

TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 7257

EXPLANATORY NOTE

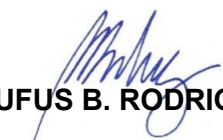
On 26 April 1904, Act No. 1120 otherwise known as “The Friar Lands Act,” was enacted into law. Under this law, the Insular government purchased friar lands from religious orders/private corporations for disposition to actual occupants or settlers thereof. These friar lands cover approximately 164,127 hectares and are situated in the provinces of Laguna, Bulacan, Cavite, Bataan, Cebu, Rizal, Isabela and Mindoro.

Friar lands have been registered under the Torrens system. Despite this, holders of certificates of title covering friar lands are required to provide proof of the validity of the initial sale of the friar lands by the Government to the original purchasers. This has led to various controversies involving the validity of the acquisition of the said friar lands and the integrity of the Torrens system. Worsening the situation is the fact that friar land records and Torrens titles in the custody of various government offices have suffered damage, even loss, through the passage of time, wars, floods, fires and other force majeure events to the prejudice of the present title holders

To address these controversies, Congress passed into law, Republic Act (RA) No. 9443 in 2007 to confirm and declare, subject to certain exceptions, the validity of existing certificates of title and reconstituted certificates of title covering the Banilad Friar Lands Estate situated in the First District of the City of Cebu. This law has notably put to rest questions regarding the validity of certificates of title covering the Banilad Friar Land Estate. As held in the case of *Manotok v. Barque (2012)*¹, friar lands can be alienated only upon compliance with the requirements of Act No. 1120, and that the remedy of other landowners which may be similarly affected lies in the legislature, “as what RA 9443 sought to rectify”.

Thus, building on the positive impact of RA 9443 in Cebu, and consistent with the purpose of the Torrens system “to quiet title to land; to put a stop forever to any question of the legality of the title, except claims which were noted at the time of registration, in the certificate, or which may arise subsequent thereto,” it is believed that the benefit under RA 9443 should be made comprehensive and extended to all friar lands nationwide.

In view of the foregoing, immediate approval of this measure is earnestly requested.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

¹ G.R. Nos. 162335 and 162605, 6 March 2012.

TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 7257

AN ACT

CONFIRMING AND DECLARING THE VALIDITY OF EXISTING TRANSFER
CERTIFICATES OF TITLE AND RECONSTITUTED CERTIFICATES COVERING FRIAR
LANDS

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

Section 1. All existing Transfer Certificates of Title and Reconstituted Certificates of Title duly issued by the appropriate Register of Deeds covering any portion of any Friar Lands in the Philippines, are hereby confirmed and declared as valid titles and the registered owners recognized as absolute owners thereof.

This confirmation and declaration of validity shall in all respects be entitled to like effect and credit as a decree of registration, binding the land and quieting the title thereto and shall be conclusive upon and against all persons, including the national government and all branches thereof; except when, in a given case involving a certificate of title or a reconstituted certificate of title, there is clear evidence that such certificate of title or reconstituted certificate of title was obtained through fraud, in which case the Solicitor General or his duly designated representative shall institute the necessary judicial proceeding to cancel the certificate of title or reconstituted certificate of title, as the case may be, obtained through such fraud.

Section 2. All laws, decrees, proclamations or issuances contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 3. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two national newspapers of general circulation.

Approved,