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REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1691

Introduced by: **HONORABLE MARCELINO C. LIBANAN**

EXPLANATORY NOTE

Cognizant of the problem concerning possible ejectment of numerous schools from the untitled lands being used as school sites, the Estrada Administration then has included in its legislative agenda the passage of a law providing for the registration of all lands occupied by the Department of Education as public schools sites.

The ejection of the Cecilio Apostol Elementary School from the land it has occupied for several decades after the property was sold by the City Government of Kalookan, its landowner, to Gotesco Properties, was a very painful lesson to learn. This experience should serve as an ever-present reminder to legislators because it has caused the undue displacement of thousands of innocent school children.

As of 1997, the unofficial list of the Department of Education showed that there are about 8,011 untitled school sites nationwide and only around 827 titled school sites. These figures exclude the 6,257 unregistered school sites all over the country, where the ownership of the land could not be ascertained.

This bill therefore, seeks to provide for a special registration of all lands being used as school sites throughout the country. The enactment of this bill into law will certainly prevent that condemnable incident in Kalookan City in the early 1990's, one instance which has caught media attention in perhaps, numerous ejectment cases involving public schools.

The foregoing reasons warrant the approval of this important piece of legislation.



HON. MARCELINO C. LIBANAN

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AN ACT
PROVIDING FOR A SPECIAL REGISTRATION OF ALL LANDS BEING
OCCUPIED AS SCHOOL SITES UNDER THE NAME OF THE DEPARTMENT
OF EDUCATION APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

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

SECTION 1. This Act shall be known as the "*Special Land Registration Act of 2001*".

SECTION 2. All lands being used as public school sites that were acquired by the Department of Education hereinafter referred to as the Department, either by purchase, donation or exchange, but their titles have not been perfected, shall be registered under the name of the Department.

SECTION 3. The Land Registration Authority (LRA), in coordination with the Department, is hereby directed to register all lands described in the preceding section within one (1) year from the approval of this Act. Provided, however, That, the registration of lands being used as public school sites by mere tolerance of the landowner, requires a written manifestation from the latter of his intention to donate or to sell the property to the Department with two (2) years from the approval of this Act. Failure of the landowner to act within the prescribed period shall mean voluntary act of donating the subject property to the Department, which shall therefore constitute a waiver of his right to object to the registration of the said property.

Provided, further, that, in case the landowner decides to sell or refused to sell the property, the following rule shall apply:

- a. In case of a negotiated sale, the value of the property shall be determined by the local assessor on the basis of its current assessed value; and
- b. In case of refusal to sell, the property shall be subject to expropriation proceeding and its value shall be determined by competent court.

In case of unfavorable ruling in an expropriation proceeding, no ejectment shall take place within a period of five (5) years after final judgment.

SECTION 4. The amount necessary to carry out the provision of this Act shall be charged to the appropriations of the Department of the year following its enactment into law and thereafter.

SECTION 5. If for any reason, any provision of this Act is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in full force and effect.

SECTION 6. All laws, decrees, executive orders, rules and regulations inconsistent with this Act is hereby repealed or modified accordingly.

SECTION 7. *Effectivity.* – This Act shall take effect upon its approval.

Approved.