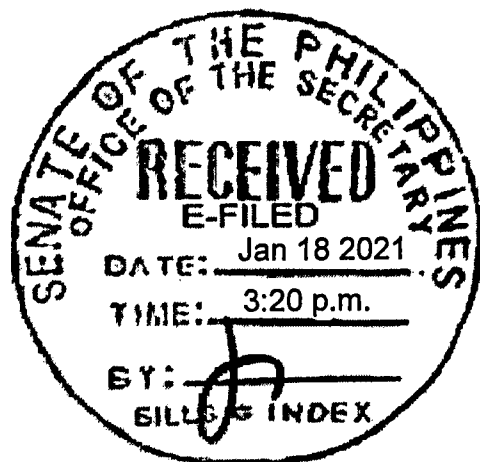


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE

S. No. **1991**

Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
AMENDING SECTIONS 129, 130, 131, 132 AND 133 OF COMMONWEALTH
ACT NO. 141, AS AMENDED, OTHERWISE KNOWN AS THE PUBLIC LAND
ACT, BY INCREASING THE PENALTIES IMPOSED AGAINST THOSE WHO
VIOLATE SPECIFIC PROVISIONS THEREOF

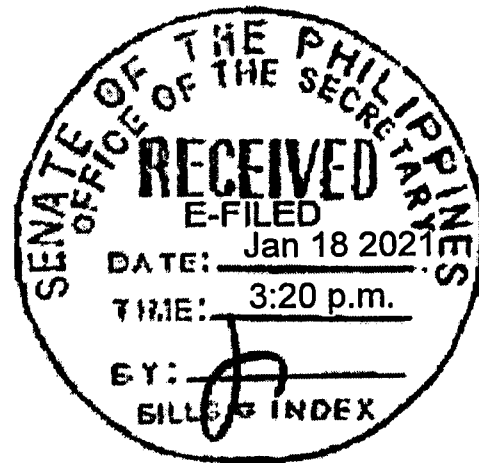
EXPLANATORY NOTE

Public Land Act was enacted as the enabling law for the release of certain lands of the public domain, the conversion of the same to alienable and disposable lands and all other matters concerning public lands. It provides specifically for the requirements, limitations, rules and regulations, which must be strictly and faithfully followed not only by the applicants but by the public officers and employees and government agencies in charge of implementing the rules and regulations for the said conversion. Any fraud, deceit, or gross and inexcusable negligence by these persons must be strongly discouraged for the same is detrimental to the State. Thus, this bill seeks to increase the penalties imposed upon these persons and make the said penalties commensurate to the gravity of the injuries and losses suffered by the State by commission of any of the prohibited acts provided under the same Act.

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


MANUEL "LITO" M. LAPID
Senator

EIGHTEENTH CONGRESS OF THE)
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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

1 SECTION 1. Section 129 of Public Land Act, is hereby amended to read as
2 follows:

3 "Any person, who presents or causes to be presented, or cooperates
4 in the presentation of, any false application, declaration, or evidence, or
5 makes or causes to be made or cooperates in the making of a false affidavit
6 in support of any petition, claim, or objection respecting lands of the public
7 domain, shall be deemed guilty of perjury and punished accordingly[.];
8 **PROVIDED, THAT IF THE SAID ACTS ARE COMMITTED BY ANY**
9 **PUBLIC OFFICER OR EMPLOYEE, THE SAME SHALL SUFFER THE**
10 **ADDITIONAL PENALTY OF PERMANENT DISQUALIFICATION TO**
11 **HOLD PUBLIC OFFICE."**

12
13 SECTION 2. Section 130 of Public Land Act, is hereby amended to read as
14 follows:

15 "Any person who voluntarily and maliciously prevents or hinders or
16 attempts to prevent or hinder the presentation of any application for public

1 land under this Act, or who in any manner attempts to execute or executes
2 acts intended to dissuade or discourage, or aid to dissuade or discharge, the
3 acquisition of public lands, shall be deemed guilty of coercion and to be
4 punished accordingly[.]; **PROVIDED, THAT IF THE SAID ACTS ARE**
5 **COMMITTED BY ANY PUBLIC OFFICER OR EMPLOYEE, THE SAME**
6 **SHALL SUFFER THE ADDITIONAL PENALTY OF PERMANENT**
7 **DISQUALIFICATION TO HOLD PUBLIC OFFICE."**

8
9 SECTION 3. Section 131 of Public Land Act, is hereby amended to read as
10 follows:

11 "Any person who sells forms issued and distributed gratuitously
12 under this Act or who, being an officer charged with distributing them,
13 refuses or fails, without sufficient reason, to furnish the same, shall be
14 punished for each offense by a fine of [not more than one hundred pesos]
15 **NOT LESS THAN THIRTY THOUSAND PESOS (P30,000.00) BUT NOT**
16 **MORE THAN SIXTY THOUSAND PESOS (P60,000.00)** or by
17 imprisonment for [not more than three months] **NOT LESS THAN ONE (1)**
18 **YEAR BUT NOT MORE THAN THREE (3) YEARS**, or both, in the discretion
19 of the court[.]; **PROVIDED, THAT IF THE SAID ACTS ARE COMMITTED**
20 **BY ANY PUBLIC OFFICER OR EMPLOYEE, THE SAME SHALL SUFFER**
21 **THE ADDITIONAL PENALTY OF PERMANENT DISQUALIFICATION**
22 **TO HOLD PUBLIC OFFICE."**

23
24 SECTION 4. Section 132 of Public Land Act, is hereby amended to read as
25 follows:

26 "Any person, corporation, association or partnership not qualified or
27 no longer authorized to apply for public land under the provisions of this Act
28 who files or induces or knowingly permits another person, corporation,
29 association or partnership to file an application in his or its behalf or for his
30 or its interest, benefit or advantage, shall be punished by a fine of not less
31 than [two hundred or more than five thousand pesos] **FORTY THOUSAND**
32 **PESOS (P40,000.00) BUT NOT MORE THAN ONE HUNDRED**

1 **THOUSAND PESOS (P100,000.00), or by imprisonment for [not less than**
2 **two months nor more than five years] NOT LESS THAN SIX (6) YEARS**
3 **BUT NOT MORE THAN TWELVE (12) YEARS, or both, in the discretion**
4 **of the court, and the cancellation of the application[.]; PROVIDED, THAT**
5 **IF THE SAID ACTS ARE COMMITTED BY ANY PUBLIC OFFICER OR**
6 **EMPLOYEE, THE SAME SHALL SUFFER THE ADDITIONAL PENALTY**
7 **OF PERMANENT DISQUALIFICATION TO HOLD PUBLIC OFFICE;**
8 **PROVIDED FURTHER, THAT THE LAND SUBJECT OF SUCH ACTS**
9 **SHALL REVERT TO THE STATE WITHIN THREE (3) MONTHS FROM**
10 **ITS DISCOVERY."**

11
12 SECTION 5. Section 133 of Public Land Act, is hereby amended to read as
13 follows:

14 "Any person who, without having the qualifications required by this
15 Act, shall by deceit or fraud acquire or attempt to acquire lands of the public
16 domain or other real property, or any right, title, or interest, or property right
17 of any class to the same, and any person aiding and abetting him therein or
18 serving as a means or tool therefor, shall, upon conviction, be punished by a
19 fine of [not more than five thousand pesos] **NOT LESS THAN FORTY**
20 **THOUSAND PESOS (P40,000.00) BUT NOT MORE THAN ONE**
21 **HUNDRED THOUSAND PESOS (P100,000.00), or by imprisonment for**
22 **[not more than five years] NOT LESS THAN SIX (6) YEARS BUT NOT**
23 **MORE THAN TWELVE (12) YEARS, or both, in the discretion of the**
24 **court[.]; PROVIDED, THAT IF THE SAID ACTS ARE COMMITTED BY**
25 **ANY PUBLIC OFFICER OR EMPLOYEE, THE SAME SHALL SUFFER THE**
26 **ADDITIONAL PENALTY OF PERMANENT DISQUALIFICATION TO**
27 **HOLD PUBLIC OFFICE: PROVIDED FUTHER, THAT THE LAND**
28 **SUBJECT OF SUCH ACTS SHALL REVERT TO THE STATE WITHIN**
29 **THREE (3) MONTHS FROM ITS DISCOVERY."**

30
31 SECTION 6. *Repealing Clause.* – All laws, presidential decrees, executive
32 orders, proclamations, rules and regulations, or any part thereof, which are

1 inconsistent with the provisions of this Act are hereby repealed or modified
2 accordingly.

3

4 SECTION 7. *Separability Clause.* – If any provision or part of this Act, or the
5 application thereof to any person or circumstance, is held unconstitutional or invalid,
6 the remainder of this Act shall not be affected thereby.

7

8 SECTION 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days from
9 its publication in the Official Gazette or in at least two (2) newspapers of general
10 circulation.

11

12 *Approved,*