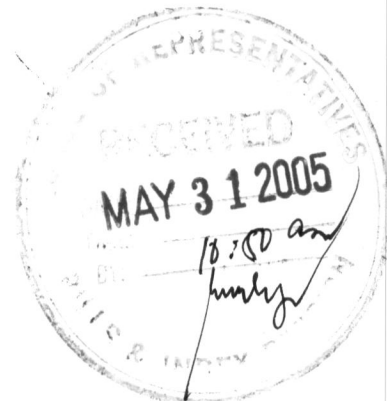




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

HOUSE BILL NO. 4382



Introduced by Honorable Rey B. Aquino

EXPLANATORY NOTE

This bill seeks to require all public schools to facilitate the ownership and registration of real properties being used as school sites in the name of the Department of Education (DepEd).

Section 1, Article XIV of the Constitution, upholds to protect and promote the right of each Filipino to quality education that is of high academic standards in all levels. Unfortunately, the DepEd reports that there are about 8,011 untitled and 6,257 unregistered school sites throughout the country. These schools may be called “squatters,” because the DepEd does not own nor has any legal right over these lands.

Usually, the school sites are owned by the local government units where the schools are located. In some cases, lands are donated to the school without the formalities of donations. Thus, the ownership of these lands is put in question whenever a court litigation arises between the school authorities and the donor’s heirs who claim the lands as their own. Currently, many of these cases are pending in court which hamper the development and expansion programs of the schools.

The proposed bill, therefore, addresses this problem of public schools. Approval of this bill will also provide for the summary titling of all lands being utilized as public school sites and register these real properties with

the Registry of Deeds in the name of the DepEd. This will enable the school authorities to have direct control and supervision over the land occupied by public schools. For this, the school authorities will have a site development plan for the purpose of determining their physical plan and developmental needs in the future.

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



REY B. AQUINO



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HOUSE BILL NO. 4382

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AN ACT
REQUIRING ALL PUBLIC SCHOOLS TO REGISTER ALL REAL
PROPERTIES USED AS SCHOOL SITES IN THE NAME OF THE
DEPARTMENT OF EDUCATION, AND APPROPRIATING FUNDS
THEREFOR.

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

SECTION 1. All public schools are required to register the real properties used as school sites in the name of the Department of Education, hereinafter referred to as DepEd.

Land titles to real properties, public or private, used as school sites, shall be transferred to DepEd: *Provided*, That appropriate expropriation proceedings shall be instituted on privately-owned lands: *Provided, further*, That in cases of lands donated for school site purposes, the conditions of the donation shall remain in full force and effect.

SEC. 2. Lands of uncertain ownership used as school sites shall be registered in favor of DepEd: *Provided*, That the school has been in open, peaceful, continuous and uninterrupted possession of the property for a period of not less than twenty (20) years: *Provided, further*, That notice of registration shall be posted for two (2) consecutive weeks in conspicuous places in the municipality where the land is located: *Provided, finally*, That all adverse claimants may, within two (2) years from the approval of this Act, file their claims with the court of competent jurisdiction for the recovery of the ownership of such land.

SEC. 3. The Register of Deeds concerned shall register the properties as provided herein including those properly expropriated, and issue the corresponding certificate of title to DepEd.

SEC. 4. All public schools shall be required to have a site development plan for the purpose of determining the design and construction management, as well as the financing, construction, operation, maintenance of school sites, buildings and facilities and other infrastructure needs in the future.

SEC. 5. The DepEd shall issue the necessary rules and regulations for effective implementation of this Act.

SEC. 6. The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the Department of Education. Thereafter, such sums as may be necessary for the acquisition, improvement, survey and registration of school sites shall be included in the annual General Appropriations Act.

SEC. 7. 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. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,