

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

SENATE  
OFFICE OF SECRETARY

10 JUL 27 10:58

SENATE

RECEIVED BY: 

S. B. No. 2114

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Introduced by Senator FRANCIS G. ESCUDERO

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### EXPLANATORY NOTE

Land is the ultimate resource, for without it, life on earth cannot be sustained, and thus, good stewardship of the land is essential for present and future generations.

The world's population has doubled in the last 40 years and passed the 6 billion mark. It is predicted to reach 8.5 billion by the year 2030, a population level thought by many scientists to be the maximum number of people supported by the world's resources and capacity for food production. Less than half of the world's population has secure access to land.

The International Federation of Surveyors (FIG) in cooperation with the United Nations hosted the "Bathurst Workshop on Land Tenure and Cadastral Infrastructures for Sustainable Development" in Australia in October, 1999 and concluded that sustainable development is just rhetoric without appropriate land administration system. The Bathurst declaration recommends a global commitment to provide effective legal security of tenure and access to property for all men and women and to provide reforms in the land administration system essential for sustainable development and facilitating full and equal access for men and women to land-related economic opportunities, such as credit and natural resources.

The performance, however, of government agencies undertaking land administration functions such as land surveys, mapping, classification, titling and disposition and registration is below par. The services being provided by these agencies are not contributing to address our domestic problems on sustainable development, much more to the global concerns. The problem is largely contributed by fundamental legal and institutional defects in both the structure and operations of the land administration system. For one, there are many laws governing the land administration functions including the existence of a number of institutions administering our scarce land resources resulting to confusions, delays, high transactions costs (government and users), low investment, and graft and corruption.

These institutional and structural defects in land administration besides not contributing to the sustainable development of natural resources have also given rise to major inefficiencies including extensive delays in the disposition and titling of alienable and disposable land, inaccurate and incomplete land

information and records, duplicate and fake titles, duplication and overlap of activities between government agencies, and unnecessary costs to both the national and local governments and the users/clients of land administration services.

To address these problems, the Government has been undertaking a Land Administration and Management Project preparatory to a long-term program to fundamentally reform the present land administration system, thereby promoting Sustainable development, economic growth, and poverty alleviation.

However, there is a widespread agreement that a fundamental prerequisite for the pursuit of the necessary reforms is the consolidation and streamlining within a single government agency of land administration powers and functions currently dispersed across the Department of Justice's Land Registration Authority and Registries of Deeds and the Department of Environment and Natural Resources' Lands Management Bureau, Land Management Services in the regional, provincial and community offices, National Mapping and Resource Information Authority, and CARIP Secretariat and its field offices.

The integration of these agencies/offices into a single agency will:

- Implement the necessary reforms in the land administration system to enable to provide land information and services necessary to pursue sustainable management of natural resources, among others;
- Enable the integrated planning, budgeting and implementation of the long term land titling program, including the development of integrated land classification, land titling and records management;
- Provide the necessary management structure for the creation and extension of a One Stop Shop network for the delivery of land titling, registration and information services to members of the public;
- Consolidate staffing patterns and training programs for government staff engaged in the provision of land administration services, thereby establishing the basis for the major training and professional development of staff needed to support the proposed reforms and improve their career structures and opportunities;
- Create scope to achieve significant savings through the elimination over time of duplicated administrative support services and other costs arising from the current fragmentation of land administration services; and
- Enable the development of increased transparency and enhancement of professionalism and accountability across the whole land administration system.

The Philippines is unusual, compared to its neighboring countries, in that the government's land administration functions are currently dispersed across multiple agencies. Without integrating these three agencies, it will be difficult to undertake the major long term investment of resources that will be necessary to implement the required over all reforms.

The proposed Land Administration Reform Act seeks to enable the lands sector to contribute to sustainable development, economic growth and poverty alleviation. *The bill's early enactment will ensure Philippines' recognition to the*

global efforts for sustainable development while providing an improved access to land and services to the majority of our Filipino people especially the poor. I strongly recommend the bill for favorable consideration by the Senate.

A handwritten signature in black ink, appearing to be 'Francis G. Escudero', written over a horizontal line.

FRANCIS G. ESCUDERO

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AN ACT  
INSTITUTING REFORMS IN LAND ADMINISTRATION

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

ARTICLE I

GENERAL PROVISIONS

1  
2  
3 SECTION 1. *Short Title.*- This Act shall be known as "The Land  
4 Administration Reform Act".

5  
6 SEC. 2. *Declaration of Policy.*- It is hereby declared the policy of the State to  
7 institute continuing reforms in land administration and management in order to  
8 optimize and rationalize their contribution to the goals of national development,  
9 tenure security, eradication of poverty, and attainment of social, economic, and  
10 cultural justice. Towards this end, the State shall:

11  
12 (a) Integrate and rationalize the structure, powers, functions, and responsibilities of  
13 the different agencies involved in land administration and management in order to  
14 increase the efficiency, effectiveness, transparency, accountability and expedite the  
15 delivery of services.

16  
17 (b) Undertake reforms in land administration and management to ensure equitable  
18 distribution and full utilization and development of land resources.

19  
20 (c) Provide an efficient and effective classification, mapping, surveying, disposition,  
21 registration and management of land resources; and

22  
23 (d) Develop, establish and maintain an up-to-date, open, accessible, integrated and  
24 computer-based land information, records and database system.

25  
26 SEC. 3. *Definition of Terms.*- For the purpose of this Act, the following terms  
27 shall, unless the context indicates otherwise, have the following meanings:

28  
29 (a) "*Alienable and disposable lands*" refers to agricultural lands of the public domain  
30 which have been delineated, classified, and certified as available for disposition  
31 under the public land act.

32

1 (b) "*Agricultural lands*" refers to lands devoted to or suitable for the cultivation of the  
2 soil, planting of crops, or growing of trees, and not classified as mineral land, forest  
3 land, or national park, or sub-classified as residential land, commercial land, or  
4 industrial land.

5  
6 (c) "*Automated Registration System*" refers to a system using appropriate technology  
7 for scanning, recording, and land registration using electronic devices to store the  
8 copy of certificates of title and other documents relative thereto.

9  
10 (d) "*Classification and Reclassification*" refers to the Act of Congress in setting the  
11 specific limits of forestlands and national parks and increasing or decreasing their  
12 boundaries by law, as provided for in Article XV, Section 4 of the 1987 Philippine  
13 Constitution.

14  
15 (e) "*Consulta*" refers to the procedure wherein the issue of registrability of certain  
16 instruments is resolved in accordance with Presidential Decree No. 1529.

17  
18 (f) "*Director General*" refers to the person occupying the position of Director General  
19 of the Land Administration Authority created by this Act.

20  
21 (g) "*Land*" refers to resources, both man-made and natural, found on the surface,  
22 below and above the ground, including inland waters and the air therein.

23  
24 (h) "*Land Administration and Public Land Management*" refers to the administration of  
25 all functions, powers and activities related to the mapping, land survey,  
26 classification, ownership, disposition, and registration of land titles and deeds, and  
27 the management of public lands.

28  
29 (i) "*Land Information System*" refers to a system of linking textual attributes (such as  
30 ownership, identity, location and value) of land into spatial reference designed to  
31 facilitate access to information and assist in planning and decision making.

32  
33 (j) "*Land Management Bureau (LMB)*" refers to the staff Bureau of the Department of  
34 Environment and Natural Resources (DENR).

35  
36 (k) "*Land Management Services [LMS]*" refers to the land management sector or  
37 offices of the DENR at the regional, provincial, and district level.

38  
39 (l) "*Land registration case*" refers to the proceeding, either administrative or judicial,  
40 for registering the title to, or interest in, a land so that such title or interest becomes a  
41 matter for public record, and all persons who have interest in the land may be  
42 informed thereof, actually or constructively, and be bound thereby if they make no  
43 objections thereto within a specific time.

44  
45 (m) "*Land Registration Authority (LRA)*" refers to the attached agency of the  
46 Department of Justice (DOJ), including the Registers of Deeds (ROD).

47  
48 (n) "*National Mapping and Resource Information Authority (NAMRIA)*" refers to the  
49 agency known by that name attached to the DENR.

50  
51 (o) "*President*" refers to the President of the Philippines.

1 (p) "*Public domain*" refers to lands that belong to the State, which may either be  
2 agricultural, forest or timber, mineral or national park as provided for in the  
3 Constitution.

4  
5 (q) "*Public lands*" refer to lands which have not been subject to private property  
6 rights or subject to sale or other modes of acquisition or concession under the  
7 general laws, and are devoted to public use.

8  
9 **ARTICLE II**  
10 **CREATION OF THE LAND ADMINISTRATION AUTHORITY**

11  
12 **SEC. 4. *Creation of the Land Administration Authority (LAA)*** - To carry out  
13 the purposes of this Act, the Land Administration Authority (LAA) is hereby  
14 created and placed under the Office of the President. It shall be the primary  
15 government agency responsible for land administration and public land  
16 management.

17  
18 **SEC. 5. *General Powers and Functions of the LAA*** - The LAA shall exercise  
19 the following powers and functions:

20  
21 a) Land Survey & Mapping

22  
23 1) Execute, complete and continually update the nationwide cadastral  
24 surveys in accordance with the provisions of Act No. 2259 as amended, and  
25 update all existing cadastral maps;

26  
27 2) Conduct nationwide survey and topographic mapping to assist Congress  
28 in determining the specific limits of forest lands and national parks, to delimit  
29 the specific boundaries and classification of alienable and disposable lands of  
30 the public domain, and to identify the specific boundaries of environmentally  
31 protected areas under Republic Act 7586 otherwise known as the National  
32 Integrated Protected Areas System (*NIPAS*).

33  
34 3) In coordination with local government units and the pertinent agencies,  
35 conduct and/or approve surveys and mapping necessary *in* the  
36 implementation of Republic Act No. 7160 or the Local Government Code,  
37 Republic Act No. 7279 or the Urban Development and Housing Act, Republic  
38 Act No. 8435 or the Agriculture and Fisheries Modernization Act (AFMA),  
39 Republic Act 7916 or the ECOZONE Law, Republic Act No. 6657 or the  
40 Comprehensive Agrarian Reform Law (CARL), and other existing laws  
41 requiring survey and mapping;

42  
43 4) Verify and approve all private land consolidation, subdivision and  
44 consolidation-subdivision surveys intended for titling purposes;

45  
46 5) Prescribe standards, rules and regulations for the conduct of all kinds of  
47 geophysical surveys, mapping, aerial photography, remote sensing and  
48 similar activities in accordance with existing laws and internationally  
49 accepted principles, practices and standards;

50  
51 6) Prescribe a uniform base map that shall be used for all public and private  
52 mapping activities, and provide convenient and affordable public access to  
53 the same; and

1  
2 7) Establish and maintain an appropriate custodial and storage system that  
3 shall ensure the security and integrity of all survey and mapping records.  
4

5 b) Land Registration  
6

7 1) Register original titles to land and subsequent dealings in registered lands  
8 under the provisions of Act No. 496 and Presidential Decree No. 1529 as  
9 amended; *Provided*, that prior to registering a tenure instrument and issuing  
10 an original certificate of title based thereon, the LAA shall first verify  
11 compliance with the conditions and requirements prescribed under the law  
12 authorizing the issuance of said tenure instrument;  
13

14 2) Establish and maintain an appropriate custodial and storage system that  
15 shall ensure the security and integrity of all registration and titling records,  
16 subject to the provisions of Act No. 496, Presidential Decree 1529 and  
17 pertinent laws; and  
18

19 3) Compile a nationwide master list of suspected spurious land titles and  
20 tenure instruments, undertake thorough investigation of the same and, when  
21 merited, initiate the proper proceedings for the cancellation thereof by a  
22 competent court; *Provided*, that cancellation of instruments which have not yet  
23 been registered under the Torrens system as provided under existing laws  
24 and which are found to be spurious shall be effected by the LAA under rules  
25 and procedures that it shall promulgate consistent with this Act and existing  
26 laws, and provided further, that patently fake titles shall also be dealt with  
27 administratively by the LAA.  
28

29 c) Public Land Administration  
30

31 1) Administer, manage and/or dispose of all alienable and disposable lands  
32 of the public domain under the provisions of Commonwealth Act No. 141  
33 otherwise known as the Public Land Act, as amended, Friar Lands under the  
34 provisions of Act No. 1120, patrimonial property of the National government  
35 under Act No. 3038, and such other public lands as have not been placed  
36 under the jurisdiction of any other government agency or instrumentality, in  
37 accordance with existing laws; and  
38

39 2) Coordinate with local government units and the appropriate agencies in  
40 releasing alienable and disposable lands of the public domain for the  
41 accelerated implementation of agrarian reform, socialized housing,  
42 resettlement and other government programs requiring land.  
43

44 d) Land Records and Information Technology  
45

46 1) Establish and maintain a secure, integrated, and accessible computerized  
47 database of all survey and mapping records, registration and titling records  
48 and other land information data, and ensure the timely updating of said  
49 database; and  
50

51 2) Establish and maintain an open system to provide convenient nationwide  
52 public access to survey, mapping, registration, titling and other land data;

1 subject, however, to the requirements of security and confidentiality under  
2 existing laws.

3  
4 e) Formulate and recommend policies and programs to achieve the intent and  
5 purposes of this Act;

6  
7 f) Determine, fix and collect reasonable amounts to be charged as fees, fines and  
8 penalties in the implementation of this Act;

9  
10 g) Receive grants and donations;

11  
12 h) Enter into contracts in the implementation of this Act, subject to existing laws;

13  
14 i) Perform such other powers and functions as are currently lodged with the  
15 LRA/RoD, LMB/LMS, NAMRIA, DENR-CARP National Secretariat under PD 1529,  
16 CA 141 as amended and other existing laws and issuances; and

17  
18 j) Perform such other functions as are necessary, proper and incidental to implement  
19 the provisions of this Act.

20  
21  
22 **ARTICLE III**  
23 **IMPLEMENTING MECHANISM**  
24

25 **SEC. 6. *Structure and Organization.***- The LAA shall consist of

26  
27 (a) The Office of the Director General;

28 (b) The Offices of the four (4) Deputy Directors General;

29 (c) The Offices of the five (5) Assistant Directors General; and

30 (d) Land Offices  
31  
32  
33

34 **SEC. 7. *The Director General.***- The authority and responsibility for the  
35 exercise of the mandate of the LAA, the accomplishment of its objectives, and the  
36 discharge of its powers and functions shall be vested in the Director General, a  
37 cabinet rank with portfolio, who shall be appointed by the President and subject to  
38 confirmation by the Commission on Appointments. The appointment shall be for a  
39 fixed term of four (4) years subject to reappointment for another term of four (4)  
40 years only. *Provided*, That no person shall be appointed as Director General unless  
41 he/she is a member of the Philippine Bar or Geodetic Engineer and/or any other  
42 person with adequate experience on matters pertaining to land administration and  
43 land management.  
44

45 The Director General shall have the following functions:  
46

47 (a) Advise the President on the promulgation of rules, regulations, and other  
48 issuances relative to land administration and public land management;

49 (b) Establish policies and standards for the efficient and effective operations of the  
50 LAA in accordance with the programs of the Government;

51 (c) Promulgate rules, regulations, and other issuances necessary in carrying out the  
52 LAA's mandate, objectives, policies, plans, programs and projects;



- 1 (d) Exercise control and supervision over all functions and activities of the LAA and  
2 its Land Offices;  
3 (e) Delegate authority over all powers, functions and activities of the LAA; and  
4 (f) Perform such other functions as may be provided by law or assigned by the  
5 President.  
6

7 **SEC. 8. Office of the Director General** - The Office of the Director General  
8 shall consist of the Director General and his immediate staff and the following  
9 offices:  
10

- 11 (a) Management Services Office  
12 (b) Planning and Monitoring Office  
13 (c) Human Resource Office  
14 (d) Legal and Land Adjudication Office  
15 (e) Special Projects and Programs Office  
16

17 **SEC. 9. Office of the Deputy Directors General** - The Director General shall be  
18 assisted by four (4) Deputies who shall be appointed by the President. The Director  
19 General is hereby authorized to delineate, assign and/or reassign the respective  
20 functional administrative divisions of responsibility of the Deputy Director General,  
21 as follows:  
22

- 23 a) Surveys - Provides all technical programs, procedures and operations  
24 involved in the surveying and mapping activities of the LAA.  
25 (b) Land Title Registration - Provides all technical programs, procedures and  
26 operations in the registration functions of the LAA.  
27 (c) Public Land Administration and Management - Provides all technical  
28 programs, procedures and operations in the disposition, administration and  
29 management of public lands not otherwise in the control of any other agency  
30 or instrumentality of the government, functions of the LAA.  
31 (e) Land Information and Technology - Provides all technical programs,  
32 procedures and operations in the records and information technology  
33 management functions of the LAA.  
34

35 No Deputy Director General shall be assigned primarily administrative  
36 responsibilities. Within &/her functional area of responsibility, the Deputy Directors  
37 General shall have the following functions:  
38

- 39 (a) Recommend policies and programs to the Director General and advise the  
40 Director General in the promulgation of administrative orders and other issuances  
41 with respect to his/her area of responsibility;  
42 (b) Issue technical and operating standards, guidelines, regulations and orders to  
43 enforce policies with respect to his/her area of responsibility. *Provided*, that the  
44 Deputy Director General assigned to land title registration shall resolved issues of  
45 registrability of instruments elevated in *consulta* as provided for under PD 1529 as  
46 amended;  
47 (c) Provide opinion and advise the field office on the efficient and effective  
48 implementation of policies, programs and projects in his/her area of responsibility,  
49 consistent with LAA policies, that will efficiently and effectively govern its activities  
50 and functions under his/her responsibility;  
51 (d) Coordinate the functions and activities of the units under his/her responsibility  
52 with those of other units under the responsibility of other Deputies;

- 1 (e) Exercise authority on monitoring and evaluation of technical and operating  
2 standards related to the functions and activities of units under his/her responsibility  
3 in the land offices of the LAA;  
4 (f) Exercise supervision over the offices, services, operating units and officers and  
5 employees under his direct responsibility;  
6 (g) Perform other functions as may be provided by law or assigned appropriately by  
7 the Director General.

8  
9 *Provided* that the Deputy Director General for Land Title Registration should  
10 be a member of the Philippine Bar with experience on land registration and the  
11 Deputy Director General for Survey shall be a Geodetic Engineer.

12  
13 *Provided further*, that aside from the functions above-stated, the Deputy  
14 Director General for Land Title Registration shall exercise executive supervision  
15 over all clerks of court and personnel of the regular courts throughout the  
16 Philippines, with respect to the discharge of their duties and functions in relation to  
17 the registration of lands.

18  
19 **SEC. 10. Assistant Director General.** - The Director General and the Deputies  
20 shall be assisted by five (5) Assistant Directors General appointed by the Director  
21 General. They shall oversee the general administration of the LAA and shall be  
22 responsible for the following:

- 23  
24 (a) Management Services Office  
25 (b) Planning and Monitoring Office  
26 (c) Human Resource Office  
27 (d) Legal and Land Adjudication Office  
28 (e) Special Projects and Programs Office  
29

30 **SEC. 11. Land Offices.** -Permanent field offices at the city and provincial  
31 levels are hereby established and shall be called Land Offices. The LAA may *also*  
32 establish additional Land Offices in a city or province as it may be determined for  
33 the efficient and effective delivery of its services. *Provided*, that provinces and cities  
34 with existing Registry of Deeds upon approval of this Act shall automatically  
35 establish Land Offices.

36  
37 The Land Offices shall be headed by an Executive Land Officer. He/She shall  
38 exercise general supervision on land survey, land registration, public land  
39 administration and record and information management within his/her  
40 jurisdiction. He/She shall also implement such other functions of the LAA in  
41 his/her respective area of responsibility as may be delegated by the Director  
42 General to provide a more efficient and effective delivery of services. *Provided*, that  
43 the registration personnel shall continue to exercise its other registration functions in  
44 accordance with existing laws.

45  
46 The Land Offices at the provincial and city levels shall be comprised of the  
47 following offices: (a) local surveys and mapping unit; (b) local registration and  
48 titling unit; (c) local public land administration unit; (d) local records and  
49 information technology unit (e) administrative support unit; (f) legal unit, and (g)  
50 such other units as may be established thereat by appropriate directive of the  
51 Director-General; *Provided*, that the Land Offices herein created shall co-locate in a  
52 One-Stop-Shop concept as soon as the necessary infrastructure is made available.  
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**ARTICLE IV**  
**LAND ADJUDICATION BOARD**

**SEC. 12. *Creation of the Land Adjudication Board (LAB).***- There is hereby created a Land Adjudication Board (LAB). The LAB shall be the quasi-judicial body of the LAA and shall have the following functions:

(a) Exercise exclusive original jurisdiction over all matters involving the implementation of laws, rules and regulations on land administration and public land management, and all cases and /or controversies arising therefrom; *Provided*, that all petitions for the correction of clerical or typographical errors committed in writing, copying, transcribing, or typing of an entry in the maps, survey plans, and certificate of land titles should be administratively addressed by the LAA Land Offices.

(b) Exercise exclusive original jurisdiction on conflicts arising from the determination and adjudication in land administration and public land management matters, except cases falling under the jurisdiction of the Department of Agrarian Reform (DAR) under the CARP law and the National Commission on Indigenous Peoples under the PRA law unless specifically provided herein. *Provided*, that jurisdiction over conflicts and cases arising from ownership of private lands shall remain with the regular courts. *Provided further*, that existing cases on land ownership and conflicts pending in the regular courts shall remain under the court's jurisdiction unless otherwise remanded by the courts to the LAA or LAB for disposition subject to the pertinent provisions of this Act.

The LAB shall be under the administrative supervision of the Director General and shall be divided into three divisions. Each division shall exercise equal powers, independently resolving cases raised on appeal from the decisions of the Local Land Adjudication Boards, created pursuant to Section 14 hereof, from Luzon, Visayas, and Mindanao: *Provided*, That the divisions assigned to handle cases from Visayas and Mindanao shall hold permanent office in any of the cities therein.

**SEC. 13. *Composition*** - Each division of the LAB shall be composed of three (3) members who shall be appointed by the President for a fixed term of (4) years and can be reappointed for another term of four (4) years.

All members of the Land Adjudication Board shall be members of the Philippine Bar with at least ten (10) years experience in property and land administration and management related matters.

The members of each division shall elect their Presiding Officer who shall serve for a term of four years.

**SEC. 14. *Local Land Adjudication Board*** - Local Land Adjudication Boards (LLAB) are hereby created in all provincial and city Land Offices that shall serve as first level board. The LLAB shall be composed of four (4) members. The Presiding Officer shall be the Executive Land Officer, the two other members shall be the head of the local surveys unit and the head of the local registration unit while the fourth member shall be a representative designated by the Chief Executive of the Local Government Unit where the LLAB sits.

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

3  
4 **SEC. 15. Budget and Administrative Support** - The LAB shall determine and  
5 propose, its budgetary requirements and shall be submitted as part of the LAA's  
6 budget request. Disbursements of the approved budget resources shall be the sole  
7 responsibility and accountability of the LAB. Secretariat services shall be provided  
8 by the LAA.

9  
10 **SEC. 16. Proceedings and Procedures.**- The LAB shall not be bound by  
11 technical rules of procedure and evidence but shall proceed to hear and decide all  
12 cases, disputes, or controversies in a most expeditious manner, employing all  
13 reasonable means to ascertain the facts of every case in accordance with justice and  
14 equity and the merits of the case. Toward this end, it shall adopt a uniform rule of  
15 procedure to achieve a just, expeditious, and inexpensive determination of merits:  
16 *Provided, That it shall endeavor to settle disputes and controversies amicably.*

17  
18 In the exercise of its functions, the LAB shall have the power to summon  
19 witnesses, administer oaths, take testimony, require submission of reports, compel  
20 the production of books and documents and answers to interrogatories, issue  
21 subpoena and subpoena *duces tecum*, and enforce its writs through sheriffs or other  
22 duly deputized officers. It shall punish direct and indirect contempt *in* the same  
23 manner and subject to the same penalties as provided for in the Rules of court.

24  
25 Responsible persons shall be allowed to represent themselves or their  
26 organizations in any proceedings before the LAB: *Provided, however, That when there*  
27 *are two or more representatives for any individual or group, the representatives*  
28 *should choose only one from among themselves to represent such party or group*  
29 *before any LAB proceedings.*

30  
31 **SEC. 17. Finality of Determination.**- Any case or controversy before the LAB  
32 shall be decided within thirty (30) days after it is submitted for resolution. Only one  
33 (1) motion for reconsideration shall be allowed. Moreover, any order, award, ruling,  
34 or decision shall be final after the lapse of fifteen (15) days from receipt by the  
35 parties of a copy thereof.

36  
37 **SEC. 18. Frivolous Appeals** - To discourage frivolous or dilatory appeals from  
38 the decisions, awards, rulings, or orders, the LAB may impose reasonable penalties  
39 including, but not limited to, fines or censures upon erring parties.

40  
41 **ARTICLE V**  
42 **JUDICIAL REVIEW**

43  
44 **SEC. 19. Certiorari .-** Any decision, order, award, or ruling of the LAB on  
45 any dispute or on any matter pertaining to the application, implementation,  
46 enforcement, or interpretation of this Act and other pertinent laws on land  
47 administration and public land management may be brought to the Court of  
48 Appeals by certiorari within fifteen (15) days from the receipt of a copy thereof.

49  
50 The findings of fact of the LAB shall be final and conclusive if based on  
51 substantial evidence.



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**ARTICLE VII**  
**TRANSITORY PROVISIONS**

**SEC. 26. *Transfer of Powers and Transition Plan.***- The powers and functions of the LAA heretofore vested by law in the DENR, DOJ, LRA/RoD, LMB/LMS and DENR-CARP National Secretariat or in any office within or attached to these agencies, are hereby transferred to and vested in the Office of the Director General. The Director General shall be responsible for the identification, preparation and formulation of a transition plan to ensure the smooth and seamless transfer and assumption of powers, functions and personnel from the abovementioned agencies to the LAA; *Provided*, that such transition plan shall be prepared, formulated and developed in consultation with the affected agencies and its representative stakeholders; *Provided further*, that the transition plan shall integrate such other actions and activities necessary, including provisions under this section and as provided for under this Act to complete the transition to the LAA.

**SEC. 27. *Transfer of the NAMRIA as an Attached Agency of the LAA.***- The NAMRIA is hereby attached to the LAA. It shall retain its structure, budgetary allocation under the current General Appropriations Act, and all properties, equipment, and other facilities necessary in the performance of its mandate.

**SEC. 28. *Organization of the LAA*** - The LAA's organizational and administrative structure and functions and staffing pattern, including the personnel's duties and responsibilities and the appropriate compensation package shall be submitted by the Director General within six (6) months upon approval of this Act for review and approval of the President and shall be fully implemented within a period of six (6) months after such approval of the President.

**SEC. 29. *Transfer of Personnel***- To ensure a smooth transition, all incumbent personnel of the DENR's LMB/LMS, DENR-CARP National Secretariat and its field offices, the DOJ's LRA/RoD shall continue to perform their present duties and functions as interim personnel of the LAA until such time, being not later than twelve (12) months from the effectivity of this Act, that the regular staff of the LAA, based on the new staffing pattern, shall have been appointed: *Provided* that all incumbent and qualified personnel of the DENR's LMB/LMS, DENR-CARP National Secretariat and its field offices, the DOJ's LRA/RoD shall be allowed to fill up the appropriate positions for regular personnel of the LAA and its field offices. *Provided further*, that the regular personnel shall be appointed by the Director General, or his/her duly authorized representative, on the basis of merit, previous permanent appointment, fitness, and seniority.

**SEC. 30. *Exemption from Salary Standardization Law***- All officials and personnel of the LAA including LAB and LLAB shall be exempted from the Salary Standardization Law.

**SEC. 31. *Integration of LMB/LMS, DENR-CARP National Secretariat, and LRA/XOD.***- The DENR's Land Management Bureau, Land Management Services, and CARP National Secretariat and its field offices, and the DOJ's Land Registration Authority and Register of Deeds, are hereby integrated into the Land Administration Authority.

**SEC. 32. *Separation Pay and Other Benefits.***- Personnel who are not offered appointment within twelve (12) months upon the effectivity of this Act under the

1 new staffing pattern of the LAA on at least equivalent terms and conditions as their  
2 present employment by reason of duplication or redundancy and those who decline  
3 an appointment in the LAA by reason of diminution in rank and conditions shall be  
4 entitled to all gratuities and benefits under existing laws.

5  
6 **SEC. 33. *Reemployment*** - Government personnel who are separated as a  
7 result of the integration of the aforesaid offices may apply for positions and be  
8 employed in other agencies or branches of the government including Government-  
9 Owned and/or -Controlled Corporations (GOES), Government Financial  
10 Institutions (GFIs), or local government units (LGUs).

11  
12 **SEC. 34. *Unexpended Appropriations and Transfer of Assets.***- Upon approval  
13 of this Act, the unexpended appropriations, assets and properties of the LRA and  
14 ROD, LMB, LMS, DENR-CARP National Secretariat and its field offices, are hereby  
15 transferred to the LAA.

16  
17 Such other unexpended appropriations as may be deemed appropriate by the  
18 Department of Budget and Management for transfer to the LAA shall also be so  
19 transferred.

20  
21 All real and personal properties, liabilities, records, documents, positions,  
22 contracts, and agreements which, upon the effectivity of this Act, are vested in, or  
23 owned, by the LMB/LMS, DENR-CARP National Secretariat and its Field Offices,  
24 and LRA/RoD are hereby transferred to the LAA.

25  
26 **SEC. 35. *Penal Provisions.*** - Any person who sells forms issued and  
27 distributed gratuitously under this Act or who, being an officer charged with  
28 distributing them refuses or fails without sufficient reason, to furnish the same, shall  
29 be punished for each offense by a fine of not less than one hundred thousand pesos  
30 and not more than one million pesos or imprisonment of not less than six months  
31 nor more than three years, or both, upon the discretion of the Courts.

32  
33 Any person, corporation, association, or partnership which, not being  
34 qualified or no longer authorized to apply for registration purposes, files or induces  
35 or knowingly permits another person, corporation, association, or partnership to file  
36 an application in &/her or its behalf or for &/her or its interest, benefit, or  
37 advantage, shall be punished for each offense by a fine of not less than one hundred  
38 thousand pesos (₱100,000.00) or imprisonment of not less than five (5) years, or both,  
39 at the discretion of the Courts: *Provided*, That in case the offender is a corporation,  
40 association, or partnership, their responsible officials shall be deemed jointly and  
41 severally liable. The application shall be cancelled.

42  
43 Any person who shall, by deceit or fraud, acquire or attempt to acquire lands  
44 of the public domain *or* other real property or any right, title *or* interest, or property  
45 right of any class to the same, and any person aiding and abetting him therein or  
46 serving as a means or tool thereof, shall, upon conviction, be punished by a fine of  
47 not less than one hundred thousand pesos (₱100,000.00) and imprisonment of not  
48 less than five years nor more than twelve years, or both, in the discretion of the  
49 Courts.

50  
51 Any person who shall tamper or attempt to tamper any records of the LAA  
52 that will result in the acquisition of rights, title or interest over real property and any  
53 person aiding and abetting him therein or serving as a means or tool thereof, shall,

1 upon conviction, be punished by a fine of not less than five hundred thousand pesos  
2 (P500,000.00) and imprisonment of not less than twelve (12) years, or both, at the  
3 discretion of the Court. For purposes of this Act, if the offender is a public official or  
4 government official or employee, he or she shall be, in addition to the existing  
5 penalties, removed from office, forfeit all retirement benefits except the monetary  
6 value of accumulated leave credits, and be perpetually disqualified from holding  
7 any elective or appointive public office.

8  
9 **SEC. 36. *Preservation of Records.***- The LAA shall have possession and  
10 control of all records, books, papers, offices, equipment, supplies, moneys, funds,  
11 appropriations, land and other property, real or personal, held for the benefit or use  
12 of all bodies, offices, and officers whose duties, powers, and functions have been  
13 transferred to and conferred upon the Authority. Pending a written notice of receipt  
14 issued by a duly authorized officer of the LAA, it shall be the duty of any and all  
15 personnel responsible for, or in possession of records relating to the affairs of the  
16 LMB, LMS, the DENR-CARP National Secretariat and its field offices, the LRA and  
17 the ROD to protect and preserve such records.

18  
19 Without prejudice to any other penalties provided for by law, any person  
20 who fails to fulfill his/her duty pursuant to the above paragraph, shall be guilty of  
21 an offense against the provisions of this Act, punishable by a fine of not less than  
22 one million pesos (P1,000,000.00) or imprisonment of not more than five years, or  
23 both, upon the discretion of the Court.

24  
25 **SEC. 37. *Saving Clause.***- All orders, determination, rules, regulations,  
26 permits, certificates, licenses, and privileges which have been issued, made, or  
27 granted effective by the for'mer LMB, LMS, LRA, ROD, DENR-CARP National  
28 Secretariat and its field offices, or their predecessors shall continue to be in effect  
29 according to their terms until modified, terminated, superseded, set aside, or  
30 repealed.

31  
32 No suit, action, or other proceeding commenced by or against any officer in  
33 his official capacity as an officer of any division or unit of the former LMB, LMS,  
34 LRA, ROD, DENR-CARP National Secretariat and its field offices, the functions of  
35 which are transferred by this Act to the LAA shall abate by reason of this Act. In like  
36 manner, no cause of action by or against such division or unit or by or against any  
37 officer thereof in his official capacity shall abate by reason of the enactment of this  
38 Act. Causes of actions, suits, or other proceedings may be asserted for or against the  
39 LAA or such official of the LAA as may be appropriate.

40  
41 **ARTICLE VIII**  
42 **MISCELLANEOUS PROVISIONS**  
43

44 **SEC. 38. *Use of Income and Other Sources of Funds.***- The LAA is hereby  
45 authorized to use one hundred percent (100%) of all revenues derived from fees,  
46 charges, fines, penalties and other sources for capital outlay on infrastructure,  
47 procurement of equipment and services related to the integration, updating and  
48 maintenance of computer-based land information and database system, training and  
49 skills upgrading including personnel capacity building of LAA.

50  
51 The LAA shall be allowed to receive, hold and utilize funds from grants,  
52 donations, contributions and other gratuitous sources both foreign and local for the



1 implementation of its mandate, programs and projects, subject to existing rules and  
2 regulations.

3  
4 **SEC. 39. Assurance Fund.-** A special account within the LAA is hereby  
5 created for the entire proceeds of the Assurance Fund, which shall no longer be paid  
6 to the National Treasurer as provided for in Section 94 of PD No. 1529. The existing  
7 account of the Assurance Fund created under PD No. 1529 held by the National  
8 Treasurer shall be transferred to the LAA. Claims from the Assurance Fund shall be  
9 heard, decided, and determined by the Land Adjudication Board. All pending cases  
10 or claims against the Assurance Fund now being handled by the Bureau of Treasury,  
11 through the Office of the Solicitor General, shall likewise be transferred to the Land  
12 Adjudication Board. Thereafter, the National Treasurer shall no longer be impleaded  
13 as party in any action against the Assurance Fund.

14  
15 **SEC. 40. Indemnification of Officials and Personnel--** The LAA shall  
16 indemnify all officials and personnel for all costs and expenses reasonably incurred  
17 by such persons in connection with any civil or criminal actions, suits, or  
18 proceedings to which they may be or made a party by reason of the performance of  
19 their functions or duties, unless they are finally adjudged in such actions or  
20 proceedings to be liable.

21  
22 In the event of settlement or compromise, indemnification shall be provided  
23 only in connection with such matters covered by the settlement as to which the LAA  
24 is advised by an external counsel that the persons to be indemnified did not commit  
25 any gross negligence or misconduct.

26  
27 The costs and expenses incurred in defending the aforementioned action, suit  
28 or proceeding may be paid by the LAA in advance of the final disposition of such  
29 action, suit or proceeding upon receipt of an undertaking by or on behalf of the  
30 Director General, where in the official or employee shall repay the amount advanced  
31 should it ultimately be determined by the LAA that such official or employee is not  
32 entitled to be indemnified as provided in this section.

33  
34 **SEC. 41. Implementing Rules and Regulations.-** Within sixty (60) days from  
35 the effectivity of this Act, the LAA shall promulgate the rules and regulations to  
36 implement the provisions of this Act. Said rules and regulations shall be submitted  
37 to the Congressional Oversight Committee for approval. In the process of the  
38 formulation of the IRR for this Act, consultations shall be made with the  
39 Stakeholders' Advisory Committee and submitted to the Office of the President for  
40 approval. Copies of the IRR shall be distributed to the Congressional Oversight  
41 Committee on Land Administration.

42  
43 **SEC. 42. Congressional Oversight Committee on the Land Administration**  
44 **Act.-** There is hereby created a Congressional Oversight Committee composed of  
45 seven (7) members from the Senate Committee on Environment and Natural  
46 Resources and seven (7) members from the House of Representatives Committees on  
47 Natural Resources, Housing and Urban Development, and Government  
48 Reorganization.

49  
50 The Congressional oversight committee, which shall function for a period not  
51 more than three (3) years, shall review the implementing rules promulgated by the  
52 LAA including the procedures on claims against the assurance fund and oversee the  
53 implementation of this Act.

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

5  
6           **SEC. 43. *Separability Clause***- Should any provision of this Act or any part  
7 hereof be declared unconstitutional or invalid by a Court, the other provisions  
8 hereof which are not affected thereby, shall remain in force and effect.

9  
10           **SEC. 44. *Repealing Clause***.- The provisions of PD 1529 pertaining to the  
11 assurance fund, and their implementing rules and regulations are hereby amended  
12 or modified accordingly.

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

22  
23           **SEC. 45. *Effectivity***.- This Act shall take effect fifteen (15) days after its  
24 complete publication in the *Official Gazette* or in a newspaper of general circulation.

25  
26           *Approved,*