



Republic of the Philippines
House of Representatives
Quezon City

Sixteenth Congress

First Regular Session

House Bill No. **3109**



Introduced by **HON. ROMEO M. ACOP**

EXPLANATORY NOTE

Land administration is the system and processes of recording and disseminating information about the ownership, values, and uses of lands. These processes include mapping and surveying, identification of alienable and disposable lands, land titling and transfers, land records, taxation and land valuations. The Philippine land administration system is considered one of the most complex in Asia. Retaining much of its colonial vestiges, the system is notoriously plagued with institutional defects, inconsistencies and corruption.

Institutional defects include multiple land administration agencies and laws often in a quagmire of overlapping functions and provisions. On the ground, they translate to multiple land titling processes, multiple land valuations and standards for surveying and mapping of lands, and multiple taxes on land ownership and transfers. These defects lead to long delays in the issuance of titles and encourage the proliferation of fake titles. They also open multiple windows of opportunity for corruption and exploitation. In the end, little confidence in the system is left of investors and the public.

Currently, there are about fifteen (15) agencies involved, principally the Department of Environment and Natural Resources (DENR), the Land Registration Authority (LRA) of the Department of Justice and the Department of Agrarian Reform (DAR). The National Commission for Indigenous Peoples (NCIP) handles the issuance of certificates of ancestral domain titles (CADTs) and certificates of ancestral land titles (CALTs) to indigenous peoples. Other government agencies significantly involved in

land administration and management include the National Mapping and Resource Information Authority (NAMRIA), the Land Management Bureau (LMB) and the Housing and Land Use Regulatory Board (HLURB). These government functionaries are engaged in either or both the legal processes in securing title to land, administratively and/or judicially.

Having so many departments and agencies involved in land management and administration inevitably results to confusion and long bureaucratic processes that often lead to protracted and expensive litigation. The system is likewise burdened by corrupted and neglected cadastral surveying and mapping systems which complicate the tenure system, spawn conflicting claims and rights, and have created a large informal market of land transactions prone to corruption and sinister activities. Consequently, it has become more difficult for the government to collect the proper taxes that could be used for public purposes.

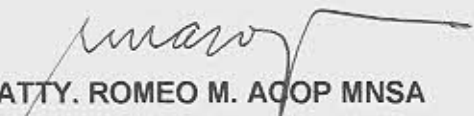
This bill aims to integrate the key land administration agencies into a single agency called the Land Administration Authority (LAA). The proposed LAA is mandated, among other things, to reform the land administration system through standardization of the titling process and eradication of fake and duplicate titles; promotion of efficient mapping, land survey, classification, disposition and registration of private and public lands; improvement of the effectiveness and efficiency, transparency and accountability of land administration services, and establishment of an effective land information system affordable and accessible to the general public.

Likewise, the bill seeks to rationalize the structure, powers and functions of the different land administration agencies in order to increase the efficiency of the land titling system and enhance the expeditious delivery of services to the people.

Ultimately, this measure hopes to enable the land sector to contribute to national development and to the poverty alleviation efforts of the government.

This measure has been filed in the 15th Congress and was approved by the Committee on Government Reorganization.

For the foregoing reasons, the immediate consideration and approval of the bill is earnestly urged.



ATTY. ROMEO M. ACOP MNSA
Representative



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Introduced by HON. ROMEO M. ACOP

**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

1 **Section 1. *Short title.***- This Act shall be known as "The Land Administration Reform
2 Act of 2013."

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

- 7 (a) Provide the leadership and management of reforms in land administration;
- 8 (b) Promote efficient and effective mapping, land survey, classification, disposition,
9 registration and management of private and public lands;
- 10 (c) Undertake a comprehensive and continuing land administration program that
11 will make the processes and procedures of land registration and titling
12 affordable, reliable and expeditious;
- 13 (d) Assist in the attainment of the government's asset reform programs;
- 14 (e) Accelerate and complete the distribution, titling and registration of alienable or
15 disposable lands to provide security of land tenure.

- 1 (f) Undertake reforms in land administration and management to ensure equitable
2 distribution and full utilization and development of alienable or disposable
3 lands;
- 4 (g) Improve the efficiency, effectiveness, transparency and accountability of land
5 administration services;
- 6 (h) Rationalize the structure, powers and functions of the different land
7 administration agencies and integrate all land administration and registration
8 policies, plans, programs and projects of various government agencies to
9 increase the efficiency of the land titling system of the government, with
10 expeditious delivery of services that are viable with sustainable land
11 administration programs and projects;
- 12 (i) Establish a sustainable and viable administration of land through
13 computerization of functions and removal of overlaps and duplication in the
14 delivery of land administration services;
- 15 (j) Establish an administrative system for the cancellation of duplicate and fake
16 titles and the eradication of land grabbing activities;
- 17 (k) Provide accessible, efficient and affordable land administration services to the
18 people through the establishment of one-stop shops nationwide.
- 19 (l) Establish an effective land information system and provide easy and affordable
20 access to land information by members of the public;
- 21 (m) Improve the skills of and career opportunities for government employees
22 engaged in the provision of land administration services;
- 23 (n) Rationalize and clarify the entitlements of persons to land titles to make the
24 process of issuing titles fast and low-cost;
- 25 (o) Promote and support the development of a national land administration and
26 management education system;
- 27 (p) Identify and reduce disincentives to the registration of property transactions;
- 28 (q) Mainstream gender in all aspects of the land administration system; and,
- 29 (r) Recognize, respect, ensure participation and assist in the enforcement of land
30 related rights of men and women of the basic sectors, as defined in Republic Act
31 No. (R.A.) 8425, otherwise known as the "Social Reform and Poverty
32 Alleviation Act".

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

- (a) *Alienable and disposable lands* refer to agricultural lands of the public domain which have been delineated, classified and certified as available for disposition under the Public Land Act.
- (b) *Agricultural lands* refer to lands devoted to or suitable for the cultivation of the soil, planting of crops or growing of trees, and not classified as mineral land, forest land or national park, or sub-classified as residential land, commercial land or industrial land.
- (c) *Automated Registration System* refer to a system using appropriate technology for scanning, recording and land registration using electronic devices to store the copy of certificates of title and other documents relative thereto.
- (d) *Classification and Reclassification* refer to the act of Congress in setting the specific limits of forest lands and national parks and increasing or decreasing their boundaries by law, as provided for in Article XII, Section 4 of the 1987 Philippine Constitution.
- (e) *Consulta* refers to the procedure wherein the issue of registrability of certain instruments is resolved in accordance with Presidential Decree No. 1529.
- (f) *Director General* refers to the person occupying the position of Director General of the Land Administration Authority created by this Act.
- (g) *Land* refers to resources, both man-made and natural, found on the surface, below and above the ground, including inland waters and the air therein.
- (h) *Land Administration and Public Land Management* refers to the administration of all functions, powers and activities related to the mapping, land survey, classification, ownership, disposition, and registration of land titles and deeds, and the management of public lands;
- (i) *Land Information System* refers to a system of linking textual attributes (such as ownership, identity, location and value) of land into spatial reference designed to facilitate access to information and assist in planning and decision making;
- (j) *Land Management Bureau (LMB)* refers to the staff Bureau of the Department of Environment and Natural Resources (DENR).
- (k) *Land Management Services (LMS)* refers to the land management sector or offices of the DENR at the regional, provincial and district level.

- 1 (l) *Land registration case* refers to the proceeding, either administrative or judicial,
2 for registering the title to, or interest in, a land so that such title or interest
3 becomes a matter for public record, and all persons who have interest in the land
4 may be informed thereof, actually or constructively, and be bound thereby if they
5 make no objections thereto within a specific time.
- 6 (m) *Land Registration Authority (LRA)* including the Registers of Deeds (RoD), refers
7 to the agency mandated to issue decrees of registration and certificates of title and
8 register documents, patents and other land transactions.
- 9 (n) *National Mapping and Resource Information Authority (NAMRIA)* refers to the
10 agency known by that name attached to the DENR.
- 11 (o) *President* refers to the President of the Philippines
- 12 (p) *Public domain* refers to lands that belong to the State, which may either be
13 agricultural, forest or timber, mineral or national park as provided for in the
14 Constitution; and
- 15 (q) *Public lands* refer to lands which have not been subject to private property rights
16 or subject to sale or other modes of acquisition or concession under the general
17 laws, and are devoted to public use.

18 ARTICLE II

19 CREATION OF THE LAND ADMINISTRATION AUTHORITY

20 **Section. 4. *Creation of the Land Administration Authority (LAA).***- To carry out the
21 purposes of this Act, the Land Administration Authority (hereinafter referred to as the
22 Authority) is hereby created and placed under the Office of the President. It shall be the
23 primary government agency responsible for land administration and public land management.

24 The Authority shall be the sole agency that shall prepare, issue and register all titles to
25 land issued pursuant to Commonwealth Act (C.A.) No. 141, as amended, and subsequent
26 dealings of registered lands including all types of tenure instruments intended for the
27 implementation of R.A. No. 6657 or the Comprehensive Agrarian Reform Law (CARL) and
28 R.A. 8371 or the Indigenous People's Rights Act (IPRA).

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

- 31 a) Land Survey & Mapping

- 1) Execute, complete and continually update the nationwide cadastral surveys in accordance with the provisions of Act No. 2259 as amended, and update all existing cadastral maps;
 - 2) Conduct nationwide survey and topographic mapping to assist Congress in determining the specific limits of forest lands and national parks, to delimit the specific boundaries and classification of alienable and disposable lands of the public domain, and to identify the specific boundaries of environmentally protected areas under R.A. 7586 otherwise known as the National Integrated Protected Areas System (NIPAS);
 - 3) In coordination with local government units and the pertinent agencies, conduct and/or approve surveys and mapping necessary in the implementation of R.A. 7160 or the Local Government Code, Republic Act 7279 or the Urban Development and Housing Act, Republic Act. 8435 or the Agriculture and Fisheries Modernization Act (AFMA), Republic Act 7916 or the Ecozone Law, R.A. 6657 or the Comprehensive Agrarian Reform Law (CARL) and other existing laws requiring survey and mapping;
 - 4) Verify and approve all private land consolidation, subdivision and consolidation-subdivision surveys intended for titling purposes;
 - 5) Prescribe standards, rules and regulations for the conduct of all kinds of geophysical surveys, mapping, aerial photography, remote sensing and similar activities in accordance with existing laws and internationally accepted principles, practices and standards;
 - 6) Prescribe a uniform base map that shall be used for all public and private mapping activities, and provide convenient and affordable public access to the same; and
 - 7) Establish and maintain an appropriate custodial and storage system that shall ensure the security and integrity of all survey and mapping records.
- b) Land Registration
- 1) Register original titles to land and subsequent dealings in registered lands under the provisions of Act No. 496 and Presidential Decree 1529 as amended, provided, that prior to registering a tenure instrument and issuing an original certificate of title based thereon, the Authority shall first verify compliance with the conditions and requirements prescribed under the law authorizing the issuance of said tenure instrument;

- 1 2) Establish and maintain an appropriate custodial and storage system that shall ensure
2 the security and integrity of all registration and titling records, subject to the
3 provisions of Act No. 496, P.D. 1529 and other pertinent laws; and
- 4 3) Compile a nationwide master list of suspected spurious lands titles and tenure
5 instruments, undertake thorough investigation of the same and, when merited,
6 initiate the proper proceedings for the cancellation thereof by a competent court;
7 *Provided*, That cancellation of instruments which have not yet been registered
8 under the Torrens system as provided under existing laws, and which are found to
9 be spurious shall be effected by the Authority under rules and procedures that it
10 shall promulgate consistent with this Act and existing laws, and *Provided further*,
11 That patently fake titles shall also be dealt with administratively by the Authority.
- 12 c) Public Land Administration
- 13 1) Administer, manage and/or dispose of all alienable and disposable lands of the public
14 domain under the provisions of Commonwealth Act No. 141 otherwise known as
15 the Public Land Act, as amended, Friar Lands under the Provisions of Act No. 1120,
16 patrimonial property of the National Government under Act No. 3038, and such
17 other public lands as have not been placed under the jurisdiction of any other
18 government agency or instrumentality, in accordance with existing laws; and
- 19 2) Coordinate with local government units and the appropriate agencies in releasing
20 alienable and disposable lands of the public domain for the accelerated
21 implementation of agrarian reform, socialized housing, resettlement and other
22 government programs requiring land.
- 23 d) Land Records and Information Technology
- 24 1) Establish and maintain a secure, integrated and accessible computerized database of
25 all survey and mapping records, registration and titling records and other land
26 information data and ensure the timely updating of said database;
- 27 2) Establish and maintain an open system to provide convenient nationwide public
28 access to survey, mapping, registration, titling and other land data; subject,
29 however, to the requirements of security and confidentiality under existing laws;
30 and;
- 31 3) Establish an information and technology system that will link and facilitate
32 information-sharing among all concerned offices and units of the Authority.
- 33 e) Other Functions

- 1) Formulate and recommend policies and programs to achieve the intent and purposes of this Act;
- 2) Determine, fix and collect reasonable amounts to be charged as fees, fines and penalties in the implementation of this Act;
- 3) Receive grants and donations;
- 4) Enter into contracts in the implementation of this Act subject to existing laws
- 5) Perform such other powers and functions as are currently lodged with the LRA/RoD, LMB/LMS, DENR-CARP National Secretariat under P.D. 1529, C.A. 141 as amended and other existing laws and issuances; and
- 6) Perform such other functions as are necessary, proper and incidental to implement the provisions of this Act.

Whenever any reference is made to the LRA/RoD, the LMB/LMS and the DENR-CARP National Secretariat under Executive Order No. 192, Presidential Decree No. 1529 and Commonwealth Act No. 141, as amended, pertaining to a duty, power, purpose, responsibility or jurisdiction transferred to the Authority by this Act, it shall be deemed to be a reference to, and to mean, the Authority and the Director General of the authority, as the case may be.

Section. 6 Stakeholder's Advisory Committee. - The Authority shall be assisted by a Stakeholders' Advisory Committee composed of the following:

- (a) Six (6) representatives from the basic sectors chosen through the nomination process of the National Anti-Poverty Commission (NAPC);
- (b) Two (2) representative from the NAPC Women's Sectoral Council;
- (c) Three (3) representatives from the private sector such as, but not limited to, real estate, professionals/practitioners and the academe to be appointed by the President;
- (d) Three (3) representatives from the League of Municipalities, Cities and Provinces, respectively; and
- (e) The Director General, as ex officio member.

The President shall designate the chairperson from among the members of the committee. Except the Director General, the members of the advisory committee shall not hold office in the Authority nor receive any salary but shall be entitled, for actual attendance during meetings, to such allowances and honoraria as are allowed by the rules and regulations promulgated by the Commission on Audit.

Section 7. Functions of the Stakeholder's Advisory Committee.- The Committee shall advise the Authority on the formulation of policies and policy development pertaining to land administration and public land management and shall monitor their implementation. It shall submit, within three months following the end of each calendar year, a report to the President on its advisory and monitoring activities.

Section. 8. Meetings of the Committee.- The chairperson shall convene regular meetings of the committee at least once every quarter. Special meetings may also be called by the chairperson or at the initiative of at least three (3) members of the Committee.

Section 9. Secretariat and Logistical Support- The office of the Director General shall provide secretariat and logistical support to the committee.

ARTICLE III

IMPLEMENTING MECHANISM

Section 10. Structure and Organization. - The Authority shall consist of:

- (a) The Office of the Director General;
- (b) The Offices of the four (4) Deputy Directors General;
- (c) The Offices of the five (5) Assistant Directors General; and,
- (d) Land Offices

Section 11. *The Director General.* - The authority and responsibility for the exercise of the mandate of the Authority, the accomplishment of its objectives, and the discharge of its powers and functions shall be vested in the Director General, of Cabinet rank, with portfolio, who shall be appointed by the President and subject to the confirmation by the Commission on Appointments. The appointment shall be for a fixed term of four (4) years subject to reappointment for another four (4) years only: *Provided, That* no person shall be appointed as Director General unless he/she is a member of the Philippine Bar or Geodetic Engineer or any person with adequate experience on matters pertaining to land administration and land management.

The Director General shall have the following functions.

- (a) Advise the President on the promulgation of rules, regulations, and other issuances relative to land administration and public land management;
- (b) Establish policies and standards for the efficient and effective operations of the Authority in accordance with the programs of the Government;
- (c) Promulgate rules, regulations and other issuances necessary in carrying out the Authority's mandate, objectives, policies, plans, programs and projects;

1 (d) Exercise control and supervision over all functions and activities of the
2 Authority and its Land Offices.

3 (e) Delegate Authority over all powers, functions and activities of the Authority;
4 and,

5 (f) Perform such other functions as may be provided by law or assigned by the
6 President.

7 **Section 12. Office of the Director General.** - The Office of the Director General shall
8 consist of the Director General, his immediate staff and the following offices:

9 a) Management Services Office;

10 b) Planning and Monitoring Office;

11 c) Human Resource Office;

12 d) Legal and Land Adjudication Office; and

13 e) Special Projects and Programs Office

14 **Section 13. Deputy Directors General.** - The Director General shall be assisted by
15 four (4) Deputies who shall be appointed by the President. The Director General is hereby
16 authorized to delineate, assign and/or reassign the respective functional administrative
17 divisions of responsibility of the Deputy Director General, as follows:

18 a) Survey- all technical programs, procedures and operations involved in the
19 surveying and mapping activities of the Authority;

20 b) Land Title Registration - all technical programs, procedures and operations in
21 the registration functions of the Authority;

22 c) Public Land Administration and Management- all technical programs,
23 procedures and operations in the disposition, administration and management of
24 Public Lands not otherwise in the control of any other agency or instrumentality
25 of the government, functions of the Authority

26 d) Land Information and Technology - all technical programs, procedures and
27 operations in the records and information technology management functions of
28 the Authority

29 The Deputy Director General for Land Title Registration should be a member of the
30 Philippine Bar with experience on land registration and the Deputy Director General for
31 Survey shall be a Geodetic Engineer.

1 No Deputy Director General shall be assigned primarily administrative
2 responsibilities. Within their functional area of responsibility, the Deputy Directors General
3 shall have the following functions:

- 4 (a) Recommend policies and programs to the Director General and advise the
5 Director General in the promulgation of administrative orders and other
6 issuances with respect to one's area of responsibility;
- 7 b) Issue technical and operating standards, guidelines, regulations and orders to
8 enforce policies with respect to one's area of responsibility: *Provided That* the
9 Deputy Director General assigned to land title registration shall resolve issues of
10 registrability of instruments elevated in consulta as provided for under PD 1529
11 as amended;
- 12 c) Provide opinion on and advise the field office on the efficient and effective
13 implementation of policies, programs and projects in one's area of responsibility
14 consistent with policies of the Authority that will efficiently and effectively
15 govern its activities and functions under his/her responsibility;
- 16 d) Coordinate the functions and activities of the units under one's responsibility
17 with those of other units under the responsibility of other Deputies;
- 18 e) Exercise authority on monitoring and evaluation of technical and operating
19 standards related to the functions and activities of the units under one's
20 responsibility in the land offices of the Authority; and
- 21 f) Perform other functions as may be provided by law or assigned appropriately by
22 the Director General.

23 **Section 14. Assistant Directors General.** - The Director General and Deputies shall be
24 assisted by five (5) Assistant Directors General appointed by the Director General. They shall
25 oversee the general administration of the Authority and shall be responsible for the following:

- 26 a) Management Services Office;
- 27 b) Planning and Monitoring Office;
- 28 c) Human Resource Office;
- 29 d) Legal and Land Adjudication Office; and
- 30 e) Special Projects and Programs Office.

31 **Section 15. Land Offices.** - Permanent Field offices at the city and provincial levels
32 are hereby established and shall be called Land Offices. The Authority may also establish
33 additional Land Offices in a city or province as it may determine for the efficient and

1 effective delivery of its services: *Provided*, That provinces and cities with existing Registry
2 of Deeds upon approval of this Act shall automatically be converted into Land Offices of the
3 Authority.

4 The Land Offices at the provincial and city levels shall be comprised of the following
5 offices: a) local surveys and mapping unit b) local registration and titling unit c) local public
6 land administration unit d) local records and information technology unit e) administrative
7 support unit f) legal unit; and g) such other units as may be established thereat by appropriate
8 directive of the Director General: *Provided*, That the Land Offices herein created shall co-
9 locate in a One-Stop-Shop concept as soon as the necessary infrastructure is made available.

10 ARTICLE IV

11 LAND ADJUDICATION BOARD

12 **Section 16. *Creation of the Land Adjudication Board (LAB).***- There is hereby created
13 a Land Adjudication Board (LAB). The LAB shall be the quasi-judicial body of the Authority
14 and shall have the following functions:

- 15 a) Exercise exclusive original jurisdiction over all matters involving the implementation
16 of laws, rules and regulations on land administration and public land management,
17 and all cases and/or controversies arising therefrom: *Provided*, That all petitions for
18 the correction of clerical or typographical errors committed in writing, copying,
19 transcribing or typing of an entry in the maps, survey plans and certificates of land
20 titles shall be administratively addressed by the Authority's Land Offices;
- 21 b) Exercise exclusive original jurisdiction on conflicts arising from the determination
22 and adjudication in land administration and public land management matters, except
23 cases falling under the jurisdiction of the Department of Agrarian Reform (DAR)
24 under the Carp Law and the National Commission on Indigenous Peoples under the
25 IPRA Law unless specifically provided herein: *Provided*, That jurisdiction over
26 conflicts and cases arising from ownership of private lands shall remain with the
27 regular courts. *Provided further*, That existing cases on land ownership and conflicts
28 pending in the regular courts shall remain under the court's jurisdiction unless
29 otherwise remanded by the courts to the Authority or LAB for disposition subject to
30 the pertinent provisions of this Act.

31 The LAB shall be under the administrative supervision of the Director General and
32 shall be divided into three divisions. Each division shall exercise equal powers, independently
33 resolving cases raised on appeal from the Local Land Adjudication Boards, created pursuant

1 to Section 18 hereof, from Luzon, Visayas and Mindanao: *Provided*, That the divisions
2 assigned to handle cases from Visayas and Mindanao shall hold permanent office in any of
3 the cities therein.

4 **Section 17. Composition.**- Each Division of the LAB shall be composed of three (3)
5 members who shall be appointed by the President for a fixed term of four (4) years and can
6 be reappointed for another term of four (4) years .

7 All members of the LAB shall be members of the Philippine Bar with at least ten (10)
8 years experience in property and land administration and management matters.

9 The members of each division shall elect their Presiding Officer who shall serve for a
10 term of four (4) years.

11 **Section 18. Local Land Adjudication Board.**- Local Land Adjudication Boards
12 (LLAB) are hereby created in all provincial and city Land Offices that shall serve as first
13 level board. The LLAB shall be composed of four (4) members. The Presiding Officer shall
14 be the Executive Land Officer, the two (2) other members shall be the head of the local
15 surveys unit and the head of the local registration unit while the fourth member shall be a
16 representative designated by the Chief Executive of the Local Government Unit where the
17 LLAB sits.

18 Decisions, orders and resolutions of the Local Land Adjudication Board shall be
19 raised on appeal to the LAB.

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

24 **Section 20. Proceedings and Procedure.** - The LAB shall not be bound by
25 technical rules of procedure and evidence but shall proceed to hear and decide all cases,
26 disputes, or controversies in a most expeditious manner, employing all reasonable means to
27 ascertain the facts of every case in accordance with justice and equity and the merits of the
28 case. Toward this end, it shall adopt a uniform rule of procedure to achieve a just,
29 expeditious, and inexpensive determination of merits: *Provided*, That it shall endeavor to
30 settle disputes and controversies amicably.

31 In the exercise of its functions, the LAB shall have the power to summon witnesses,
32 administer oaths, take testimony, require submission of reports, compel the production of
33 books and documents and answers to interrogatories, issue *subpoena* and *subpoena duces*

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

4 Responsible persons shall be allowed to represent themselves or their organizations in
5 any proceedings before the LAB: *Provided, however*, That when there are two (2) or more
6 representatives for any individual or group, the representatives should choose only one from
7 among themselves to represent such party or group before any LAB proceedings.

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

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

15 ARTICLE V

16 JUDICIAL REVIEW

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

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

24 **Section 24. Restraining Order or Preliminary Injunction.-** Only the Court of
25 Appeals and the Supreme Court of the Philippines shall have jurisdiction to issue any
26 restraining order or writ of preliminary injunction against the Authority or any of its duly
27 authorized or designated offices in any case, dispute or controversy arising from, necessary
28 to, or in connection with the application, implementation, enforcement or interpretation of
29 this Act and other pertinent laws on land administration and public land management.

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

placed. Those who opt to stay shall retain their remuneration and seniority. No official or personnel shall be dislocated and involuntarily separated, except for cause

Section 31. Separation Pay and Other Benefits.- Personnel who are not offered appointment within twelve (12) months upon the effectivity of this Act under the new staffing pattern of the Authority on at least equivalent terms and conditions as their present employment by reason of duplication or redundancy and those who decline an appointment in the Authority by reason of diminution in rank and conditions shall be entitled to incentives at the rate equivalent to the following:

- a) One (1) month of the basic salary for every year of government service and a fraction thereof, for those who have rendered twenty (20) years of service and below;
- b) One and one-half (1 ½) month of the present basic salary for every year of government service and a fraction thereof, computed starting from the 1st year, for those who have rendered twenty one to thirty (21-30) years of service; and
- c) Two (2) months of the present basic salary for every year of government service and a fraction thereof, computed starting from the 1st year, for those who have rendered thirty one (31) years of service and above.

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

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

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

1 **Section 33. Unexpended Appropriations and Transfer of Assets.-** The unexpended
2 balances of appropriations in the current General Appropriations Act and other laws in force
3 upon approval hereof, pertaining to, held, or used by, or available to the LRA and RoD, the
4 LMB, the LMS, the DENR-CARP National Secretariat and its field offices, and the LAMP
5 are hereby transferred to the Authority.

6 Such other unexpended balances of appropriations as may be deemed appropriate by
7 the Department of Budget and Management for transfer to the Authority shall also be so
8 transferred.

9 All real and personal properties, assets, liabilities, records, documents, positions,
10 appropriations, contracts and agreements which, upon the effectivity of this Act, are vested
11 in, or owned, by the LMB/LMS, the DENR-CARP National Secretariat and its field offices,
12 the LRA/RoD are hereby transferred to the Authority.

13 **Section 34. Penal Provisions.-** Any person who sells forms issued and distributed
14 gratuitously under this Act or who, being an officer charged with distributing them refuses or
15 fails without sufficient reason, to furnish the same, shall be punished for each offense by a
16 fine of not less than One hundred thousand pesos (P100,000.00) and not more than One
17 million pesos (P1,000,000.00) or imprisonment of not less than six (6) months nor more than
18 three (3) years, or both, at the discretion of the court.

19 Any person, corporation, association, or partnership which, not being qualified or no
20 longer authorized to apply for registration purposes, files or induces or knowingly permits
21 another person, corporation, association, or partnership to file an application in his/her or its
22 behalf or for his/her or its interest, benefit, or advantage, shall be punished for each offense
23 by a fine of not less than One hundred thousand pesos (P100,000.00) or imprisonment of not
24 less than five (5) years, or both, at the discretion of the court: *Provided*, That in case the
25 offender is a corporation, association, or partnership, their responsible officials shall be
26 deemed jointly and severally liable. The application shall be cancelled.

27 Any person who shall, by deceit or fraud, acquire or attempt to acquire lands of the
28 public domain or other real property or any right, title or interest, or property right of any
29 class to the same, and any person aiding and abetting him therein or serving as a means or
30 tool thereof, shall, upon conviction, be punished by a fine of not less than One hundred
31 thousand pesos (P 100,000.00) and imprisonment of not less than six (6) years nor more than
32 twelve (12) years, or both, at the discretion of the court.

1 Any person who shall tamper or attempt to tamper any records of the Authority that
2 will result in the acquisition of rights, title or interest over real property and any person aiding
3 and abetting him therein or serving as a means or tool thereof, shall, upon conviction, be
4 punished by a fine of not less than Five hundred thousand pesos (P500,000.00) and
5 imprisonment of not less than twelve (12) years, or both, at the discretion of the court.

6 For purposes of this Act, if the offender is a public official or government official or
7 employee, he or she shall be, in addition to the existing penalties, removed from office,
8 forfeit all retirement benefits except the monetary value of accumulated leave credits, and be
9 perpetually disqualified from holding any elective or appointive public office.

10 **Section 35. Preservation of Records.-** The Authority shall have possession and
11 control of all records, books, papers, offices, equipment, supplies, moneys, funds,
12 appropriations, land and other property, real or personal, held for the benefit or use of all
13 bodies, offices, and officers whose duties, powers, and functions have been transferred to and
14 conferred upon the Authority.

15 Pending a written notice of receipt issued by a duly authorized officer of the
16 Authority, it shall be the duty of any and all personnel responsible for, or in possession of
17 records relating to the affairs of the LMB, LMS, the DENR-CARP National Secretariat and
18 its field offices, the LRA and the RoD to protect and preserve such records.

19 Without prejudice to any other penalties provided for by law, any person who fails to
20 fulfil one's duty pursuant to the above paragraph, shall be guilty of an offense against the
21 provisions of this Act, punishable by a fine of not less than One million pesos
22 (P1,000,000.00) or imprisonment of not more than five (5) years, or both, upon the discretion
23 of the court.

24 **Section 36. Saving Clause.-** All orders, determination, rules, regulations, permits,
25 certificates, licenses, and privileges which have been issued, made, or granted effective by
26 the former LMB, LMS, LRA, RoD, DENR-CARP National Secretariat and its field offices,
27 or their predecessors shall continue to be in effect according to their terms until modified,
28 terminated, superseded, set aside, or repealed.

29 No suit, action, or other proceeding commenced by or against any officer in his
30 official capacity as an officer of any division or unit of the former LMB, LMS, LRA, RoD,
31 DENR-CARP National Secretariat and its field offices, the functions of which are transferred
32 by this Act to the Authority shall abate by reason of this Act. In like manner, no cause of
33 action by or against such division or unit or by or against any officer thereof in his official

1 capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, or other
2 proceedings may be asserted for or against the Authority or such official of the Authority as
3 may be appropriate

4 ARTICLE VII

5 MISCELLANEOUS PROVISIONS

6 **Section 37. Use of Income.-** The Authority is hereby authorized to use twenty
7 percent (20%) of all revenues derived from fees, charges and other sources in the
8 implementation of its projects.

9 **Section 38. Assurance Fund.** A special account within the LAA is hereby created
10 for the entire proceeds of the Assurance Fund, which shall no longer be paid to the National
11 Treasurer as provided for in Section 94 of Presidential Decree No. 1529. The existing
12 accounts of Assurance Fund created under PD 1529 held by the National Treasurer shall be
13 transferred to the LAA. Claims from the assurance Fund shall be heard, decided and
14 determined by the LAB. All pending cases or claims against the Assurance Fund now being
15 handled by the Bureau of Treasury, through the Office of the Solicitor General, shall likewise
16 be transferred to the LAB. Thereafter, the National Treasurer shall no longer be impleaded as
17 party in any action against the Assurance Fund.

18 **Section 39. Indemnification of Officials and Personnel.-** The Authority shall
19 indemnify all officials and personnel for all costs and expenses reasonably incurred by such
20 persons in connection with any civil or criminal actions, suits, or proceedings to which they
21 may be or made a party by reason of the performance of their functions or duties, unless they
22 are finally adjudged in such actions or proceedings to be liable.

23 **Section 40. Implementing Rules and Regulations.-** Within sixty (60) days from the
24 effectivity of this Act, the Authority shall promulgate the rules and regulations to implement
25 the provisions of this Act.

26 **Section 41. Repealing Clause.-** The pertinent provisions of the CARL and the IPRA
27 with regard to the conduct of survey, approval of survey results, preparation and issuance of
28 tenure instruments, are hereby amended or modified accordingly.

29 All other laws, decrees, orders, instructions, proclamations, rules and regulations or
30 parts thereof, including pertinent provisions of Commonwealth Act No. 141, Act No. 496,
31 Presidential Decree No. 1529, Executive Order No. 192 and its related rules and regulations;
32 Executive Order No. 469 dated February 11, 1981 and the subsequent Presidential
33 Memorandum Circular dated 30 September 1988 and their related rules and regulations; and

1 the Administrative Code of 1987. which are inconsistent with any provision of this Act, are
2 hereby repealed, modified, or amended accordingly.

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

6 **Section 43. *Effectivity.***- This Act shall take effect fifteen (15) days after its complete
7 publication in the *Official Gazette* or in a newspaper of general circulation.

8 **Approved.**