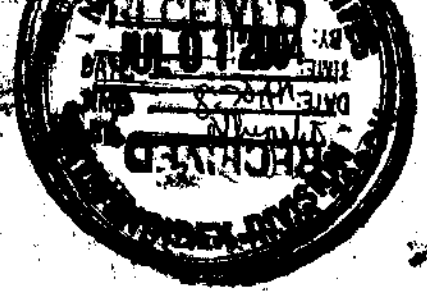


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS
First Regular Session

House Bill No. 03

Introduced by **SALACNIB F. BATERINA**

EXPLANATORY NOTE

This bill seeks to reform the existing land administration and management system in the Philippines by consolidating and streamlining within a single government agency land administration powers and functions currently assigned to different government agencies and for this purpose, constitute the Land Registration Authority as the principal government agency for land administration functions and renaming it as the National Land Administration Reform Authority.

The land administration powers, and functions are currently dispersed to different government agencies. The performance, however, of government agencies undertaking land administration functions such as land surveys mapping, classification, titling and disposition and registration is below par. The services being provided by these agencies are not responsive to our problems on sustainable development, much more to our global concerns. The problem is compounded by fundamental legal and institutional defects in both the structure and operation of the land administration system. There are many institutions administering our scarce land resources resulting in confusion, delays, high transaction costs (government and users), low investment, and graft and corruption. There are many laws dealing with land administration which need to be reconciled with each other and made more responsive to present needs.

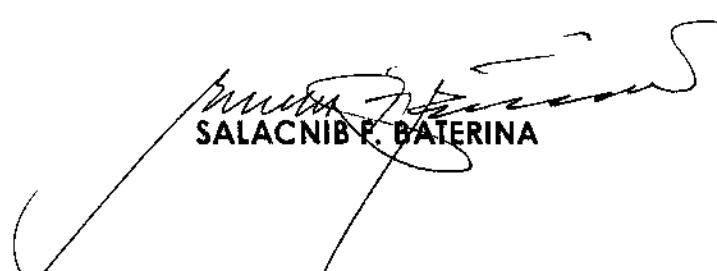
Such defects in land administration have also given rise to major inefficiencies including delays in the disposition and titling of alienable and disposable land, inaccurate and incomplete land information and records, duplicate and fake titles, duplication and overlap of activities between government agencies, and unnecessary costs to both the national and local governments and the users/clients of land administration services.

There is an urgent need to introduce necessary reforms in the land administration system. One of the fundamental prerequisite to 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 Land registration Authority and Registry of Deeds of the Department of Justice, the Land Management Bureaus, Land Management Services in the regional, provincial, city and municipal office, National Mapping and Resources information Authority, all of the Department of Environment and Natural Resources, LRA-CARP, Housing and Land Use Regulatory Board (HLURB) and CARP Secretariat and its field offices. Without integrating these agencies, it will be difficult to undertake the major long term investment of resources that will be necessary to implement the required reforms.

The proposed constitution of the Land Registration Authority as a body corporate to be known as the National Land Administration Reform Authority, integrating the other government agencies concerned to this single body will ensure the quality performance and services of the Land Administration of the country.

Approval of this bill is urgently and anxiously solicited.



SALACNIB E. BATERINA

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 03

Introduced by **SALACNIB F. BATERINA**

**AN ACT CREATING THE NATIONAL LAND ADMINISTRATION AUTHORITY,
RATIONALIZING THE ORGANIZATION AND FUNCTIONS OF GOVERNMENT
AGENCIES RELATED TO LAND ADMINISTRATION, AND FOR OTHER PURPOSES**

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

CHAPTER I

GENERAL PROVISIONS

SEC. 1. Short Title. – This Act shall be known as "National Land Administration Reform Act of 2004."

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to:

- (a) Undertake a comprehensive and continuing land administration program which shall make the acquisition and registration of real property affordable, and expeditious system of registration of property under the Torrens system;
- (b) To provide leadership in reforms in land administration and management by establishing a single and unified body charged with the execution of the laws relative to registration and administration of lands;
- (c) Adopt the workable policies that will accelerate and complete the titling and registration of alienable & disposable lands, thereby providing security of land tenure for all;
- (d) Establish a sustainable and viable land administration by adopting the computerization of the land registration

1 process nationwide, and to provide accurate land
2 information system;

3 (e) Encourage more effective people's participation by
4 institutionalizing their involvement at all levels of land
5 administration and development.

6 (f) Rationalize the structure, powers and functions of the
7 different land administration agencies and integrate all land
8 administration and registration policies, plans, programs and
9 projects of various government agencies to increase the
10 efficiency of the operations of land titling system of the
11 government, with expeditious delivery of services that are
12 viable with sustainable land administration programs and
13 projects.

14 **SEC. 3. Definition of Terms.** – For purposes of this Act, the following terms or
15 words and phrases used shall mean or understood as follows:

16 (a) **Authority** – refers to National Land Administration Reform
17 Authority

18 (b) **Administrator** – refers to the person occupying the position of
19 Administrator of the National Land Administration Reform
20 Authority.

21 (c) **Land** – Refers to resources, both man-made and natural, found
22 on the surface, below and above the ground including land,
23 waters, and air therein.

24 (d) **Alienable and disposable lands** – refer to lands of public
25 domain which have been delineated, classified and
26 certified as such and available for disposition under the
27 Public Land Act (Act 141).

28 (e) **Agricultural lands** – refer to lands devoted to or suitable
29 for the cultivation of the soil, planting crops, growing
30 trees and not classified as mineral land, forest land,
31 residential land, commercial land or industrial land.

32 (f) **Public domain** – refers to lands which belong to the State
33 which may either be agricultural, forest or timber, mineral
34 or national park as provided for in the Constitution.

35 (g) **Public lands** – refer to lands which have not been subject to
36 private property rights or subject to sale or other modes of

acquisition of concession, under the general laws and are devoted to public use.

(h) **Land Registration** – pertains to the proceeding, either administrative or judicial, for registering the title to, or interest in, a land in the **Office of the Registration Officer** so that such title or interest, becomes a matter for public record, and all persons who have interest in the land may be informed thereof, actually or constructively, and be bound thereby if they make no objections thereto within a specific time.

(i) **Automated Registration System** – a system using appropriate technology for scanning, recording, and registering using electronic devices to store the copy of Certificate of Title and other documents relative thereto.

(j) **Land Administration** – refers to the administration and management of all public lands and functions, powers and activities related to the mapping, land survey, classification, ownership, disposition, valuation and registration of land titles and deeds.

(k) **Adjudication Commission** – refers to the body which settles all the disputes related to land administration.

SEC. 4. Statement of Objectives. – Toward this end, the State shall:

(a) Formulate and oversee the implementation of a comprehensive land administration and development policy as an integral part of the national land reforms development plans;

(b) Establish an effective sustainable land administration system that ensures reliable land registration system;

(c) Encourage participation of all stakeholders in land administration such as local government units (LGUs), non-government organizations (NGOs), people's organizations (POs) and the private sector.

CHAPTER II

THE ADMINISTRATIVE AGENCY

SEC. 5. Creation of National Land Administration Reform Authority. – To carry out the above-declared policy, there is hereby created a National Land

1 Reform Administration Authority, herein referred to as the Authority
2 integrating herewith the Lands Management Bureau (LMB), Lands
3 Management Services (LMS), Land Registration Authority (LRA), National
4 Mapping and Resource Information Authority (NAMRIA), and DENR – CARP
5 National Secretariat and LRA – CARP.

6 The Authority shall be the primary agency of the Government that
7 will prepare, integrate, coordinate, supervise and implement plans,
8 programs, projects and activities of the government relative to land
9 administration functions.

10 **SEC. 6. Powers and Functions.** – The Authority shall have the following
11 powers and functions:

- 12 (a) Formulate and implement land administration policies in
13 accordance with the existing national laws;
- 14 (b) Exercise supervision and control over all Land Registration
15 Officer and other personnel of the Authority;
- 16 (c) Registration of all Original Certificates of Title and issuance
17 of subsequent Transfer Certificates of Title pursuant to
18 provisions of Act No. 496 as amended by Presidential
19 Decree No. 1529, Act 141 and Republic Act No. 6657,
20 otherwise known as the Land Registration Act, Public Land
21 Act and Comprehensive Agrarian Reform Law, respectively;
- 22 (d) Integrate surveys, administration, and management of all
23 alienable and disposable lands of the public domains;
- 24 (e) Execution of all cadastral surveys pursuant to the provisions
25 of Act No. 2259, including all other kinds of surveys for
26 national mapping, land titling and other related purposes;
- 27 (f) Determine, fix and collect reasonable amounts to be
28 charged as administrative fees, fines and penalties relative
29 to the land administration;
- 30 (g) Promulgate rules, regulations, circulars and other
31 administrative issuances as may be necessary to
32 implements the provisions of this Act;
- 33 (h) Survey the political boundaries and the delineation
34 between alienable and disposable land/areas, and
35 forestlands, national parks such as watershed areas,
36 reservations and other protected areas and foreshore lands;

- 1 (i) Exclusive central repository of records relative to original
2 registration of lands titled under the Torrens system, including
3 subdivision and consolidation titled and untitled lands; and
- 4 (j) Establish Regional One Stop Shops to provide accessible,
5 efficient and affordable land administration services to the
6 people.
- 7 (k) Implement the existing rules and policies pursuant to Act No.
8 496 and Presidential Decree 1529 and other acts not
9 inconsistent with this Act as are necessary to achieve its
10 purposes;
- 11 (l) Verify and approve all surveys executed covering public
12 and private land, simple and complex subdivision and
13 consolidation – subdivision plans of properties titles under
14 Act No. 496 except those cover by PD 957;
- 15 (m) Survey, map, maintain database on, to support the
16 determination of specific limits of forest lands and national
17 parks by Congress as provided under Section 4, Article XII of
18 the Constitution;
- 19 (n) Survey, map, maintain database on, administer, manage
20 and/or dispose of all alienable and disposable lands of the
21 public domain and other lands, including foreshore and
22 marsh lands, under the provisions of Commonwealth Act
23 No. 141, as amended, otherwise known as the Public Land
24 Act, and in accordance with existing laws such as, but not
25 limited to, RA 8550, RA 7279 and RA 6657;
- 26 (o) Manage, sell and/or dispose the remaining Friar Lands under
27 the provisions of Act No. 1120, as amended, and in
28 accordance with existing laws;
- 29 (p) Manage and dispose lands of patrimonial property of the
30 National Government under the provisions of Act No. 3038,
31 or such other Government lands as have not been placed
32 under the administration, management, control or exclusive
33 use of any other government agency by legislative or
34 executive issuance.
- 35 (q) Such other functions currently undertaken by the Land
36 Registration Authority/ Registry of Deeds (LRA/RoD), Land

1 Management Bureau (LMB), Land Management Service
2 (LMS), National Mapping and Resource Information
3 Authority (NAMRIA). However, the function of the DAR in
4 the issuance of CLOAS and Emancipation Patents shall
5 henceforth be done by the Authority.

6 **SEC. 7. Jurisdiction** – This Authority shall have the exclusive jurisdiction to
7 regulate, survey, verify and approve original and subdivision surveys as well
8 manage and dispose all lands in accordance with the existing laws.
9 Likewise, it shall have the primary and exclusive original jurisdiction over all
10 actions affecting original titles and subsequent titles emanating from
11 judicial decrees, patents, deeds and other conveyances under the existing
12 laws. Decisions of the Authority in the exercise of the quasi-judicial functions
13 shall be immediately executory even pending appeal.

14 **SEC. 8. Composition** – The Authority shall be headed by an Administrator.
15 The Authority proper shall be composed of the Office of the Administrator,
16 the Advisory Board, the four (4) Offices of the Deputy Administrators, the
17 different Departments, Land Adjudication Commission, Land Registration
18 Officer and other offices of the Authority.

19 **SEC. 9. The Administrator** – The Administrator shall be appointed by the
20 President. He shall have the rank equivalent and shall receive the same
21 salary, emoluments, benefits and privileges of the Presiding Justice of the
22 Court of Appeals and shall be appointed by the President.

23 The Administrator shall have the following powers and functions:

24 (a) Provide executive direction, supervision and control over
25 the entire operations of the Authority and all offices
26 described therein;

27 (b) Adopt delivery system as is necessary for the effective
28 attainment of the objectives of the Authority, including the
29 creation of regional, provincial and city offices, other
30 service units and divisions, and the delegation of authority to
31 regional, provincial and city offices for decentralized
32 programs, subject to the provisions of existing laws;

33 (c) Coordinate with LGUs, other agencies, and public and
34 private interest groups, including NGOs and POs on Authority
35 policies and initiatives;

1 (d) Restructure the internal structure of the Authority, subject to
2 the recommendation of the Board and approval of the
3 President;

4 (e) Formulate such rules and regulations and exercise such
5 other powers as may be necessary to implement the
6 objectives of this Act.

7 (f) Perform such other functions as provided for by PD 1529,
8 Commonwealth Act 141 and other related laws affected by
9 this act or as may be assigned by the President.

10 **SEC. 10. Deputy Administrators** – The Administrator shall be assisted by four
11 (4) Deputy Administrators, who shall be appointed by the President upon
12 recommendation of the Administrator. Provided, that, Deputy
13 Administrators shall be career officers coming from the ranks of the existing
14 government offices and agencies performing land administration and shall
15 have the rank of an Associate Justice of the Court of Appeals, except for
16 the Deputy Administrator for Land Administration and Management, who is
17 a Geodetic Engineer and shall have the rank of Assistant Secretary.

18 **SEC. 11. Qualifications** – The Administrator must be a citizen and resident of
19 the Philippines, member of Philippine Bar for at least ten (10) years, with
20 experience in any land administration functions, of good moral character,
21 and of proven competence and integrity. Three (3) of the four (4) Deputy
22 Administrators must be members of the Philippine Bar for at least ten (10)
23 years, with experience in any land administrative functions, of good moral
24 character and of proven competence and integrity. The other Deputy
25 Administrator must be a licensed Geodetic Engineer for at least ten (10)
26 years, with experience in any land administrative functions, of good moral
27 character and of proven competence and integrity.

28 In order not to disrupt the operation of the Authority, the Incumbent
29 Administrator of the Land Registration Authority shall be in-charged of the
30 Authority during the transition period, and shall be assisted by the two (2)
31 incumbent Deputy Administrators.

32 **SEC. 12. Department** – There are hereby created the following
33 departments in the Authority:

34 (a) Land Administration and Management Department shall
35 assume the functions currently undertaken by the Land
36 Management Bureau (LMB), the Land Management

1 Services (LMS), the National Mapping and Resource
2 Information Authority (NAMRIA), LRA-CARP, Housing and
3 land Regulatory Board (HULRB) and the DENR-CARP National
4 Secretariat and such other functions as may be assigned by
5 the Administrator.

6 (b) Department on Registration, with the following functions:

- 7 1. Verification/examination of all documents forwarded by
8 the Court relative to land registration proceedings.
- 9 2. Preparation of decrees of registration pursuant to final
10 land registration proceedings such as preparation of
11 reports, manifestation and the like.
- 12 3. Extends assistance to court in ordinary and cadastral
13 land registration proceedings such as preparation of
14 reports, manifestation and the like.
- 15 4. Issuance of the needed certifications by the DENR, DAR
16 and HULRB in connection with their functions relative to
17 issuance of patent, CLOAs and condominium certificate
18 of title, respectively.

19 (c) Financial Management Department, with the following
20 functions:

- 21 1. Preparation of the annual and special budget of the
22 Authority, and consequently, budget execution and
23 control of funds.
- 24 2. Give technical advise on fiscal matters.
- 25 3. Submit performance and fiscal reports.
- 26 4. Maintain and keep the books of accounts of the
27 Authority.
- 28 5. Undertake regular management studies of the Authority
29 organizational structure, manpower and operations.
- 30 6. Preparation of Agency Work and Financial Plans.
- 31 7. Preparation of Agency reports/budget hearing materials
32 for the approval of Agency Annual Budget by the House
33 of Representatives and the Senate.

34 (d) Administrative & Personnel Management Department, with
35 the following functions:

- 1 1. Implements memoranda and circulars promulgated by
- 2 the Administrator with regard to personnel services and
- 3 requirements.
- 4 2. Execution direction, control and supervision over all
- 5 employees and activities pertaining to:
 - 6 a) Personnel services
 - 7 b) Systematic filing and custody of records and
 - 8 documents.
 - 9 c) Procurement, distribution and custody of office
 - 10 supplies and equipment.
 - 11 d) Maintaining of security, hygiene and other
 - 12 healthful conditions in the office building and
 - 13 premises.

14 (e) Legal Affairs Department, with the following functions:

- 15 1. Acts as counsel of the authority and the Land
- 16 Registration Offices.
- 17 2. Reviews, studies and replies to legal queries.
- 18 3. Reviews pleadings and represents the Authority in Court.
- 19 4. Reviews drafts of resolution to consultas before final
- 20 review by the Deputy Administrator for Operations.
- 21 5. Conducts inspection of Land Registration Offices.
- 22 6. Reviews investigation reports on complaints submitted to
- 23 the Authority against erring Land Registration Officers, the
- 24 employees, and also of the Central Office.
- 25 7. Assist the Department of Agrarian reform in the land
- 26 reform program of the government by determining
- 27 which landholdings are deemed legal for the purpose of
- 28 transferring the same to rightful tenants/beneficiaries.

29 **SEC. 13. Regional and Field Offices.** – Consistent with the requirements of
30 economy and efficiency, there shall be established a Regional Office,
31 which shall be headed by a Regional Land Registration Officer, in every
32 administrative region and assisted by an Assistant Regional Land
33 Registration Officer, and by the Land Registration Officer for every province
34 and city within the administrative region as are necessary as shall be
35 established in accordance with the regional pattern as prescribed by PD
36 1529 and other existing laws.

SEC. 14 Functions of the Regional Land Registration Officers and Regional Offices. The Regional Land Registration Officer shall be the responsible line official for all Authority programs in the administrative region. The Regional Land Registration Officer shall be appointed by the President and shall report to the Administrator.

Regional Office shall perform the following functions:

14.1 Ensure that Authority program-goals are met and that programs are implemented in accordance with the duly adopted policies, standards and guidelines;

14.2 Directly manage and implement Authority policies and projects in the immediate geographic area;

14.3 Direct and evaluate the performance of field offices in the region;

14.4 Monitor, investigate and assess compliance approved original and subdivision plan, endorse and recommend the filing of appropriate charges for violation thereof;

14.5 Coordinate with the LGUs with regard to their local land administration and other land management as mandated by the Local Government Code and other related laws;

14.6 Advise and coordinate the plans and programs of the Regional and Land Registration Offices of the Authority;

14.7 Appointing power for vacancies within his/her administrative region with salary grades one (1) to eight (8); and

14.8 Perform such other functions as may be provided for by law and the Administrator.

SEC. 15. Qualifications – The Regional Land Registration Officer, and Assistant Regional Land Registration Officer, must be citizens and residents of the Philippines, members of Philippine Bar, at least ten (10) years experience in any land administration functions, of good moral character, and of proven competence and integrity. The Regional Land Registration Officer shall have the rank of an Assistant Secretary and shall have the salary, benefits and emoluments of an Executive Judge of the Regional Trial Court.

In order not to disrupt the operations of the Authority, the incumbent Regional Land Registration Officer shall be in-charge of the Authority in his

region during the transition period and shall be assisted by his Assistant Regional Land Registration Officer.

SEC. 16. Functions of Registration Officer –

(a) The Land Registration Officer shall head a Field Office and shall be accountable to the Regional Land Registration Officer. The Land Registration Officer shall directly administer Authority programs in his/her jurisdictional area and ensure their proper implementation.

(b) It shall have the power to correct a clerical or typographical errors committed in writing, copying, transcribing or typing an entry in the maps, survey plans and certificate of land titles.

(c) All duties and responsibilities provided for under PD 1529 shall continue to be exercised by the Land Registration Officer. The autonomous nature of the Field Offices shall be respected by other agencies and in no circumstance shall they be required to perform other functions not related with land registration.

(d) Declare and cancel patently fake or spurious certificate of title, maps and survey plans in summary proceedings.

SEC. 17. Qualifications of Land Registration Officer and Deputy Land Registration Officer – The Land Registration Officer must be a citizen and residence of the Philippines, member of the Philippine Bar and shall have been actually engaged in such practice for at least five (5) years or has been employed for a like period in any branch of government the functions of which include the registration of property. He shall continue to enjoy rank and salary provided for under PD 1529 but have the privileges and emoluments of a Regional Trial Court Judge.

The Deputy Land Registration Officer shall be a member of the Philippine Bar for at least three (3) years. He shall enjoy the benefits and emoluments of a Municipal Trial Court Judge.

In order not to disrupt the operation of the Authority, the incumbent Land Registration Officer shall be in-charge of the Field Offices of the Authority in their respective cities and provinces during the transition period and shall be assisted by the incumbent Deputy Land Registration Officer.

CHAPTER III

ADVISORY BOARD

SEC. 18. THE ADVISORY BOARD: TENURE AND COMPENSATION.

- (a) The powers and functions of the National Land Administration Reform Authority shall be vested in and exercised by the Board composed of the incumbent Administrator of the LAA and six (6) other members to come from NAMRIA, LMS/LMB, CARP, Non-Governmental Organization, which shall represent the basic sectors, a Representative from the Indigenous Communities of the Philippines, who shall be appointed by the President of the Philippines, and the President of the Association of Land Registration Officers and Deputy Land Registration Officers;
- (b) The incumbent Authority Administrator shall automatically be the Chairman of the Board.
- (c) The Board members, except the Administrator of the LAA who shall cease as member upon his/her separation, shall hold office for six (6) years without reappointment, or until their successors are duly appointed and qualified. In case of vacancy, other than the expiration of term, shall be filled of the unexpired term only. The members of the Board shall be entitled to a *per diem* of the Three Thousand Pesos (P3,000.00) for each board meeting actually attended by them, but not to exceed fifteen thousand (P15,000.00) a month, a reasonable transportation and representation allowances as may be fixed by the Board.
- (d) *Meetings.* The Board shall meet at least once a week. The Board may be called to meeting by the Administrator of the Land Administration Authority or by two (2) members of the Board.
- (e) The presence of four (4) shall constitute a quorum: *Provided,* That in all cases, the Administrator or his duly designated alternate shall be among the four (4).
- (f) A Secretary of the Board appointed shall maintain and preserve a complete record of the proceedings and deliberations of the LAA Board.

SEC. 19. Functions of the Advisory Board.

(a) Advise the Authority in the formulation of policies, policy development, guidelines and programs to effectively carry out the provisions of this Act;

(b) Advise the Authority in the promulgation such rules and regulations as may be necessary or proper for the effective exercise of the powers and functions as well as the discharge of the duties of the National Land Administration Authority, its officers and employees;

(c) Upon recommendation of the Administrator, approve the organizational and administrative structures and staffing pattern of the new Authority and to establish, fix, review, revise and adjust the appropriate compensation package for the officials and employees of the Land Administration Authority with reasonable allowances, incentives, bonuses, privileges and other benefits as may be necessary or proper, subject to availability of funds, for the effective management, operation and administration of the Authority including all Land Registration Offices, nationwide which shall be exempt from Republic Act No.6758, otherwise known as the Salary Standardization Law;

(d) Upon recommendation of the Administrator, to do and perform any and all acts necessary, proper or incidental for the attainment of the objectives of this Act;

(e) To fix the registration fees and other necessary charges not provided for in Presidential Decree No. 1529 and other existing laws, and other charges, necessary fees approved by the Board in furtherance to the functions of the LAA provided in this Act;

Such fees and charges, including government subsidies and other income generated by the Authority including income/revenue from all Land registration Authority, shall constitute *special funds* and shall be deposited in any authorized government depository bank, and all interest that shall accrue therefrom shall form part of the same fund for the use of the Authority.

Any provision of existing laws, rules and regulations to the contrary

1 notwithstanding, any income generated by the Authority from registration
2 fees and other charges, shall be **retained** by the Authority, and may be
3 disbursed by the Board for the upgrading of the land administration system
4 by purchasing computers and other equipment relative thereto for the
5 complete computerization of all lands administrations records, seminars,
6 trainings, research and employees welfare and other programs/projects in
7 furtherance to the functions of the Authority except for travel abroad and
8 transportation allowances and expenses;

9 The setting up and disbursement of funds shall be subject to
10 accounting and auditing rules and regulations of the Commission on Audit
11 and will be subject to annual report on the disbursement of fund annually
12 to both Senate and House of Representatives;

13 (f) To receive in trust, legacies, gifts and donations, real or
14 personal properties as well as financial assistance either
15 from local and foreign donor for the rationalization of the
16 Land Administration Authority, to administer and dispose the
17 same when necessary for the benefit of the Authority,
18 subject to limitations, directions and instructions of the
19 donors, if any. Such donations shall be exempted from all
20 taxes and shall be considered as deductible items from the
21 income tax of the donors;

22 (g) To have the power of succession; and

23 (h) To sue and be sued.

24 (i) Perform such other functions as may be necessary for the
25 proper implementation of this Act.

26 27 **CHAPTER 1V**

28 **ADMINISTRATIVE ADJUDICATION**

29 **SEC. 20. Quasi-Judicial Powers of the Authority.** – The Authority is
30 hereby vested with the primary jurisdiction to determine and
31 adjudicate land administration and public land management
32 matters and shall have exclusive original jurisdiction over all
33 matters involving the implementation of laws, rules and
34 regulations on land administration and public land
35 management.
36

1 It shall not be bound by technical rules of procedure and
2 evidence but shall proceed to hear and decide all cases,
3 disputes or controversies in a most expeditious manner,
4 employing all reasonable means to ascertain the facts of every
5 case in accordance with justice and equity and the merits of
6 the case. Toward this end, it shall adopt a uniform rule of
7 procedure to achieve a just, expeditious and inexpensive
8 determination for every action or proceeding before it.

9 It shall have the power to investigate and resolve questions,
10 complaints and issues involving maps, survey plans and
11 certificate of land titles including the power to confiscate
12 patently fake and spurious certificates of land title and declare
13 their nullification in summary proceedings.

14 It shall have the power to correct a clerical or typographical
15 errors committed in writing copying transcribing or typing an
16 entry in the maps, survey plans and certificate of land titles.

17 It shall have the power to summon witnesses, administer oaths,
18 take testimony, require submission of reports, compel the
19 production of books and documents and answers to
20 interrogatories and issue subpoena, and subpoena *duces*
21 *tecum*, and enforce its writs through sheriffs or other duly
22 deputized officers. It shall likewise have the power to punish
23 direct and indirect contempts in the same manner and subject
24 to the same penalties as provided in the Rules of Court.

25
26 Responsible persons shall be allowed to represent themselves
27 or their organizations in any proceedings before the Authority:
28 Provided, however, that when there are two or more
29 representatives for any individual or group, the representatives
30 should choose only one among themselves to represent such
31 party group before any Authority proceedings.

32 Notwithstanding an appeal to the Court of Appeals, the
33 decision of the Authority shall be immediately executory.

34 **SEC 21. Finality of Determination.** – Any case or controversy before it
35 shall be decided within thirty (3) days after it is submitted for
36 resolution. Only one (1) motion for reconsideration shall be allowed.

Any order, ruling or decision shall be final after the lapse of fifteen (15) days from receipt of a copy thereof.

SEC. 22. Frivolous Appeals. – To discourage frivolous or dilatory appeals from the decisions or orders, the Authority may impose reasonable penalties including, but not limited to, fines or censures upon erring parties.

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

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

SEC 24. No. restraining Order or Preliminary Injunction. – No court in the Philippines shall have jurisdiction to issue any restraining order or writ of preliminary injunction against the Authority or any of its duly authorized or designated offices in any case, dispute or controversy arising from, necessary to, or in connection with the application, implementation, enforcement, or interpretation of this Act and other pertinent laws on land administration and public land management.

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

SEC. 26. – Preferential Attention in Courts. – All courts in the Philippines shall give preferential attention to all cases arising from or in connection with the implementation of the provisions of this Act.

CHAPTER V

TRANSITORY PROVISIONS

SEC. 27. Transfer of Powers and Functions.– Within six (6) months after the approval of this, the powers and functions of the Authority heretofore vested by law in the Department of Justice, LRA/ROD, LMB/LMS, NAMRIA or

in any Office within or attached to these agencies, shall be transferred to and vested in the National Land Administration Reform Authority. The foregoing transfer of powers and functions shall include all applicable funds and appropriations, records equipment, property and personnel.

SEC. 28. Transfer of Rights, Assets and Liabilities – The Authority shall, by virtue of this Act, be subrogated to all rights and assume all the liabilities of the Lands Management Bureau (LMB), Lands Management Service (LMS), National Mapping and Resource Information Authority (NAMRIA), and Land Registration Authority (LRA), whose functions and powers have been transferred to the Authority, and their funds, records, property, assets, equipment and personnel, as may be necessary, including unexpended appropriations and/or allocations. All contracts and liabilities of the said offices are hereby transferred to and assumed by the Authority and shall be acted upon in accordance with the Auditing Code and other pertinent laws, rules and regulations; *Provided, that* incumbent officials and employees of said agencies/corporations, shall continue to assume their posts in holdover capacity until their new appointments are issued.

SEC. 29. Organization of the Authority – The Authority's organizational and administrative structure and functions and staffing pattern, including the personnel's duties and responsibilities and the appropriate compensation package shall be submitted by the Administrator for review and approval by the Congressional Oversight Committee within six (6) months from the effectivity of this Act. After the oversight committee's review and approval, the proposed organizational structure and staffing pattern shall be submitted to the President for final approval and shall be fully implemented within a period of three (3) months after such approval.

SEC 30. The Oversight committee shall be composed of the following:

- A) The Chairperson of the Senate Committee on Finance and the House Committee Finance and the House Committee on Government Reorganization, as Co-Chairperson; and
- B) Chairperson of the Senate and House Committee on Justice, Environment and Natural Resources. Appropriations, and the Administrator of the Land Registration Authority, as members.

The authorized positions created therein shall be filled by regular appointment by the President of the Administrator, as the case may be: *Provided, that* in the filling of position created, the Administrator shall create

1 an ad hoc committee composed of management and staff of the
2 concerned agencies to ensure that preference shall be given to the
3 personnel of the agencies affected by the restructuring provided in this Act:
4 Provided, further, that such individuals comply with the qualification
5 standards set by Civil Service Commission (CSC) for the positions they shall
6 be appointed to: Provided, finally that if such individual possesses the same
7 qualifications, seniority shall be given priority.

8 **SEC. 31. Transfer of Personnel.** – Considering their expertise, technical skills
9 and experience, all incumbent officials and employees of the Land
10 Registration Authority and affected agencies shall be retained. To ensure a
11 smooth transition, all incumbent personnel of the DENRs LMB/LMS, NAMRIA,
12 LRA-RoD and other existing attached agencies shall continue to perform
13 their present duties and functions as interim personnel of the Authority until
14 such time, being not later than twelve (12) months from the effectivity of
15 this Act, that they have been appointed as regular staff of the Authority
16 based on the new staffing pattern, or separated from the service:
17 Provided, That such personnel shall be appointed by the Administrator, or
18 his/her duly authorized representative, on the basis of merit, fitness, and
19 seniority: Provided, moreover, That except for the position of Administrator
20 and Deputy Administrators, there shall be no hiring of new personnel for the
21 Authority.

22 **SEC. 32. Separation from the Service and Benefits.** – Personnel who are not
23 offered appointment under the new staffing pattern of the Authority on at
24 least equivalent terms and conditions as their present employment within
25 twelve months of the effectivity of this Act or who opt to be separated
26 and/or phased out from the service shall be entitled to a gratuity, at a rate
27 equivalent to the following:

- 28 1. Two and one-half (2 ½) months basic salary for every
29 year of service for the first twenty (20) years;
- 30 2. Two and three-fourths (2 ¾) months basic salary for
31 every additional year of service from the twenty-first
32 (21st) to the thirtieth (30th) year of service;
- 33 3. Three (3) months basic salary for every additional year
34 of service from the thirty-first (31st) year of service and
35 onwards.

36 In addition, affected personnel shall receive other benefits as may
37 be authorized by existing laws and regulations. Furthermore, they

1 shall be entitled to the refund of their contributions including
2 government share to the Home Development Mutual Fund (PAG-
3 IBIG) and the Government Service Insurance System (GSIS) and to
4 the commutation of their unused vacation and sick leaves in
5 accordance with existing rules and regulations. Government
6 personnel who are separated as a result of the integration of the
7 aforecited offices and who have the required qualifications, shall be
8 given priority in the hiring of personnel in any agency of the
9 government including government-owned and/or controlled
10 corporation and government financial institution. Employees who
11 are qualified to retire shall be allowed to retire and be entitled to all
12 benefits provided under any of the existing retirement laws.

13 **SEC. 33. Separation Fund.** – There is hereby established a "one-time"
14 separation fund in the amount of Two Billion Pesos (P2,000,000,000.00) to
15 pay the separation benefits herein provided: Provided, That the fund shall
16 be used exclusively to pay for the separation benefits: Provided further,
17 That within two years after the effectivity of this Act, any unutilized amount
18 of the separation fund shall be reverted to the National Treasury.

19 **SEC. 34. Unexpended Appropriations and Transfer of Assets.** – The
20 unexpended balances of appropriations in the current General
21 Appropriations Act and other Acts in force upon approval hereof,
22 pertaining to, held, or used by, or available to the LRA and RoD, NAMRIA
23 and other attached agencies and such other unexpended balances of
24 appropriations as may be deemed appropriate by the Department of
25 Budget and Management are hereby transferred to the Authority.

26 27 **CHAPTER V**

28 **FUNDING**

29 **SEC. 35. Funding Source** – The amount needed for the initial
30 implementation of this Act shall be charged against the current year's
31 appropriations of Lands Management Bureau (LMB), Lands Management
32 Services (LMS) Land Registration Authority (LRA) and National Mapping and
33 Resource Information Agency (NAMRIA), and other attached agencies.
34 Thereafter, such sums as may be necessary for the continued
35 implementation of this Act shall be included in the annual General
36 Appropriations Act.

37 **SEC. 36. Additional Funding** – Subject to the existing rules and regulations,

the funds and monies collected or which otherwise come into possession of the Authority from administrative fees, surcharges, fines and penalties which the Authority may impose and collect under this Act and under the provisions of Presidential Decree 1529, as well as an amount to be determined at the beginning of every calendar year representing all incomes derived from the operation of the Authority shall be automatically appropriated and shall be available for all expenses necessary for the implementation of this Act.

CHAPTER VI

MISCELLANEOUS AND FINAL PROVISIONS

SEC. 37. Use of Income – The authority is hereby authorized to use twenty percent (20%) of all revenues derived from fees, charges, and other sources for purposes of financing its projects. However, subject to existing auditing and budgeting regulations, the Administrator of the Authority may set aside and disburse fifty per cent (50%) of the twenty per cent (20%) to effect monetary incentives to its officials and employees either in cash or non-cash benefits.

SEC. 38. Exemption from the Salary Standardization Law and Attrition Law. - The Authority is hereby exempted from the provision of RA 6758, otherwise known as Salary Standardization Law, and RA 7430, otherwise known as Attrition Law.

SEC 39. Assurance Fund - A special account within the Authority is hereby created for the entire receipts of the Assurance Funds, which shall no longer be remitted to the National Treasury as provided for in Sec. 94 of PD No. 1529. The Administrator is authorized to invest the said funds through the procurement of the Central Bank bonds or securities, and the interest of which shall accrue to the income of the Authority and shall likewise, be utilized and divided equally as dividends among officials and employees of the Authority.

SEC. 40. Indemnification and Responsibilities - The Authority shall indemnify the Administrator and other officials of the Authority, including Land Registration Officers and Deputy Land Registration Officers and personnel performing supervision and examination functions for all costs and expenses reasonably incurred by such persons in connection with any civil or criminal actions, suits or proceedings to which they may be or made a party by

1 reason of the performance of their functions or duties, unless they are finally
2 adjudged in such actions or proceedings to be liable for gross negligence
3 or misconduct.

4 In the event of settlement or compromise, indemnification shall be
5 provided only in connection with such matters covered by the settlement as
6 to which the Authority is advised by external counsel that the persons to be
7 indemnified did not commit any gross negligence or misconduct.

8 The costs and expenses incurred in defending the aforementioned
9 action, suit or proceeding may be paid by the Authority in advance of the
10 final disposition of such action, suit or proceeding upon receipt of an
11 undertaking by or on behalf of the Administrator, officer or employee to
12 repay the amount advanced should it ultimately be determined by the
13 Authority that he/she is not entitled to be indemnified as provided in this
14 subsection.

15 **SEC.41. Authority to use an Automated Land Registration System** - To
16 carry out the above-stated policy, the Land Administration Authority, herein
17 referred to as the Authority, is hereby authorized to use an automated land
18 registration system, herein referred to as the System, for the processing of
19 Certificate of Title in an expeditious registration system, and other
20 documents necessary as required by PD 1529 and other related laws.

21 To achieve the purpose of this Act, the Authority is authorized to
22 purchase, lease or enter into contract and/or hire services needed for the
23 implementation of computerized registration through out the country using
24 the automated machine.

25 **SEC. 42. Procurement of Equipment and Materials** – The Authority shall
26 purchase or lease automated machine, computer equipment, devices and
27 materials needed for land registration and scanning documents from any
28 local or foreign domestic corporation, free from taxes and import duties,
29 subject to accounting and auditing rules and regulations.

30 **SEC. 43. Land Administration One Stop Processing Centers** – For purposes of
31 low cost, economic and speedy land administration, the Authority shall
32 establish Land Administration One-Stop Processing Centers (LAOSPs) in the
33 regions, which shall centralize the processing and issuance of all required
34 permits, clearances and other related documents. Requirements for

1 registration of land titles and deeds shall be limited only to those provided
2 for in PD 1529 and Act 496. All other requirements for registration provided
3 for under existing statutes, circulars, regulations and issuances of other
4 agencies inconsistent with this provision shall be rendered inoperative. Any
5 imposition of additional registration requirements shall be the sole and
6 exclusive prerogative of the Authority. All agencies involved in the issuance
7 of clearances, permits shall be represented in the One-Stop Processing
8 Centers and shall assign to LAOSP regional centers personnel who shall be
9 sufficiently authorized to process and issue the same.

10 **SEC. 44. Disclosure and Divestment of Financial Interest** – Before assumption
11 into office, the Administrator, the Deputy Administrators, the Department
12 Directors, Land Registration Officers, shall submit to the CSC a list of all
13 companies, partnership or business enterprises, including non-profit
14 organizations, in which they or any immediate member of their families
15 within the second degree of consanguinity or affinity, have any form of
16 financial interest or employment relationship, including consultancy:
17 *Provided, However,* That all other forms of employment relationship held by
18 the heads of the Offices of the Authority shall immediately be terminated
19 upon assumption into office.

20 **SEC. 45. Relationship with Other Government Departments** – The Authority
21 and its priority projects shall enjoy preferential attention from the DENR,
22 DAR, DA and the LGUs, relative to the issuance of necessary permits,
23 clearances necessary for the implementation of programs and projects.

24 **SEC. 46. Mandatory Review Two (2) Years after the Enactment of this Act.** –
25 The Authority shall review the mandates of the restructure agencies and
26 recommend necessary legislation to insure consistency with the policy of
27 this Act and avoid duplication of functions or any other dysfunction within
28 the Agency.

29 **SEC. 47. Separability Clause** – Should any provision of this Act or any part
30 thereof be declared unconstitutional or invalid by a court, the other
31 provisions hereof which are not affected thereby, shall remain in force and
32 effect.

33 **SEC. 48. Repealing Clause** – The pertinent provisions of CARL and IPRA with
34 regard to the conduct of survey, approval of survey results, preparation
35 and issuance of tenure instruments, and the provisions of PD 1529
36 pertaining to the assurance fund are hereby amended.

1 All other laws, decrees, orders, instructions, proclamations, rules and
2 regulations of parts thereof, including pertinent provisions of Executive
3 Order No. 192 and its related rules and regulations; and the Administrative
4 Code of 1987, which are inconsistent with any provision of this Act, are
5 hereby repealed, modified, or amended accordingly.

6 **SEC. 49. Effectivity** – This Act shall take effect fifteen (15) days following its
7 complete publication in at least two (2) national newspapers of general
8 circulation.

9 Approved.