

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

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 3390



Introduced by: **REPRESENTATIVE MAGNOLIA ROSA ANTONINO-NADRES**

EXPLANATORY NOTE

The Department of Education (DepEd) revealed during the budget hearing that there are 46,000 public and elementary schools in the country, of which 41,924 public schools are squatting on various government and privately-owned lands. There are only 4,070 public school sites which sit on titled lands of which 1,908 are titled under the DepEd, 1,816 held by local government units and 348 school sites were granted under various presidential decrees.

Cognizant of the problem concerning the possible ejection of numerous schools from untitled lands being used as school sites, the Estrada Administration then has included in its legislative agenda the passage of a law providing for the registration of all lands occupied by the DepEd as public schools sites. However, the summary titling of public school sites did not materialize as the Estrada Administration did not last long to see the realization of such a valuable program.

The controversy generated by the ejection of the Cecilio Apostol Elementary School from the land it has occupied for several decades refused to die down due allegedly to anomaly that attended the sale by its owner, the local government of Caloocan City, to Gotesco Properties which until now remains pending in court. The ejection must serve as an ever-present reminder to legislators due mainly to the fact that it was a very painful lesson to learn due to the displacement of thousands of innocent schoolchildren. Likewise, only recently in Gapan City in Nueva Ecija, the Alternative Learning Center, which was constructed through the initiative of the Filipino-Chinese Chamber of Commerce in 2008 was demolished in 2012 by the local government of Gapan City, which owned the property.

Due to the significant number of untitled lands being used as school sites, there are numerous numbers of schools which are up for demolition that remain unreported and this situation is too serious to be ignored.

In order to address this problem, this bill therefore seeks to provide for a summary titling of all lands being used as school sites throughout the country. This will certainly provide DepEd with direct control and supervision over the land occupied by public school for the great benefit of public schoolchildren.

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



MAGNOLIA ROSA ANTONINO-NADRES

Representative

Fourth District, Nueva Ecija

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AN ACT
PROVIDING FOR THE SUMMARY TITLING OF ALL LANDS BEING
OCCUPIED AS PUBLIC SCHOOL SITES UNDER THE DEPARTMENT OF
EDUCATION (DepEd) AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Summary Titling of Public School Lands Act of 2013*”.

SEC.2. *Mandatory Titling of School Sites.* – All lands being used as public school sites that were acquired by the DepEd either by purchase, donation or exchange, but the registration of their titles have not been perfected, shall forthwith be registered under the DepEd.

All lands owned by local government units, which have been used as public school sites for at least thirty (30) years shall be donated to the DepEd and shall forthwith be registered under its name.

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

said property: *Provided, finally, That*, in case the landowner decides to sell or refused to sell the property used as public school sites, the following rules shall apply:

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

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

SEC. 4. Appropriations. – The amount necessary to carry out this Act shall be charged against the appropriations of the DepEd of the year following its enactment into law and thereafter.

SEC. 5. Repealing Clause. – All laws, decrees, executive orders, rules and regulations which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 6. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,