



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

20th CONGRESS
2nd Regular Session

HOUSE BILL NO. **10388**



Introduced by Representative SITTIE SHAHARA "BAI DIMPLE" I. MASTURA

AN ACT
PROVIDING FOR THE ADMINISTRATIVE AND SUMMARY TITLING OF REAL PROPERTIES USED AS SITES
FOR PUBLIC SCHOOLS

EXPLANATORY NOTE

For so long, land has been customarily given to government for public use such as roads, schools, barangay halls, parks, cemeteries, health centers, and so many other similar uses without completing the legal steps that actually transfer ownership and perfect title.

Many years later, problems arise when heirs reclaim the site; site development can not be funded using public money, missing or incomplete documents, or, in many cases as well – the land in question appears under the name of a wrong person in tax records.

For purposes of this measure as proposed, this bill seeks to provide for the administrative and summary titling of real properties used as sites for public schools in light of the report of the Department of Education that there are still thousands of untitled and unregistered school sites throughout the country.

Lands that were verbally donated lacked legal documents to support the transfer of ownership, notably in many cases where the donors' heirs decided to reclaim possession of the property.

In most cases, these school sites are presumably owned by local government units or under a lease or usufruct agreement.

The passage of this bill will allow for the summary titling of all lands used as public school sites and registration of these properties under the name of the Department of Education. As such, funding for school infrastructure development falls within the ambit of appropriation laws and is under the direct supervision and control of DepEd.

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

SITTIE SHAHARA "BAI DIMPLE" I. MASTURA
Representative

Lone District, Maguindanao del Norte with Cotabato City



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

SECTION 1. Declaration of Principle. – It is hereby declared the policy of the State to provide all lands used as public school sites with titles under the name of the Department of Education (DepEd).

SEC. 2. Mandatory Titling of School Sites. – Titles to real properties, public or private, including those owned or possessed by the national, provincial, city or municipal governments which are being utilized as actual sites for public schools for a period of at least five (5) years shall be transferred to the Department of Education (DepEd) by a simple motion filed by the Office of the Solicitor General (OSG) or by the City or Provincial Prosecutor.

The proceedings shall be administrative and summary in nature and the decision shall be final and executory and not subject to appeal in a petition for certiorari to the Supreme Court of the Philippines.

SEC. 3. Registration of Land Titles. – The Register of Deeds concerned shall forthwith register the properties as provided herein and issue the corresponding certificate of title to the Department of Education.

SEC. 4. Rules and Regulations. – The Department of Justice (DOJ), the Department of Education (DepEd), the Commission on Higher Education (CHED), and the Technical Education Skills and Development Authority shall jointly promulgate the implementing rules and regulations within sixty (60) days upon effectivity of this Act.

SEC. 5. Appropriations. – Funds necessary for the implementation of this Act shall be charged to the appropriations of the Department of Education under the General Appropriations Act (GAA).

SEC. 6. Separability Clause. – If any provision or part hereof is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SEC. 7. Repealing Clause. – All laws, decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with this Act are hereby amended, repealed or modified accordingly.

SEC. 8. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.