H.No. 7440
S. No. 1931

Republic of the Philippines
Congress of the Philippines
Metro Manila

Eighteenth Congress

Second Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand twenty.

[REPUBLIC ACT NO. 11573]

AN ACT IMPROVING THE CONFIRMATION PROCESS FOR IMPERFECT LAND TITLES, AMENDING FOR THE PURPOSE COMMONWEALTH ACT NO. 141, AS AMENDED, OTHERWISE KNOWN AS "THE PUBLIC LAND ACT," AND PRESIDENTIAL DECREE NO. 1529, AS AMENDED, OTHERWISE KNOWN AS THE "PROPERTY REGISTRATION DECREE"

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

SECTION 1. *Declaration of Policy.* – It is the declared policy of the State to simplify, update and harmonize similar and related provisions of land laws in order to simplify and remove ambiguity in its interpretation and implementation. It is also the policy of the State to provide land tenure security by continuing judicial and administrative titling processes.

SEC. 2. Section 44 of Commonwealth Act No. 141, as amended by Republic Act No. 6940, is hereby further amended to read as follows:

"SEC. 44. Any natural-born citizen of the Philippines who is not the owner of more than twelve (12) hectares of land, and who, for at least twenty (20) years prior to the filing of an application for agricultural free patent, has continuously occupied and cultivated, either personally or through a predecessor-in-interest, a tract or tracts of alienable and disposable agricultural public lands subject to disposition, and who shall have paid the real estate tax thereon shall be entitled, under the provisions of this Chapter, to have a free patent issued for such tract or tracts of such land not to exceed twelve (12) hectares."

SEC. 3. Section 45 of Commonwealth Act No. 141, as amended, is hereby further amended to read as follows:

"SEC. 45. All applications for agricultural free patents shall be filed before the Community Environment and Natural Resources Office (CENRO) of the Department of Environment and Natural Resources (DENR). For provinces with no CENRO, the application shall be filed with the Provincial Environment and Natural Resources Office (PENRO).

"The CENRO or the PENRO, as the case may be, is mandated to process the application within one hundred and twenty (120) days from filing, including compliance with the required notices and other legal requirements. The CENRO shall thereafter forward its recommendation to the PENRO if the area of the land is below five (5) hectares; to the DENR Regional Director if the area of the land is at least five (5) up to ten (10) hectares; and to the Secretary of the DENR if the area of the land is more than ten (10) up to twelve (12) hectares.

"Upon receipt of the recommendation from the CENRO, or upon the completion of the processing of the application within the reglementary period, the PENRO, DENR Regional Director, or the Secretary of the DENR, as the case may be, shall approve or disapprove the application for agricultural free patent within five (5) days. In case of approval, the agricultural free patent shall forthwith be issued.

"In case of conflicting claims among different claimants, the parties may seek the proper administrative and judicial remedies."

SEC. 4. Section 47 of Commonwealth Act No. 141, as amended by Republic Act No. 9176, is hereby repealed.

SEC. 5. Section 48 of Commonwealth Act No. 141, as amended, is hereby further amended to read as follows:

"SEC. 48. The following-described citizens of the Philippines, occupying lands of the public domain or claiming to own any such lands or an interest therein, but whose titles have not been perfected or completed, may file a petition at any time, whether personally or through their duly authorized representatives, in the Regional Trial Court of the province where the land is located, for confirmation of their claims and the issuance of a certificate of title to land not exceeding twelve (12) hectares:

"(a) Those who by themselves or through their predecessors-in-interest have been in open, continuous, exclusive, and notorious possession and occupation of alienable and disposable agricultural lands of the public domain, under a *bona fide* claim of ownership, for at least twenty (20) years immediately preceding the filing of the application for confirmation of title except when prevented by war or *force majeure*. They shall be

conclusively presumed to have performed all the conditions essential to a Government grant and shall be entitled to a certificate of title under the provisions of this Chapter.

"(b) Those who have acquired ownership of private lands or abandoned riverbeds by right of accession or accretion under the provision of existing laws; and

"(c) Those who have acquired ownership of land in any other manner provided by law."

SEC. 6. Section 14 of Presidential Decree No. 1529 is hereby amended to read as follows:

"SECTION 14. *Who may apply*. The following persons may file at any time, in the proper Regional Trial Court in the province where the land is located, an application for registration of title to land, not exceeding twelve (12) hectares, whether personally or through their duly authorized representatives:

"(1) Those who by themselves or through their predecessors-in-interest have been in open, continuous, exclusive and notorious possession and occupation of alienable and disposable lands of the public domain not covered by existing certificates of title or patents under a *bona fide* claim of ownership for at least twenty (20) years immediately preceding the filing of the application for confirmation of title except when prevented by war or *force majeure*. They shall be conclusively presumed to have performed all the conditions essential to a Government grant and shall be entitled to a certificate of title under this section.

"(2) Those who have acquired ownership of private lands or abandoned riverbeds by right of accession or accretion under the provisions of existing laws.

"(3) Those who have acquired ownership of land in any other manner provided for by law.

"Where the land is owned in common, all the co-owners shall file the application jointly.

"Where the land has been sold under *pacto de retro*, the vendor *a retro* may file an application for the original registration of the land: *Provided, however*, That should the period for redemption expire during the pendency of the registration proceedings and ownership to the property consolidated in the vendee *a retro*, the latter shall be substituted for the applicant and may continue the proceedings.

"A trustee on behalf of the principal may apply for original registration of any land held in trust by the trustee, unless prohibited by the instrument creating the trust."

SEC. 7. *Proof that the Land is Alienable and Disposable.* – For purposes of judicial confirmation of imperfect titles filed under Presidential Decree No. 1529, a duly signed certification by a duly designated DENR geodetic engineer that the land is part of alienable and disposable agricultural lands of the public domain is sufficient proof that the land is alienable. Said certification shall be imprinted in the approved survey plan submitted by the applicant in the land registration court. The imprinted certification in the plan shall contain a sworn statement by the geodetic engineer that the land is within the alienable and disposable lands of the public domain and shall state the applicable Forestry Administrative Order, DENR Administrative Order, Executive Order, Proclamations and the Land Classification Project Map Number covering the subject land.

Should there be no available copy of the Forestry Administrative Order, Executive Order or Proclamation, it is sufficient that the Land Classification (LC) Map Number, Project Number, and date of release indicated in the land classification map be stated in the sworn statement declaring

that said land classification map is existing in the inventory of LC Map records of the National Mapping and Resource Information Authority (NAMRIA) and is being used by the DENR as land classification map.

SEC. 8. *Penalties.* – In addition to the penalties provided in the Revised Penal Code and in Republic Act No. 8560, as amended, otherwise known as the "Philippine Geodetic Engineering Act of 1998," a geodetic engineer who shall prepare, willfully or through gross inexcusable negligence, a projection map that contains false, fraudulent, or incomplete data or information, and the DENR official who shall certify and approve such projection map, shall be penalized with a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos (P500,000.00), or imprisonment of not less than six (6) months but not exceeding six (6) years, or both, at the discretion of the court.

SEC. 9. *Removal of Restrictions.* – The provisions of Republic Act No. 11231 shall be applicable to Free Patents issued under this Act.

SEC. 10. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the Secretary of the DENR shall promulgate the implementing rules and regulations to carry out the provisions of this Act.

SEC. 11. *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 12. *Repealing Clause.* – All laws, decrees, executive orders, executive issuances, letters of instruction, rules and regulations, or any part thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 13. *Effectivity*. – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

VICENTE C. SOTTO III
President of the Senate

LORD ALLAN JAY Q. VELASCO
Speaker of the House of Representatives

This Act which is a consolidation of House Bill No. 7440 and Senate Bill No. 1931 was passed by the House of Representatives and the Senate of the Philippines on May 19, 2021 and May 18, 2021, respectively.

MYRA MARIE D. VILLARICA
Secretary of the Senate

MARK LLANDRO L. MENDOZA
Secretary General
House of Representatives

Approved: JUL 16 2021

RODRIGO ROA DUTERTE
President of the Philippines

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