

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

13th CONGRESS
First Regular Session

HOUSE BILL NO. 1584

Introduced by
HON. EDUARDO C. ZIALCITA

EXPLANATORY NOTE

Land is vital to peoples' sense of security and quest for a better quality of life. However, the security of people's land tenure can only be achieved through an efficient land administration system including efficient survey and mapping of land, first-time titling of alienable and disposable land, registration of land titles and title transfer and public land management.

The performance of government agencies in undertaking land surveys, mapping, classification, disposition and registration is currently hampered by fundamental legal and institutional defects in both the structure and operations of the land administration system, including:

- Multiple land administration agencies;
- Multiple land administration laws;
- Multiple land titling processes;
- Multiple standards for mapping and land surveys;
- Multiple forms of title certificates,
- Multiple steps for land transfers;
- Multiple standards for land valuation;
- Multiple taxes on land ownerships and transfers;
- Multiple opportunities for graft and corruption.

These institutional and structural defects in land administration have given rise to major inefficiencies including extensive delays in the disposition and titling of alienable and disposable land, inaccurate and incomplete land 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

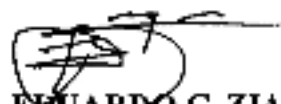
economic growth and poverty alleviation and asset reform in both rural and urban areas. The Project, and the long term program to follow it, aim to:

- Accelerate and complete the titling and registration of alienable and disposable lands, thereby providing security of tenure over these lands;
- Improve the efficiency, effectiveness, client focus, transparency and accountability of land administration services, including elimination of duplicate and fake titles;
- Provide accessible, efficient and affordable land administration services to the people through the establishment of One Stop Shops;
- Reform and codify all land administration laws and regulations;
- Establish one valuation system for the purpose of all real property transactions; and
- Establish an effective land information system providing easy and cheap access by members of the public to land information.

There is 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 CARP Secretariat and its field offices.

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 economic growth and poverty alleviation. Its early enactment is vital to the future of land in the Philippines. We strongly recommend the Bill for favorable consideration by the House.



HON. EDUARDO C. ZIALCITA
Representative
1st District, Parañaque City.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress

First Regular Session

HOUSE BILL NO. 1584

Introduced by:

HON. EDUARDO C. ZIALCITA

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

Section 1. Short Title.- This Act shall be known as "The Land Administration Reform Act of 2004."

Section 2. Declaration of Policy.- It is the policy of the State to institutionalize reforms in land administration in order to optimize and rationalize their contribution to the goals of national development, the eradication of poverty, and the attainment of social, economic, and cultural justice. Towards this end, the State shall:

(a) Promote efficient and effective mapping, land survey, classification, disposition, registration, and management of private and public lands;

(b) Undertake a comprehensive and continuing land administration program that will make the processes and procedures on land registration and titling affordable and expeditious;

(c) Assist in the attainment of the government's asset reform programs;

(d) Accelerate and complete the distribution, titling, and registration of alienable or disposable lands to provide security of land tenure;

1 (e) Undertake reforms in land administration and management to ensure
2 equitable distribution and full utilization and development of alienable or
3 disposable lands;

4 (f) Improve the efficiency, effectiveness, transparency, and
5 accountability of land administration services;

6 (g) Establish a sustainable and viable administration of land through
7 computerization of functions and removal of overlaps and duplication in the
8 delivery of land administration services;

9 (h) Establish an administrative system for the cancellation of duplicate
10 and fake titles and the eradication of land grabbing activities;

11 (i) Provide accessible, efficient, and affordable land administration
12 services to the people through the establishment of One-Stop-Shops nationwide;

13 (j) Establish an effective land information system and provide easy and
14 affordable access to land information by members of the public;

15 (k) Rationalize and clarify the entitlements of persons to land titles to
16 make the process of issuing original titles fast and low-cost;

17 (l) Promote and support the development of a national land
18 administration and management education system;

19 (m) Identify and reduce disincentives to the registration of property
20 transactions;

21 (n) Mainstream gender in all aspects of the land administration system;
22 and

23 (o) Recognize, respect, ensure participation, and assist in the
24 enforcement of land related rights of men and women of the basic sectors, as
25 defined in Republic Act No. 8425, otherwise known as the "Social Reform and
26 Poverty Alleviation Act."

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

30 (a) "*Director General*" refers to the person occupying the position of
31 Director General of the Land Administration Authority created by this Act
32 including any person appointed as Acting Director General.

1 (b) "*Land Administration and Public Land Management*" refers to the
2 administration of all functions, powers and activities related to the mapping, land
3 survey, classification, ownership, disposition, and registration of land titles and
4 deeds, and the management of public lands.

5 (c) "*Lands Management Bureau (LMB)*" refers to a staff Bureau of the
6 Department of Environment and Natural Resources (DENR).

7 (d) "*Lands Management Services (LMS)*" refers to the land management
8 sector or offices of the DENR at the regional, provincial, and district level.

9 (e) "*Land Registration Authority (LRA)*" refers to an attached agency of
10 the Department of Justice (DOJ), including the Registers of Deeds (RoD).

11 (f) "*National Mapping and Resource Information Authority (NAMRIA)*"
12 refers to the agency known by that name attached to the DENR.

13 (g) "*Land Administration and Management Project (LAMP)*" refers to the
14 project office providing technical and administrative support to the interagency
15 endeavor of the Philippine government to identify strategic directions toward land
16 administration reform in land institutions, laws, taxes and fees, and valuation.

17 (h) "*Classification and Reclassification*" refers to the Act of Congress in
18 setting the specific limits of forestlands and national parks and increasing or
19 decreasing their boundaries by law, as provided for in Article XII, Section 4 of the
20 1987 Philippine Constitution.

21 22 ARTICLE II

23 CREATION OF THE LAND ADMINISTRATION AUTHORITY

24 **Section 4. *Creation of the Land Administration Authority (LAA).***- To
25 carry out the purposes of this Act, the Land Administration Authority (LAA) is
26 hereby created and placed under the Office of the President. It shall be the
27 primary government agency responsible for land administration and public land
28 management.

29 **Section 5. *Powers and Functions of the LAA.***- The LAA shall exercise
30 the following powers and functions:

31 (a) Conduct, integrate and regulate the functions of geodetic and
32 geophysical surveys, land classification surveys, mapping, aerial photography,
33 remote sensing, management of resource information needed by both public and

1 private sectors, and research development thereof in accordance with existing
2 laws and internationally accepted norms, procedures, and standards;

3 (b) Survey, map and maintain data base to support the determination
4 of specific limits of forest lands and national parks by Congress as provided
5 under Section 4, Article XII of the Constitution;

6 (c) Survey, map, maintain database on, administer, manage and/or
7 dispose of all alienable and disposable lands of the public domain and other
8 lands, including foreshore and marsh lands, under the provisions of
9 Commonwealth Act No. 141; as amended, otherwise known as the Public Land
10 Act, and in accordance with existing laws;

11 (d) Manage, sell, and/or dispose the remaining Friar Lands under the
12 provisions of Act No. 1120, as amended, and in accordance with existing laws;

13 (e) Manage and dispose lands of patrimonial property of the National
14 Government under the provisions of Act No. 3038, or such other Government
15 lands as have not been placed under the administration, management, control or
16 exclusive use of any other government agency by legislative or executive
17 issuance;

18 (f) Register original titles to land issued pursuant to Commonwealth
19 Act No. 141 and subsequent dealings of registered lands under the provisions of
20 Act No. 496 and Presidential Decree No. 1529, otherwise known as the Land
21 Registration Act and the Property Registration Decree, respectively;

22 (g) Conduct, regulate and approve all types of land surveys including
23 surveys intended for the implementation of Commonwealth Act No. 141, Republic
24 Act No. 6657 or the Comprehensive Agrarian Reform Law (CARL) and Republic
25 Act No. 8371 or the Indigenous Peoples Rights Act of 1997 (IPRA);

26 (h) Prepare, issue, and register all titles to land issued pursuant to
27 Commonwealth Act No. 141 and subsequent dealings of registered lands
28 including all types of tenure instruments intended for the implementation of the
29 CARL and the IPRA;

30 (i) Determine, fix, and collect reasonable amounts to be charged as
31 administration fees, fines, and penalties relative to the implementation of this Act;

32 (j) Formulate land administration and management policies in
33 accordance with existing national laws;

1 (k) Promulgate rules, regulations, circulars and other administrative
2 issuances as may be necessary to implement the provisions of this Act;

3 (l) Such other functions undertaken by the LRA/RoD, LMB/LMS,
4 NAMRIA, DENR-Comprehensive Agrarian Reform Program (DENR-CARP)
5 National Secretariat under P.D. 1529 and C.A. 141, as amended; and

6 (m) Such other functions as are necessary, proper, and incidental to
7 implement the provisions of this Act.

8 Whenever any reference is made to the LRA/RoD, LMB/LMS, NAMRIA,
9 DENR-Comprehensive Agrarian Reform Program (DENR-CARP) National
10 Secretariat under E.O. 192, P.D. 1529, and C.A. 141, as amended, pertaining to
11 a duty, power, purpose, responsibility, or jurisdiction transferred to the LAA by
12 this Act, it shall be deemed to be a reference to, and to mean, the Land
13 Administration Authority and the Director General of the LAA, as the case may
14 be.

15 **Section 6. Stakeholders' Advisory Committee.-** The LAA shall be
16 assisted by a Stakeholders' Advisory Committee composed of the following:

17 (a) Six (6) Representatives from the Basic Sectors (farmers, fisherfolk,
18 urban poor, workers in the informal sector; indigenous peoples and
19 NGOs) chosen through the nomination process of the National Anti-
20 Poverty Commission (NAPC);

21 (b) Two (2) Representatives from the NAPC Women's Sectoral
22 Council;

23 (c) Three (3) representatives from the private sector such as, but not
24 limited to, real estate, professionals/practitioners, and academe to
25 be appointed by the President; and

26 (d) The LAA Director General, as ex-officio member.

27 The President shall designate the chairperson from among the members
28 of the Committee. The members of the Committee, except the LAA Director
29 General, shall not hold office in the LAA nor receive any salary but shall be
30 entitled, for actual attendance during meetings, to such allowances and honoraria
31 as are allowed by rules and regulations promulgated by the Commission on
32 Audit.

1 (d) Promulgate rules, regulations, and other issuances necessary in
2 carrying out the LAA's mandate, objectives, policies, plans, programs and project;

3 (e) Exercise control and supervision over all functions and activities of the
4 LAA;

5 (f) Delegate authority over all powers, functions and activities of the LAA;
6 and

7 (g) Perform such other functions as may be provided by law or assigned
8 by the President.

9 **Section 12. Office of the Director General.-** The Office of the Director
10 General shall consist of the Director General, his immediate staff, and the Office
11 of the Legal Services.

12 **Section 13. Deputy Director Generals.-** The Director General shall be
13 assisted by at least three (3) Deputy Director Generals who shall likewise be
14 appointed by the President. The Director General is hereby authorized to
15 delineate, assign, and/or reassign the respective functional areas of responsibility
16 of the Deputy Director Generals; *Provided*, That no Deputy Director General shall
17 be assigned primarily administrative responsibilities. Within his functional area of
18 responsibility, a Deputy Director General shall have the following functions:

19 (a) Advise the Director General in the promulgation of administrative
20 orders and other issuances with respect to his area of responsibility;

21 (b) Exercise supervision over the offices, departments, or operating units
22 and officers and employees under his responsibility;

23 (c) Promulgate rules and regulations that will efficiently and effectively
24 govern the activities of units under his responsibility;

25 (d) Coordinate the functions and activities of the units under his
26 responsibility with those of other units under the responsibility of other Deputy
27 Director Generals;

28 (e) Exercise authority on substantive and administrative matters related
29 to the functions and activities of units under his responsibility as may be
30 delegated by the Director General; and

31 (f) Perform other functions as may be provided by law or assigned by the
32 Director General.

1 **Section 14. Assistant Director Generals.-** The Director General and
2 Deputy Director Generals shall be assisted by five (5) Assistant Director Generals
3 in the formulation, management and implementation of land administration and
4 public land management laws, policies, plans, programs, and projects.

5 **Section 15. Field Offices.-** The LAA shall establish permanent field
6 offices at city and provincial levels. The LAA may also establish additional field
7 offices in a city or province as it may determine for the efficient and effective
8 delivery of its services subject to the approval of the President: *Provided*, That
9 said additional field offices may be abolished by the Director General when no
10 longer necessary.

11 The field offices shall undertake, among others, the following functions:

12 (a) Implement laws, policies, plans, programs, projects, rules and
13 regulations of the LAA on land administration and public land management;

14 (b) Provide efficient and effective delivery of services to the people;

15 (c) Coordinate with field or branch offices of other agencies of the
16 government in the region and with local government units in the enforcement of
17 land administration and public land management laws and regulations and in the
18 formulation and implementation of programs and projects;

19 (d) Recommend and, upon approval, implement programs and projects
20 on land administration and management and related concerns;

21 (e) Conduct a comprehensive inventory of alienable and disposable lands
22 of the public domain and of patrimonial properties and formulate
23 district/provincial/regional short and long term development plans for the
24 management, administration, utilization, and disposition of such lands toward
25 national development; and

26 (f) Perform such other functions as may be assigned by the Director
27 General and/or as provided by law.

28 29 **ARTICLE IV**

30 **LAND ADJUDICATION BOARD**

31 **Section 16. Creation of the Land Adjudication Board (LAB).-** There is
32 hereby created a Land Adjudication Board (LAB) that will exercise primary
33 jurisdiction to determine and adjudicate land administration and public land

1 management matters and shall have exclusive original jurisdiction over all
2 matters involving the implementation of laws, rules and regulations on land
3 administration and public land management including petitions for the correction
4 of clerical or typographical errors committed in writing, copying, transcribing, or
5 typing of an entry in the maps, survey plans, and certificate of land titles, except
6 those cases falling under the jurisdiction of the Department of Agrarian Reform
7 unless specifically provided herein.

8 **Section 17. Composition.-** The LAB shall be composed of five (5)
9 members who shall be nominated by the Stakeholders Advisory Committee and
10 to be appointed by the President. The Presiding Officer shall be selected by the
11 members from among themselves

12 **Section 18. Local Land Adjudication Board.-** The Board shall create a
13 Local Land Adjudication Board in the provincial or city office which shall be
14 composed of three members who shall be appointed by the LAB. Decisions,
15 orders, and resolutions of the Local Land Adjudication Board shall be raised on
16 appeal to the LAB.

17 **Section 19. Budget and Administrative Support.-** The LAB shall
18 determine and propose its budgetary requirements and shall be submitted as part
19 of the LAA's budget request. Disbursements of the approved budget resources
20 shall be the sole responsibility of the LAB. Secretariat services shall be provided
21 by the LAA.

22 **Section 20. Proceedings and Procedures.-** The LAB shall not be bound
23 by technical rules of procedure and evidence but shall proceed to hear and
24 decide all cases, disputes, or controversies in a most expeditious manner,
25 employing all reasonable means to ascertain the facts of every case in
26 accordance with justice and equity and the merits of the case. Toward this end, it
27 shall adopt a uniform rule of procedure to achieve a just, expeditious, and
28 inexpensive determination of merits: *Provided*, That it shall endeavor to settle
29 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,
32 compel the production of books and documents and answers to interrogatories,
33 issue subpoena and subpoena *duces tecum*, and enforce its writs through

1 sheriffs or other duly deputized officers. It shall punish direct and indirect
2 contempt in the same manner and subject to the same penalties as provided for
3 in the Rules of Court.

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

9 **Section 21. *Finality of Determination.***- Any case or controversy before
10 the LAB shall be decided within thirty (30) days after it is submitted for resolution.
11 Only one (1) motion for reconsideration shall be allowed. Moreover, any order,
12 award, ruling, or decision shall be final after the lapse of fifteen (15) days from
13 receipt by the parties of a copy thereof.

14 **Section 22. *Frivolous Appeals.***- To discourage frivolous or dilatory
15 appeals from the decisions, awards, rulings, or orders, the LAB may impose
16 reasonable penalties including, but not limited to, fines or censures upon erring
17 parties.

18 19 ARTICLE V

20 JUDICIAL REVIEW

21 **Section 23. *Certiorari.***- Any decision, order, award, or ruling of the LAA
22 on any dispute or on any matter pertaining to the application, implementation,
23 enforcement, or interpretation of this Act and other pertinent laws on land
24 administration and public land management may be brought to the Court of
25 Appeals by certiorari within fifteen (15) days from the receipt of a copy thereof.

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

28 **Section 24. *Restraining Order or Preliminary Injunction.***- The Court of
29 Appeals and Supreme Court of the Philippines shall have jurisdiction to issue any
30 restraining order or writ of preliminary injunction against the LAA or any of its duly
31 authorized or designated offices in any case, dispute or controversy arising from,
32 necessary to, or in connection with the application, implementation, enforcement,

1 or interpretation of this Act and other pertinent laws on land administration and
2 public land management.

3 **Section 25. Procedure on Review.-** Review by the Court of Appeals or
4 the Supreme Court, as the case may be, shall be governed by the Rules of Court.
5 The Court of Appeals, however, may require the parties to file simultaneous
6 memoranda within a period of fifteen (15) days from notice, after which the case
7 is deemed submitted for decision.

8 9 **ARTICLE VI** 10 **TRANSITORY PROVISIONS**

11 **Section 26. Transfer of Powers.-** The powers and functions of the LAA
12 heretofore vested by law in the DENR, DOJ, LRA/RoD, LMB/LMS, NAMRIA
13 except the powers and functions of its Coast and Geodetic Surveys Department,
14 DENR-Comprehensive Agrarian Reform Program National Secretariat, LAMP, or
15 in any office within or attached to these agencies, are hereby transferred to and
16 vested in the Office of the LAA Director General.

17 **Section 27. Transfer of the Coast and Geodetic Surveys Department**
18 **of NAMRIA to the Office of the Secretary of National Defense.-** Within twelve
19 (12) months upon the effectivity of this Act, the commissioned officers and
20 enlisted and civilian technical personnel of the Coast and Geodetic Survey
21 Department of NAMRIA and a complement of administrative support staff shall be
22 constituted as the National Hydrographic Office directly under the Office of the
23 Secretary of National Defense. The National Hydrographic Office shall be
24 responsible for the hydrographic and oceanographic surveys necessary in chart
25 production and safety to navigation. It shall retain its budgetary allocation under
26 the current General Appropriations Act, and all properties, survey instruments
27 and equipment and other facilities necessary in the performance of its mandate.

28 **Section 28. Organization of the LAA.-** The LAA's organizational and
29 administrative structure and functions and staffing pattern, including the
30 personnel's duties and responsibilities and the appropriate compensation
31 package shall be submitted by the Director General for review and approval to
32 the Congressional Oversight Committee within six (6) months from the effectivity
33 of this Act. After the oversight committee's review and approval, the proposed

1 organizational structure and staffing pattern, which shall not exceed the total
2 number of permanent positions that have been merged, shall be submitted to the
3 President for final approval and shall be fully implemented within a period of three
4 (3) months after such approval.

5 **Section 29. Transfer of Personnel.-** To ensure a smooth transition, all
6 incumbent personnel of the DENR's LMB/LMS, NAMRIA, DENR-CARP National
7 Secretariat and its field offices, and LAMP; the DOJ's LRA/RoD shall continue to
8 perform their present duties and functions as interim personnel of the LAA until
9 such time, being not later than twelve (12) months from the effectivity of this Act,
10 that the regular staff of the LAA, based on the new staffing pattern, shall have
11 been appointed: *Provided*, That the regular personnel shall be appointed by the
12 Director General, or his/her duly authorized representative, on the basis of merit,
13 previous permanent appointment, fitness, and seniority: *Provided, moreover*,
14 That except for the position of Director General and Deputy Director Generals,
15 there shall be no hiring of new personnel for the LAA.

16 **Section 30. Separation and Benefits.-** Personnel who are not offered
17 appointment within twelve (12) months upon the effectivity of this Act under the
18 new staffing pattern of the LAA on at least equivalent terms and conditions as
19 their present employment by reason of duplication or redundancy and those who
20 decline an appointment in the LAA by reason of diminution in rank and conditions
21 shall be entitled to a gratuity at a rate equivalent to the following:

22 (1) Two and one-half (2½) months basic salary for every year of service
23 for the first twenty (20) years;

24 (2) Two and three-fourths (2¾) months basic salary for every additional
25 year of service from the twenty-first (21st) to the thirtieth (30th) year of service;

26 (3) Three (3) months basic salary for every additional year of service from
27 the thirty-first (31st) year of service and onwards.

28 Affected personnel shall also be entitled to other benefits as may be
29 authorized by existing laws and regulations. Furthermore, they shall be entitled
30 to the refund of their contributions including government share to the Home
31 Development Mutual Fund (Pag-IBIG) and the Government Service Insurance
32 System (GSIS) and to the commutation of their unused vacation and sick leaves
33 in accordance with existing rules and regulations.

1 Employees who are offered appointments under the new staffing pattern of
2 the LAA without any diminution in rank and work conditions but who decline such
3 appointments shall be deemed to have voluntarily resigned and shall be entitled
4 only to separation benefits equal to those provided for by other laws: *Provided,*
5 *moreover,* That those who are qualified to retire shall be allowed to retire and be
6 entitled to all the benefits provided under any of the existing retirement laws.

7 **Section 31. Separation Fund.-** There is hereby established a "one-time"
8 separation fund in the amount of Two Billion Pesos (P2,000,000,000.00) to pay
9 the separation benefits herein provided: *Provided,* That the fund shall be used
10 exclusively to pay for separation benefits: *Provided further,* That within two years
11 after the effectivity of this Act, any unutilized amount of the separation fund shall
12 be reverted to the National Treasury.

13 **Section 32. Reemployment.-** Government personnel who are separated
14 as a result of the integration of the aforecited offices may apply for positions and
15 be employed in other agencies or branches of the government including
16 Government-Owned and/or -Controlled Corporations, Government Financial
17 Institutions (GOCCs/GFIs), or local government units.

18 **Section 33. Unexpended Appropriations and Transfer of Assets.-** The
19 unexpended balances of appropriations in the current General Appropriations Act
20 and other Acts in force upon approval hereof, pertaining to, held, or used by, or
21 available to the LRA and RoD, NAMRIA except the budget for its Coast and
22 Geodetic Survey Department, LMB, LMS, DENR-CARP National Secretariat and
23 its field offices, and the LAMP are hereby transferred to the LAA.

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

27 All real and personal properties, assets, liabilities, records, documents,
28 positions, appropriations, contracts, and agreements which, upon the effectivity of
29 this Act, are vested in, or owned, by the LMB/LMS, NAMRIA except those
30 pertaining to its Coast and Geodetic Survey Department, DENR-CARP National
31 Secretariat and its Field Offices, LRA/RoD, and LAMP, are hereby transferred to
32 the LAA.

1 **Section 34. Penal Provisions. –**

2 Any person who sells forms issued and distributed gratuitously under this
3 Act or who, being an officer charged with distributing them refuses or fails without
4 sufficient reason, to furnish the same, shall be punished for each offense by a
5 fine of not less than one hundred thousand pesos and not more than one million
6 pesos or imprisonment of not less than six months nor more than three years, or
7 both, in the discretion of the Courts.

8 Any person, corporation, association, or partnership which, not being
9 qualified or no longer authorized to apply for registration purposes, files or
10 induces or knowingly permits another person, corporation, association, or
11 partnership to file an application in his/her or its behalf or for his/her or its interest,
12 benefit, or advantage, shall be punished for each offense by a fine of not less
13 than one hundred thousand pesos (P100,000.00) or imprisonment of not less
14 than five (5) years, or both, at the discretion of the Courts: *Provided*, That in
15 case the offender is a corporation, association, or partnership, their responsible
16 officials shall be deemed jointly and severally liable. The application shall be
17 cancelled.

18 Any person who shall, by deceit or fraud, acquire or attempt to acquire
19 lands of the public domain or other real property or any right, title or interest, or
20 property right of any class to the same, and any person aiding and abetting him
21 therein or serving as a means or tool thereof, shall, upon conviction, be punished
22 by a fine of not less than one hundred thousand pesos and imprisonment of not
23 less than five years nor more than twelve years, or both, in the discretion of the
24 Courts.

25 Any person who shall tamper or attempt to tamper any records of the LAA
26 that will result in the acquisition of rights, title or interest over real property and
27 any person aiding and abetting him therein or serving as a means or tool thereof,
28 shall, upon conviction, be punished by a fine of not less than five hundred
29 thousand pesos (P500,000.00) and imprisonment of not less than twelve (12)
30 years, or both, at the discretion of the Court.

31 For purposes of this Act, if the offender is a public official or government
32 official or employee, he or she shall be, in addition to the existing penalties,
33 removed from office, forfeit all retirement benefits except the monetary value of

1 accumulated leave credits, and be perpetually disqualified from holding any
2 elective or appointive public office.

3 **Section 35. Preservation of Records.-** The LAA shall have possession
4 and control of all records, books, papers, offices, equipment, supplies, moneys,
5 funds, appropriations, land and other property, real or personal, held for the
6 benefit or use of all bodies, offices, and officers whose duties, powers, and
7 functions have been transferred to and conferred upon the authority.

8 Pending a written notice of receipt issued by a duly authorized officer of
9 the LAA, it shall be the duty of any and all personnel responsible for, or in
10 possession of records relating to the affairs of the LMB, LMS, NAMRIA, the
11 DENR-CARP National Secretariat and its field offices, the LRA and the RoDs to
12 protect and preserve such records.

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

18 **Section 36. Saving Clause.-** All orders, determination, rules, regulations,
19 permits, certificates, licenses, and privileges which have been issued, made, or
20 granted effective by the former LMB, LMS, NAMRIA, LRA, RoDs, DENR-CARP
21 National Secretariat and its field offices, and LAMP, or their predecessors shall
22 continue to be in effect according to their terms until modified, terminated,
23 superseded, set aside, or repealed.

24 No suit, action, or other proceeding commenced by or against any officer
25 in his official capacity as an officer of any division or unit of the former LMB, LMS,
26 NAMRIA, LRA, RoDs, DENR-CARP National Secretariat and its field offices, and
27 LAMP, the functions of which are transferred by this Act to the LAA shall abate by
28 reason of this Act. In like manner, no cause of action by or against such division
29 or unit or by or against any officer thereof in his official capacity shall abate by
30 reason of the enactment of this Act. Causes of actions, suits, or other
31 proceedings may be asserted for or against the LAA or such official of the LAA as
32 may be appropriate.

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1 regulations to implement the provisions of this Act. Said rules and regulations
2 shall be submitted to the Congressional Oversight Committee for approval.

3 **Section 41. Congressional Oversight Committee on the Land**
4 **Administration Act.-** There is hereby created a Congressional Oversight
5 Committee composed of seven (7) members from the Senate Committee on
6 Environment and Natural Resources and seven (7) members from the House of
7 Representatives Committee on Natural Resources.

8 The oversight committee, which shall function for a period not more than
9 three (3) years, shall review the administrative structure, functions, staffing
10 pattern, duties and responsibilities of personnel, the implementing rules
11 promulgated by the LAA including the procedures on claims against the
12 assurance fund, and oversee the implementation of this Act: *Provided, That* the
13 secretariat of the Oversight Committee shall be drawn from the existing
14 secretariat personnel of the committees comprising the oversight and the funding
15 shall be taken from the appropriations of both the House of Representatives and
16 the Senate.

17 **Section 42. Separability Clause.-** Should any provision of this Act or any
18 part thereof be declared unconstitutional or invalid by a Court, the other
19 provisions hereof which are not affected thereby, shall remain in force and effect.

20 **Section 43. Repealing Clause.-** The pertinent provisions of CARL and
21 IPRA with regard to the conduct of survey, approval of survey results, preparation
22 and issuance of tenure instruments, and the provisions of PD 1529 pertaining to
23 the assurance fund, and their implementing rules and regulations are hereby
24 amended or modified accordingly.

25 All other laws, decrees, orders, instructions, proclamations, rules and
26 regulations or parts thereof, including pertinent provisions of Commonwealth Act
27 No. 141, Act No. 496, Presidential Decree No. 1529, Executive Order No. 192
28 and its related rules and regulations; Executive Order No. 469 dated February 11,
29 1981 and the subsequent Presidential Memorandum Circular dated 30
30 September 1988 and their related rules and regulations; and the Administrative
31 Code of 1987, which are inconsistent with any provision of this Act, are hereby
32 repealed, modified, or amended accordingly.

1 **Section 44. Effectivity.-** This Act shall take effect fifteen (15) days after
2 its complete publication in the *Official Gazette* or in a newspaper of general
3 circulation.
4 Approved: _____