials and employees of the LRA and other agencies
14 to be integrated to the LAA shall not be increased and no new hiring shall be allowed
15 until all of them shall have been properly placed. Those who opt to stay shall retain
16 their remuneration and seniority. No official or personnel shall be dislodged and
17 involuntarily separated, except for cause.

18 *Sec. 28. Separation Pay and Other Benefits.* – Personnel who are not offered
19 appointment within twelve (12) months upon the effectivity of this Act under the new
20 staffing pattern of the LAA on at least equivalent terms and conditions as their present
21 employment, by reason of duplication or redundancy, and those who decline an
22 appointment in the LAA, shall be entitled to the separation pay and other benefits in
23 accordance with Sections 10.1 to 10.3 and 13 of Executive Order No. 366 dated
24 October 4, 2004.

25 *Sec. 29. Reemployment.* – Government personnel who are separated as a result
26 of the integration of the aforementioned offices may apply for positions and be employed in
27 other agencies or branches of the government including government-owned and/or -
28 controlled corporations (GOCCs), government financial institutions (GFIs) or local
29 government units (LGUs).

30 *Sec. 30. Unexpended Appropriations and Transfer of Assets.* – The unexpended
31 balances of appropriations in the current General Appropriations Act and other laws in

1 force upon approval hereof, pertaining to, held or used by, or available to the LRA and
2 RoD, the LMB, the LMS, the DENR-CARP National Coordinating Office, and its field
3 offices, and the LAMP are hereby transferred to the LAA.

4 Such other unexpended balances of appropriations as may be deemed
5 appropriate by the Department of Budget and Management for transfer to the LAA
6 shall also be so transferred.

7 All real and personal properties, assets, liabilities, records, documents,
8 positions, appropriations, contracts, and agreements which, upon the effectivity of this
9 Act, are vested in, or owned, by the LMB/LMS, the DENR-CARP National Coordinating
10 Office, and its field offices, the LRA/RoD and the LAMP are hereby transferred to the
11 LAA.

12 *Sec. 31. Penal Provisions.* – Any person who sells the forms issued and
13 distributed gratuitously under this Act or who, being an officer charged with
14 distributing them, refuses or fails without sufficient reason to furnish the same shall
15 be punished for each offense by a fine of not less than One Hundred Thousand Pesos
16 (Php 100,000.00) and not more than One Million Pesos (Php 1,000,000.00) or
17 imprisonment of not less than six (6) months nor more than three (3) years, or both,
18 at the discretion of the court.

19 Any person, corporation, association, or partnership that, not being qualified or
20 no longer authorized to apply for registration purposes, files or induces, or knowingly
21 permits another person, corporation, association, or partnership to file an application
22 in his/her or its behalf, or for his/her or its interest, benefit or advantage shall be
23 punished for each offense by a fine of not less than One Hundred Thousand Pesos
24 (Php 100,000.00) or imprisonment of not less than five (5) years, or both, at the
25 discretion of the court: *Provided*, That in case the offender is a corporation, association
26 or partnership, their responsible officials shall be deemed jointly and severally liable.
27 *Provided further*, That the application filed by the said person, corporation,
28 association, or partnership shall be cancelled.

29 Any person who shall, by deceit or fraud, acquire or attempt to acquire lands
30 of the public domain or other real property or any right, title or interest, or property
31 right of any class to the same, and any person aiding and abetting him therein or

1 serving as a means or tool thereof shall, upon conviction, be punished by a fine of not
2 less than One Hundred Thousand Pesos (Php 100,000.00) and imprisonment of not
3 less than five (5) years nor more than twelve (12) years, or both, at the discretion of
4 the court.

5 Any person who shall tamper or attempt to tamper any records of the LAA that
6 will result in the acquisition of rights, title, or interest over real property and any person
7 aiding and abetting him therein or serving as a means or tool thereof shall, upon
8 conviction, be punished by a fine of not less than Five Hundred Thousand Pesos (Php
9 500,000.00) and imprisonment of not less than twelve (12) years, or both, at the
10 discretion of the court.

11 For purposes of this Act, if the offender is a public official or government official
12 or employee, he or she shall, in addition to the existing penalties, be removed from
13 office, forfeit all retirement benefits except the monetary value of accumulated leave
14 credits, and be perpetually disqualified from holding any elective or appointive public
15 office.

16 *Sec. 32. Preservation of Records.* –The LAA shall have possession and control
17 of all records, books, papers, offices, equipment, supplies, amounts of money, funds,
18 appropriations, land, and other properties, real or personal, held for the benefit or use
19 of all bodies, offices, and officers whose duties, powers and functions have been
20 transferred to and conferred upon the LAA.

21 Pending a written notice of receipt issued by a duly authorized officer of the
22 LAA, it shall be the duty of any and all personnel responsible for, or in possession of
23 records relating to the affairs of the LMB, the LMS, the DENR-CARP National
24 Coordinating Office and its field offices, the LRA and the RoD to protect and preserve
25 such records.

26 Without prejudice to any other penalties provided for by law, any person who
27 fails to fulfill his/her duty pursuant to the above paragraph shall be guilty of an offense
28 against the provisions of this Act, punishable by a fine of not less than One Million
29 Pesos (Php 1,000,000.00) or imprisonment of not more than five (5) years, or both,
30 at the discretion of the court.

31 *Sec. 33. Saving Clause.* –All orders, determinations, rules, regulations, permits,

1 certificates, licenses, and privileges which have been issued, made or granted effective
2 by the former LMB, LMS, LRA, RoD, DENR-CARP National Coordinating Office and its
3 field offices, and LAMP, or their predecessors shall continue to be in effect according
4 to their terms until modified, terminated, superseded, set aside or repealed.

5 No suit, action or other proceedings commenced by or against any officer in his
6 official capacity as an officer of any division or unit of the former LMB, LMS, LRA, RoD,
7 DENR-CARP National Coordinating Office and its field offices, and LAMP, the functions
8 of which are transferred by this Act to the LAA, shall abate by reason of this Act. In
9 like manner, no cause of action by or against such division or unit or by or against any
10 officer thereof in his official capacity shall abate by reason of the enactment of this
11 Act. Causes of actions, suits, or other proceedings may be asserted for or against the
12 LAA or such official of the LAA, as may be appropriate.

13 ARTICLE VII

14 MISCELLANEOUS PROVISIONS

15 Sec. 34. *Use of Income and Other Sources of Funds.* - The LAA is hereby
16 authorized to use fifty percent (50%) of all revenues derived from fees, charges, fines,
17 penalties and other sources for capital outlay on infrastructure, procurement of
18 equipment and services related to the integration, updating and maintenance of
19 computer-based land information and database system, training and skills upgrading
20 including personnel capacity building of LAA.

21 The LAA shall be allowed to receive, hold and utilize funds from grants,
22 donations, contributions and other gratuitous sources, both foreign and local, for the
23 implementation of its mandate, programs and projects, subject to existing rules and
24 regulations.

25 Sec. 35. *Assurance Fund.* - A special account within the LAA is hereby created
26 for the entire proceeds of the Assurance Fund, which shall no longer be paid to the
27 National Treasury as provided for in Section 94 of Presidential Decree No. 1529.

28 Claims from the Assurance Fund shall be heard, decided and determined by the
29 LAB. All pending cases or claims against the Assurance Fund now being handled by
30 the Bureau of Treasury, through the Office of the Solicitor General, shall likewise be

1 transferred to the LAB. Thereafter, the National Treasurer shall no longer be
2 impleaded as party in any action against the Assurance Fund.

3 Sec. 36. *Indemnification of Officials and Personnel.* – The LAA shall indemnify
4 all officials and personnel for all costs and expenses reasonably incurred by such
5 persons in connection with any civil or criminal actions, suits, or proceedings to which
6 they may be or made a party by reason of the performance of their functions or duties
7 unless they are finally adjudged in such actions or proceedings to be liable.

8 In the event of settlement or compromise, indemnification shall be provided
9 only in connection with such matters covered by the settlement as to which the LAA
10 is advised by an external counsel that the persons to be indemnified did not commit
11 any gross negligence or misconduct.

12 The costs and expenses incurred in defending the aforementioned action, suit,
13 or proceeding may be paid by the LAA in advance of the final disposition of such
14 action, suit, or proceeding upon receipt of an undertaking by or on behalf of the DG
15 wherein the official or employee shall repay the amount advanced should it ultimately
16 be determined by the LAA that such official or employee is not entitled to be
17 indemnified as provided in this section.

18 Sec. 37. *Implementing Rules and Regulations.* – Within sixty (60) days from
19 the effectivity of this Act, the LAA shall promulgate the rules and regulations to
20 implement the provisions of this Act. In the process of the formulation of the IRR for
21 this Act, consultations shall be made with the Stakeholders' Advisory Committee and
22 submitted to the Office of the President for approval. Copies of the IRR shall be
23 distributed to the Congressional Oversight Committee on Land Administration created
24 under Section 39 hereof.

25 Sec. 38. *Congressional Oversight Committee on the Land Administration*
26 *Reform Act.* – There is hereby created a Congressional Oversight Committee on the
27 Land Reform Act composed of seven (7) members from the Senate and seven (7)
28 members from the House of Representatives to be designated by the Senate President
29 and the House Speaker, respectively. The Committee on Environment and Natural
30 Resources shall act as Chair.

31 The Congressional Oversight Committee, which shall function for a period of

1 not more than three (3) years, shall oversee the implementation of this Act.

2 The secretariat of the Congressional Oversight Committee shall be drawn from
3 the existing secretariat personnel of the committees of the Senate and the House of
4 Representatives comprising the oversight committee and the funding for its operations
5 shall be taken from the existing budget of the concerned committees.

6 Sec. 39. *Separability Clause.* – Should any provision of this Act or any part
7 hereof be declared unconstitutional or invalid by a court, the other provisions hereof
8 which are not affected thereby shall remain in force and effect.

9 Sec. 40. *Repealing Clause.* – All laws, decrees, orders, instructions,
10 proclamations, rules, and regulations or parts thereof, including pertinent provisions
11 of Commonwealth Act No. 141, Act No. 496, Presidential Decree No. 1529, Executive
12 Order No. 192 and its related rules and regulations; Executive Order No. 469 dated
13 February 11, 1981, and the subsequent Presidential Memorandum Circular dated 30
14 September 1988 and their related rules and regulations; and the Administrative Code
15 of 1987, which are inconsistent with any provision of this Act, are hereby repealed,
16 modified, or amended accordingly.

17 Sec. 41. *Effectivity.* – This Act shall take effect fifteen (15) days after its
18 complete publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,