

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

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SENATE

Senate Bill No. 789

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

Education plays an essential role in the overall development effort of the country particularly in tapping the potentials and harnessing the talents of the Filipino youth. Unfortunately, the Department of Education reported that there are still 8,011 untitled and 6,257 unregistered school sites throughout the nation. This means that these schools are "squatters" in the sense that they do not have legal property rights over the land they occupy.

In most cases, these school sites are owned by local government units or are leased from private individuals. On the other hand, some lands which were verbally donated, lack the proper legal documents to support the transfer of ownership. Thus, upon the death of the donors, their heirs claim the ownership of the land resulting to court litigation. Currently, most of these cases are pending in court.

The passage of this bill will provide for the summary titling of all lands being utilized as public school sites and the registration of these real properties with the Registry of Deeds in the name of the Department of Education. This will enable the school authorities to have direct control and supervision over the land occupied by public schools.

In view thereof, the approval of this bill is earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
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AN ACT
PROVIDING FOR THE ADMINISTRATIVE AND SUMMARY TITLING OF REAL
PROPERTIES USED AS SITES FOR PUBLIC SCHOOLS

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

SECTION 1. Purpose of this Act - It is hereby declared the policy of the State to provide all lands being utilized as public school sites with titles under the name of the Department of Education to enable it to have legal ownership over these school sites.

SEC. 2. Mandatory Titling of School Sites - Titles to real properties, public or private, including those owned or possessed by the national, provincial, city or municipal governments which are being utilized as actual sites for public schools for a period of at least five (5) years shall be transferred to the Department of Education by simple motion filed by the Office of the Solicitor General by the City or Provincial Prosecutor.

The proceedings shall be administrative and summary in nature and the decision shall be final and executory and not subject to appeal except in a petition for certiorari to the Supreme Court.

SEC. 3. Registration of Land Titles - The Registry of Deeds concerned shall forthwith register the properties as provided herein and issue the corresponding certificate of title to the Department of Education.

SEC. 4. Rules and Regulations - The Department of Justice, the Department of Education, the Commission on Higher Education and the Technical Education and Skills Development Authority shall jointly promulgate the implementing rules and regulations within 60 days from the effectivity of this Act.

SEC. 5. Appropriations - Funds necessary for the implementation of this Act shall be charged to the appropriations for the Department of Education under the General Appropriations Act.

SEC. 6. *Separability Clause* - If any part or provision of this Act is held unconstitutional or invalid, the other parts or provisions hereof which are not affected thereby, shall continue to be in full force and effect.

SEC. 7. *Repealing Clause* - All laws, decrees, rules and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 8. *Effectivity* - This Act shall take effect fifteen (15) days following the completion of its publication in two (2) newspapers of general circulation.

Approved,